

**TOWN OF DELHI
BOARD MEETING
May 8, 2023
7:00PM**

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

Those present:

Councilmember's: Margaret Baldwin, Matt Krzyston, Christina Viafore, and Bill Cairns.

Highway Superintendent Daren Evans

Residents: Cynthia Cobbe, Kimberly Cairns, Mathew Burkert, Amy Randall, William Hancock, Tracey Hancock, Kali Barnhart, Kevin Rossley

The Pledge of Allegiance was led by Councilmember Cairns.

Executive Session:

A motion was made at 7:05pm by Councilmember Cairns to enter into executive session for contract negotiations and the employment history of a particular individual. Councilmember Baldwin seconded the motion. Motion carried. Tuthill requested both Town Justice Burkert and Brittney Dolph remain.

A motion was made at 7:32pm to exit executive session by Councilmember Cairns; Councilmember Viafore seconded the motion. Motion carried.

Privilege of the Floor:

Amy Randall a resident of Delhi introduced herself and gave her history. She came before the town to formally request that the Town of Delhi recognize the month of June as Pride Month. It is a global celebration and commemoration of the battles fought in pursuit of LGBTQ+ rights and in recognition of the the impact that members and allies have had locally, statewide and nationally. She stated a proclamation signals that every single person has a place in our community. And a clear message that Delhi will not tolerate hatred or bigotry. She strongly encouraged the board to proclaim June 2023 as Pride month.

Approval of April 10, 2023 Regular Monthly Meeting Minutes:

A motion was made by Councilmember Cairns to accept the minutes of the April 10, 2023 board minutes as presented. Councilmember Baldwin seconded the motion, motion carried.

Old Business:

Supervisor Tuthill requested a motion to sign the contract with Delhi Telephone for revamping our phone system. He gave a brief description of the charges. Councilmember Viafore made the motion to have Tuthill sign the contract with Councilmember Krzyston seconding. Motion carried. Supervisor Tuthill then stated a motion was necessary for him to sign the second part of the upgrade which was for ISD for a server, computers, programing and email; the board decided not to get the media cart and smart tv along with a camera system, he gave a breakdown of the costs. Councilmember Viafore made the motion to have Tuthill sign the contract with Councilmember Cairns seconding. Motion carried. The clerk will email the paperwork to both Delhi Telephone and ISD.

New Business:

N/A

Highway/Machinery: (Councilmember's Baldwin & Cairns) Written report from Superintendent

Evans provided to councilmembers. Evans stated they are full bore on road work. The first 1000 ton of grader patch has been made. The Leeboy load scheduled for a one month rental has arrived and ditch cleaning has begun on Thompson Cross Road and Reuben Todd Road to prepare for later scheduled oil & stone. Federal Hill #1 and #2, Tom Hoag Road and Arbor Hill Road will also have the ditches cleaned prior to oil & stone. The grader that is scheduled for this season rental will be delivered next week and used to work the unpaved roads while the other grader will be applying grader patch.

They have spread 2,650 tons of limestone crusher run on Bramley Mountain Road as a base layer for the cold mix pave that will be applied later this summer. They also replaced three culvert pipes and the ditches had been cleaned in preparation for the paving process.

Evans announced that with the state's budget passing it is looking like a slight increase in CHIPS money, Pave NY, Extreme Winter Recovery will be the same as what they were.

Councilmember Baldwin thanked Evans for the speed bumps at the recreation area. She also thanked him for placing the chair lift on Absolute Auctions. She also thanked Supervisor Tuthill for the work he did with the Mayor for the village getting them to install the sidewalk at the playground, she thanked Evans also for his part in the work. Tuthill said we would have had to hire it out, but the village has the forms we will have to purchase the concrete between both highway departments they can get the work done. Baldwin stated that Parkitect will mark out the area.

Personnel: (Councilmember's Viafore & Baldwin): Councilmember Baldwin gave the floor to Judge Burkert who stated they interviewed for the deputy clerk position for the court; they have hired Brittney Dolph. He thanked Councilmembers Baldwin and Viafore for their help. Supervisor Tuthill requested a motion to hire Dolph with a six month probation period at a rate of \$16.23 hour for 25 hours a week starting May 12th as the Assistant Court Clerk. Councilmember Cairns made the motion with Councilmember Viafore seconding. Motion carried.

Burkert added we have a new mini-split air conditioning unit that the college came in and installed. He thanked the students for their hard work and stated they did the work in record time. He sent them a letter from the court thanking them; he stated Mr. Krzyston helped with the project also.

