

**TOWN OF DELHI
BOARD MEETING
June 14, 2021
7:00PM**

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

Those present:

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

Highway Superintendent Daren Evans

Residents: John Kolodziej Recreation Director, Rick Ackerly and Peg Baldwin of the PAC Committee, Paul Bidonde, Mike Boumoussa, Ken Scharf, Christopher Dwelyng

The Pledge of Allegiance was led by Councilmember Cairns.

Privilege of the Floor:

N/A

Approval of May 10, 2021 Regular Monthly Meeting Minutes:

Councilmember Krzyston made a motion to accept the May 10, 2021 minutes as presented with Councilmember Viafore seconding the motion. Motion carried.

Old Business:

Supervisor Tuthill stated there was nothing new under playground. Rich Ackerly of PAC stated they are supposed to know by July 1st.

Supervisor Tuthill stated IDA has requested that the town create a sewer district, the town declined. So now what IDA wants to do is set up a sewer transportation corporation which they can then turn over to whomever is interested in maintaining that line whether it is the two milk plants or some other entity. The town needs to vote to allow them to establish the corporation in our town, there was a proposed resolution Dave Merzig reviewed it and he did not like that there was a clause in there where whoever owns the transportation corporation had the power to condemn property; the town does not want whoever owns the corporation to be able to condemn property and move the pipeline without the town approving it. We have asked to have that rewritten taking it out. In the meantime the DEC is getting upset with the violations and is pushing them to come up with a plan. What Tuthill is looking for tonight is authorization to sign an agreement if we get it written without the condemnation clause in there; Councilmember Krzyston made the motion to allow Tuthill to sign with Councilmember Cairns seconding. Motion carried with no further discussion.

Councilmember Viafore stated she had just posted today on the town's website an article that has a link to the "YouTube" video information session that was had a couple of weeks ago for the Clean Energy Community and our Community Solar Campaign. She further stated residents have until June 20th to sign up to get 10% discounts; it's changing the way Delaware Solar gets discounts is reducing to 5% but anyone who signs up through our campaign through the 20th will be able to get the 10%. Viafore believes we have probably seven and we need ten, she's not sure how the village is doing on their side. Tuthill asked if the application was on line, Viafore stated they can email her and she we get the appropriate application because once we get to ten we can have the village get extra as both municipalities need to get to ten households wanting to participate.

New Business:

Supervisor Tuthill announced that we now have two assessment challenges; he has spoken with the town attorney. Our attorney will be reaching out to the school's attorney; the county has agreed to participate

in the cost. We just need the school to sign on; between the two challenges we are talking millions of dollars worth of assessments that they are trying to get removed.

Supervisor Tuthill requested a motion for him to sign the annual software support contracts for payroll and accounting/budget preparation software with Williamson Law Book for the bookkeeper. Councilmember Tweed motioned the above request with Councilmember Viafore seconding. Motion carried.

Recreation Director John Kolodziej requested a pay rate adjustment for four lifeguards who have completed their WSI; he is requesting their rate of pay be raised from lifeguard at the rate of \$12.50 to \$14.00 per hour. They are the following: Abby Leahy, Magdalena Demeo-Meres, Elizabeth Lamport and Jodean Bray. He also requested to hire Rowan Walsh and Victoria Verspoor as lifeguards at a rate of pay of \$12.50 per hour. Kolodziej announced that Session 1 of swim lesson will begin June 28th and stated to date we have roughly 62 signed up for this session. Councilmember Cairns asked if all the positions have been budgeted for; Kolodziej stated he is doing the best he can and will adjust as necessary. A motion to approve the requests with the pay rate increases for the WSI's to \$14.00 immediately and hiring of two more lifeguards at a rate of \$12.50 was made by Councilmember Tweed and seconded by Councilmember Viafore. Motion carried.

Mr. Paul Bidonde came forward and wished to thank Code Officer Dale Downin and the board for following up on the complaint on the campground on John Williams Road. Mr. Boumoussa asked Tuthill the process of getting a variance, Tuthill explained the steps.

