TOWN OF DELHI
BOARD MEETING
June 8, 2026
6:46PM

Supervisor Boukai called the meeting to order at 6:46pm.

Those present:
Councilmember's: Simon Purdy, Christina Viafore, Josh Morgan, Dan Gashler
Highway Superintendent Daren Evans
Town Justice Mathew Burkert
Resident: Bill Cairns

The Pledge of Allegiance was led by Supervisor Boukai.

Privilege of the Floor:

N/A

Approval of May11, 2026 Town Council Meeting Minutes:

Councilmember Purdy made the motion to accept the minutes as presented with Councilmember Viafore seconding. Motion carried.

Old Business:

Supervisor Boukai stated with regard to the comprehensive plan as she had mentioned that we have our public session Wednesday, 5:30 at Blue Stone. It'll last about two hours, and the schedule is basically the consultant will present for about 10 to 15 minutes. There will be six stations on six various topics that were formulated from our survey results. The groups will go around to each of those six stations, be asked additional questions, and do some communicating with the person leading that specific topic. And then there'll be a brief debrief afterwards. There will be pizza, there will be sliders, so that is it for the comprehensive plan. At this point, she'll definitely have more next month,

Boukia stated we're rolling right along with that EPF grant. We still don't have the state's execution of the contract. We've done everything. We need to, they realize there was a date error. They kicked it back to her. She resigned it, kicked it back to them, even though we don't have full execution, she did meet with Sean Leddy he is starting our RFP. The goal is for him to have a document for us by August. The state needs to review our RFP before it goes out to bid, we're anticipating that could take anywhere from 30 to 45 days, so the reality of breaking ground on anything this year gets slimmer and slimmer as it's closer to winter, but that being said, it could be they could actually end up working out to our benefit because the original plan was to do all of the external concrete to the pool first, and then do the internal concrete to the pool. If we are able to time it right, we should be able to do all concrete at one time, and that would save us money. Tentatively, we're looking at breaking ground in the early spring as soon as we are able to with concrete work, we are ordering the sign for the EPF grant. It's a state-mandated sign that we have to put on the site and take a picture of, in order for us to get any kind of reimbursement from the state. We have Deb Fleming working on that for us. Adding, it's going to be kind of slow now, once the contracts executed. She's working with Sean with his back and forth and questions and things like that, but it'll be a bit slow until we can put out the RFP. Councilmember Purdy thanked Boukai for doing all the legwork on that. Adding, he knows it's, it's been a lot, but it's an amazing thing. Boukai responded it's great thing to learn too, and she thinks going through two different entities, because the comprehensive plan is a federal grant, and this is a state grant, it's two totally different approaches to things, but all in all she is feeling good about it.

Boukai then stated in regards to the E Center, she had nothing to share, other than there is going to be a meeting tomorrow with the Catskill Development Foundation, she will have more to update with next time, but they're again still proceeding with an agreement with the county to take over that building, so if anything

changes or there's any updates on that, she will let everyone know. Adding, but kind of tangential to that, she did approach two companies, one that we had gone to a presentation for at the Association of Towns, and then JHA, who is local-ish, and did a survey for the topography at the pool, and they put together kind of a scope of services. The goal being we want to be able to take something and use it as a document to seek grant funding, and so if we have an analysis that's already been done and some drawings and hypothetical analysis that's been done, it's going to make our grant application that much stronger. That being said, she thinks we're at the point where we need a town/village meeting again, because this is just one example of what they had proposed, and it was they were calling it like a-la-cart services, and so it's ranging anywhere from like $5,000 to $25,000 for them to do these different components that would get us grant application ready, but we need to do a joint meeting before we move forward with anything. She knows we're going into the summer; she's been told that the grant period is going to open in the fall. They did a local government efficiency grant this winter, she thinks the application was due in February, and they had said they were going to do another round in the fall. Either way, we're going to need to submit something for the next round, which is going to be due next February, the more we can get done now, that will help us in the future. That way, we're not spending money on something that we don't need to be spending money on, but it'll make our applications that much stronger. Boukai will reach out to the mayor and see when we can plan a joint meeting. She is thinking probably not till September, just because it's summer and everyone's in summer mode, but she'll keep everyone posted on that. Boukai added this came in on Friday, she will forward everyone the JHA kind of a la carte proposal.

New Business:

Supervisor Boukai stated we have Resolution No. 008 of 2026, Resolution Approving Local Law No. 001 of 2026 entitled "A Local Law Affecting a Temporary Moratorium Within the Town of Delhi on Battery Energy Storage Systems. Councilmember Morgan made a motion to approve the resolution with Councilmember Viafore seconding.

Councilmember Gashler stated he would just like to comment on this, that he doesn't want to vote in favor of it personally, and he respects the intention behind this, that we want to have time to put together a decent law at a local level, but as far as battery storage his understanding is that nobody's currently or in the past interested in doing battery storage here in the town of Delhi, mostly because we don't have the power lines that make it profitable for them. Adding, given the amount of time it will take us anyways to move forward with something like this he doesn't know that either talking about battery storage or solar energy or really implementing moratoria makes sense, and he would rather that we have time to put together our own laws. He also doesn't think it's particularly hard to put together laws, because NYSERDA basically gives you the templates and allows you to fill them in with all of the things that matter. Gashler then said when it comes to battery storage, he doesn't even know where you would put them in it, in the town of Delhi, but if there was to be battery storage in Delhi, then to the point that Mr. Cairns made about needing to do something about the fact that these, these could start on fire and these could be tremendous hazards if they do start on fire. We just need to make sure that the onus is on the company to do something about that, that they're located far enough away from anywhere where the fire is going to go out of control, and that we're ready for the fact that this will emit horrific toxic chemicals. Adding, that we're not the ones who have to pay for it, that it's on the company to do something about this. He knows that this is local law for battery storage, not for solar panels, so he can talk to solar farms later if everyone would like. He thinks both of these resolutions are sort of sending or they're signaling like a year from now our plan is to have a decent law in effect. It will take about a year, anyways, if someone was to come to us today and say, "Hey, we want to put battery storage in Delhi" the process that we would go through anyways is going to take months and months, and he thinks within that amount of time we would be able to get a really good solid law together, and given that all of our neighboring towns have already enacted moratoria if this is all just about signaling, then he wants to signal that Delhi is open for business, that Delhi potentially, if someone's looking to cite any kind of solar energy plan, that we would be willing to, we would be willing to accept that, provided that we can deal with the concerns that come with it knowing that the concerns are very real. He then added he wanted to be a no vote on this stating he might be the only no vote.

Boukai said that is totally fine. There is no rule that says we have to be unanimous at all times, every time. Stating further he would be doing everyone a disservice if he wasn't speaking how he felt. And to his point, she really liked how he phrased it, "Delhi is open for business," but we need to be open for business in a way that reflects what the public wants, and that's why she thinks it's so important to have people attending the comprehensive plan, because that there were specific questions related to clean energy, green energy, all of that kind of stuff, and we need to get more public feedback on it, and then the zoning becomes the mechanism by which we can determine where and to what extent we are allowing these projects, so while she does acknowledge that a moratorium would/could potentially signal we're not interested in any of this, that is one, that's not the intent, and two, the goal is to really put together a cohesive package involving the zoning and the comprehensive plan, so that we're able to at least acknowledge the concerns of the people we represent.

Gashler responded just to follow up on that, a year from now he thinks we're going to have a solid comprehensive plan and solid laws in place regardless of how we vote. He's aware that he's probably going to be outvoted tonight, and that's okay, because he thinks the intention that we all share is that we want to have solid laws that that protect our people and also provide opportunities for the town of Delhi.

Councilmember Morgan then stated to Gashler one thing he wanted to add to Gashler speaking as someone that deals with this kind of nature of work in different aspects is if somebody comes to the town of Delhi tomorrow with a site plan application, they have no laws governing what they want to do. It doesn't matter if planning takes months, they applied under that date with no laws. All this moratorium does is give the town a chance to put some laws together and come up with a plan that can protect us, because there's also other government agencies out there that we assume are there to protect us, but they're being overridden by, like, say Ores, and things like that. Morgan further stated the other thing that Gashler stated was that he doesn't believe that there is any possibility, basically, of solar or battery storage coming here. Morgan said Gashler should be aware 200 feet across the Delhi border into Hamden is going to be the United States' largest battery storage facility. Adding, why; because we have an extremely large substation up there that feeds New York City. We have the prime place to put solar fields and additional battery storage facilities. All that this is doing is putting a pause for us to come up and protect our community. That's all that it is. Morgan doesn't want to rush anything here, he understands there's a need for electrification and all that, but we have got to protect us. Stating, look at upstate New York, North Country, that fire that happened in Inline, New York, that went out of control, absolutely out of control. Then there was a smaller one in Warwick, New York, that was next to a school, and that burned for weeks, and continuous issues with that. Morgan further added he is part of reviewing the one over in Hamden. It scares him. It really does. They have no laws over there that protected anything, they had some simple local laws, but he thinks we should just take a little time for our people here and show an attempt to have a good plan for them. Councilmember Purdy wanted to ask Morgan questions about the Hamden one. Morgan interrupted and asked Gashler if he had ever gone up Hamden Hill to the very end? Gashler responded "No, I haven't". Morgan said, "you should, tomorrow drive up there." Gashler asked, "so that's 200 feet from that town of Delhi, roughly?" Morgan replied maybe 200-400 feet. It's just right across the border, and they chose that place because that substation is right there, right, the easiest place to hook into. Gashler asked if Hamden had a moratorium in place. Both Boukai and Morgan stated no. Boukai added that's why it's going in there. Morgan said they had nothing to protect anything there, basically. Morgan then said even if you're for it, for the battery storage, just take some time and really come up with a local law tonight. If you do vote in favor of the moratorium, it's not saying that you don't want it at all, you just want to protect. Boukai said we want to be intentional about what we're setting forth.

