

**TOWN OF DELHI  
BOARD MEETING  
November 13, 2023  
7:05PM**

Supervisor Tuthill called the meeting to order at 7:05pm.

Those present:

Councilmember's: Margaret Baldwin, Christina Viafore, and Bill Cairns, Matt Krzyston  
Highway Superintendent Daren Evans

Residents: Mathew Burkert, Cindi Cobbe, Peggy Hannigan, Kim Cairns, Josh Morgan, Maya Boukai,  
David Kopecek

**Approval of October 9, 2023 Regular Board Meeting, September 28<sup>th</sup>, October 12<sup>th</sup>, October 19, 2023 Budget Workshop Minutes:**

Councilmember Cairns made the motion to approve the above listed minutes as presented with Councilmember Baldwin seconding. Motion carried.

**Old Business:**

Supervisor Tuthill stated Councilmember Baldwin had sent pictures of the new equipment at the playground. Councilmember Baldwin stated the equipment had been installed on Friday and it is a sight to behold. The inspection follow though of Parkitects will be tomorrow. It is very nice. Supervisor Tuthill requested the clerk to contact the insurance company and let them know that Phase II has been installed. Baldwin added one of the plaques have been installed on the bench the other will be installed shortly. The Town of Delhi plaque still needs to be installed, it took two years, but it will be nice. Tuthill questioned Highway Superintendent Evans as to if the sidewalk was done; Evans stated they completed the project.

Supervisor Tuthill stated the other old business was the request from Delaware County Economic Development; the clerk sent the proposed resolution regarding Bramley Mountain Fire Tower to the town attorney for his input. We will address it at the December meeting. Tuthill asked the board if any of them had a problem with waiving the town's required regulations of zoning and planning. Tuthill said the attorney is looking at access, parking and that the town is covered and if there is an issue the county will be ultimately responsible not the town. Glenn Nealis, Director of Economic Development clarified that the immunity the county is asking for pertains solely to zoning as it related to height regulation and site plan approval, anything else would still be applicable. Tuthill asked what the required parking was for a fire tower; Nealis was not aware. Councilmember Krzyston stated he had heard that either the county or state was building another parking lot. Nealis said the city work on the access road and will be doing a small parking area there, but he was unaware of how many cars would be able to park.

**New Business:**

Supervisor Tuthill gave the floor to Dave Kopecek of Woodland Cemetery. Mr. Kopecek stated Woodland Cemetery encompasses 25+ acres in the village; he explained New York cemetery law where they are a 501-C-13, one of the things that means is if they fail (run out of money) the town would be required by law to take things over. The town would be required to cut the lawn three times a year and provide burial services for anyone that already owns a lot. The town would not have to sell additional lots although they could. Kopecek stated it behooves us to work together. The board legally can help the cemetery; Kopecek is here this evening to ask the board to consider somewhere in the budget \$3,500 for the cemetery. He further explained their expenses and explained how they

are raising funds. Kopecek said down the road he would like to work with the town on road maintenance. Councilmember Krzyston stated he wasn't aware of this. Tuthill did state he was aware of this.

After discussion Councilmember Cairns made a motion to have the cemetery present the town with expenses that have been paid up to \$3,500 and the town will reimburse them through this year's budget. With them tentatively doing the same next year. Councilmember Viafore seconded the motion. Councilmember Baldwin abstained as she is a cemetery board member. Motion carried. Tuthill stated in the future there should be a line in the budget for them. They would also accept in-kind services from the highway department.

Supervisor Tuthill stated that Local Law No. 002 of 2023 Local Law to Override the Tax Cap was not necessary as the town did not exceed the tax levy.

Supervisor Tuthill presented the 2024 Tentative Budget. Councilmember Baldwin wished that with Recreation the line items could show on the budget, that the breakdown was there. Tuthill stated we can do those separately, but the budget program will not handle all those lines. The bookkeeper can print off any of the expenditures Baldwin questions. Councilmember Viafore stated it still lists Justice Gumo on the budget. Tuthill will have it changed. Tuthill added that we were \$3,095 under the tax cap which is why we didn't have to do the local law. Councilmember Baldwin stated she questioned the salary that is not within our 12-month process that she had hoped we work with depending on applicants; she assumed that was the highest rate we had, and we could adjust it according to applicants and how much service we need for salary. Tuthill questioned what she was talking about; Baldwin said the \$7,500 for the pool director; we can't use this past summer as a guide. She was pleased we upped the CPO salary because of the amount of work he does even before and after the season. Tuthill added all those positions are up for negotiations; it's just a dollar amount to get things started. Supervisor Tuthill requested a motion to make the 2024 Preliminary Budget the 2024 Final Budget. Councilmember Baldwin then made the motion to adopt the 2024 Budget as presented with Councilmember Cairns seconding the motion. Motion carried.

Supervisor Tuthill discussed the Highway Union Contract stating it is a four-year contract. Year one it is a \$3.00 an hour raises with year two, three and four being a \$1.00 an hour increase. The clothing allowance has been increased to \$550 a year. The contract reads the same except for the above changes. Supervisor Tuthill requested Evans get copies of the updated CDL licenses from employees. Workdays will remain the same. Councilmember Viafore questioned the tool allowance. Tuthill explained that was a one time shot and that line could have been left out of this contract. Councilmember Cairns made the motion to authorize Tuthill to sign the contract with Councilmember Krzyston seconding. Motion carried.