Supervisor Tuthill announced the town had been approved for the matching grant of \$5,000 from the A. Lindsay and Olive B. O'Connor Foundation to be used towards the cost of renovation expenses incurred in creating a concession stand at the town owned building by the pool. He requested a motion to sign the acceptance paperwork, Councilmember Viafore made the motion with Councilmember Krzyston seconding. Motion carried. The clerk will mail the signed agreement. Councilmember Krzyston stated that the Delhi Chamber offered to match the donation and wanted the town to accept it although he did not have paperwork. Supervisor Tuthill stated the town must have it in writing in order to accept it.

Supervisor stated he has received lots of call regarding the ARPA (American Rescue Plan Act) funding. There will be a meeting the County Board of Supervisor's set up for Wednesday morning with an accounting firm to have them present what they know about it. From what Tuthill understands the money that comes to us will have to be shared with the village; the problem is no one knows what the percentage is. We are waiting for clarification on that on what it can be spent on; some things are black and white others are very grey. He is not looking for money any time soon. More information will be forthcoming. He did announce that that COVID related expenses will be covered. Infrastructure is one as is water/sewer. Councilmember Tweed questioned if the village wanted to use money for their water/sewer would they get a larger portion of the share; Tuthill stated right now it is based on population whatever the percentages are of who lives where. Anything that is split with the village it is up to them how they spend it.

Committee Reports:

Highway/Machinery: (Councilmember's Tweed & Cairns) – Written report from Superintendent Evans was given to council members (see attached.) Trucks are pretty much all going, thanks to our mechanic. We have three quarters of our 30 miles of dirt roads worked and calcium chloride, so we are ahead of the game on that. He announced we are scheduled for the week of the 21st through 25^h if the weather holds out for oil and stone of Holmes Hollow, Dick Mason, Spring Valley and Kemp Hill. The rest of the roads will be done in late July early August those roads will be Arbuckle Hollow, Glen Burnie and a second coat on a section of Holmes Hollow. Councilmember Viafore questioned when Evans will know for sure about next week as she will post it to the town's website. Evans stated he will text her when he has a more definite answer due to weather. Evans requested seasonal employees at \$21.00 per hour for mowing it will be for two to three months; Councilmember Cairns made the motion to approve the seasonal employee with Councilmember Viafore seconding. Motion carried. Evans requested the approval for the appointment of Shawn Ackerly as Deputy Highway Superintendent effective immediately; Councilmember Krzyston made the motion to approve with Councilmember Cairns seconding. Motion carried. Evans said all other information is provided in his report

for the councilmember's to read. Councilmember Krzyston asked if Evans thought of any other small projects for us to submit to the O'Connor Foundation for matching grants as they have liked everything we have sent them. Evans stated the water tank has arrived and is set up differently than originally thought as it is an easier way for personnel to use it. We will be submitting it for reimbursement after this board meeting.

Personnel: (Councilmember's Tweed & Viafore) - Councilmember Tweed thanked John and the lifeguards for getting the pool going and getting people to go swimming. Tuthill added he felt just getting people to take swimming lessons is worth the cost of the pool.

