

**TOWN OF DELHI  
BOARD MEETING  
September 9, 2024  
6:00PM**

Supervisor Boukai called the meeting to order at 6:00pm.

Those present:

Councilmember's: Margaret Baldwin, Matt Krzyston, Josh Morgan, Christina Viafore  
Highway Superintendent Daren Evans

Town Justice Mat Burkert

Residents: Henry Marino, Thomas Giudice

**The Pledge of Allegiance** was led by Supervisor Boukai.

**Privilege of the Floor:**

Town resident Henry Marino discussed that in 2022-2023 the Planning Board approved a storage unit on State Route 28. Some contingencies were not completed such as trees and lighting. He stated on August 10, 2024, he became aware of an individual living in a storage unit. This individual has been sleeping in his truck and in the storage unit. This has been reported to the town and Marino and his neighbors are concerned about someone living there and not vacating. There are no bathrooms at the storage units and the neighbors are concerned for their families and children. He requested that the Code Enforcement Officer go there, Marino stated the neighbors would show him where the person is living. Marino further stated anyone can get in the units they are not locked. There are no lights in that area, and they are worried about criminal activity. Marino wished to have the complaint on record and stated the town did not agree to this, and none of the conditions which the Planning Board requested were completed.

**Approval of August 19, 2024 Regular Monthly Meeting Minutes:**

A motion was made by Councilmember Baldwin to approve the August 19, 2024, meeting minutes, with Councilmember Krzyston seconding. Motion carried.

**Old Business:**

Supervisor Boukai stated she was hoping she had more information. The Public Safety met today regarding the diversion program, but as far as the division of money for the towns will be discussed at the Finance Committee on Wednesday. She will plan on attending as much of that meeting as she can. She asked Burkert if he wished to add to the discussion. Burkert stated the sooner he knows what you folks want to do then he can meet with Mr. Kinneman and get the company's all set up. If you decide it's not what you want to do, they will move on as usual.

Councilmember Krzyston asked if there was anything inhibiting us from participating; Boukai said other than a lack of information other than the number part, no. Boukai said in the big picture she is not opposed to trying it out, she thinks we should. If we are given an opportunity to pilot something and make recommendations, she believed it would be in our best interests to participate in it. Councilmember Krzyston added if they are trying to start it next month, we should take the lead even though we would like to have more information, but he didn't see anything that would stop him from changing his opinion on the program. He added he is hoping the county will be appropriate with the revenue.

Councilmember Morgan stated he believed it was a great program, other counties utilize it. We can still do ordinances, there could still be trials and everything, it's just another avenue. He didn't believe repeat offenders are going to be utilizing it so much. This is more for that first time situation.

Councilmember Viafore stated she thought we should participate in the pilot, see how it goes. We are not locked in forever.

Councilmember Baldwin stated it's just another layer of government, she didn't understand why we wanted to put ourselves further under the counties wing. Baldwin was against the program.

Supervisor Boukai said if one cannot afford diversion because it's \$300 in one pop, how do we make them aware that their outcome could be the same by going to court. She believed the perception that diversion is going to prevent points and it's the path of least resistance which it is, but if you don't have that money up front how do we inform the community that it is just one path. You can achieve the same outcome by going through the normal channels, the way it's been in the past.

Judge Burkert stated they will be contacting the other counties to see how they do it. Mr. Kinneman will be here tomorrow, and he will let him know the board would like to participate. Burkert stated he would forward the information that Kinneman gives him to the board, he encouraged the board to check it out. Councilmember Baldwin said this will be the time you need to speak out and give us your opinion; Burkert said he will let the board know what the public feels, but as the judge he will follow whatever policies the town puts in place. He feels that the best course of action the judge can take, Baldwin said she wants his input. The pilot program would run from October, November and December and would run full-time in January. Burkert will talk with Kinneman tomorrow and get the contact information for the company and if the board wants updates, he will let them know how they are progressing with it. He again stated it's up to the individual if they wish to come to court whatever they believe is in their best interests. Any feedback he gets he will pass along to the board. Any questions from the board he is sure will be addressed. Boukai stated in terms of timing our December meeting is on the 9<sup>th</sup>, so maybe we can get a more robust update after it's been roughly 10 weeks of running the program and seeing if anything needs to change. She anticipates issues coming up, but they may be dealt with within the first few weeks.

