

**TOWN OF DELHI
BOARD MEETING
October 11, 2021
7:00PM**

Supervisor Tuthill called the meeting to order at 7:00pm.

Those present:

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

Town residents: Eric Rickman, Josh Morgan, Cindi Cobbe, Mark Roach, Peg Baldwin

The Pledge of Allegiance was led by Councilmember Cairns.

Privilege of the Floor:

Approval of September 13, 2021 Regular Monthly Meeting Minutes & September 27th Budget Workshop:

Motion was made by Councilmember Krzyston to accept both the September 13th regular monthly board meeting minutes and the September 27th budget workshop minutes with Councilmember Viafore seconding the motion. Motion carried.

Old Business:

Supervisor Tuthill stated the IDA request of the sewage transport corporation-Delhi Sewage Works was not on the agenda this evening as the town was supposed to have gotten a resolution but there were issues with the timeliness and changes to the resolution at the last minute; as such a resolution should be presented at our November 8th board meeting. Supervisor Tuthill announced representatives from both SAPUTO and Friesland Campina were in the audience tonight. He offered them the floor to voice concerns that have been raised and to tell us where they were at with the situation.

Mark Roach representing Friesland Campina stated they were aware that IDA wanted to form a sewage works corporation and their biggest concern is they wish to see the full package and want to comment on what the town is going to see and what we are going to vote on before it is voted on. They also wish to submit comments should they have any at that time.

Eric Rickman of SAPUTO Dairy USA wants to back up Mark and wants to see what the resolution says and they feel it has been a little premature to even vote on it right now as they have not even finished negotiating out the way the sewage works corporation is going to look at the end of it. They were here to ask the town make a delay in the vote.

Supervisor Tuthill agreed stating it was kind of last minute and the town had not even had time to review the resolution either. Tuthill further stated he was on a phone conference Friday with our attorney, Kevin Young, the attorney for IDA and Glen Nealis of Economic Development. They discussed tonight's meeting and the towns' reluctance to act when we had not seen the first resolution or the revised draft so everyone agreed to put it off for another month. Tuthill hoped they would be in contact with both SAPUTO and Friesland as this is what they were asked to do by the town attorney. Tuthill stated the next board meeting would be November 8th at 7:00pm.

Councilmember Viafore announced the Clean Energies letter is signed with the due date being October 20th not the 10th. We are working with Transition Catskills to see what other opportunities might be available. She questioned Tuthill regarding U-Source asking if we were moving forward with Delaware River Solar; Tuthill explained they had never responded to our question as what they told us and what the contract said were significantly different. He forwarded it to Jeff and has yet to get an explanation as to why we were led to believe one thing and that's not what the contract says. Due to this we have not moved forward.

New Business:

Supervisor Tuthill presented the board with a short environmental form (SEQR) which was necessary in order to pass Local Law No. 001 of 2021 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. 003 of 2021; 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. 003 OF 2021

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 Krzyston

Seconded by: Councilmember Cairns

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. 003 of 2021 carried.

With the above resolution being carried Supervisor Tuthill requested a motion be made to approve Local Law No. 001 of 2021 - Override the Tax Levy Limit Established in General Municipal Law §3-c. Councilmember Tweed made the motion to approve Local Law No. 001 of 2021 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 001 of 2021 with the state.

Councilmember Krzyston asked Tuthill the status of the assessment challenges. Tuthill stated we have a timetable from he believes the nursing home when the judge would like to see the paperwork which is late next

year. The town attorney is working with Bruce McKeegan to see if the school will cooperate so we can hire a professional to handle it for us.

Councilmember Krzyston asked questions regarding the Fire Departments Budget, Tuthill asked that Krzyston give the questions to Councilmember Cairns so he can present them to the fire commissioner and have answers at our next budget workshop which is the 21st of October.