Recreation/Health/Youth: (Councilmember's Tweed & Viafore) – Councilmember Tweed gave the floor to John Kolodziej, Recreation Director. He announced they have had been reaching capacity quite a few times so far in the season. They have been keeping lists of everyone in case it is necessary to get a hold of them. Things seem to be working very well. Councilmember Krzyston questioned if there was a plan to change the capacity, Tuthill stated he believed the governor was getting close to backing off some restrictions. Councilmember Viafore stated one of the notices was for July 4th, but maybe it would happen before then. Councilmember Tweed stated we are waiting for DOH approval as they are the ones that approved our plan so we have to wait for their guidance. Kolodziej also stated they are also exploring how to reconfigure how the original 40 was come up with and he is hoping to have more information soon. Councilmember Krzyston stated he is the least qualified to advise on this because he is not involved in this as much as the other board members, but he knows from spending a lot of time down there that its being run very well it's the place everybody wants to be its tragic that there are people standing waiting after we spent a million dollars; it's insane and infuriating. He does not want John to take it the wrong way; it's infuriating and questioned if this is really what the governor says or what the Delaware County Department of Public Health says. Tuthill stated the governor has laid out broad restrictions, Kolodziej stated these numbers were in place from last year. Councilmember Krzyston stated I think we should just do what we want to do. Rick Ackerly of PAC stated two years ago when COVID came on and we had to come up with a number everyone was being as strict as possible the only thing the DOH told them was to make sure they observed social distancing. What they (PAC) did was take the pool dimensions up to the 5 foot (staying out of the 8 foot); they took the length times the width came up with the square footage and divided it by 36, 6 times 6 to give everyone social distancing and hit the number 40. Everyone was trying to be super strict. Now we have been speaking to Amanda Walsh and she says we don't have to do that, we didn't have to do that. Ackerly has been down to the pool and talking with her; she says rather than use the dimensions of the shallow end of the pool we can use the full dimensions of all the concrete, grass, big pool and kiddie pool. According to Ackerly's calculations it is like 4,500 square feet, giving us the ability to put like 125 people in there and observe social distancing; it also goes on to say if a family of three shows up (1 pod) they can be counted as one person. So we really can raise the number according to Amanda Walsh, she spoke with a guy in Oneonta who is running the show; we can raise the number easily to what we feel is reasonable. Ackerly stated his opinion would be 75 and if we wanted to do that we could do it immediately according to her. Ackerly then went on to say we never submitted this number to the board of health, never go approved for this number (40) it was just a number we came up with when COVID was really dangerous and now with everything going on we no longer have to follow that. Amanda Walsh has agreed and she has spoken with DOH; Tuthill then stated if she has spoken with DOH he did not have a problem with it. The clerk noted that the original number was submitted on paperwork when they wanted to open and before they do anything it should be checked with DOH; Tuthill agreed. Recreation Director Kolodziej will call DOH tomorrow; Tuthill said tell him we talked to our public health and see if he agrees. Kolodziej then stated on our pool permit the one we have the Board of Health it says our maximum capacity is 75 from both 2020 and 2021, Margaret Baldwin of PAC said that was an error but anyway we can go to 75 with the application we submitted this year. Councilmember Tweed said it sounds like we have two issues to address with Mike from DOH in Oneonta; one can we get permission to increase where Kolodziej said the 75. Tweed said as the original year our permit we were allowed 100+ people is there a way to correct or update that. Councilmember Cairns said if our permit was issued this year and it says we are allowed 75 people then he doesn't know why we wouldn't go to that. Kolodziej again said he will check with BOH tomorrow just to be certain we are on the same page.