Councilmember Purdy said in that regard. He has some problems with some of the wording in this law. There's no mentioned the difference between residential and commercial. There is nothing in here which parses out residential versus commercial. Adding, for the battery storage one, basically it says battery energy storage systems, one or more devices to settle together. And then it does say but shall not include standalone 12-volt car battery or an electric motor vehicle. So that seems to address the residential stuff. Purdy added that a lot of folks, especially in the middle of an energy crisis that we are now fully into are going to be turning to things like whole home backup systems, which are not 12-volt standalone systems, they plug in, they're like 48-volt

systems, that's not applied under here. What's the scale? That's what he wants to know, is the scale, because obviously he gets the giant battery storage facilities, yes, it's a huge environmental hazard, is it the same environmental hazard as someone having a backup system for their solar system or their geothermal system that they might install? He thinks there's a relative scale there, but this law, as written now, doesn't include that, doesn't say no commercial, just residential, it just says not on any property in the town of Delhi shall we have any battery storage system, except for 12-volt car batteries, standalone, and electric motor vehicles. He would like to see some updates on the language there before he's willing to vote yes on this. The reason for that, anytime you ban something, you get sneakier behavior in the middle of an energy crisis. If you're telling people no battery storage even if they don't read, most folks don't read the law and understand what exactly is included, but if we don't include that, you're going to have people who are like putting stuff in and not telling anyone, and then you have fewer people going to apply for an application to put it in, they're just going to do it anyway, so there is a balance here to be struck between complete ban and making sure we parse out correctly the scale of the projects that we're talking about, because from his reading, and he'd be happy to be incorrect here, but there's no scale here, it's just no battery storage anywhere in Delhi, except for 12-volt or motor vehicle, which to his knowledge has actually caused fires in Delhi in the last couple of years with electric motor vehicles. Purdy felt there would be just some elements of that would be good to add here. Councilmember Morgan answered the assumption of this was measured in megawatts, and usually your home is measured in kilowatts. Purdy said he didn't see that anywhere in it. Boukai said she is in agreement with him, she thinks it could have done a better job specifying, she just assumed because it discussed the 12-volt systems and charging your car and your electric vehicle, that that was enough. She didn't think of backup systems for all of that. Purdy added he just wants to make sure that no one is like scared away from properly getting inspected stuff that should be inspected, thinking they're just going to tell us no, but they need to save some money on electric stuff, so they're going to do it anyway.

Boukai said she had a procedural question if we were to change the language in the local law, would we need a whole other public hearing, and we need to start the process over again, essentially. The clerk stated the council had the proposed laws for one month and sadly should have requested the changes prior to the public receiving copies. Boukai also stated the only way to modify this now is to have an entire new public hearing with the new language, and this needs to go back to the lawyer to do the language. It's not like we're going to pull this out and do it ourselves. What are any other concerns? Purdy said that was the big on the battery storage.

Boukai then requested a roll call on Resolution No. 008 of 2026 which is as follows:

RESOLUTION NO. 008 of 2026
TOWN OF DELHI
COUNTY OF DELAWARE

RESOLUTION APPROVING LOCAL LAW NO. 001 OF 2026

A LOCAL LAW AFFECTING A TEMPORARY MORATORIUM WITHIN THE TOWN OF DELHI ON BATTERY ENERGY STORAGE SYSTEMS

At a regular meeting of the Town Council of the Town of Delhi, held at Town Hall, 5 Elm Street, Delhi, New York on the 8th day of June 2026, the following resolution was offered and seconded:

WHEREAS, the Town Board scheduled a public hearing for June 8, 2026 at 6:31 p.m. for Local Law No. 001 of the Year 2026 entitled "A LOCAL LAW AFFECTING A TEMPORARY MORATORIUM WITHIN THE TOWN OF DELHI ON BATTERY ENERGY STORAGE SYSTEMS"; and

WHEREAS, notice of said public hearing was duly advertised in the official newspaper of the Town and posted on the Town Clerk's signboard; and

WHEREAS, the Delaware County Planning Department reviewed the Local Law pursuant to GML § 239-m and has issued a report thereon; and

WHEREAS, said public hearing was duly held at Town Hall, 5 Elm Street, Delhi, New York on Tuesday on the 8th day of June 2026 at 6:31 p.m. and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, or any part thereof; and

WHEREAS, pursuant to the State Environmental Quality Review Act, it has been determined by the Town Board that adoption of the proposed Local Law constitutes a Type II Action as defined under 6 NYCRR 617.5(c)(33) and (36); and

WHEREAS, the Town Council, after due deliberation, finds it in the best interest of the Town to adopt said Local Law.

NOW, THEREFORE BE IT RESOLVED, that pursuant to the State Environmental Quality Review Act, the Town Board determined that adoption of Local Law No. 001 of the Year 2026 entitled "A LOCAL LAW AFFECTING A TEMPORARY MORATORIUM WITHIN THE TOWN OF DELHI ON BATTERY ENERGY STORAGE SYSTEMS" constitutes a Type II Action as defined under 6 NYCRR 617.5(c)(33) and (36) requiring no further SEQR review; and be it further

RESOLVED, that the Town Council of the Town of Delhi hereby adopts said local law as Local Law No. 001 of the Year 2026 entitled "A LOCAL LAW AFFECTING A TEMPORARY MORATORIUM WITHIN THE TOWN OF DELHI ON BATTERY ENERGY STORAGE SYSTEMS", a copy of which is attached hereto and made a part hereof; and be it further

RESOLVED, that the Town Clerk be and hereby is directed to enter said Local Law in the minutes of this meeting and give due notice of the adoption of said Local Law to the Secretary of State; and it is further

RESOLVED, that this resolution will take effect immediately upon filing with the Department of State.

Roll call as follows:

	Aye	Nay	Absent
Supervisor Boukai	X		
Councilmember Purdy		X	
Councilmember Morgan	X		
Councilmember Viafore	X		
Councilmember Gashler	X		

The SEQR will be done by Boukai after the meeting, per the above.

Boukai then brought forth Local Law No. 001 of the Year 2026 entitled "A LOCAL LAW AFFECTING A TEMPORARY MORATORIUM WITHIN THE TOWN OF DELHI ON BATTERY ENERGY STORAGE SYSTEMS. Adding to Councilmember Purdy's concerns on the local law, what she thinks we should do as everyone has the first pass of our zoning update. Let's get more specific with some of the things in there. What she's only thrown out to the zoning board. Currently, she hasn't mentioned it to planning yet, but she thinks we should have at our August meeting time dedicated to just discussing that zoning document. It's a hefty document, maybe we take half of it, do that half the first in August, and then do the second half in September, but things like that should be pointed out in our zoning document. Councilmember Purdy responded sounds

good. Councilmember Morgan made the motion to approve the below local law with Councilmember Purdy seconding.

TOWN OF DELHI
COUNTY OF DELAWARE

LOCAL LAW NO. 1 OF 2026

A LOCAL LAW AFFECTING A TEMPORARY MORATORIUM WITHIN THE TOWN OF DELHI ON BATTERY ENERGY STORAGE SYSTEMS

Be it enacted by the Town Council of the Town of Delhi as follows:

Section 1. TITLE.

This Local Law shall be known as the "Moratorium on Battery Energy Storage Systems."

Section 2. AUTHORITY AND INTENT; FINDINGS; PURPOSE.

A. Authority and Intent.

This Local Law is intended to be consistent with and is adopted pursuant to the authority granted to the Town Council of the Town of Delhi under the New York State Constitution and the Laws of the State of New York, including but not limited to the following authorities: New York State Constitution Article IX, § 2 (c); Municipal Home Rule Law §§ 10 and 20 through 27; Statute of Local Governments § 10; New York State Town Law §§ 264 and 265; and the State Environmental Quality Review Act and its implementing regulations.

This Law is a zoning and land use regulation, which is intended to act as and is hereby declared to exercise the permissive "incidental control" of zoning and land use law that is concerned with the broad area of land use planning and the physical uses of land within the Town of Delhi.