Councilmember Baldwin noted that soon we will be going into contract negotiations with the highway union. We have not gotten anything at this time from the union.

Councilmember Baldwin stated Michael of Natural Advantage LLC has started mowing the recreation area looks wonderful as does the town hall and garage.

Recreation/Health/Youth: (Councilmember's Viafore & Baldwin): Councilmember Baldwin announced the fence company will be coming around May 17th to do the work at the playground. The pool cover comes off on the 13th, it is a very heavy cover. Todd Shady will follow shortly thereafter. She stated Kali the Recreation Director has updated all policies and procedures manuals. The chemicals will be delivered on Thursday. She further stated she has a call into KJ of Parkitect on the invoice Tuthill shared with her just to be sure all the items were correct. KJ has been working on the plaques that we were not pleased with; she sent Baldwin a proof which she has not looked at yet. She will share it with everyone.

Baldwin further asked Town Clerk Schmitz if she would post Kali's bio on the website; it's on Facebook. Schmitz stated she didn't know what Baldwin was talking about as she does not frequent social media. Baldwin will get Schmitz a copy.

Recreation Director Kalie Barnhart stated that the mowing looks amazing, the DOH application is going in this week, and inventory is completed there are things we will need to order. We will be offering swim lessons depending on our staffing situation. She will be having a social media campaign going out to recruit lifeguards. She is reaching out to the list she was given for prior guards. The Town Clerk requested copies of any postings to social media for town records.

Councilmember Baldwin stated per previous documents it is requested that the camera at the pool/playground be replaced, we have an estimate and will work to get that done. Supervisor Tuthill stated he did put in the paperwork for the Youth Bureau for hopefully two lifeguard positions.

Economic Development/Shared Services: (Councilmember Cairns & Krzyston): Councilmember Cairns stated they are moving into the space where they are meeting regularly; one of the big ticket items is trying to consolidate services into one place. There is nothing to report at this time other than they are looking around. Tuthill stated he and the mayor have been looking into it also.

Councilmember Krzyston stated the Flood Commission submitted an application two years ago to Delaware County Soil and Water asking them to fund the redesign of the Woolerton Street crossing which is in need of upgrading; (it is not a bridge technically it is a culvert.) They submitted the application which was approved and they are ready for us to sign an agreement which has already been funded. Krzyston stated they are trying to make it that it is not just between the town and Soil and Water but the town and village as partners going to Soil and Water because there have been a lot of questions as to who is really responsible for that crossing. The Flood Commission feels both should be responsible. Krzyston stated Tuthill will be speaking with the Mayor of the Village of Delhi and then the document will be signed. He further added once it is signed we are talking about one year before we actually have a redesign which is then implanted; it is a long term process. Tuthill said it will be a tricky design.

Councilmember Cairns added some of the other items that were brought up in the meeting is obviously looking back at the Flood Commission and their plan as well as the Comprehensive Plan; he stated it has been out and about for well over ten years. The plan should be updated soon. Baldwin added there is a consulting firm that does do it; they give that guidance. Cairns added there are other issues out there such as the housing study that was done and if there is any possibility to move any of those projects forward.

Buildings: (Councilmember Cairns & Krzyston): Councilmember Krzyston noted that the college has completed the electrical work at the brick building by the pool which we call the concession building. There is now an outlet installed outside with the intention of allowing vendors to work from that space. We do not have water nor plumbing or anything like that but he believes there are vendors that could operate just with the outlet there. He added they are continuing to do the cleaning and painting of the exterior which will be volunteer work, but he does want to plant the seed that the original intent was to allow vendors to go down there for example to sell ice-cream. Tuthill added this is why we developed a vendor permit. Krzyston said he wanted to use the same application and allow it to happen this year.

IT: (Councilmember Viafore & Krzyston): Councilmember Viafore stated we had another internet outage down at the pool that was fixed. Viafore was able to adjust the angle of the camera. She also stated there are now 138 subscribers to Nixle. Highway Superintendent Evans sent her the information on Bramley Mountain which she sent out as well as County information when they effect Delhi.

Codes: (Councilmember Cairns & Krzyston): Councilmember Krzyston stated in April there were: 2 building permits issued, 13 inspections / meetings, 7 in-office conferences, 1 fire inspections, 1 c/o letters, 1 certificates of compliance, 1 violation and he drove 285 miles.

CODES Monthly Report:

A motion was made by Councilmember Krzyston to accept the codes report for April 2023 Councilmember Viafore seconded the motion. Motion carried.

