

**TOWN OF DELHI  
BOARD MEETING  
August 14, 2023  
7:00PM**

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

Those present:

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

Absent: Councilmember Matt Krzyston

Highway Superintendent Daren Evans

Residents: Josh Morgan, Jim Smart, Cindie Smart, Maya Boukai, Amy Randall, Elizabeth DeFalco;

The Reporter

**The Pledge of Allegiance** was led by Supervisor Tuthill.

**Approval of July 10, 2023 Regular Monthly Meeting Minutes:**

A motion was made by Councilmember Baldwin to accept the above minutes as presented.

Councilmember Cairns seconded the motion, motion carried.

**Old Business:**

Supervisor Tuthill stated the pool chair lift is now working. They have had issues with the main gate latch, but they have been able to work on it. Swim lessons are going well. Right now we have lifeguards through the 18<sup>th</sup> of August, if possible we may be able to extend the season if lifeguards are available.

**New Business:**

Supervisor Tuthill stated our historian would like approval to attend the APHNYS Conference in Ithaca in September. She is looking for approval for one night stay at \$139, mileage reimbursement of 162 miles round trip and the conference costs of \$135. She will be presenting also. Councilmember Cairns made the motion to approve her request with Councilmember Baldwin seconding. Motion carried.

Supervisor Tuthill stated we had received the Heart of the Catskills 2023 Agreement; he asked the board if they wished to remove cats from the agreement and approve the dog portion which was done in prior years. Councilmember Viafore made the motion to approve Tuthill signing the agreement with cats removed; Councilmember Baldwin seconded the motion. Motion carried. It should be noted our dog control officer does not handle cats.

Supervisor Tuthill requested a motion to hire Jack Yorke and Xavier Aguirre as lifeguards at a rate of \$15.50. Councilmember Baldwin made the motion to approve the above with Councilmember Viafore seconding. Motion carried.

Tuthill announced our Code Enforcement Officer, Dale Downin has given us a retirement letter effective August 28<sup>th</sup>. With the state retirement system, this will allow him to continue to work if he retires and then is rehired. A motion was made by Councilmember Cairns to accept Downin's retirement letter with Councilmember Viafore seconding. Motion carried. Councilmember Baldwin asked how it worked to rehire Downin is it just waiting 24-48 hours; Tuthill stated he didn't see why not. Tuthill stated he will send an email to all board members and we can just re-appoint Downin retroactive at our September meeting.

Supervisor Tuthill announced that Delaware County Public Health donated a sun screen dispenser to the pool, the town must refill the dispenser when necessary. A motion was made by

Councilmember Cairns made the motion to accept the donated sun screen dispenser with Councilmember Viafore seconding the motion. Motion carried.

Supervisor Tuthill asked for a motion to appoint Christopher Dwelyng as a member of the Planning Board. He will fulfill Lisa Wisley's term which expires December 31, 2023. We will then re-appoint him to fulfill a seven year term; Dwelyng has experience working with the Planning Board through a project which he successfully completed working with planning and code enforcement, so he is versed. Councilmember Viafore made the motion to appoint Dwelyng with Councilmember Baldwin seconding. Motion carried.

Justice Burkert has submitted a request to allow the Deputy Court Clerk to attend training of the NYS Association of Magistrates Court Clerks registration fee is \$100 for the training and the cost of the hotel. Training will be held 09/17/23 through 09/20/2023. The board noted they are always happy to send someone for training if they agree to it and have time for it. Councilmember Baldwin made the motion to approve the training with Councilmember Viafore seconding. Motion carried.

**Highway/Machinery: (Councilmember's Baldwin & Cairns)** Written report from Superintendent Evans provided to councilmembers. Evans discussed with the board that the 2011 F-250 which we had refurbished from a matching grant from the O'Connor Foundation continues to be used but the cab now is compromised with severe corrosion. The rest of the truck is in very good working order. He has found a used cab with no rust or corrosion for \$2,500 that can be replaced in house. He was asking permission to proceed. Supervisor Tuthill requested a motion to authorize Evans to purchase the truck cab. Councilmember Cairns made the motion authorizing Evans to proceed with Councilmember Viafore seconding. Motion carried.