B. Findings.

The Town Council hereby finds that it is in the interest of public health, safety and welfare to address, in a careful and thorough manner, the activities prohibited by Section 4 of this Local Law. In order to accomplish this, the Town requires a reasonable period of time to further study the potential impacts and effects on land, the environment and the public in general caused by such activities, and to consider possible amendments to the Town's laws and/or comprehensive plan to address the same.

C. Purpose.

The purpose of the Local Law is to enable the Town of Delhi to stay the construction, operation, and establishment of, and the submission and processing of applications for permits, zoning permits, special permits, zoning variances, building permits, operating permits, site plan approvals, subdivision approvals, certificates of occupancy, certificates of compliance, temporary certificates, and other Town-level land use approvals respecting the activities prohibited by Section 4 of this Local Law, for a reasonable time, so as to allow the Town time to study the potential impacts, effects, and possible controls over such activities and to consider possible amendments to the Town's laws and/or comprehensive plan to address the same. The Town Council finds that a moratorium of one (1) year duration, coupled with an "unnecessary hardship" variance procedure and a provision for the "grandfathering" of legal, pre-existing nonconforming uses, will achieve an appropriate balance of

interests between (i) the need to safeguard public health, safety and welfare, as well as the character and other resources of the Town of Delhi; and (ii) the rights of individual property owners.

Section 3. DEFINITIONS.

For purposes of this Local Law, the following terms shall have the meanings respectively set forth below.

BATTERY ENERGY STORAGE SYSTEM(S) - One or more devices, assembled together, capable of storing energy in order to supply electrical energy at a future time, which may consist of batteries, chargers, controls, power conditioning systems, and associated accessories, but shall not include a stand-alone 12-volt car battery or an electric motor vehicle. This definition shall include all classifications of battery energy storage systems.

TOWN — The Town of Delhi, Delaware County, New York.

TOWN COUNCIL — The Town Council of the Town of Delhi, Delaware County, New York.

Section 4. MORATORIUM AND PROHIBITION.

A. From and after the effective date of this Local Law, no application for a permit, zoning permit, special permit, zoning variance (except as contemplated by Section 7 of this Law), building permit, site plan approval, subdivision approval or any other Town-level approval shall be accepted, processed, approved, approved conditionally, or issued for the construction, establishment, use or operation upon any land, body of water, building or other structure located within the Town for a Battery Energy Storage System.

B. From and after the effective date of this Local Law, no Person shall use, cause, or permit to be used, any land, body of water, building or other structure located within the Town for a Battery Energy Storage System.

C. This moratorium and prohibition shall be in effect beginning on the effective date of this Local Law and shall expire on the earlier of (i) that date which is one (1) year after said effective date, or (ii) the effective date of a duly enacted repeal of this Local Law.

D. This moratorium and prohibition shall apply to all real property within the Town.

E. Under no circumstances shall the failure of the Town Council, the Town Planning Board or the Town Code Enforcement Officer to take any action upon any application for a permit, zoning permit, special permit, zoning variance, building permit, site plan approval, subdivision approval, or other Town-level approval constitute an approval by default or an approval by virtue of expiration of time to respond to such application.

Section 5. PENALTIES.

A. Compliance Orders. The Code Enforcement Officer is authorized to order, in writing, the remedying of any condition or activity found to exist in violation of this Local Law. If the condition or activity is not remedied after the issuance of a compliance order, then an appearance ticket may be issued as provided hereinafter.

B. Appearance Tickets. The Code Enforcement Officer is authorized to issue appearance tickets for any violation of this Local Law. Any person who violates any provision of this Local Law shall be deemed guilty of a violation and, upon conviction thereof, shall be subject to a fine of not more than $250 per violation. Each day's continued violation shall constitute a separate, additional violation.

C. Civil Penalty. In addition to those penalties prescribed herein, any person who violates any provision of this Local Law shall be liable for a civil penalty of not more than $2,500 for each day or part thereof during which such violation continues. The civil penalties provided by this section shall be recoverable in a civil action instituted in the name of the Town of Delhi.

D. Injunctive Relief. An action or proceeding may be instituted in the name of the Town of Delhi, in a court of competent jurisdiction, to prevent, restrain, enjoin, correct, or abate any violation of, or to enforce, any provision of this Local Law. No action or proceeding described in this subdivision shall be commenced without the appropriate authorization from the Town Council.

E. Remedies Not Exclusive. No remedy or penalty specified in this section shall be the exclusive remedy or penalty available to address any violation of this Local Law. Any remedy or penalty specified in this section and/or any other remedy or penalty provided by law, may be pursued at any time, whether prior to, simultaneously with, or after the pursuit of any other remedy or penalty specified in this section. In addition to the above-provided remedies, the Town Council may also seek reimbursement to the Town for costs incurred by the Town in identifying and remedying each violation, including but not limited to, reasonable attorney's fees, for any action instituted in accordance with this Section.

Section 6. GRANDFATHERING OF LEGAL, PRE-EXISTING NON-CONFORMING USE.

Notwithstanding any provision hereof to the contrary, any Battery Energy Storage System in the Town that have been duly approved as of the effective date of this Local Law, which are being operated in accordance with all applicable laws and regulations and in compliance with all valid permits required to be issued by the New York State Department of Environmental Conservation ("DEC") and all other federal, state and local regulating agencies, shall be considered a preexisting, non-conforming use and shall be allowed to continue, subject, however, to the provisions of this Section.

Any expansion of a lawful, pre-existing nonconforming use shall not be grandfathered under this Section, and instead shall in all respects be prohibited as contemplated by Section 4 hereof.

"Grandfathered" and lawful pre-existing uses neither have nor possess any right to expand such non-conforming use, whether above or below ground, and no such right shall be deemed, construed, or implied to exist.

Section 7. HARDSHIP WAIVER.

A. Any property owner or applicant affected by this moratorium may apply to the Town Council for a waiver from strict compliance with the requirements of this local law on the grounds of undue hardship.

B. The applicant shall submit a written application specifying the nature of the hardship and the reasons why a waiver should be granted, along with a fee of five hundred ($500) dollars for the processing of such application. The Town Council shall hold a public hearing on the application within sixty (60) days of the Town Clerk's receipt of the complete application, following at least ten (10) days written notice to the applicant and publication in the official newspaper of the Town. The Town Council shall decide on whether to grant, grant with conditions, or deny such application within sixty (60) days after the public hearing has been closed. The Town Council's failure to act within such sixty (60) day period shall be deemed an automatic denial of the hardship waiver application.

C. To the extent that the Town Council requires a consultant to assist it in reviewing such application, it may require the applicant to pay the reasonable costs of such consultant, who shall be selected in the sole discretion of the Town Council.

D. In the sole discretion of the Town Council, it may refer any application for a hardship waiver to any official, department, and/or board for a recommendation. The Town Council shall not be bound by any recommendation of any official, department, or board.

E. In determining whether to grant a waiver, the Town Council shall consider:

1. Whether the applicant can realize a reasonable return without the waiver, if lack of return is substantial as demonstrated by competent financial evidence;
2. Whether the hardship relating to the property in question is unique, and does not apply to a substantial portion of the district or neighborhood;
3. The extent to which the requested waiver, if granted, would alter the essential character of the neighborhood;
4. The degree to which the hardship was self-created;
5. The extent to which a waiver would adversely affect the purposes of this local law;
6. Other factors deemed relevant to the public interest.

F. Any waiver granted by the Town Council shall be the minimum necessary to address the demonstrated hardship and may be subject to conditions as deemed appropriate to protect the public interest.

G. If the Town Council grants a hardship waiver, the applicant shall proceed with its application for approvals in accordance with the Town Code.

H. The applicant or any other person aggrieved by a decision of the Town Council hereunder may apply to the New York State Supreme Court pursuant to Article 78 of the Civil Practice Laws and Rules.

Section 8. SEVERABILITY.

If any word, phrase, sentence, part, section, subsection, or other portion of this Local Law, or the application thereof to any person or to any circumstance, is adjudged or declared invalid or unenforceable by a court or other tribunal of competent jurisdiction, then, and in such event, such judgment or declaration shall be confined in its interpretation and operation only to the provision of this Local Law that is directly involved in the controversy in which such judgment or declaration is rendered, and such judgment or declaration of invalidity or unenforceability shall not affect or impair the validity or enforceability of the remainder of this Local Law or the application hereof to any other persons or circumstances. If necessary as to such person or circumstances, such invalid or unenforceable provision shall be and be deemed severed herefrom, and the Town Council of the Town of Delhi hereby declares that it would have enacted this Local Law, or the remainder thereof, even if, as to particular provisions and persons or circumstances, a portion hereof is severed or declared invalid or unenforceable.

Section 9. SUPERSEDING INTENT AND EFFECT.

It is the specific intent of the Town Council that this Local Law shall supersede any inconsistent provisions of Sections 267, 267-a, 267-b, 274-a, 274-b and 276 of the Town Law of the State of New York, as well as all other inconsistent provisions of state or local ordinances, local laws, or local resolutions or policies of the Town of Delhi, including but not limited to provisions of the aforementioned state and local laws, ordinances, resolutions or policies that require the approval, or affect a default approval of land use applications within certain statutory

time periods.