Committee Reports:

Highway/Machinery: (Councilmember's Tweed & Cairns) – Written report from Superintendent Evans was given to council members (see attached). Superintendent Evans was absent as such Councilmember Cairns read the report to the council. He stated the plow frames had arrived at Henderson Equipment, there is no firm delivery date although Evan's had stated he believes they will be delivered shortly. Tuthill added they told Evans before snow flies. The extra month of the lee-boy has allowed the highway department to clean up an extra 12 miles of ditches to prepare for next year's activities. After this week the highway personnel will get the trucks ready for winter maintenance. The Annual Certification of Local Highway Mileage Inventory has been reviewed by Superintendent Evans and given back to Delaware County DPW as required. Delivery of winter road girt will be completed within the next week or two. Cairns then read the repair report and stated the good news was all work was completed in house.

Personnel: (Councilmember's Tweed & Viafore) - N/A

Recreation/Health/Youth: (Councilmember's Tweed & Viafore) – Councilmember Tweed stated the pool is closed and the next thing to think about is the ice skating rink. She discussed an ad for rink maintenance; Supervisor Tuthill requested a motion to advertise for rink maintenance, Tweed or Councilmember Krzyston will provide the clerk with the advertisement for the position at a rate of \$1,000 for the season. The position will be advertised for two weeks. Councilmember Krzyston made the above motion with Councilmember Viafore seconding. Motion carried. Councilmember Krzyston questioned if we had raised the amount to \$1,500, Councilmember Tweed said she will have to look back through the minutes as she remembered we had some difficulty getting someone to do it. The rate was again motioned by Councilmember Cairns and seconded by Councilmember Tweed to be a \$1,000. Motion carried.

Councilmember Viafore announced the Homecoming Parade is this Friday at 6:00pm.

Councilmember Tweed announced the stencils for the painting of the Sherwood's Road have arrived from the grant we received. She further stated there has been some community push to get it done this fall; she discussed this with Highway Superintendent Evans and Highway Committee member Cairns and both Evans and Cairns stated it should wait. Evans explained to her it would have a longer life if it was done in the spring. Supervisor Tuthill agreed stating if we do it now it will be gone by the spring. Tuthill requested a motion for the walking across the bridge painting be held off until the spring. Councilmember Cairns stated so moved with Councilmember Viafore seconding. Motion carried.

Councilmember Tweed said there were pictures for a new playground plan from Parkitects, Inc. Supervisor Tuthill stated he needs to reach out to an engineering firm that works with the DEC because the landfill debris issue has again been brought up. Another company wants to come down and do borings and testing. Tweed stated we do need advice on that as the playground continues to age.

Economic Development/Shared Services: (Councilmember Cairns & Councilmember Krzyston) - Councilmember Krzyston stated he has no update on the SWC grant they submitted months ago for Woolerton Street Bridge design. Supervisor Tuthill stated we did make the final rounds, but was not sure when announcements would be. Krzyston reminded it would allow the town along with the village to hire a design firm to improve the water system crossing.

Buildings: (Councilmember Cairns & Councilmember Krzyston) – Krzyston stated that he had shared the concept for repurposing the pool building with the PAC; the comments he got back was that they wanted the storage area maintained for pool use. He stated that was part of the plan, other than that there are no concerns. He further stated he contacted the company we had purchased the AED from and they are still available through the Red Cross at a discount; each one is \$1,400 and it would be closed to \$3,000 for one here and across the

street at the highway garage. He reached out to the county to see if they had other deals but has not received a response. He thought we could have what they don't want anymore. Tuthill said he has a meeting on Wednesday and will ask around. Councilmember Cairns stated he wasn't sure we wanted to buy used AED's. Tuthill thought they got a grant and possibly they may be able to get us a better price. He will get information and share at the budget meeting on the 21st.

Councilmember Krzyston wondered about the LED lights installation the electrical program at the college had given us an estimate on. He said he knew we thought about using the grant money towards it but even if we didn't the cost was not that much, the board discussed the installation. The installation would be for all offices that do not already have LED's. A motion was made by Councilmember Cairns to proceed with the work with Councilmember Tweed seconding, with the determination of either using grant money's or other to pay for installations to be made at a later date. Motion carried. Councilmember Krzyston will reach out the college.