Justice Court Report:

A motion was made by Councilmember Krzyston to accept the April 2023 Justice Court Reports. Councilmember Viafore seconded the motion. Motion carried.

Clerk's Monthly Report:

A motion was made by Councilmember Krzyston to accept the April 2023 report and seconded by Councilmember Viafore. Motion carried.

Councilmember Baldwin wanted to let everyone know that we have not received any applications for lifeguard or WSI. This could mean reduced hours, it could mean although we are hoping this doesn't happen that there will be no swim lessons and that the pool doesn't open the way we expected. We are putting the word out and it is being announced at the school that we are looking for lifeguards and WSI trying to recruit. She has

talked to surrounding communities about the impacts that they are having also. Tuthill said some of the older ones are not in town yet so hopefully it will get better.

Supervisor’s Financial Report:

Supervisor Tuthill presented the board with the April Supervisors Report. Councilmember Krzyston made the motion to accept the report with Councilmember Baldwin seconding. Motion carried.

Supervisor’s County Report:

Supervisor Tuthill stated that Highway Superintendent had the good news that CHIPS is in the state’s budget, the bad news is the federal money that comes to DSS is being held up and future payments are apparently going away. The county is looking at probably an \$800,000 loss so there goes your sales tax. He stated sales tax has actually flattened out and started to go downhill this last quarter. We peaked and are now going the other way. Krzyston said that tends to happen.

The building on the corner of Bridge and Main is close to being done, the problem is workforce. We cannot take ownership of the building at this point. Krzyston asked about the highway buildings, Tuthill said they are making good progress. They are on track.

Abstracts:

Councilmember Baldwin made the motion to approve Abstract #005 – 2023 accounts A – DB Voucher No. 00148 – 00182 equaling \$178,924.23 and account TA Voucher No. 00106 – 00108 equaling \$14,011.63. Total vouchers presented equaled \$192,935.86. Councilmember Cairns seconded the motion. Motion carried.

Tuthill requested a motion from the board to go into an executive session to discuss a legal matter as it was not discussed at the prior executive session. Councilmember Krzyston stated before the board enters into executive session that he wanted to acknowledge village resident Amy Randall’s presentation; it is important and was well spoken. He stated he read the proclamation and made a motion that they accept it. Supervisor Tuthill stated they were not accepting a motion at this time he wanted to speak about some things prior. Krzyston said he was making the motion that we adopt the proclamation and he was looking for a second. Councilmember Viafore seconded the motion. Tuthill told Krzyston he was getting tired of him grandstanding as he wanted to have a conversation before the board did anything. Krzyston said so we do it then, he received a second and the board just needed to follow the procedure. Councilmember Baldwin said she had not had time to read it yet. Councilmember Krzyston asked Tuthill what the options were; Tuthill said the option is to discuss it before we come out with a decision; Krzyston said if we are allowed to do that he had no objection to it. Supervisor Tuthill asked Krzyston if he wanted to withdraw his motion and they would go into executive session and discuss some legal issues and come back out. Both Krzyston and Viafore agreed to withdraw the motion and second.

Executive Session:

A motion was made by Councilmember Baldwin at 8:12pm to enter into executive session to discuss legal matters; Councilmember Viafore seconded the motion. Motion carried.

A motion was made at 8:37pm to exit executive session by Councilmember Cairns; Councilmember Viafore seconded the motion. Motion carried.

Adjourn:

The board entered back into regular session at 8:37pm; Tuthill stated after a discussion on some complaint letters about an issue before our planning board which the town board is hoping the planning board will deal with. And discussion on the proclamation they have pretty much agreed while they want everyone to be treated fairly and welcome; before we start down the road issuing proclamations we need to remember that if you don’t have some type of guidelines set before you start the process, anyone could come in with any reason requesting a proclamation and you would have to grant it. The board discussed it and Tuthill will run it by the town attorney and get him to make sure we can legally do it, what the ramifications might or might not be in the

future for boards and we can address it at our June meeting on the 12th. Tuthill added without having the time to get it to our attorney and getting legal advice he is not comfortable signing it. The board needs to look at the bigger picture to see where this could take the town on other issues; they need to make sure they cannot get in trouble or is not going to be improper or illegal, legal advice is necessary and until it is received the proclamation is on hold. He apologized to Randall for not giving her an answer tonight.

Councilmember Krzyston made a motion to adjourn the meeting at 8:40pm, Councilmember Viafore seconded the motion. Motion carried.

Respectfully submitted,

Elsa Schmitz

Elsa Schmitz, Town Clerk, Town of Delhi