Section 10. GENERAL PROVISIONS.

A, The Code Enforcement Officer is hereby designated as the enforcement officer for purposes of interpreting and enforcing this Local Law.

B, The section and other headings and titles to clauses and phrases in this Local Law are for convenience only, and shall not be used or construed to limit or define the scope or application of the clauses and phrases so following such headings or titles. Each section of this Local Law, whether in the nature of a preamble or otherwise, is a material part of this Local Law.

Section 11. EFFECTIVE DATE.

This Local Law shall take effect immediately upon filing with the New York Department of State in accordance with Section 27 of the Municipal Home Rule Law.

Roll Call
June 8, 2026

	AYE	NAY	ABSENT
Maya Boukai, Town Supervisor	X		
Josh Morgan, Councilmember	X		
Simon Purdy, Councilmember	X		
Daniel Gashler, Councilmember	X		
Christina Viafore, Councilmember	X		

Clerk to file the approved local law with the State of New York.

Boukai then introduced Resolution No. 009 of 2026 This is the resolution approving Local Law number 002 of 2026 A Local Law Affecting a Temporary Moratorium within the Town of Delhi on the Development of Solar Energy Systems. Motion made by Councilmember Morgan to approve the below resolution with Councilmember Purdy seconding.

RESOLUTION NO. 009 of 2026
TOWN OF DELHI
COUNTY OF DELAWARE

RESOLUTION APPROVING LOCAL LAW NO. 002 OF 2026

A LOCAL LAW AFFECTING A TEMPORARY MORATORIUM WITHIN THE TOWN OF DELHI ON THE DEVELOPMENT OF SOLAR ENERGY SYSTEMS

At a regular meeting of the Town Council of the Town of Delhi, held at Town Hall, 5 Elm Street, Delhi, New York on the 8th day of June 2026, the following resolution was offered and seconded:

WHEREAS, the Town Board scheduled a public hearing for June 8, 2026 at 6:32 p.m. for Local Law No. 002 of the Year 2026 entitled "A LOCAL LAW AFFECTING A TEMPORARY MORATORIUM

WITHIN THE TOWN OF DELHI ON THE DEVELOPMENT OF SOALR ENERGY SYSTEMS;" and

WHEREAS, notice of said public hearing was duly advertised in the official newspaper of the Town and posted on the Town Clerk's signboard; and

WHEREAS, the Delaware County Planning Department reviewed the Local Law pursuant to GML § 239-m and has issued a report thereon; and

WHEREAS, said public hearing was duly held at Town Hall, 5 Elm Street, Delhi, New York on Tuesday on the 8th day of June 2026 at 6:32 p.m. and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, or any part thereof; and

WHEREAS, pursuant to the State Environmental Quality Review Act, it has been determined by the Town Board that adoption of the proposed Local Law constitutes a Type II Action as defined under 6 NYCRR 617.5(c)(33) and (36); and

WHEREAS, the Town Council, after due deliberation, finds it in the best interest of the Town to adopt said Local Law.

NOW, THEREFORE BE IT RESOLVED, that pursuant to the State Environmental Quality Review Act, the Town Board determined that adoption of Local Law No. 002 of the Year 2026 entitled "A LOCAL LAW AFFECTING A TEMPORARY MORATORIUM WITHIN THE TOWN OF DELHI ON THE DEVELOPMENT OF SOLAR ENERGY SYSTEMS" constitutes a Type II Action as defined under 6 NYCRR 617.5(c)(33) and (36) requiring no further SEQR review; and be it further

RESOLVED, that the Town Council of the Town of Delhi hereby adopts said local law as Local Law No. 002 of the Year 2026 entitled "A LOCAL LAW AFFECTING A TEMPORARY MORATORIUM WITHIN THE TOWN OF DELHI ON THE DEVELOPMENT OF SOLAR ENERGY SYSTEMS", a copy of which is attached hereto and made a part hereof; and be it further

RESOLVED, that the Town Clerk be and hereby is directed to enter said Local Law in the minutes of this meeting and give due notice of the adoption of said Local Law to the Secretary of State; and it is further

RESOLVED, that this resolution will take effect immediately upon filing with the Department of State.

Roll call as follows:

	Aye	Nay	Absent
Supervisor Boukai	X		
Councilmember Purdy		X	
Councilmember Morgan	X		
Councilmember Viafore	X		
Councilmember Gashler		X	

Supervisor Boukai then brought forth Local Law No. 002 of 2026 entitled "A LOCAL LAW AFFECTING A TEMPORARY MORATORIUM WITHIN THE TOWN OF DELHI ON THE DEVELOPMENT AND CONSTRUCTION OF SOLAR ENERGY SYSTEMS. Councilmember Purdy stated they're very similar to the battery moratorium. He is very excited to work on that as part of the comprehensive plan and zoning documents. He completely agrees with the need to make sure we do it safely again, so the similar parsing out

between residential and commercial, it's better in this one, but a little bit different. Adding, for instance, it does mention building integrated systems and roof mounted, but if someone were, for instance, they have the best sun in their yard, not associated with their house or a direct building, and they want to do a ground-mounted one that's not in here explicitly stated. As far as people having trouble with this, for residential, he understands the commercial side of it, he understands many of the concerns there, but again, scale needs to be built into this, in his opinion. He also noticed that there's no, in the battery storage, there was a grandfather clause, and in the solar, there is not that he could see. Both Morgan and Boukai stated if something has already been approved they are grandfathered in. Purdy further added he wanted to encourage anyone reading about this later in the paper, that the intent here is not to affect residential. And asked the others on the council if this local law was predominantly commercial? Others replied yes. Again, he stated he has some issues with that, as far as energy resiliency and things like that go. If you want to put a system on your house, the intent with this is not to say no, you can't do that. Boukai responded exactly, whether it's in your yard or on your roof. Purdy then said when we work on the zoning we can fix some of the language. Councilmember Morgan made the motion to approve the below local law with Councilmember Viafore seconding. Local law as follows:

TOWN OF DELHI
COUNTY OF DELAWARE

LOCAL LAW NO. 2 OF 2026

A LOCAL LAW AFFECTING A TEMPORARY MORATORIUM WITHIN THE TOWN OF DELHI ON THE DEVELOPMENT AND CONSTRUCTION OF SOLAR ENERGY SYSTEMS

Be it enacted by the Town Council of the Town of Delhi as follows:

Section 1. TITLE.

This Local Law shall be known as the "Moratorium on the Development and Construction of Solar Energy Systems."

Section 2. AUTHORITY AND INTENT; FINDINGS; PURPOSE.

A. Authority and Intent.
This Local Law is intended to be consistent with and is adopted pursuant to the authority granted to the Town Council of the Town of Delhi under the New York State Constitution and the Laws of the State of New York, including but not limited to the following authorities: New York State Constitution Article IX, § 2 (c); Municipal Home Rule Law §§ 10 and 20 through 27; Statute of Local Governments § 10; New York State Town Law; and the State Environmental Quality Review Act and its implementing regulations.

This Law is a land use regulation, which is intended to act as and is hereby declared to exercise the permissive "incidental control" of zoning and land use law that is concerned with the broad area of land use planning and the physical uses of land within the Town.

B. Findings.
The Town Council of the Town of Delhi hereby finds that it is in the interest of public health, safety and welfare to address, in a careful and thorough manner, the activities prohibited by Section 4 of this Local Law. Specifically, the Town Council finds and determines that the current comprehensive plan and zoning and land use laws do not adequately protect the Town's unique character and significant natural and cultural resources while

accommodating appropriate and complementary development of solar energy systems, and it is therefore in the best interests of the Town to temporarily suspend the processing, review and approval of applications for their development. To accomplish this, the Town requires a reasonable period to further study the potential impacts and effects on land use and the environment caused by such activities, and to consider possible amendments to the Town's zoning laws and/or comprehensive plan to address the same and to ensure consistency across all Town laws and/or the comprehensive plan.

C. Purpose.

The purpose of the Local Law is to enable the Town of Delhi to stay the construction, operation and establishment of, and the submission and processing of applications for permits, zoning permits, special permits, special use permits, zoning variances, building permits, operating permits, site plan approvals, subdivision approvals, certificates of occupancy, certificates of compliance, temporary certificates, and any other Town-level land use approvals respecting the activities prohibited by Section 4 of this Local Law, for a reasonable time, so as to allow the Town time to study the potential impacts, effects, and possible controls over such activities and to consider possible amendments to the Town's laws and/or comprehensive plan to address the same. The Town Council finds that a moratorium of one (1) year duration, coupled with an "unnecessary hardship" variance procedure and a provision for the "grandfathering" of legal, pre-existing non-conforming uses will achieve an appropriate balance of interests between (i) the need to safeguard public health, safety and welfare, as well as the character and other resources of the Town of Delhi; and (ii) the rights of individual property owners.