Evans discussed a concern from Joe and Christine Gassosso of Mary Gerken Road. There has been a disabled log skidder on the side of the road on the property across from them which has been there for quite some time now. They have reached out on ways to have it removed. It is on the edge of town right-of-way, but more so on the property that it did the work on. It was not abandoned but left there, Evans does not know the extent of the issue other than the motor blew. Evans has been working with them for quite some time and Gassosso is frustrated that it is right across the street from them. The equipment does not hinder our road maintenance or traffic; the road is a dead end road. Evans has reached out to just about everybody including the mechanic who is doing the work on it and believes he is at a standstill now. Tuthill stated we don't have much that we can do. Evans stated he has done a lot of work trying to help. Councilmember Cairns questioned if the homeowner reached out the owner of the equipment, Evans didn't believe so and stated the homeowner is a hunting club. Cairns stated he believed Gassosso should be talking to the owner of the skidder, to see if he could arrange to have it moved to his location to have it worked on. Evans wanted the board to be aware as both he and Gassosso have been working on this for quite some time to no avail. Tuthill said if we can get the name of the owner of the machinery we can have the Code Enforcement Officer send him a letter. Evans stated he can get Dale the information.

Evans announced that last month we discussed the OGS mini bid for our replacement of the scheduled replacement of the F550 dump truck with plow and sander. The OGS mini bid did not come back with the correct specs of what we speced out. We thought it was available but the dealer did not respond to the bid. The next step to get the truck that we budgeted for and speced out in the first place would be to go through Sourcewell Contracts; they are supposed to be re-opening bids for that size trucks again. They had done away with that for probably the last year. He does not have an answer on that yet but if they do we can purchase through them. We plan to pay for that truck with CHIPS money, but we have to pay for it in all one shot; it can't be priced out. Tuthill told the board that CHIPS changed the way they enforce the CHIPS funding. They want us to do 10 years instead of the 5 year plan on road work that they will reimburse us for. Evans said he has been speaking with the representative and she has been communicating with other district representatives (Tuthill stated

she has been getting a lot of pressure because if you wait ten years the roads are going to require a lot more work; they will be destroyed.) Evans said yes, but at this point they don't want to go to five years again. From what he is hearing they will accept 9-8 possibly down to 7 years. Obviously we had a five year plan that was developed and followed and we just about rebuilt every road on the plan; Tuthill added we had to change our schedule for this year because of the change with CHIPS. With all this Evans stated we will hopefully have an answer on the Sourcewell in a week. Tuthill asked if Evans wanted that they approve him getting the F550 through Sourcewell as it may take 2 years to get; Evans stated we would have it not in the beginning of winter but chances are we would have it late winter or early spring. The equipment is in for it and the trucks are finally available; Evans added it would be an F-600. Tuthill requested a motion to authorize Evans to go ahead and replace the 550 when Sourcewell contracts are available. Councilmember Baldwin made the motion with Councilmember Cairns seconding; motion carried.

Evans further stated Bramley Mountain has been paved the whole 21 foot wide. We are starting shoulder applications tomorrow August 15<sup>th</sup>. Hopefully in two, two and a half days we can have them all done. The next step will be the oil and stone which is still a couple of weeks out. The first tanker load which was made of the pavement was laid down from the Bovina town line has not set in properly for an unknown reason (the road broke up slightly) just in that first 3/10s of a mile. This has left loose spots on the roadway. Quality Control personnel from the paving contractor (Gorman Group) have inspected the situation and will shim it up and put two coats of oil and stone on that 3/10s at their cost at this point. Tuthill added we have said to them if that doesn't work it is still under warranty, but at this point we have to go with what their control department recommends. Evans added the rest of the road turned out beautiful.

Tuthill added the board all had a copy of the resignation letter from Shawn Ackerly which is effective 9/1/23. The board wished him well. A motion to accept his resignation was made by Councilmember Cairns and seconded by Councilmember Baldwin. Motion carried.

**Personnel: (Councilmember's Viafore & Baldwin):** Councilmember Baldwin stated that Supervisor Tuthill and Councilmember Cairns will be meeting Wednesday with the union representative to discuss the upcoming union contract negotiations.

Councilmember Baldwin questioned if the Rec. Director last day would be August 18<sup>th</sup>; Tuthill stated he has talked with John and he and Dusty will button up the pool, Tuthill stated he would help do the draining of the pipes to winterize the bathrooms. He believes they have it pretty well covered. Todd Shady will advise.