**Highway/Machinery: (Councilmember's Baldwin & Cairns)** Written report from Superintendent Evans provided to councilmembers. Evans stated they are taking advantage of the weather at the playground. Equipment is prepped for winter. The 2007 Volvo dump truck is still out of service from the tree damage, he gave an update of the repairs. Evans stated the invoice is in the abstract for the cab and chassis; once they receive the check it will go to get the snowplow put on but what will hold it up is the hydraulics. We have no official word when that will be done but all other equipment is ready to go. Supervisor Tuthill asked for copies of all highway employees driver's licenses be given to the bookkeeper.

**Personnel: (Councilmember's Viafore & Baldwin):** Councilmember Baldwin stated the union contract was already discussed.

**Recreation/Health/Youth: (Councilmember's Viafore & Baldwin):** Councilmember Baldwin said she was happy to see the reimbursement done for the parents. Councilmember Viafore stated Kappa Sigma Epsilon moved the picnic tables. Councilmember Baldwin stated someone had plugged an RV into the brick building using the power. She wanted to know if there was any way to stop it from happening again as it is theft of services. Tuthill stated we would have to turn off the

breaker inside. Baldwin then asked where we were taking the \$154,000 for Phase II of the playground. Supervisor Tuthill explained that we have two options. The plan was to pay for it with the ARPA funds but in the interest of getting our paperwork done with the Feds, we were recommended to use the highway garage roof for it. That is what we did and the money for the roof went back into the general fund. The playground will be paid for by the general fund now. Baldwin was concerned as to the account which was used on the voucher to pay for Parkitect as there is not that kind of money in any of the recreation accounts. Tuthill stated that will be a yearend budget amendment. It will be a transfer from the general fund to cover it. Baldwin added she did not sign the voucher as she knew there were no funds in that account to cover it. She just likes to track the money. Tuthill said it will be a yearend transfer to cover fees. The help the bookkeeper had with the ARPA suggested it.

Baldwin stated she had sent everyone information of the two options for the vacuum for the pool. Todd Shady gave estimates, the manual would be \$3,800 and the self-propelled would be \$3,950. The other that the recreation director sent was \$3,999. Initially the board agreed to spend \$4,000 for the vacuum. After discussion Councilmember Krzyston made a motion to purchase the one that John suggested (the self-propelled) from Todd Shady with Councilmember Viafore seconding. Motion carried. Baldwin will work with the clerk to order the unit.

**Economic Development/Shared Services: (Councilmember Cairns & Krzyston):** Councilmember Cairns stated they have no report on this.

**Buildings: (Councilmember Cairns & Krzyston):** Councilmember Cairns stated there is no report at this time.

**IT: (Councilmember Viafore & Krzyston):** Councilmember Viafore stated we had some outlook training and will have another training session. Viafore discussed outlook abilities with the board.

**Codes: (Councilmember Cairns & Krzyston):** Councilmember Cairns stated in the month of October there were: 7 building permits issued, 19 inspections / meetings, 7 in-office conferences, 1 c/o letters, 1 c/c letter and he drove 178 miles.

### **CODES Monthly Report:**

A motion was made by Councilmember Krzyston to accept the codes report for October 2023 Councilmember Viafore seconded the motion. Motion carried.

### **Justice Court Report:**

A motion was made by Councilmember Baldwin to accept the October 2023 Justice Court Reports. Councilmember Viafore seconded the motion. Motion carried.

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

A motion was made by Councilmember Krzyston to accept the October 2023 report and seconded by Councilmember Viafore. Motion carried.

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

Supervisor Tuthill presented the board with the October Supervisors Report. Councilmember Cairns made the motion to accept the report with Councilmember Krzyston seconding. Motion carried.

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

Supervisor Tuthill stated that the final budget is finally done. Councilmember Baldwin said the salaries are up there. Councilmember Krzyston questioned the public defender's salary, Tuthill said it looks like the state is jumping in and wants to set it like the DA as they set that and we just must fund it, they are pushing to get the public defender on the same level. Krzyston asked if the positions are close; Tuthill stated most of the assigned council now is being thinned down to where public

defenders are handling the bulk of the cases; there are still some assigned counsels but not nearly what they used to be. A lot of the public defender's salary is offset by the state.

Krzyston asked about highway building updates, Tuthill stated not much at this point. Cairns said the garage at the dump is 99% closed in. Tuthill thought by next spring they should be nearly completed. The building in Delhi has parts issues still; it's pretty much ready to move into.

Krzyston stated sales tax revenue is higher than anticipated, Tuthill said it is 1% ahead of next year. Krzyston then asked with the elections did Tuthill feel the ground was more or less fertile for the idea of sharing the sales tax with towns and villages. Tuthill felt less as that was the way he was reading it but keep pushing.

**Abstracts:**

Councilmember Baldwin made the motion to approve Abstract #0011 – 2023 accounts A – DB Voucher No. 00422 – 00479 equaling \$399,378.39 and account TA Voucher No. 00128 – 00130 equaling \$13,903.63. Total vouchers presented equaled \$413,282.02. Councilmember Cairns seconded the motion. Motion carried.

**Adjourn:**

Councilmember Viafore made a motion to adjourn the meeting at 8:00pm, Councilmember Kryston seconded. Motion carried.

Respectfully submitted,

*Elsa Schmitz*

Elsa Schmitz, Town Clerk, Town of Delhi