Section 3. DEFINITIONS.

For purposes of this Local Law, the following terms shall have the meanings respectively set forth below:

BUILDING-INTEGRATED SOLAR ENERGY SYSTEM --- A combination of Solar Panels and Solar Energy Equipment integrated into any building envelope system such as vertical facades, semitransparent skylight systems, roofing materials, or shading over windows, which produce electricity for onsite consumption.

PERSON --- Any individual, public or private corporation for profit or not for profit, association, partnership, limited liability company, limited liability partnership, firm, trust, estate, and any other legal entity whatsoever which is recognized by law as the subject of rights and duties.

ROOF-MOUNTED SOLAR ENERGY SYSTEM --- A Solar Energy System located on the roof of any legally permitted building or structure that produces electricity for onsite consumption.

SOLAR ENERGY EQUIPMENT --- Electrical material, hardware, inverters, conduit, or any other electrical and photovoltaic equipment associated with the production of electricity.

SOLAR ENERGY SYSTEM --- All components and subsystems required to convert solar energy into electric energy suitable for use and to collect, store or deliver such converted electrical energy. The term includes, but is not limited to, Solar Panels, Solar Energy Equipment, substations, energy storage facilities and all other accessory facilities related/appurtenant thereto, along with all the land other structures inside the permitted of the solar energy system, including any interconnection equipment.

SOLAR PANEL --- A photovoltaic device capable of collecting and converting solar energy into electricity.

SOLAR ACTIVITIES --- All activities related to the development, permitting, siting and/or construction of energy production facilities utilizing solar power, including but not limited to, Solar Energy Systems, and the

siting and construction of all accessory, supporting and related infrastructure such as transmission lines, substations, etc.

TOWN --- The Town of Delhi, Delaware County, New York.

TOWN COUNCIL --- The Town Council of the Town of Delhi.

Section 4. MORATORIUM AND PROHIBITION.

A. From and after the effective date of this Local Law, no application for a permit, zoning permit, special permit, special use permit, zoning variance (except as contemplated by Section 7 of this Law), building permit, site plan approval, subdivision approval or any other Town-level approval shall be accepted, processed, approved, approved conditionally, or issued for the construction, establishment, use or operation upon any land, body of water, building or other structure located within the Town any of the following: (i) Solar Energy Systems; (ii) Solar Energy Equipment; (iii) Solar Energy Activities.

B. From and after the effective date of this Local Law, no Person shall use, cause, or permit to be used, any land, body of water, building or other structure located within the Town for any of the following: (i) Solar Energy Systems; (ii) Solar Energy Equipment; (iii) Solar Energy Activities.

C. This moratorium and prohibition shall be in effect beginning on the effective date of this Local Law and shall expire on the earlier of (i) that date which is one (1) year after said effective date, or (ii) the effective date of a duly enacted repeal of this Local Law.

D. This moratorium and prohibition shall apply to all real property within the Town.

E. The prohibitions and moratorium set forth in this Section 4 shall not apply to Roof-Mounted Solar Energy Systems or Building-Integrated Solar Energy Systems as accessory uses for legally permitted residential and commercial properties.

F. Under no circumstances shall the failure of the Town Council, the Town Planning Board or the Town Code Enforcement Officer to take any action upon any application for a permit, zoning permit, special permit, special use permit, zoning variance, building permit, site plan approval, subdivision approval, or other Town-level approval constitute an approval by default or an approval by virtue of expiration of time to respond to such application.

Section 5. PENALTIES.

A. Compliance Orders. The Code Enforcement Officer is authorized to order, in writing, the remedying of any condition or activity found to exist in violation of this Local Law. If the condition or activity is not remedied after the issuance of a compliance order, then an appearance ticket may be issued as provided hereinafter.

B. Appearance Tickets. The Code Enforcement Officer is authorized to issue appearance tickets for any violation of this Local Law. Any person who violates any provision of this Local Law shall be deemed guilty of a violation and, upon conviction thereof, shall be subject to a fine of not more than $250 or to imprisonment for not more than 15 days, or both such fine and imprisonment. Each day's continued violation shall constitute a separate, additional violation.

C. Civil Penalty. In addition to those penalties prescribed herein, any person who violates any provision of this Local Law shall be liable to a civil penalty of not more than $2,500 for each day or part thereof during which such violation continues. The civil penalties provided by this section shall be recoverable in a civil action instituted in the name of the Town of Delhi.

D. Injunctive Relief. An action or proceeding may be instituted in the name of the Town of Delhi, in a court of competent jurisdiction, to prevent, restrain, enjoin, correct, or abate any violation of, or to enforce, any provision of this Local Law. No action or proceeding described in this subdivision shall be commenced without the appropriate authorization from the Town Council.

E. Remedies Not Exclusive. No remedy or penalty specified in this section shall be the exclusive remedy or penalty available to address any violation of this Local Law. Any remedy or penalty specified in this section and/or any other remedy or penalty provided by law, may be pursued at any time, whether prior to, simultaneously with, or after the pursuit of any other remedy or penalty specified in this section. In addition to the above-provided remedies, the Town Council may also seek reimbursement to the Town for costs incurred by the Town in identifying and remedying each violation, including but not limited to, reasonable attorney's fees.

Section 6. GRANDFATHERING OF LEGAL, PRE-EXISTING NON-CONFORMING USE.

Notwithstanding any provision hereof to the contrary, any Solar Energy System in the Town that has been duly approved as of the effective date of this Local Law, which is being operated in accordance with all applicable laws and regulations and in compliance with all valid permits required to be issued by the New York State Department of Environmental Conservation ("DEC") and all other federal, state and local regulating agencies, shall be considered a pre-existing, non-conforming use and shall be allowed to continue, subject, however, to the provisions of this Section.

Any expansion of a lawful, pre-existing nonconforming use shall not be grandfathered under this Section, and instead shall in all respects be prohibited as contemplated by Section 4 hereof. "Grandfathered" and lawful pre-existing uses neither have nor possess any right to expand such non-conforming use, whether above or below ground, and no such right shall be deemed, construed, or implied to exist.

Section 7. HARDSHIP WAIVER.

I. Any property owner or applicant affected by this moratorium may apply to the Town Council for a waiver from strict compliance with the requirements of this local law on the grounds of undue hardship.

J. The applicant shall submit a written application specifying the nature of the hardship and the reasons why a waiver should be granted, along with a fee of five hundred ($500) dollars for the processing of such application. The Town Council shall hold a public hearing on the application within sixty (60) days of the Town Clerk's receipt of the complete application, following at least ten (10) days written notice to the applicant and publication in the official newspaper of the Town. The Town Council shall decide on whether to grant, grant with conditions, or deny such application within sixty (60) days after the public hearing has been closed. The Town Council's failure to act within such sixty (60) day period shall be deemed an automatic denial of the hardship waiver application.

K. To the extent that the Town Council requires a consultant to assist it in reviewing such application, it may require the applicant to pay the reasonable costs of such consultant, who shall be selected in the sole discretion of the Town Council.

L. In the sole discretion of the Town Council, it may refer any application for a hardship waiver to any official, department, and/or board for a recommendation. The Town Council shall not be bound by any recommendation of any official, department, or board.

M. In determining whether to grant a waiver, the Town Council shall consider:

7. Whether the applicant can realize a reasonable return without the waiver, if lack of return is substantial as demonstrated by competent financial evidence;
8. Whether the hardship relating to the property in question is unique, and does not apply to a substantial portion of the district or neighborhood;
9. The extent to which the requested waiver, if granted, would alter the essential character of the neighborhood;
10. The degree to which the hardship was self-created;
11. The extent to which a waiver would adversely affect the purposes of this local law;
12. Other factors deemed relevant to the public interest.

N. Any waiver granted by the Town Council shall be the minimum necessary to address the demonstrated hardship and may be subject to conditions as deemed appropriate to protect the public interest.

O. If the Town Council grants a hardship waiver, the applicant shall proceed with its application for approvals in accordance with the Town Code.

P. The applicant or any other person aggrieved by a decision of the Town Council hereunder may apply to the New York State Supreme Court pursuant to Article 78 of the Civil Practice Laws and Rules.

Section 8. SEVERABILITY.

If any word, phrase, sentence, part, section, subsection, or other portion of this Local Law, or the application thereof to any person or to any circumstance, is adjudged or declared invalid or unenforceable by a court or other tribunal of competent jurisdiction, then, and in such event, such judgment or declaration shall be confined in its interpretation and operation only to the provision of this Local Law that is directly involved in the controversy in which such judgment or declaration is rendered, and such judgment or declaration of invalidity or unenforceability shall not affect or impair the validity or enforceability of the remainder of this Local Law or the application hereof to any other persons or circumstances. If necessary as to such person or circumstances, such invalid or unenforceable provision shall be and be deemed severed herefrom, and the Town Council of the Town of Delhi hereby declares that it would have enacted this Local Law, or the remainder thereof, even if, as to particular provisions and persons or circumstances, a portion hereof is severed or declared invalid or unenforceable.