Councilmember Baldwin commended Councilmember Viafore as she has been doing payroll with the bookkeeper. All is going good and the bookkeeper will be going on a vacation.

Highway Superintendent Evans is reaching out to individuals with CDLs.

**Recreation/Health/Youth: (Councilmember's Viafore & Baldwin):** Councilmember Baldwin stated the young people that did community service with us are done, and they did an amazing job. They have satisfied their commitment with us. Tuthill explained that the youth had done some damage at the pool and we worked a deal with them, they lived up to their end of the agreement. Tuthill stated he believed they learned their lesson. Baldwin further stated the parents need to be complimented as they were a big part of the success, they made sure the youth were always there. The kids took pride in the work that they accomplished and understood the value of the various things that we try to maintain as taxpayers.

Councilmember Baldwin further stated that a big thank you goes out to Jim Warren as he donated his time for the electrical work done on the vandalized fixtures. As such we will make adjustments to the amount of restitutions paid by the families. Tuthill stated he was going to bill the town but when he found that the youth were fulfilling the agreement he donated his time. The clerk will send a thank you letter. Baldwin has a file and she will give it to the clerk.

Baldwin further stated Parkitec was down and sketched out the walkway for the playground, Highway Superintendent Evans will follow through maybe tweaking that walkway a little differently; Tuthill added Parkitec got a little “creative” and it would be tough to make the forms for the concrete. Baldwin stated Parkitec’s aim for the plaque and the new piece of equipment is November 14<sup>th</sup> but they will try to do it in October. Tuthill added the mayor, he and Evans had talked about the walkway (sidewalk) and the village crew will do the sidewalk work and the town will buy the material. This will save quite a bit of money. It’s nice to work together with the village, Tuthill added. Evans stated the quicker we can get it done the better, concrete doesn’t like cold.

Councilmember Viafore stated we have had 53 students enrolled in swim lessons. That was great. The parents appreciated the fact that they could take their children; Tuthill added he has heard a lot of positive feedback about having the lessons later in the day so they could actually show up and watch their children. Viafore added the ability of getting their children there was a big thing for working parents. Councilmember Baldwin said we need to complement John Kolodziej, Rec Director as he is an active participant in teaching; they learn from him. Tuthill said he and Jody Bray have been the instructors of each class.

**Economic Development/Shared Services: (Councilmember Cairns & Krzyston):**

Councilmember Cairns stated there had been no meetings. The village can buy chemicals at a much cheaper rate as they are contracted, as part of shared services it was suggested that the town try and piggy-back with the village next year for the pool. Mark will meet with the mayor on Thursday.

Tuthill discussed “Clean Path” power line; the Power Authority and Public Service Commission decided that they would make moneys available for areas that were going to be impacted for intervening funds so we can hire experts to make some of our points for us. So far they have only awarded three grants for us; we got \$108,000 out of the \$400,000 the other two got something like \$25,000. We have a significant amount of money to put towards our questions and concerns. There will be a meeting held on Thursday in which Tuthill will speak. The clerk stated residents need to be aware of what they are planning on doing as most don’t have a clue of what they are going to do and how it will affect our residents and community. It is frightening. Tuthill said the short version is they have been doing multiple expansions on Hamden Hill for substations and equipment. Most people aren’t aware NYSE&G in the 1980’s sold all their equipment to the Power Authority to not pay taxes. He further stated he spoke with our assessor and almost 17.2 million came off our tax rolls when that happened. There are he believes three substations on Hamden Hill now, when the first Marcy South line came in we got paid for it and built the current highway garage, Hamden got paid for their town hall and since then nothing. When they trashed our road with the second substation they tried to not pay enough to fix their damage. Tuthill had to argue with them and finally they sent us the check for damages. It paid for the re-build of Hamden Hill Road. Now they are keeping us in the dark as to what their intentions actually are. He further explained they bought the property where Platner Brook splits, the power line goes across the back and this is where they intend to build a convertor station; to convert from AC to DC power. Then there will be a DC line he believes around 178 miles to take this power down to NYC. It is supposed to be underground where possible, under the water where possible; we are asking how are you going to do this; what the impact we have farmers that farm underneath these lines. They are supposed to use the existing right of way and they are expanding in other areas. It’s a security issue also. They are in a time crunch. We are one of the poorest counties and we don’t qualify for their “disadvantaged communities” grant. This line doesn’t benefit anyone here. Tuthill wants to talk to our state reps to put a little pressure on Albany too. Tuthill again noted that the Power Authority is tax exempt but there is nothing that prohibits them from doing a PILOT program. Kevin Young is the lead attorney on this and the county is paying his legal bill, now the intervener funds will help cover the costs. Young has found where there is PILOT program at the other end of the line and it’s huge; Tuthill doesn’t understand how they can justify it down there when they don’t have a converter station and three substations like we do. We will push it or our residents