Tuthill said it wouldn't hurt just to let him know we have discussed it and see what he says. Councilmember Krzyston stated there have been times that you have had 30 people waiting; I think you can exceed 75. Kolodziej said just remember for every 25 people there has to be one lifeguard supervising; Ackerly said that's a Red Cross recommendation isn't it. Kolodziej said no that's from public health Tuthill said so you would have to have three lifeguards on duty. Yes, Kolodziej said if there were 75 in at one time. He further stated each individual county gives a number, they always want to go with a lower number; if it was a camp it would be one to 15 or possibly lower. One to 25 is the number Denise of DOH has used this for years and is the key for our Delaware County. Councilmember Krzyston stated the times that he has been there, I have been there four times I think there are usually a lot of lifeguards in his opinion; like four lifeguards including one at the door. Kolodziej stated four at the max. Krzyston said he thought one was in training, but there were three people around the pool so if that's going to be the staffing then he feels there is no problem maxing out our numbers. Krzyston went on to say what Ackerly said about measuring the square footage, it's a perfectly legitimate calculation to him. Kolodziej said the calculations would be from the BOH, Krzyston said for the next step I think we could get aggressive. Supervisor Tuthill said when things go back to normal hopefully we can see what our number will be at that point. Kolodziej said the lifeguard ratio to patrons is one to twenty-five for a swimming pool not beach. Krzyston then said so if you wanted to have max capacity then you would have to have five lifeguards. The other question Krzyston had was about the cleaning, is that going to continue; Kolodziej stated yes, as they have not had orders from the governor or state to stop. Krzyston then asked the time required to clean is that established by the state too? Kolodziej stated that is our practice this was established last year; every quarter of the hour which gives the downtime to clean everything making it safer for everybody. Krzyston said I would ask that you consider a five minute break instead of a fifteen minute break; Kolodziej disagreed. The clerk stated I would be happy to have it cleaned and know it's cleaned. Councilmember Krzyston said they are doing what they are supposed to be doing but it's literally one minute of cleaning time that he has seen. Kolodziej stated the cleaner has to sit to react to kill anything; one of the cleaners has to sit for ten to fifteen minutes. Krzyston then said he trusts that Kolodziej knows way more than he does but believe him when he says that but it's ridiculous. Kolodziej said even during swim lessons they have to have a 15 minute break between the classes to clean down the railings bathrooms and so forth; for the time being he has to follow that. Councilmember Krzyston then said it's a major bummer, you come down and you are basically getting out and watching. They clean and then nothing happens for fourteen minutes; Kolodziej said we encourage everyone to come early and we also tell everyone that comes in when it's a busy day we encourage them no more than two hours per family so that other people can come in throughout the day. Krzyston said he thought Kolodziej was doing the best he could within the framework, but Krzyston says screw the framework. Kolodziej said he will not do what the health department tells him to do, he will cross his t's and dot his i's; Tuthill said hopefully we will get some official word when we can start pulling back. Kolodziej said no offense to Krzyston on his beliefs but he will not waiver. Krzyston stated this is a major issue and he does not want Kolodziej to feel his efforts are going unnoticed but he just wishes it was different. Krzyston then said people ask, Kolodziej said it was the same at the college pool. Councilmember Krzyston then stated that it didn't have to be taken seriously as it was Facebook, but there was some guy claiming that he was a department of health expert and he stated there is no chance of COVID in a chlorinated pool so why is the town forcing this. The clerk stated it's Facebook; Krzyston said do we know for a fact it's wrong; Tuthill said we don't know one way or the other and he felt the chances are very slim whether they are "0" who knows. The clerk stated if one child catches it and blames the town for it, does the town want that responsibility. Krzyston then stated he didn't believe we were living in fear and disagreed. The clerk said she didn't know but there are a lot of children that she knows that are immune compromised and other people she knows that are also that do still live in fear. Kolodziej stated at this point and time we will continue the cleaning practices as it makes it a healthy environment for everyone. Councilmember Krzyston then stated he and his children have gotten in, but Krzyston left the pool so another child could come in. There were a handful of children that left and went to the river.

Councilmember Viafore stated there are a lot of youth sports happening. Little league started last week, there is tennis there will be volleyball, basketball, swimming lessons, pee wee football and soccer just ended. There are a lot of things going on and she created a post on our website putting everything out there. Tuthill stated kids will have something to do this summer.

Economic Development/Shared Services: (Councilmen Cairns & Krzyston) – Councilmember Krzyston stated they did not have a meeting this month. He received a phone call from the college regarding a plan they have about a hotel; that some of the obstacles have been overcome. Tuthill said that's good news.

