

**TOWN OF DELHI
BOARD MEETING
May 12, 2020
7:00PM**

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

Those present:

Councilmember's: William Cairns, Janet Tweed, Matt Krzyston, and Christina Viafore.
Highway Superintendent Daren Evans

Privilege of the Floor:

N/A

Approval of March 10, 2020 Regular Monthly Meeting Minutes and Public Hearing Minutes:

Councilmember Cairns made a motion to accept all board minutes listed above as presented, with Councilmember Tweed 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.

Tuthill stated that he had the county planning department do a map of the ten mile radius for the person in question for the Deputy Highway Superintendents position; they do not fall within the radius. Councilmember Tweed questioned if there was a deputy at this time where Tuthill stated yes, Brian Rosenthal. Councilmember Cairns asked Evans if it was working out, Evans stated for the time being yes.

New Business:

Supervisor Tuthill announced tax grievance day will be May 26th. Due to COVID-19 it will be done via writing only. The clerk will forward the legal notice to the board which explains the process.

Supervisor Tuthill stated that the bids for heating fuel, fuel oil and crushed stone which were postponed as April's meeting was cancelled were to be opened and awarded tonight and are as follows:

Item #1: Hauling fees for approximately 4000 yards of #1 washed crushed stone from Seward Sand and Gravel (Rider Pit), and 4000 yards of #1 washed crushed stone from Clark Companies (Romar Pit) to Delhi Highway Department stockpile Sherwood Road. Bid will be awarded to one bidder with the lowest combined bids for both pits. Hauling of material must be complete by October 17, 2020.

	Seward Sand & Gravel Rider Pit – 4000 yds	Clark Companies Romar Pit – 4000 yds	Combined Bid
Babcock Trucking	\$ 5.14	\$ 2.94	\$ 8.08
Gerster Trucking	\$ 4.25	\$ 2.95	\$ 7.20
Shultz's Trucking	\$ 5.50	\$ 2.75	\$ 8.25(fuel
surcharges)			
Ben Reynolds Construction	\$ 4.50	\$ 2.50	\$ 7.00

Councilmember Cairns made the motion to award Ben Reynolds Construction the bid with Councilmember Tweed seconding. Motion carried.

Item #2: #1 Diesel Fuel – Price delivered to Town of Delhi Highway Garage.

Bid will be a fixed price per gallon; any/all fees must be included. Fuel must be cut 60/40 Kero by October 17, 2020.

Mirabito Engery Products:

\$1.6575 per gallon fixed price per gallon

\$2.0075 per gallon clear kero for winter blend with diesel

\$1.7975 per gallon 60/40 blend kero/diesel

A motion was made by Councilmember Krzyston to award the diesel fuel bid to Mirabito Energy Products, with Councilmember Cairns seconding. Motion carried.

Item #3: #2 Heating Oil – Price delivered to Delhi Town Hall and Highway Garage.

Bid will be a fixed price; any/all fees must be included.

Allison Oil - \$1.49 per gallon fixed.

Mirabito Energy Products - \$ 1.5575 per gallon

A motion was made by Councilmember Cairns to award the heating fuel bid to Allison Oil, with Councilmember Tweed seconding. Motion carried.

The clerk will mail letters to all bidders.

Supervisor Tuthill asked Highway Superintendent Evans if the new roller was from state bid. Evans stated that yes; it was through Source Well which is the same thing that is mirrored from NYSDOT bid. Tuthill stated that it was on his previous report but the board did not vote on it. Tuthill just wanted to make sure it was tied to a state bid. Councilmember Cairns made the motion to authorize the purchase with Councilmember Tweed seconding. Motion carried.

