

**TOWN OF DELHI
BOARD MEETING
October 13, 2020
7:00PM**

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

Those present:

Councilmember's: William Cairns, Janet Tweed, Matt Krzyston, and Christina Viafore.

Highway Superintendent Daren Evans

Town Residents: Richard Gumo, Mike Boumoussa, Kenny Scharf, Paul Bidonde, Elizabeth Wiggins

Pledge of Allegiance:

Councilmember Cairns led the board in the pledge.

Privilege of the Floor:

Elizabeth Wiggins a resident of John Williams Road came forward and questioned the camp ground that was supposed to be closed wishing to know when it was supposed to "cease and desist," as they had recently spoken to the code officer and he said it was September 8th and questioned why it took a month for this to occur. She stated that they did not "cease and desist" based on information she found. Supervisor Tuthill stated the code enforcement officer is handling the case and should be contacted. Wiggins wanted to give the information to Tuthill; he stated she needed to give it to Downin. Further if they are violating it; it will have to go to court. Wiggins said if they can't get a hold of the code officer what are they supposed to do, Tuthill said keep giving the information to Downin. Wiggin's questioned when the code officer was in, Tuthill stated Tuesday's and Thursday's in the morning. The clerk took the paperwork from Wiggins to turn over to the code officer. Paul Bidonde addressed the board stating he spoke with the code officer and notified him that there were six vehicles full of campers and requesting he come to the site, he never responded. He has called him and left messages and the code officer has never responded back. He questioned what his next step should be as the residents are caught between a rock and a hard place, as nothing is happening. Mike Boumoussa questioned what is next, Tuthill stated the courts are behind and are trying to catch up with a backlog of cases; this doesn't take a high priority. Tuthill stated he will have the codes committee speak with the code officer. Councilmember Krzyston stated that for the code officer to issue a "cease and desist," that is a major thing, it's not a small thing and it sounds like this individual is setting themselves up to get into a lot of trouble. Our code officer has taken the first steps to stop it and now it will definitely be a legal matter. Mr. Boumoussa questioned time wise, how long does it take. Wiggins questioned state regulations; Tuthill stated they could call the state, NYSDEP.

Councilmember Cairns stated contact the Oneonta New York State Department of Health's office. Tuthill stated the process to go to court could take some time.

Justice Gumo asked if the board members received his letter from last week regarding the Justice Courts budget and that there was a workshop on Thursday. Tuthill stated yes, and stated there would be a workshop.

Approval of September 8, 2020 Regular Monthly Meeting Minutes:

Councilmember Cairns made a motion to accept the September 8, 2020 board minutes as presented, with Councilmember Krzyston seconding. Motion carried.

Old Business:

Supervisor Tuthill stated that he has not heard anything further on the testing of the pool property by the DEC. Supervisor Tuthill announced they had the new revised version of the PAC Bylaws. He requested a motion be made accepting the revised bylaws effective September 15th; Councilmember Krzyston made the motion to accept with Councilmember Tweed seconding. Motion carried.

Supervisor Tuthill announced the JCAP resolution done last month (Resolution No. 004 of 2020) was submitted; they are requesting basically that the section stating “Justice Richard Gumo...” be changed to “Town Court to apply for a JCAP grant.” He authorized the clerk to make the change. A motion was made by Councilmember Cairns to change and seconded by Councilmember Tweed. Motion carried.

New Business:

Supervisor Tuthill presented the board with a short environmental form (SEQR) which was necessary in order to pass Local Law No. 002 of 2020 Tax Cap Override. Supervisor Tuthill read the questions to the board; they then proceeded to answer questions necessary for the completion of the SEQR. Supervisor Tuthill then submitted Resolution No. 005 of 2020; RESOLUTION OF THE TOWN BOARD OF THE TOWN OF DELHI DETERMINING THAT THERE ARE NO ADVERSE IMPACTS ON THE ENVIRONMENT FROM ADOPTION OF A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW §3-c:

RESOLUTION NO. 005 OF 2020

TOWN OF DELHI

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF DELHI
DETERMINING THAT THERE ARE NO ADVERSE IMPACTS ON THE ENVIRONMENT
FROM ADOPTION OF A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT
ESTABLISHED IN GENERAL MUNICIPAL LAW §3-c**

WHEREAS, the Town Board is adopting a Local Law to Override the Tax Levy Limit established in General Municipal Law §3-c; and