IT: (Councilmember Tweed & Councilmember Viafore) – Councilmember Viafore stated she took pictures of Town Hall to put on the website.

Codes: (Councilmember Cairns & Krzyston) – Councilmember Cairns stated in the month of September we issued 7 building permits, 15 inspections/meetings, six in office conferences, four C/O letters and drove 122 miles.

CODES Monthly Report:

A motion was made by Councilmember Krzyston to approve the September 2021 Codes Report. Councilmember Viafore seconded the motion. Motion carried.

Justice Court Report:

A motion was made by Councilmember Krzyston to approve the September 2021 Justice Court Report. Councilmember Tweed seconded the motion. Motion carried.

Clerk's Monthly Report:

A motion was made by Councilmember Krzyston to approve the September 2021 Clerks Report. Motion seconded by Councilmember Viafore. Motion carried.

Supervisor's Financial Report:

Supervisor Tuthill announced the financial report was unavailable as two bank statements had not been received therefore the bookkeeper was unable to complete the report. He stated the report will be handed out at the Budget Workshop meeting on October 21st.

Supervisor's County Report:

Supervisor Tuthill announced they are still waiting to get the mental health building done, he discussed the issues that are holding up the completion. Councilmember Krzyston asked about EMS at the county level; Tuthill stated Steve Hood spoke to the Finance Committee regarding some issues, they are putting numbers together. The board discussed the EMS issues. Tuthill told the board he received a letter from the "Friends of Bramley Mountain Fire Tower" requesting that he ask the county to give them a \$50,000 donation towards the fire towers restoration from the APR money. He forwarded it to the new committee formed by the county that is gathering ideas. Krzyston asked what are the next step is for the stream side acquisition program being extended to Delaware County; Tuthill said it will happen whenever Tom Snow signs the order. Tuthill stated there is a lot of misinformation. He further said we have designated village extension areas and hamlets; they would be off limits unless we vote to change it. So even if they put it in place they cannot come in and buy anything that we have already designated. Villages and hamlets are off limits already; the village would have to vote to let them come in and do this and they don't have to. Tuthill explained to the board the issues and said the county does have support from the Department of Health, some of the DEC and even some

environmentalists. The county would like to see some developable land given back as isn't doing them any good for water quality; it will be a hard fight. He further stated it was also one of the findings from the Academy of Sciences. Councilmember Krzyston said so that means the towns, villages, village extensions (hamlets) would all have the opportunity to vote to make the currently protected areas eligible; Tuthill explained the process; they can do nothing and that means it's off limits, they can vote to let anybody in the program that wants in or they can reserve the right to review every proposed purchase in that village. The board discussed the process.

Abstracts:

Supervisor Tuthill requested a motion be made to pencil in the correct date of the abstract as 10/11/2021 as it was dated 10/10/2021; Councilmember Viafore made the motion to allow the "penciling" of the correct date with Councilmember Krzyston seconding. Motion carried. Councilmember Cairns made the motion to approve Abstract #0010 - 2021 accounts A – SF Voucher No. 00351 – 00406 equaling \$30,246.69, account TA Voucher No. 0041 – 0043 = \$11,738.48. Total vouchers presented equaled \$41,985.17. Councilmember Krzyston seconded the motion. Motion carried.

Adjourn:

Councilmember Cairns made a motion that a public hearing be set prior to the November 8th board meeting at 6:45pm to approve the 2022 Town Budget; with the clerk advertising the hearing. Councilmember Viafore seconded the motion, motion carried.

Councilmember Viafore made the motion to adjourn the meeting at 7:55pm, Councilmember Tweed seconded the motion. Motion carried.

Respectfully submitted,



Elsa Schmitz
Town Clerk
Town of Delhi