With the COVID-19 pandemic Tuthill announced we must be careful budget wise as the state has already insinuated that we are already at a 20% cut on state funding to the counties and towns. They are hinting it could go as high as 40 to 50% because in the budget process they reserve the right to reevaluate three to four times in the year. We don't know what they are going to cut; it could be across the board, CHIPS monies. We can't get an answer as to if roll over CHIPS money will get cut, although he can't see where it should. Tuthill told Highway Superintendent Evans at any rate we must get our CHIPS bills in for the first run as soon as possible; for the early payment on the CHIPS money. Tuthill further stated at this point we had better plan on holding back at least 20%, so we may have to cut short on mixing grader mix. Evans stated the grader patch is all budgeted out of highway for now, the CHIPS money was going towards oil and stone. Tuthill stated so if we don't do all the sealing we will be doing a pile of sealing next year, Evans said yes we will be behind but right now the important part is getting the roads back up making them passable and plow able. Tuthill said we can get them shimmed and if we are lucky we can get them sealed and if not we will do what we can. Evans said as he stated on his report the first round of oil and stone is scheduled for early June, it is only about a third of what we are going to do this year but it is a start which we will have ready which is an earlier start then we could ever get. His report shows that it uses maybe 50-60% depending on how much or which ones we do. Evans stated the Highway Superintendents Committee has written a letter to the governor telling him the importance of the CHIPS funding for jobs etc. Tuthill and Evans agreed it is a chain reaction.

Tuhill announced Resolution No. 002-2020 Resolution to cancel the 1% interest charge to real property taxes for April 2020. The resolution was put forth due to the COVID-19 pandemic and was to help the taxpayer. Supervisor Tuthill requested a motion be made to approve the resolution. Councilmember Cairns made the motion approving Resolution No. 002-2020, Councilmember Viafore seconded; roll call as follows:

Councilmember Krzyston	<u>X</u>	yea	nay
Councilmember Cairns	<u>X</u>	yea	nay
Councilmember Tweed	<u>X</u>	yea	nay
Councilmember Viafore	<u>X</u>	yea	nay
Supervisor Tuthill	<u>X</u>	yea	nay

Motion carried.

Supervisor Tuthill asked if the board wished to re-bid mowing, town hall and playground/pool. Councilmember Tweed was concerned with it being so late in the year and asked if we could continue to use the current mower, but she stated the pool advisory committee had some recommendations as to mowing inside the fence of the pool. She stated she would speak with him regarding their concerns. Tuthill requested

the clerk to contact the mower and have him contact Councilmember Tweed to discuss the recommendations. Tuthill also stated we have to get the grass out of the fenced in area by the pool, that's a big issue.

Supervisor Tuthill announced we have received a copy of the fire departments audit and financial statement for 2019.

Councilmember Tweed wished to make a motion to move the money from the pool savings account to the A7140. line to pay for the plaque in the amount of \$1,169.00. Councilmember Krzyston seconded the motion. Motion carried, Supervisor Tuthill will inform the bookkeeper.

Supervisor Tuthill asked Highway Superintendent about the Shared Services Agreement for NYSDOT. Evans stated that it allows us to use them for flooding or storm services, they did replace and supply the culvert by Hamden Hill, but then it becomes the towns. The agreement is for four years. A motion was made by Councilmember Cairns to allow Evans to sign the Shared Services Agreement, with Councilmember Viafore seconding. Motion carried.

Committee Reports:

Highway/Machinery: (Councilmember's Tweed & Cairns) – Two written reports from Superintendent Evans was given to council members (see attached.) Councilmember Cairns questioned if Evans was holding off getting the rental roller in hopes that the new one will come. Evans stated the Force Feed loader is coming this week and we won't need it during that time. In a month if the new roller is here we will not need to rent one, if not we will have to rent it. At this time there are setbacks due to COVID-19. Councilmember Viafore asked about the signs requested by the residents, Evans stated they are on order. Supervisor Tuthill asked for a motion to hire the beaver trapper at \$50.00 a beaver and mileage reimbursement. Councilmember Cairns made the motion with Councilmember Viafore seconded. Motion carried. The board discussed the flat bed replacement for the 2011 Ford F250, Councilmember Cairns stated that during the committee meeting he and Councilmember Tweed discussed the possibly of an O'Connor Grant to help fund the replacement. Councilmember Cairns then made the motion to allow Councilmember Krzyston to do the O'Connor Grant with Councilmember Tweed seconding. Motion carried. Councilmember Krzyston stated it was a good idea; he will work with Evans for information and submit the application. Councilmember Cairns thanked Krzyston. Councilmember Tweed asked if the highway department has completed the sexual harassment training, Evans stated five had completed the training two still needed too.