Section 9. SUPERSEDING INTENT AND EFFECT.

It is the specific intent of the Town Council that this Local Law shall supersede any inconsistent provisions of Sections 130, 267, 267-a, 267-b, 274-a, 274-b and 276 of the Town Law of the State of New York, as well as all other inconsistent provisions of local ordinances, local laws, or local resolutions or policies of the Town of Delhi, including but not limited to provisions of the aforementioned state and local laws, ordinances, resolutions or policies that require the approval, or affect a default approval of land use applications within certain statutory time periods.

Section 10. GENERAL PROVISIONS.

A. The Code Enforcement Officer is hereby designated as the enforcement officer for purposes of interpreting and enforcing this Local Law.

B. The section and other headings and titles to clauses and phrases in this Local Law are for convenience only, and shall not be used or construed to limit or define the scope or application of the clauses and phrases so following such headings or titles. Each section of this Local Law, whether in the nature of a preamble or otherwise, is a material part of this Local Law.

Section 11. EFFECTIVE DATE.

This Local Law shall take effect immediately upon filing with the New York Department of State in accordance with Section 27 of the Municipal Home Rule Law.

Roll Call
June 8, 2026

	AYE	NAY	ABSENT
Maya Boukai, Town Supervisor	X		
Josh Morgan, Councilmember	X		
Simon Purdy, Councilmember		X	
Daniel Gashler, Councilmember		X	
Christina Viafore, Councilmember	X		

The clerk will file the local law with the state.

Supervisor Boukai requested a motion to accept the 2026 Annual Resolution Adoption of the RS 2417-A for NYS retirement. Councilmember Morgan made the motion to approve with Councilmember Purdy seconding. Motion carried, the clerk to display the RS 2417-A on the town bulletin board for 30 days and then submit to the bookkeeper for filing.

Supervisor Boukai requested a motion to hire Leo Sheffield as lifeguard as a returning lifeguard from last year, at a rate of $18 an hour. Councilmember Morgan asked if this was in her budget, Boukai answered no. Councilmember Purdy made the motion with Councilmember Viafore seconding. Motion carried.

Supervisor Boukai then presented the Historians report as she wasn't here to give it, she is requesting, and has already requested from the village, which has unanimously approved her request, although she's still not clear on what exactly they approved, but she's wanting an ancestry.com membership, as well as a component you can add to the ancestry.com that's specific to the military. She's totaled it up and it's $440.67 in total for a year subscription to both of these systems. She'd like to make a motion to authorize paying half of the total with the village paying the other half in the format that the village will bill us. The historian has a village of Delhi email address, so that's what should be linked to all of this, so it's a Village of Delhi address, they can bill us for our half of it, which is the $221. She requested a motion to pay up to $221 for the ancestry.com subscription. Councilmember Viafore made the motion with Councilmember Purdy seconding. Motion carried.

Councilmember Purdy stated he did work with Mary Ann (Historian) and had emailed everyone this and talked about at the last meeting. Purdy did submit to the New York State Tourism Board an untold story about our town. He wrote this up with Marianne. The trickiest part was figuring out birth and death dates, because gravestones and official records apparently were differing there, but he did submit a little write-up on Asahel Amory Phelps, who was a resident of Delhi back in the early 1800s He was a prolific weaver. He did a bunch of

textiles work back then, which is housed in museums around the country. He hasn't received word back as to whether or not it's going to be published or when it's going to be published, but it should be this summer. They're coming out with their digital books; it's not a question of whether it's been accepted. The clerk asked for a copy and Boukai stated and maybe we can put on the website, or once it's out, we can put the link up. He also stated the historian did a grant to have a historical marker placed by his home.

Committee Reports:

Highway/Machinery: (Councilmember's Gashler & Morgan) Written report from Superintendent Evans provided to councilmembers. Evans said with the state budget passed; they did approve 50 million into the CHIPS program. So, in return, the town of Delhi we're $26,000 in the chips line of that, so that's about set. Now that everything's set, we know we can continue with all the chips reimbursable work that we have scheduled for this year, and we'll be in good shape that way. Adding, that's a good sign on that, most of the other businesses on road work, is as usual.

Evans further stated the Town of Kortright did accept our price for that used decommissioned truck that they had that we were going to use for parts for our 2011 F2 50, so in return we can rebuild that truck, get a few more years out of it, that truck we use year round, and our salt application truck in the winter time, so lots easier than purchasing a brand new one at this point when the engine and the transmission frame and everything still better. The rest of the parts from that decommission truck will help us keep that one going, and nothing other specific.

Evans directed his discussion to Councilmember Purdy as he did mention the beavers earlier. Evans said the beavers are very active right now, and on Mary Gerkin Road, they flooded the road. He thinks there have been three times where the water was over the roadway, and they kept reopening it, and with our nuisance permit, we had them taken care of temporarily. Adding, they always find their way back, but the road hasn't flooded now in two weeks.

Personnel: (Councilmember's Viafore & Gashler): Boukai stated lifeguards had their orientation, the orientation was mandatory unless they were not physically in the area and did their CPR. Amy organized a CPR recertification here and at the pool, so they did their book work here and then went to the pool to do all the in-pool work that they needed to do.

Recreation/Health/Youth: (Councilmember's Viafore & Councilmember Purdy): Boukai wanted to thank the Collin E. Haight Charitable Foundation. They've supported the aquatics program through a $500 donation that we use to purchase water aerobics, weights, toys for swim lessons and a storage cage that houses everything, and that was really important this year, because normally we share equipment with SUNY, and because they're doing their own swim lessons, we're doing our own swim lessons. The town is only doing PM aerobics; they're doing AM aerobics and moving the things back and forth was just not feasible anymore. This worked out really well and covered all of those expenses. Boukai again wished to thank them for their donation and requested a motion to accept their $500 donation. Councilmember Viafore made the motion with Councilmember Purdy seconded. Motion carried.

Boukai stated they had discussed Venmo last month. After doing more research, it was a nightmare. So we'd reached out to Delaware National, who put us in contact with one company, and then after talking to the clerk, we realized the company they put us into contact with is essentially a competitor of the company we already use for clerk processing, for dog permits, for people who want to pay their property taxes with a credit card etc. The company is called All Paid, Boukai sent the council all the information. It costs the town nothing. The fees are all paid by the person using their credit card. The way it will work at the pool is there will be a QR code that we will print out. We will put it on the bulletin board, and then we'll also put it in the office. Amy will have access to it on her phone. When we do the backend setup of it, we can set up so that, Amy's email address as she's now the swims at town of Delhi, just for the season. We'll all get notification when someone pays, that way if there's someone that drops in for a aerobics class and they want to pay on site, she'll know that they've paid, they can enter the class. Boukai thinks it's just going to be a much more seamless way of keeping track of things, because as we had mentioned last time, the checks and balances of everything with Venmo, were pretty much nonexistent, so this is already using infrastructure that we already have. We definitely can

expand it in the future, like for example this year, no swimming lessons had fees, but in the future if we need to have people pay because they're not residents of Delhi, we can send out a payment link, they can pay via their credit card via that payment link, making it all seamless. It'll hit just the pool and recreation account. It won't go into any kind of, it won't hit the clerk account, that'll be a separate one. It really is a seamless way to integrate it, and because it's a system we already use, theoretically we don't need any kind of formal motions or anything like that. She wanted to fill the council in on that, but she would like a motion to move forward with all paid and get that rolling, so that by the end of the month we have a way to pay and make payments at the pool. Councilmember Viafore made the motion with Councilmember Purdy seconding. Motion carried.

Boukai stated we had our first week of water aerobics started on Monday. It was very successful. The pool heater, thank goodness, is heating. And swim lessons started this afternoon. Boukai received the final contract from SUNY for sharing their grant funding with us to pay for the instructors, she signed that off, and we're good to go on that. There's some minor reporting that basically was already completed with the sign-up sheet, so we'll just have some reports to send them at the end of the month, and then we'll be reimbursed for all of the labor costs. Dollars for that will be around $3,000 so that's excellent.

Boukai said it's been a team effort at the pool and gave the floor to Councilmember Purdy who said he wanted to give a shout out to Christopher and Amy and everyone's been pulling a lot of weight at the pool. It's his first season helping with getting it all up and running, and it's a lot of work. Purdy added just today we got the swivels for the lifeguard chairs. Those have been installed, and we've got everything up and running. We had 60 people there for opening day, between 4pm and 6pm, which has a max capacity of 75. It was a huge turnout on a very nice, warm Thursday. The pump for the kiddie pool, he has diagnosed it, basically, it's a big 240-volt pump. There was 240-line coming into it that was loose at one-point, increased resistance and melted it, thankfully it didn't catch on fire, but it did melt into the circuit board for the control unit. We received a quote for roughly 1,000, Purdy said return hopefully the keypad that we already bought, we don't even need to plug it, there was a power issue, not a keypad issue, so we could get some money back on that, obviously, we wait until we power it up, but that would be something we'll need to vote on, as far as surety funds. Purdy made a motion to purchase the control board for that pump motor, so we can get the kiddie pool up and running not to exceed $1,000. Councilmember Viafore seconded the motion. Motion carried. Purdy then asked if we have room in the budget for that; Boukai said we have repairs, maintenance and contractual. Purdy said it'll be an easy fix. We're not going to hire anyone to come in and do it. We can do it ourselves. Make sure everything is torqued down to the proper specifications and then make sure that's on the annual cycle of maintenance too.

