

**TOWN OF DELHI  
BOARD MEETING**

**April 11, 2017  
7:30PM**

Supervisor Tuthill called the meeting to order at 7:30pm.

Those present: Council members Al Perkins, Thomas Little, Deputy Highway Superintendent Brian Rosenthal

Those absent: Councilmen Matt Krzyston, Councilman Bill Cairns, Highway Superintendent Daren Evans

Residents: Fred Huneke, Dave Kopecek

**The Pledge of Allegiance** was led by Councilman Little.

**Privilege of the Floor:**

Town resident Fred Huneke a retired dairyman from Elk Creek addressed the board regarding the information in the news lately as to Delaware County DPW and their wishes to purchase property on County Highway 18. Mr. Huneke has two issues with this, one being the loss of agricultural land and the other being the cost of the project itself. He felt that taking the property out of agricultural production and the loss of taxes from this land would not be well. A local farmer currently rents this property which is vital for his expansion. Another issue would be the wear and tear on Elk Creek Road which would suffer due to added traffic from trucks using GPS to get to the DPW building. Mr. Huneke further stated that he felt that the county should hire out an engineering firm to take a look at the current site to see what the rules and regulations are in a flood plain, to see if they can retain the current site with modifications. Getting a second opinion from an independent firm that can assess and possibly look at other sites not interfering with agricultural sites. He feels the county has not considered all the expenses associated with the move and returning the existing site to a "green space." He felt there were other solutions. He also stated that the highway department has done a fantastic job on fixing Elk Creek Road and would like to request that a nine ton limit be placed on the road.

Town resident Dave Kopecek addressed the board echoing Mr. Huneke's concerns. He stressed transparency. He doesn't feel that the public has not been informed of the counties options; he believes we need to push for this transparency.

Supervisor Tuthill agreed with both residents stating that the Town Board is against Delaware County purchasing the property and has verbally stated such at the county level.

**Approval of the Meeting Minutes of March 17, 2017 Board Meeting:**

Councilman Little made a motion to accept the March 17, 2017 Board Meeting minutes with Councilman Perkins seconding. Motion carried

**Old Business:**

Supervisor Tuthill stated that the rental regulations have been sent to the Town attorney for his input. We will have a meeting with the attorney and code officer at a later date.

Supervisor Tuthill stated that he still has not received any information from Tanglewood Lake Road residents. Mr. Kopecek will speak with the association and to see what the status of their work has been.

Councilman Cairns has the information as to the Planning Board fee schedule, as he was absent the matter was tabled.

Supervisor Tuthill informed the board that a proposed settlement has been reached with Price Chopper regarding the tax challenge. He stated that a motion was necessary to enter into the settlement. Councilman Little made the motion that Patrick L. Seely, Jr., Esq., the Attorney for the Town retained to defend the assessment action entitled Burdkidz, LLC v. The Assessor, the Board of Assessment Review of the Town of Delhi and the Town of Delhi, be authorized to enter into the Settlement Agreement as proposed to the Board, a copy of which has now been made a part of the official town minutes. Councilman Perkins seconded the motion. Motion carried.

**New Business:**

Supervisor Tuthill stated that we will hold off on the opening of the bids for Item #1- Hauling Fees as there is some confusion/controversy as to what the County has bid.

Bids for Item #3-Heating Oil were received from the following:

- Allison Oil, Inc., Andes, NY - \$2.09 per gallon fixed price delivered to the Delhi Town Hall and Highway Garage.
- Mirabito Energy Products, Binghamton, NY - \$2.1281 per gallon fixed price delivered to the Delhi Town Hall and Highway Garage.

Councilman Perkins made the motion that the bid be awarded to Allison Oil at a fixed price of \$2.09. Councilman Little seconded. Motion carried.

Bid for Item #2 Diesel Fuel was received from Mirabito Energy Products at a price of \$2.1859 per gallon fixed price to be delivered to the Town of Delhi Highway Garage. Clear kerosene (if needed for winter blend with diesel) \$2.6469 per gallon fixed price. Councilman Little made the motion to accept the bid from Mirabito Energy Products at the price of \$2.1859 per gallon fixed price to be delivered to the Town of Delhi Highway Garage. Clear kerosene (if needed for winter blend with diesel) \$2.6469 per gallon fixed price. Councilman Perkins seconded the motion. Motion carried.