WHEREAS, the possible environmental impacts of the adoption of this Law have been considered by the Town Board;

NOW THEREFORE BE IT RESOLVED, that the Town Board has determined that the adoption of a Local Law to Override the Tax Levy Limit Established in General Municipal Law §3-c will not have significant adverse impacts on the environment; and

WHEREUPON, the Resolution was put to a vote and recorded as follows:

Motion made by: Councilmember Cairns

Seconded by: Councilmember Krzyston

Roll call:

	Aye	Nay	Absent
Supervisor Tuthill	<u> X </u>	_____	
Councilmember Krzyston	<u> X </u>	_____	
Councilmember Tweed	<u> X </u>	_____	
Councilmember Viafore	<u> X </u>	_____	
Councilmember Cairns	<u> X </u>	_____	

Resolution No. 005 of 2020 carried.

With the above resolution being carried Supervisor Tuthill requested a motion be made to approve Local Law No. 002 of 2020 - Override the Tax Levy Limit Established in General Municipal Law §3-c. Councilmember Cairns made the motion to approve Local Law No. 002 of 2020 with Councilmember Krzyston seconding. Roll call as follows:

	Aye	Nay	Absent
Supervisor Tuthill	<u> X </u>	_____	
Councilmember Krzyston	<u> X </u>	_____	
Councilmember Tweed	<u> X </u>	_____	
Councilmember Viafore	<u> X </u>	_____	
Councilmember Cairns	<u> X </u>	_____	

Town Clerk to file Local Law 002 of 2020 with the state.

Supervisor Tuthill requested a motion be made to approve the Network Maintenance and Support Agreement with ISD for 2021, giving him permission to sign the agreement. Councilmember Tweed made the motion with Councilmember Viafore seconding. Motion carried. The clerk will mail the agreement.

Supervisor Tuthill announced he had received a letter from the O'Connor Foundation approving the request for a matching \$5,000 grant to restore the 2011 F-250. He requested a motion to accept the grant and approve him signing the paperwork. Councilmember Cairns made the motion, with Councilmember Krzyston seconding. Motion carried. The clerk will mail the acceptance agreement.

Supervisor Tuthill announced we had received a copy of the Delhi Rural Fire Departments budget. He stated the breakdown by towns is not accurate as the county will have to apportion everything based on equalization rates; it may be tweaked up or down a bit for each municipality. He stated the board should not be concerned if it doesn't quite match our budget.

Supervisor Tuthill announced NYS is now requiring all municipalities, school districts etc., to come up with an emergency plan of how to operate under a pandemic or other disaster. Councilmember Viafore stated she has been to training and has an idea of what they are requiring. The clerk gave Viafore the power point presentation which she printed to her along with the governor's new law. The plan needs to be filed by April 2021. The plan needs to cover all employees/boards of the town. Councilmember Tweed will work on the plan with Viafore. They will present something at the December meeting.

Supervisor Tuthill stated that our 2020 Fiscal Stress numbers have been released. The numbers have come out good. The financial end of it we received a "0" which is the best you can get; it means you have no problems that they are aware of from being over extended or not managing your money correctly. The second part is the environmental stress which Tuthill said is more average value homes, percentage of people on public assistance, average income per household there are many variables that go into it; Delaware County does not get a good number on it, we get a 33. This number hasn't changed since Tuthill has been supervisor. The board discussed the report.

Supervisor Tuthill announced there will be an exit meeting with the NYS Comptrollers on October 21, 2020; this meeting will conclude the pool audit.

Committee Reports:

Highway/Machinery: (Councilmember's Tweed & Cairns) – Superintendent Evans gave a written report to the council members (see attached.) Supervisor Tuthill discussed with Evans the lease of the 2020 Caterpillar, the funds will come out of this year's budget. Tuthill stated that during the last budget workshop the new highway roof was not budgeted for; he has added it to the buildings. Tweed questioned the water tank asking if it was coming out of this year's budget. Evans stated the water truck is a 1973 and was donated to the town and has served us well; but it is now out of service. Evans is looking to purchase a new tank at an estimated cost of \$5,000. This \$5,000 is anticipating what we need to put it on a frame, the tank itself is \$4,000. He discussed there is two trucks it would be able to go on, more research is necessary. It will take three to four weeks to get one. Evans stated he is still pursuing the board's approval for the mechanics position; it is needed for the winter months. Our employees are starting to prepare trucks now. His report detailed the equipment issues.