Purdy said he thinks the playground is up and running. He's been trying out. Councilmember Morgan mentioned he goes there a couple times a week. Purdy tries to go there a couple times a week, just to make sure there's no trash around, and we're keeping the lawn maintained, adding it getting mowed really nicely. The company we hired for that is doing a good job. There was some broken glass and things like that, he is just making sure we're keeping an eye on things over the course of the summer. Morgan added we are having a problem with some unhoused individuals down at the concession stand. He would like to see some signage, no loitering after dark, and such. It's making a mess down there, it's unsightly. He has been down there a few times picking up garbage. Boukai said she was there this morning and checked each room to make sure that no one had accidentally on purpose gotten in and has been in contact with the police. We have signage there Morgan said but more signage down there, it'll have a little more teeth into doing something. Councilmember Purdy asked if we had contacted anyone from Social Services; he wants to make sure everyone's got a safe place to be, but that's not a safe place to stay as far as housing goes. Boukai stated yes, she had.

Boukai then stated regarding the concession stand, we have two bids. Mr. Krzyston is going to come at the end of the week to start on the electricity that we have already put forth last meeting, but she had the two plumbing companies rebid just the kitchen area of the concession stand and not the bathroom, so we have two bids, one is from Bursello for $3,500 and the other is from Kaufman at $5,013. There's come to light that there's some plumbing issues in the women's bathroom, what we thought was fixed ended up not letting the toilet flush, so we're going to need a plumber to go out there too, which obviously wasn't part of this. This is development and she also thinks there's something leaking in the chemical room, like some kind of gasket.

Boukai then stated she will need a list of everything that we need to then go to the plumber that we end up hiring for the concession stand and just have them do some troubleshooting at the actual pool area. Same with electric, what we were quoted did not include the electrical line being pulled from the box, Krzyston knows about that he's going to troubleshoot that for us, but obviously that price that he quoted did not include that. There are a couple things in the chemical room also, she doesn't know if it would be plumbing or electrical, but there's some valve that are reading measurements that are rusted out that we should get replaced. Also, she will bring it back to the board with costs, but the lifeguard shed gets brutally hot, and right now they're running an extension cord from the women's bathroom for a box fan. She is going to have Krzyston let us know how much it's going to cost to run electric there, and maybe we can find a ceiling fan on Marketplace or something. Councilmember Morgan asked if there was a vent in the shed, Boukai said there's a roof vent, and there's two windows, but the windows there's no cross breeze in there, so it gets really hot. She will just have him price out running electric there for a fan or just an outlet that then you can plug in a box fan into, but that again was not on the original bid, but she believes we should move forward with the Bursello bid for the plumbing with the $3,500 quote, while we haven't formerly formally budgeted for this, the goal has always been to get that concession stand going, and this is the only way to do it. The lines connecting the sewer and the water to municipal have been done, that was done a couple weeks ago. She thanked Evans. Adding, we're not waiting on anyone except ourselves at this point. She then requested a motion to move forward with the Bursello for plumbing at the concession stand. Councilmember Purdy made the motion with Councilmember Viafore seconding. Motion carried.

The council also will get "No Loitering" signs they will put it on the pavilion and Purdy suggested they move the picnic table from the area. Boukai added once the electrical gets back out there, what was included in the price was he's going to reroute the camera so it doesn't plug in externally and people can just unplug it, so it's going to be internal to the concession stand, plugged in, so they won't be able to move it. Purdy and Morgan will meet tomorrow at the concession area. Boukai asked regarding the chemicals if Morgan could look while he is there; can we just do a cage like the propane tank is in, but put a roof on it without having to fully enclose it in or like a cinder block room? Morgan said he would review the codes. Boukai added there's a gas line in there, so there's certain things to deal with, but that is part of what Sean is going to need that he's not going to do, that's up to us to find an architect to design that room.

Viafore added she didn't know if this was IT or recreation, but she has been sending out Nixle alerts for the youth sports happenings, not just swimming. Boukai added we did get a ton of sign-ups for swim lessons. She wasn't aware of the exact count, but the classes are full, we budgeted for 74 students. Boukai said we're getting a lot of phone calls about when the pool is going to be open for the month of June, she added June 29th which is a Monday, the pool be open from 11-12, which is going to be Adult Swim permanently, Monday through Friday. Adult swim 11 to 12, and then 12 to six is going to be open swim. So that's when we're open fully for the season, Monday, June 29th We're telling people to check on Facebook or wait for a Nixle alert. We're opening on the weekends as weather and lifeguarding coverage permits, we will be open on Friday, 330 to six, and then Saturday, 12 to six. Sunday is up in the air.

Economic Development/Shared Services: (Councilmember Gashler & Councilmember Purdy): Councilmember Gashler stated we will meet on the 16th with our village counterparts, Barb and Janet, and then he wanted to propose $2,000 for fireworks to go to the Village "J fund", which will be expended on for the 4th of July, it'll be part of Fair on the Square, he believes that's July 3rd. He wanted to motion to spend $2,000 on fireworks. Boukai said on the 16th, is anyone planning on going to the county planning meeting, Gashler said he would like to go to that. Boukai then asked Gashler if anyone from the village would be going to participate in that? She has heard nothing, Gashler was the only one that's talked to her about it. Gashler said he hasn't talked with them about going to it. He didn't know. Boukai said just for reference, she approached the county planning board, who is in charge of America 250 celebrations, to get put on their agenda for privilege of the floor, so that the Fair on the Square Committee can make any kind of ask they want to make for support, Boukai was thinking specifically for that July 3rd evening, but that's kind of up to that shared services to determine what that looks like. The only thing Boukai asks is if they don't go, just at least give her 24 hours' notice, so she can

let Shelly know, so it can be taken off the agenda. Gashler said he plans to be there, and he thanked Boukai for putting them on the agenda.

Boukai then stated just so she's clear, this is $2,000 paid to the village, specific to fireworks, which cost $10,000 and the village is planning on putting forth all of the $10,000? Councilmember Morgan said no, there are other donations out there. Councilmember Viafore said she thought there's a donation from the bank. Gashler said the village is in charge of taking those donations. Boukai asked for a motion, Gashler made the motion and Viafore seconded the motion to donate $2,000 to the village towards fireworks. Boukai said she was going to reiterate, because it's America 250, she's struggling with $10,000 for 20 minutes. She's trying not to look at it that way, but it's $10,000 for 20 minutes. Councilmember Morgan said he 100% agrees, and it's rough because it's the 250 and then we don't want to be the great county seat, and everything else. Boukai stated that being said, this goes back to her "easy come, easy go", because it's like we got the $3,000 from SUNY working together with them. She thinks only for the fact that it's the 250th celebration is she entertaining a yes. She also doesn't want to set the precedent that we will support it yearly number one, two she is still not in love with how the "ask" happened, and that's nothing to do with Gashler, because he's on the Fair on the Square Committee, and he's on Shared Services. Boukai would prefer to have some kind of documentation, like this is the budget for Fair on the Square. This is the towns and villages portion of it. She feels like there could be more information. That being said, she doesn't have any doubts that the $2,000 is going to go towards fireworks. It's not like it's going to go into a slush fund or something, so we have a motion, and we have a second. Adding, Gashler gets to go first; to which he responded he would go on the record saying that he will not ask for this for the 251st anniversary over a certain dollar. All councilmember voted yes, with Supervisor Boukai stating thanks guys, adding simply for the 250th anniversary she would vote yes. Motion carried. Morgan added he agreed with her.

Boukai then said whether it's recreation, whether it's events, celebration, things like that, using the historians request as an example, she's asked for ancestry.com, it's fine, but she doesn't think the burden is on Mary Ann to tell us what the village is doing. It's on the burden of the village to tell us this is the parameters we're asking you to help support it. Yes, we share her, but Boukai is still not clear, she is assuming that they're the ones paying, fronting the money for it, and just submitting to us for reimbursement, so just clarity on how those shared services are going to work in the future. She then added, this is the only time she will be voting on something that doesn't have the backup to it.