Recreation/Health/Youth: (Councilmember's Tweed & Viafore) – Councilmember Tweed stated the Pool Advisory Council did not meet last month, although there have not been many applicants for either recreation director or lifeguard positions. Tuthill stated that Margaret Baldwin said that there are two applicants for director and he believes more kids have applied for lifeguard. Tuthill further stated they have been told we don't know when or if we will be opening; we can't guarantee them a job but can put them on a list and see what happens. From what Tuthill is being told if Phase 1 of the re-opening goes well they are figuring about two weeks for each step, so if that all happens maybe in six weeks we will get permission to get to step four which is recreation. Councilmember Tweed stated that the playground is closed and will be inspected by the insurance company; Tuthill stated we are still waiting for the risk assessment inspection. Councilmember Viafore announced that she, Councilmember Krzyston, members of Kappa Sigma Epsilon brothers who remained in Delhi and her husband dismantled and put away the ice rink.

Economic Development/Shared Services: (Councilmen Cairns & Krzyston) – Councilmember Krzyston stated the housing committee had a phone conference and there is another scheduled for the 27th of this month. Councilmember Cairns stated they partnered with the village to hand out the cloth face masks, Supervisor Tuthill stated we do have a few left and he has been leaving some on the clerks' desk for her to mail out, as the office has been getting requests. He asked if the highway department had enough, Evans stated yes for now.

Personnel: (Councilmember Cairns & Councilmember Tweed) – Councilmember Tweed stated we just need to remind the employees that haven't taken the sexual harassment training either here or another job it needs to be completed. Mark suggested a note should be put in mailboxes for departments.

Building: (Councilmember's Cairns & Krzyston) – Supervisor Tuthill announced he had gotten another letter from Jay Lewandowski, NYMIR Risk Control Specialist telling us we had not corrected our horizontal pressure relief valve, he read the response letter which stated last year the risk control specialist agreed it was not install incorrectly. He is awaiting the response. Councilmember Cairns stated Jay's Construction made the repairs to the roof and to the wall up above. He also had Jim Wakeman take a look at the highway garage; his recommendation at the moment is to have one of the members of the highway crew go up in the attic space and see if they can see where there is daylight. He will not go in and crawl around, Evans stated it will be tough for a lot of people to do it as it is full of blown in insulation. The crawl space over the offices is more wide open, but the two spaces above the truck bays are full of insulation. Cairns said Wakeman's thought was if we could take a look and just get a feeling if we are seeing a lot of daylight or if it's up by the ridge; as far as the soffits and fascia's he was not impressed with the original construction. If we wanted to do something there we would probably have to look at it as a time and materials project to repair all of that.

Tuthill announced he had gotten a letter from NYSDOT regarding DOMO and the speed limits, they will not reduce the speed but they will install intersection warning signs 550 feet plus or minus from the first driveway for the facilities in each direction. A trucks placard will be installed under the warning signs. DOMO and SAPUTO can do further if wished through DOT, copies of the letter were also sent to the companies.

Councilmember Krzyston stated he has spoken to Anderson Painting; they can still do the painting. The board felt that he could go ahead as it is well overdue.

Supervisor Tuthill read the letter from Town Justice Gumo regarding the reopening of the justice court amid COVID-19. Councilmember Tweed questioned what the recommendations were from the justice association as she felt this is what we should follow. Supervisor Tuthill will see what he can find out as to what the state courts are recommending. Councilmember Cairns questioned who would be doing the temperature testing, the board discussed it. Supervisor Tuthill didn't want to hold things up for another month so he requested a motion from the board to follow the guidelines are given to us by the NYS Unified Court System. A motion was made by Councilmember Cairns to follow the guidelines of the NYS Unified Court for temperature taking, masks and plexi glass and then we will authorize someone to do the work. Councilmember Tweed seconded the motion. Motion carried.

IT: (Councilmember Tweed & Councilmember Viafore) – Councilmember Viafore spoke to Dave Kopecek of Aisle 8 regarding Supervisor Tuthill's issues with names on the website; if someone went to the departments page it lists everyone by department. If they were alphabetical it would be cluttered. Viafore stated if you go to the official's page you can see where someone is. She suggested he should go to the Departments and Committees page it is easier to navigate. Viafore will see if we can do a sort by alphabetical by last name for Tuthill. She also stated when you post a news article it can be linked to different departments. Viafore stated she was having issues with responding to emails from her phone through her web browser. She is trying to figure out how we can do this more efficiently.