BUILDINGS: (Councilmember Cairns & Councilmember Krzyston) – Councilmember Cairns announced as far as the roof on the highway garage goes it should be going out to bid within days. Bids will be due back the Friday before our meeting (July 9th) so that we can open them on the 12th and award them. They are looking to have the project completed no later than September 30th. Supervisor Tuthill requested a motion be made authorizing the clerk to bid once the paperwork is back from the engineer. Councilmember Cairns made the motion with Councilmember Viafore seconding. Motion carried. Tuthill stated to the clerk once paperwork is gotten it will be forwarded to her to advertise in the paper.

Councilmember Tweed questioned PAC member Ackerly if they were going to re-bid out the pool concrete expansion, he stated yes they should. Tweed said the pool paving project to get the grass out of the pool they wanted to put it out to bid again for the fall. The feedback received was the deadline was too short; Supervisor Tuthill said he believed the chances of getting a bid this year were slim as contractors are buried. Ackerly stated Margaret Baldwin had spoken to Delaware Bulldozing and LaFever's about why they did not respond to our bid the first time we put it out and they said with the time frame having to be completed by May, they were already booking into July. Both said if we resubmitted they could complete it by next May. Tuthill felt that putting it to bid now it would be difficult or almost impossible to get someone to put a price to it that would hold until next year. Ackerly felt if we didn't get it out this year we would be in the same boat if we wait until next spring or late fall they may have to wait another year. The pool operates with grass but if the town wants it done we need to act now. Tuthill felt we should bid it out this fall for the spring; it will give everyone plenty of time to come up with a price. Councilmember Tweed thanked them.

Supervisor Tuthill announced that David Krzyston fixed the light switch in the court room bathroom which was not working.

Councilmember Cairns stated we needed to get someone down here to look at the windows in the front of the building as they do not operate. Cairns hopes by next month he can report back on it.

IT: (Councilmember Tweed & Councilmember Viafore) – Councilmember Viafore stated she has been posting things on the website. They are trying to figure out Wi-Fi at the pool as there seems to be none. Councilmember Tweed stated she is having a lot of trouble getting a return feed back to address the concern, it seems to be a confusing issue for Delhi Telephone as to what sort of services we do have. She has been going back and forth with phone calls with them. There is another work ticket in with them hopefully it will be resolved. She discussed the phone bill and the breakdown of the billing.

CODES: (Councilmember Cairns & Krzyston) – Councilmember Krzyston stated this month we issued seven building permits, 11 inspections/meetings, six in office conferences, one C/O letter, one C/C letter, three violations and drove 123 miles.

CODES Monthly Report:

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

Justice Court Report:

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

Clerk's Monthly Report:

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

Supervisor's Financial Report:

A motion was made by Councilmember Tweed to accept the May 2021 Supervisor's Report. Motion seconded by Councilmember Viafore. Motion carried.

Supervisor's County Report:

Supervisor Tuthill stated they are having a meeting Wednesday morning regarding the American Rescue Plan. The mental health facility the tentative completion date is July 12th. The DPW has been putting up fencing for their projects so they should be starting shortly. They are still going to start all three buildings at the same time. The sales tax report looks good we are up this year already over last year. Councilmember Krzyston asked if the DPW projects have a ballpark of when they will break ground. Tuthill thought within the next month. The fencing is up to keep the public from wandering into the sites; a lot of work for safety and for contractors to get set up to start work.

Abstracts:

Councilmember Krzyston made the motion to approve Abstract #006 - 2021 accounts A – SF Voucher No. 00185 – 00231 equaling \$231,988.08, account TA Voucher No. 0026 – 0028 = \$12,703.05. Total vouchers presented equaled \$244,691.13. Councilmember Cairns seconded the motion. Motion carried.

Adjourn:

Supervisor Tuthill stated that he will try to set something up with Jeff Baxter at Usource and Councilmember Viafore for Friday the 18th. This date worked for Viafore also, Tuthill will get back to her to confirm.

Councilmember Viafore made the motion to adjourn the meeting at 8:01pm, Councilmember Krzyston seconded the motion. Motion carried.

Respectfully submitted,



Elsa Schmitz
Town Clerk
Town of Delhi