**New Business:**

Supervisor Boukai stated the court is applying for a JCAP grant. Supervisor Boukai stated Resolution No. 0011 of 2024 JCAP Grant approval, the justice court is applying for a grant for the court. Councilmember Morgan made the motion to approve the resolution with Councilmember Viafore seconding. Boukai requested the clerk call the roll:

**RESOLUTION No. 0011 OF 2024  
RESOLUTION AUTHORIZING APPLICATION FOR FUNDS  
FROM THE JUSTICE COURT ASSISTANCE PROGRAM**

BE IT RESOLVED, The Board of the Town of Delhi authorizes the Town of Delhi Town Court to apply for a JCAP grant in the 2024-25 grant cycle up to \$30,000.00. Town Justice Mathew Burkert to file an application for office equipment and courtroom enhancements from the New York State Office of Court Administration Justice Court Assistance Program.

Offered by: Councilmember Josh Morgan  
Second by: Councilmember Christina Viafore

Roll Call:

	YEA	NAY	ABSENT
Supervisor Maya Boukai	X		
Councilmember Matthew Krzyston	X		
Councilmember Margaret Baldwin	X		

Councilmember Josh Morgan X

Councilmember Christina Viafore X

Supervisor Boukai proceeded to sign the grant request for the justice court.

Supervisor Boukai announced budget workshops will be held October 7<sup>th</sup>, 9<sup>th</sup> and 11<sup>th</sup> at 5:00pm. Councilmember Baldwin made the motion to accept with Councilmember Krzyston seconding. Motion carried. Motion included clerk to advertise for two weeks.

Supervisor Boukai requested a motion to accept the Standard Workday Resolution for Councilmember Josh Morgan. A motion was made by Councilmember Krzyston to accept the Standard Workday Resolution and seconded by Councilmember Viafore. The clerk to post for 30 days.

### Committee Reports:

**Highway/Machinery: (Councilmember's Baldwin & Morgan)** Written report from Superintendent Evans provided to councilmembers. Evans stated that fitting things between the rain and cancellations with other municipalities we were able to get all our seal coating and oil and stoning done. Federal Hill #1, #2, Thomson Cross, Rueben Todd Road, Tom Hoag Road. There was a cancellation from another municipality, so we did it without any notice, but we were able to complete them.

The paved surfaces have been successfully applied to Hamden Hill and Dick Mason Rd. Those are complete although we are waiting on the installation of the shoulders from Delaware County DPW; their machine had broken so they are hoping the end of this week or next to have it completed. As soon as that is done, we are scheduled for a coat of oil and stone on both those roads. The contracting company has called and wants to do it by the end of the week, so he hopes all goes as scheduled with DPW. Whichever one comes first we can do, although it is easier when the county has their part completed first.

Evans announced NYS has officially changed their guidelines for the preventative maintenance process for highways including oil and stoning back to the 5-year program. You must have proof that your roads are in good condition, which ours are. This is a big bonus to continue our schedule of our 5-year maintenance program and to continue claiming through the CHIPS program.

Also, he announced congress has established an emergency protection program that can offer funds for municipalities or communities that are recovering from watershed emergencies that are caused by natural disasters which occurred with Tropical Storm Debbie through Soil & Water. Evans will complete the paperwork and see where it goes from there.

Councilmember Morgan asked how the backhoe looked; Evans stated possibly better than what it was. It is not back together but upon taking it apart we think it is the shaft for the torque converter, but it is not the whole transmission. We are hoping that is all it is.

Councilmember Krzyston stated he was on Dick Mason Road, and it looks very good. He questioned what Evans had to do as it looked like it was collapsing. Did you have to do a lot to that. Evans stated that was one of the rock wall projects we contracted out to Pawlikowski Excavating who has a huge excavator. Evans added the final step will be the guardrails. It is a solid road now.

A motion was made by Councilmember Baldwin to accept the Highway Report with Councilmember Krzyston seconding. Motion carried.