will get the short end. Our land will be destroyed and all the areas will be off the tax rolls forever. Updates will be given in September.

**Buildings: (Councilmember Cairns & Krzyston):** Councilmember Baldwin questioned if we could put a bench outside for people waiting to get into the town hall. The clerk stated we have been letting people in if it's for hunting licenses but if someone is doing RVS requests we will not as privacy needs to be given to those we are helping. At one time we did allow individuals to sit in the break area but someone went through the mail boxes and we will no longer allow them in the area unaccompanied. Also, when we take credit cards it it's not appropriate to allow others to hear people's personal information. She also noted if persons whom require a disabled vehicle tag, many will call and we will go out to their vehicle to help. Unfortunately the office isn't set up conveniently.

Councilmember Cairns stated he met with Jim DeWitt and he is in a holding pattern on the soffits. Weather has been an issue, he is aware that we need to get it done. Cairns also spoke to him about replacing the roof over the A/C unit. Cairns will report back.

**IT: (Councilmember Viafore & Krzyston):** Tuthill asked how the upgrades were coming along; the clerk stated the board has all finally contacted ISD with their passwords. ISD will be working on the migration for the new email. Councilmember Viafore stated there are now 177 subscribers to Nixle.

**Codes: (Councilmember Cairns & Krzyston):** Councilmember stated in June there were: 7 building permits issued, 14 inspections / meetings, 9 in-office conferences, 4 c/o letters, 1 certificate of occupancy, 1 certificate of compliance, 1 violation and he drove 149 miles.

#### **CODES Monthly Report:**

A motion was made by Councilmember Cairns to accept the codes report for July 2023 Councilmember Viafore seconded the motion. Motion carried. Tuthill added the home that was on Platner Brook has been sold and is being cleaned up.

#### **Justice Court Report:**

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

#### **Clerk's Monthly Report:**

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

#### **Supervisor's Financial Report:**

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

Councilmember Baldwin asked Tuthill to work with the bookkeeper on the refunds to the youth's families.

#### **Supervisor's County Report:**

Supervisor Tuthill stated apparently the visitor's center foundation is being dug. The two highway garages are coming along. Councilmember Baldwin questioned the building on Main & Page and asked if it was being moved into; Tuthill stated they were having issues getting fire alarm parts. Tuthill also announced Pete Montgomery of Delaware County Maintenance is scheduled to dig along the back side of the monument on the courthouse square this week. Next week a company will be coming down to do a boring through the base to see what kind of condition it is in. That and the scans will show how much lean there is. They are trying to get it documented a lot closer than it has been in the past and have numbers so they can keep an eye on it. Based on the outcomes of the

boring will determine if they have to take it down and rebuild it or we can secure and preserve it. The ARPA committee has put money aside for the work.

Councilmember Cairns added that he had seen the Sherriff's Department drone at the Fire Advisory Board meeting. The technology is impressive and the time that it saves first responders is amazing.

**Abstracts:**

Councilmember Baldwin made the motion to approve Abstract #008 – 2023 accounts A – DB Voucher No. 00305 – 00354 equaling \$157,771.00 and account TA Voucher No. 00115 – 00120 equaling \$17,733.56. Total vouchers presented equaled \$175,504.56. Councilmember Viafore seconded the motion. Motion carried.

**Adjourn:**

Councilmember Viafore made a motion to adjourn the meeting at 8:15pm, Councilmember Cairns seconded. Motion carried.

Respectfully submitted,

*Elsa Schmitz*

Elsa Schmitz, Town Clerk, Town of Delhi