CODES: (Councilmember Cairns & Krzyston) – Councilmember Cairns stated he spoke with the code officer and he is continuing to monitor the situation on Peakes Brook and according to him it is improving. Councilmember Tweed asked if they had stopped operations there, Cairns stated they have stopped taking in food waste. Tweed asked about the area by Rider Hill, Cairns did not ask him but will.

Tuthill stated he had received notification that the new NYS Building Codes are out he has forwarded this to our code officer so we can get our free copy and online version.

Cairns stated Saputo has been issued a permit for a compressed natural gas system.

CODES Monthly Report:

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

Justice Court Report:

A motion was made by Councilmember Cairns to accept the March 2020 Justice Court

Report. Councilmember Krzyston seconded the motion. Motion carried.

Clerk's Monthly Report:

A motion was made by Councilmember Krzyston to accept the March and April 2020 Clerk's Reports and the March and April Tax Reports seconded by Councilmember Cairns. Motion carried.

Supervisor's Financial Report:

Supervisor Tuthill stated the board now had all reports; the 2019 Year End Supervisor's Report, January, February, March and April 2020 Supervisor Reports. Councilmember Tweed stated she is questioning the income of the justice court line; the fines and forfeitures in the March Report was roughly \$80,000 more than the previous month. That is an awful amount of money. Supervisor Tuthill stated he is wondering what is going on there, he will have to look into this. Tweed then stated the "fines, forfeits of bail" account A2610 just does not make sense. Tuthill stated they have been very busy, Tweed stated that's off the charts. Councilmember Tweed stated per the report it went from February \$11,538.00 to March \$90,954.50. Supervisor Tuthill stated he will discuss this with the bookkeeper and let the board know as it does seem wildly out of the norm. Councilmember Krzyston made a motion to accept the Supervisors Reports with Supervisor Tuthill checking with the bookkeeper as to A2610 Fines and Forfeitures line and getting back to the board with Councilmember Tweed seconding. Motion carried.

Supervisor's County Report:

Supervisor Tuthill stated contracts are just about ready to go out to get started on the County Mental Health building. They will be having discussions tomorrow about how they will be getting their people back to work as it is costing a lot of money having people sitting at home and having people that come in making time and a half. If they are working from home they are making time and a quarter, so we can't keep doing this. They have been back and forth with the state to come up with a reasonable plan on getting people back to work, somewhat near normal; there will be more discussions tomorrow. This all stems from union negotiations; and no one knew a pandemic could happen such as COVID-19. Plexiglas has been installed all over the county buildings; Tuthill stated these are definitely strange times. Once a plan has been approved he will inform the board. Councilmember Krzyston questioned if there had been any news on DPW; Tuthill said there is a resolution for tomorrow's meeting just to set up a capital account so they can start doing design work. Councilmember Tweed asked if there was any word as to who to contact for the additional reopening phases; will this go through the county as well for businesses/small businesses. They need to have a plan. Tuthill stated they have to have a plan posted on their door. We are part of the Southern Tier Region. He still doesn't have an answer as to if one county has an issue would it effect all in the region.

Abstracts:

Councilmember Viafore questioned how the mileage was calculated on a voucher; the number's sometimes don't add up. The substantiating paperwork seemed more than the voucher in question. The clerk stated she goes by the signed voucher; Supervisor Tuthill stated in the future he could just give the mileage for each day or week. A motion was then made by Councilmember Cairns to approve Abstract No. 004- 2020 Accounts A-SF Voucher No. 00116-00146= \$85,233.12, Account TA Voucher No. 00144-00146 = \$9,638.56; total vouchers \$94,871.68. Abstract No. 005-2020 Accounts A-SF Voucher No. 00147-00174 = \$41,664.63, Account TA Voucher No. 00147 – 00149 = \$51,303.19. Councilmember Viafore seconded the motion. Motion carried.

Executive Session:

A motion was made at 8:37pm by Councilmember Krzyston to enter into executive session to discuss the employment history of a particular individual with Councilmember Tweed seconding. Motion carried with the request that Highway Superintendent Evans stay. A motion to exit executive session was made at 9:18pm by Councilmember Cairns and seconded by Councilmember Krzyston. Motion carried.

Adjourn:

A motion to adjourn was made by Councilmember Krzyston at 9:18pm with Councilmember Tweed seconding. Motion carried.

Respectfully submitted,

Elsa Schmitz

Elsa Schmitz

Town Clerk, Town of Delhi