Morgan then stated he would like to see something that's more beneficial for everyone as a whole, more long-term kind of stuff, he understands it's to the 250 anniversary and that's pretty cool, but he just would like to see better spending between both entities. Councilmember Purdy then asked if there was anything the council wanted he and Gashler to bring to shared services. Boukai said and to that point, she doesn't think shared services knows the budget for Fair on the Square, they know the cost of things and how it's changed and things like that. That's the kind of information the county planning board is going to need in order to determine if they authorize any kind of expenditure. Adding because it's going to go from the planning board to the finance committee, and whatever the planning board doesn't ask in a question is going to be asked by the finance committee, so whether it's asking for funding for porta potties or just a flat donation, they're going to need to see some kind of budget and understand this is what it cost last year, this is what it cost the year before, donations are down, like you will need to tell a story, not just hold out your hand, because we're one of 100 people asking for money. Boukai then said that's just a lot of word of wisdom, she is willing to help however she can with that, and she does plan on being there with Gashler and whomever that day, because that is actually the first time she's requested someone else have privilege of the floor at a meeting, so she'll go with them.

Buildings/Codes: (Councilmember Morgan & Purdy): Councilmember Purdy said we've got his reports. He did chat with Zach, the letter that everyone has that he can take to places that was sent out a while ago, do we need to vote on that to make it official? Adding, as far as the fire inspection annual things go, are we holding off on that? Boukai responded that she thinks what we should do is vote on that letter. She will take it to Gina the attorney and make sure there's nothing in our laws as stands that would prevent us from doing that. She then questioned Morgan as he is a code officer as to, we're just enforcing what's already state law?

Morgan answered exactly, we're not creating our own law that we're enforcing, it's just we're enforcing it. Morgan added the only thing that would be local is kind of your short-term rental things like that. Boukai said so to that point you guys all have the copy of Local Law 001 of 2007 basically that just shows for us and for perpetuity that. We can change any of the fee structure at any time just by motion of the board, and Gina did verify that. Adding that had we not had this law in place, this is basically what she would have proposed exactly. That being said, though, some of the new stuff, like the short-term rentals and things that we don't have anything on the books for that need to be included in any of our zoning revisions. Boukai then said at any time we can vote on price changes, she proposes that we do that at the next meeting. So, if the buildings committee can get that squared away and get the prices to everyone, because that way we can post it on the website, we can make it effective mid-July after our next meeting, or August 1st, however we want to do it, and then she thinks anything else, inevitably there's going to be things that we miss when we update the zoning and do our comprehensive plan that we're going to have to local law into effect, but the more that we can put into our zoning and do it as a one holistic thing, the better.

Councilmember Purdy asked should we need a motion to vote on the letter, or do you want to put it in the notes for the next meeting? Everyone has seen it. Boukai said how about just a motion to move forward with Gina reviewing the letter before we send it. Morgan made the motion with Viafore seconding. Motion carried. Boukai explained this was the fire inspection letter for anyone with a special use permit or commercial properties, they should all be having fire inspections. Morgan added any place that has commercial public assembly, 50 people or more businesses, gas stations, and this is for them to maintain units, it's all required by state law. Boukai added and for them to keep their special use permit, they have to allow these inspections.

Councilmember Morgan then said we had Larry Govendo here, he took a look at a few things. He was having a difficult time giving an estimate, so he was going to give time and material, and then he was also going to give just kind of a round thing. He talked to him last week telling him the window cut in the court door, ceiling tiles replaced, but he gave them what he thought was wrong on the ceiling up there with the ice damming and the door track replaced out there, fix the doors looked at the exterior doors, and we have a few things on the exterior, but we'll catch up on that later on. We got a little bit of decay outside of the building. Adding we don't want to slap too much lipstick on it, because we don't know what the future is.

Councilmember Purdy said he and everyone else took the workplace violence training. He just wants to make sure maybe at some point we sit down with folks who are working here and, in the garage, make sure they have a plan in place, or they have all the things they need. He questioned if we had anything on the books. They mentioned quite a bit, like having this on an actual plan. He doesn't know if we ever made one in the past, or it'd be worth updating if we have one, and it just hasn't been looked at in a couple years. Boukai stated we have a safety plan, but that's more external than internal. Purdy said it might be worthwhile over the next couple of months to review that, especially given the world today.

IT: (Councilmember Viafore & Morgan): Councilmember Viafore stated we have over 300 contacts in Nixle, finally got over 300 but she encourages everyone to sign up, because if they're not signed up, you're not getting any alerts. Viafore added she's been sending various Nixle alerts. I created online forms for swimming and aerobics, we have, we have the ability to have them done online.

Codes Report:

A motion was made by Councilmember Purdy to accept the May 2026 codes report; Councilmember Morgan seconded the motion. Motion carried.

Justice Court Report:

Town Justice Burkert stated their intern, is finished, Miss Miller. She's not with them anymore. Haley, she was great to have. Hopefully we get into one next semester, which would be great. Mr. Alwine is back. Burkert added as the council could see the table they're sitting at is very, very, very loose and would like us to give serious thought in getting tables, because at that one there, we just sit on it careful with it, so it's not ready to fail. He leaned on it and thought it was going to collapse. Councilmember Morgan stated he could fix the

tables. Burkert then asked the council if they got the "stuff" for diversion, Boukai said yes. She added she does appreciate getting the docket list. Motion to accept the court and clerk's reports. Motion was made by Councilmember Viafore to accept the May 2026 court report with Councilmember Purdy seconding. Motion carried.

Clerk's Monthly Report:

A motion was made by Councilmember Viafore to accept the May 2026 Clerk report, seconded by Councilmember Purdy. Motion carried.

Supervisor's Financial Report/Supervisor's County Report:

Supervisor Boukai said we have three CDs renewing or up for renewal mid-month. We'll just continue with Delaware National. We've put some extra precautions in place on the bank accounts, so ACH transfers over $1,00 although we don't use ACH, just to be safe, she'll get alerts now to her phone anytime there's a transaction pending, so that's a positive.

We have the reconciliations and everything in the drive. She did create a new report, like just via an Excel spreadsheet, because she's wanting to look at fuel and energy costs at the pool, how they've compared in the last three years. She made a spreadsheet for it, she hasn't shared it with anyone yet, but as things come in, she's adding it to there. Ideally, she wants to see how much the pool cover saves us. Rumor is that the pool cover shipping tomorrow, so as soon as we get notification of shipping. And as soon as you get notification the pool covers shipping, she let Purdy know, because they are going have to figure out how to put the reel together. They did say it was easy, and we should be fine.

Regarding the fitness court, she has coordinated with Evans the removal. They will message her and let her know of the day of delivery. The fitness court components that had a grant that expired, so we've purchased everything to the tune of $135,000 that is being delivered sometime this week or early next week, that will be sitting in storage. There are a couple things that she'll need to pull off there, adhesives and stock, three adhesives that will need to sit in here, so that they're not temperature fluctuated, so that will sit in storage until the concrete is poured and ready to install. Boukai added had we not purchased it, the $40,000 would have been negated, and that is a significant portion of our grant match with the EPF. So that purchase will be the first round of going through the entire process with EPF to get the reimbursement. That was the big, huge thing again. That's kind of slowed down a little bit too, just because that's the only thing that had a time-sensitive deadline.

There are a couple things we can be working on for that, some of the artwork that goes on the fitness court, but we don't need to discuss that now. She will coordinate with Evans, as soon as she gets notification that it's shipped. Boukai wished to thank DCEC, because they're allowing us the use of their pallet jack. We have a forklift, but we don't have a pallet jack, so they're going to roll it over for us, or we're going to go pick it up and use that to offload some of the components.

Boukai then discussed the financial report, the reconciliations are in, and if anyone has any questions on that, just reach out. She added to Purdy and Gashler we'll start budget stuff a little early, and by early she means we'll just be requesting from the department heads, probably in early August, as opposed to late August, and we usually do two or three budget workshops to discuss it.

Boukai then stated county report, based on our last meeting about the public comment we had regarding what was the name of the law for evictions the "good cause law." She reached out to Association of Towns, and she also reached out to social services to see what kind of feedback they could give. She'll forward to the council the response from Association of Towns. It was basically up to our decision, but this is more commonly imposed in larger municipalities, although being a college town, it is something that we could consider. She did reach out to Keith, he let her know that the challenge in social services is less people being evicted and more people just being able to find the place to begin with, so it seems like once people are in, as long as they are being a good tenant, they're able to stay, but it's finding a place that is not $1,400 for a two-bedroom kind of thing. She thinks it's something that we can still consider, it might be worth talking to SUNY

and seeing if they have any ideas, concerns. She was going to reach out to mental health too, because they do housing as well.

The county meetings are once a month for June, July, August and September, they're all at the end of the month, the next meeting is the 24th. She has no news about if the DPW sold. It was supposed to close on May 18th after it was supposed to close on April 4th, and then, like March 10th, no idea what's going on there, but she hasn't seen anything in the newspaper about a transfer tax or anything like that.

Abstracts:

Councilmember Purdy made the motion to approve Abstract #006 of 2026 Accounts "A-DB" Voucher No. 000230 - 000274 totaling $89,271.52. Councilmember Viafore seconded. Motion carried.

Adjourn:

Councilmember Purdy made a motion to adjourn the meeting at 7:50pm, Councilmember Gashler seconded. Motion carried.

Respectfully submitted,

Elsa Schmitz

Elsa Schmitz, Town Clerk
Town of Delhi