Recreation/Health/Youth: (Councilmember's Tweed & Viafore) – Councilmember Tweed stated the pool has been closed down for the season; she thanked Brian Sprague for all his help. It has been winterized. Tweed wished to make a motion to have monies transferred from the pool savings in the amount of \$7,800.00 to pay off the pool cover to William Watson. Councilmember Viafore seconded the motion. Motion carried. Tuthill will let the bookkeeper know.

Councilmember Viafore announced there is a new app available for COVID tracking from the state. The app is downloaded and uses Bluetooth.

Councilmember Tweed announced she attended a Complete Streets meeting at the county partly for the town. She stated she questions the county regarding environmental accessibility as one of the main focuses of

complete streets is to promote walk able, age friendly communities. She feels the more they can work on the county level the better this committee can advocate for direct money to help promote activities for healthy lifestyles.

Economic Development/Shared Services: (Councilmen Cairns & Krzyston) – Councilmember Cairns stated the results of the housing study have been released and there is a website www.delhinyhousing.com that anyone can access. He feels they did a good job with their overview of our situation and they identified five different areas between the village and the town with the potential for development and new housing. They did a good job looking at a wide spectrum of pricing. Councilmember Krzyston added it was meant to be what it was, a fair marketing piece for developers to get a taste of what is possible in the area. He added he hopes they can encourage people to look at it and understand what the purpose of it is. Cairns requested that IT put a link to the site on our website. Cairns stated it's a great project for shared services to continue to work together and move forward.

Personnel: (Councilmember Cairns & Councilmember Tweed) – N/A

Building: (Councilmember's Cairns & Krzyston) – Councilmember Cairns spoke with the code officer they will be getting together regarding specs and details to develop a bid proposal for the garage roof. Cairns further stated he did a quick look at town hall and it looks better with the paint job. Krzyston stated he put flex steel on the roof and requested that the clerk let him know if it leaks further. Cairns stated something needs to be done to cover the a/c outside to protect it from the elements. Krzyston announced that the court is applying for a grant to put in a/c's.

IT: (Councilmember Tweed & Councilmember Viafore) – Councilmember Viafore stated she will work on getting the housing study on the site.

CODES: (Councilmember Cairns & Krzyston) – Supervisor Tuthill requested that the committee work with the code officer on a plan of action on the John Williams Road issue. Councilmember Cairns stated the code officer stated during their last conversation the owner had agreed to cease and desist. They will work with him.

CODES Monthly Report:

A motion was made by Councilmember Krzyston to accept the September 2020 Code Report. Councilmember Viafore seconded the motion. Motion carried.

Justice Court Report:

A motion was made by Councilmember Krzyston to accept the September 2020 Justice Court, Councilmember Cairns seconded. Motion carried.

Clerk's Monthly Report:

A motion was made by Councilmember Krzyston to accept the September 2020 Clerk Report, Councilmember Cairns seconded, motion carried.

Supervisor's Financial Report:

Supervisor Tuthill presented the board with the September 2020 Supervisors Report. Councilmember Tweed made the motion to accept as presented with Councilmember Viafore seconded. Motion carried.

Supervisor's County Report:

Supervisor Tuthill stated they are still working on the budget. There will be a presentation by DPW on their three building project at the county meeting tomorrow. He gave an update on the new mental health facility, they are making progress. It will be a two story building.

Abstracts:

A motion was then made by Councilmember Cairns to approve Abstract No. 0010- 2020 Accounts A-SF Voucher No. 00341 – 00391 = \$161,302.27, Account TA Voucher No. 00163 – 00165 = \$7,475.62; total vouchers \$168,777.89. Councilmember Viafore seconded the motion. Motion carried.

Executive Session:

Supervisor Tuthill requested a motion be made to enter into executive session to discuss the employment history of a particular individual. Councilmember Cairns made the motion with Councilmember Viafore seconding. Motion carried to enter into executive session at 8:30pm.

A motion was made to exit executive session at 8:43pm by Councilmember Cairns with Councilmember Tweed seconding. Motion carried.

Adjourn:

A motion was made by Councilmember Cairns to adjourn the meeting at 8:44pm with Councilmember Viafore seconding. Motion carried.

Respectfully submitted,

Elsa Schmitz

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Town Clerk, Town of Delhi