Supervisor Tuthill informed the board that it is necessary to purchase a “new” used dump box for the highway department from the Town of New Berlin for \$7,000.00 as the old one is no longer usable. Councilman Perkins made the motion to approve the purchase of the new/used dump box with Councilman Little seconding. Motion carried. Councilman Little did question what happened with the existing box, Deputy Highway

Superintendent Rosenthal explained that the old dump box was so rusted that it basically peeled open and cannot be repaired.

Supervisor Tuthill stated that a bill has been received for the hay from Phil Hadley for the Ice Skating Rink. A bill for labor from Matt Weaver will be received at a later date which is for the maintaining of the rink throughout the winter. The maximum that is billable for labor will be \$1,000.00.

### **Committee Reports:**

**Highway/Machinery:** (Councilmen Perkins & Cairns) – Superintendent Evans was absent. He provided the board with a written report in his absence. (See attached.) Councilman Little asked Deputy Highway Superintendent Rosenthal how many loads of grater mix they were planning on using (budgeting) this year. Rosenthal stated he believed it was four, and the first two were coming out of CHIPS. Elk Creek would be one of the first roads. Supervisor Tuthill stated that he received notification that the Town would be reimbursed \$254,813.12 from CHIPS, Pave New York and winter recovery. This is close to what Superintendent Evans estimated. Also, Supervisor Tuthill stated that he has received the first set of paperwork for the DASNY Grant for the replacement of the Tandrum, he is going to attempt to have Marge Merzig help with the completion of the paperwork as she has helped the Town of Bovina with theirs.

**Health/Youth:** (Councilmen Krzyston & Cairns) – N/A

**Economic Development/Shared Services:** (Councilmen Perkins & Krzyston) – Councilman Perkins said they have not met recently.

**Recreation:** (Councilman Perkins) – Councilman Perkins informed the board that all paperwork has been sent to NYS Department of Health and to Parks & Recreation.

**Personnel:** (Councilman Little) – N/A

**Building:** (Councilman Little) – Supervisor Tuthill stated that the cleaner is doing a great job. Also, Councilman Little stated that we have replaced the vacuum cleaner for the Town Hall, and also that we have had to replace the circulator pump for the boiler at Town Hall.

**IT:** (Councilman Krzyston) – N/A

**CODES:** (Councilman Cairns & Little) – Councilman Little stated that it has been slow as it is that time of year. The nursing home is on schedule, scheduled to be done June 1<sup>st</sup>.

### **CODES Monthly Report–**

A motion was made by Councilman Perkins to accept the March 2017 Code Report. Councilman Little seconded the motion. Motion carried.

### **Justice Court Report:**

A motion was made by Councilman Little and seconded by Councilman Perkins to accept the March 2017 Justice Report. Motion carried.

**Clerk's Monthly Report:**

A motion was made by Councilman Little to accept the March 2017 Clerk's Report, and seconded by Councilman Perkins. Motion carried.

**Supervisor's Financial Report:**

Supervisor Tuthill presented the board with the February 2017 and March 2017 Supervisors Report. Councilman Perkins made a motion to accept the February 2017 Supervisors Report with Councilman Little seconding. Motion carried. Councilman Little made the motion to accept the March 2017 Supervisors Report with Councilman Perkins seconding. Motion carried.

**Supervisor's County Report:**

Supervisor Tuthill informed the board that if the County continues to push on the purchasing of the property on County Highway 18 for the DPW, he will insist that a public hearing be held so that residents can come out and voice their opinions. As he believes there should be public input. Councilman Perkins is upset that this has not been brought to the Capital Projects Committee, they are bypassing steps. Councilman Little stated that our Board protected this property from being purchased by NYC and now we are being bypassed. Our Town Board is against the purchase and want issues resolved. Supervisor Tuthill stated the mental health building search is going well, proper steps are being followed.

Supervisor Tuthill also informed the board that NYC has purchased part of the old Hoyt farm on Platner Brook several months ago; they are proposing to allow hunting, hiking, fishing and trapping without a DEC Access Permit.

**Abstracts:**

Councilman Little made the motion to approve Abstract #004-2017 accounts A – DB Voucher No. 97-133 equaling \$45,632.38, account TA Voucher No. 112-114 equaling \$8,871.78. Total of presented Vouchers for Abstract #004-2017 - \$54,504.16. Councilman Perkins seconded the motion. Motion carried.

**Adjourn:**

A motion was made at 8:25pm to adjourn by Councilman Perkins and seconded by Councilman Little. Motion carried.

Respectfully submitted,

*Elsa Schmitz*

Elsa Schmitz, Town Clerk, Town of Delhi