**Personnel: (Councilmember's Viafore & Baldwin):** Councilmember Baldwin said she and Councilmember Viafore can get together for the interview process and get questions compiled. She then asked Supervisor Boukai if she received John Kolodziej's or Amy Randall's reports from the recreation program. Boukai said Randall had asked if she was needed to come in and speak; Baldwin stated she can do a written report. Boukai will get them. Boukai stated she had sent out employee satisfaction surveys to all the lifeguards and will be sending them to John, Amy and Rebekah.

**Recreation/Health/Youth: (Councilmember's Krzyston & Supervisor Boukai):** Supervisor Boukai stated we had received the \$200 from Hamden for their participation in swim lessons. Boukai stated the Delhi Youth Boosters had gifted the town \$150 to be spent on lifeguard Appreciation Day. Boukai requested a motion to accept the donation, Councilmember Krzyston made the motion to accept the donation with Councilmember Viafore seconding. Motion carried.

Boukai also stated she sent surveys to all those that participated in the water aerobics program. Brinley is compiling them and will send them to her as she started school this week. It is the last thing Boukai is having her do.

Boukai then stated she and Councilmember Krzyston met last week and were able to come up with a plan regarding the concession stand in terms of executing all the rest of the work that needs to be done.

Boukai stated tomorrow she Dusty and Todd were going to close the pool. Boukai further stated the heater again needs to be repaired, since we have the money in the budget, we will get it fixed. Batteries/sensors were changed in the restrooms.

**Economic Development/Shared Services: (Councilmember Morgan & Viafore):** N/A

**Buildings/Codes: (Councilmember Morgan & Krzyston):** Councilmember Krzyston stated that we will be reaching out to the SUNY students for the concession building and also try to get them engaged for a new project for a shade structure by the pool. Because we want the project done on a certain schedule, we are also bringing in a local contractor to ask the questions as to what it would cost to the windows and doors because that has been a hang up at this point.

Councilmember Baldwin stated that the way the pool was constructed, the area between the pool edge and the fence are set up so you don't have room for a solar cover. Baldwin said the best way to figure it out is to talk with Brian Sprague.

**IT: (Councilmember Viafore & Krzyston):** Councilmember Viafore stated we have 259 users on NIXLE. She believes that pool has helped.

#### **CODES Monthly Report: s**

A motion was made by Councilmember Baldwin to accept the code's report for August 2024. Councilmember Morgan seconded the motion. Motion carried.

#### **Justice Court Report:**

A motion was made by Councilmember Baldwin to accept the August 2024 Justice Court Report. Councilmember Morgan seconded the motion. Motion carried.

#### **Clerk's Monthly Report:**

A motion was made by Councilmember Baldwin to accept the August 2024 Clerk's report, seconded by Councilmember Morgan. Motion carried.

#### **Supervisor's Financial Report:**

Boukai stated we are doing really good on our investments. Interest rates are coming down, we are still maximizing what we have at DNBD. All the reports closing out August are on the shared drive.

#### **Supervisor's County Report:**

Supervisor Boukai stated the county is doing a strategic plan and shared the marketing material with the board, she explained there is a survey that needs to be completed. There will be two in-person meetings for the public.

Councilmember Viafore asked Boukai if the fencing was going to be removed from the monument at the courthouse square. Boukai will reach out to Mole.

Boukai stated she hadn't heard back on the ice-skating rink; Pete has been on vacation.

**Abstracts:**

Councilmember Viafore made the motion to approve Abstract #009 – 2024 accounts A – DB Voucher No. 00358 – 00406 equaling \$186,172.83. Councilmember Morgan seconded the motion. Motion carried.

**Executive Session:**

Councilmember Morgan made the motion at 6:40pm to go into executive session for Personnel Matters-Employment History of a Particular Individual, Councilmember Viafore seconded. Motion carried.

A motion to exit the executive session was made by Councilmember Baldwin at 7:45pm with Councilmember Krzyston seconding. Motion carried.

**Adjourn:**

The council went directly into regular session at 7:46pm. A motion was made by Councilmember Krzyston to accept the retirement of Town Highway employee John Maney. Councilmember Viafore seconded the motion. Motion carried.

Councilmember Viafore made a motion to adjourn the meeting at 7:47pm, Councilmember Krzyston seconded. Motion carried.

Respectfully submitted,

*Elsa Schmitz*

Elsa Schmitz, Town Clerk Town of Delhi