

**TOWN OF DELHI
BOARD MEETING
September 8, 2025
6:00PM**

Supervisor Boukai called the meeting to order at 6:00pm.

Those present:

Councilmember's: Margaret Baldwin, Matt Krzyston, Josh Morgan, Christina Viafore

Absent: Highway Superintendent Daren Evans

Town Historian: Marianne Greenfield

Residents: Jim Smart, Cindie Smart

The Pledge of Allegiance was led by Supervisor Boukai.

Privilege of the Floor:

Marianne Greenfield, Town Historian and recently appointed Village Historian, provided a report for the council, she stated there's lot going on. One of the things that happened last week was Tina and Dale and I reset three gravestones at the Village of Delhi cemetery. Mary Leet, Asahel A. Phelps and Alfred Byron Curtis, who died at 7 weeks old. He died in 1826, at seven weeks old. They had to move his stone in order to get the equipment for the village to come in and get the fallen trees out of there, that was the only stone removed, and she memorized the location. When we started digging there a little glass vase was found. Stating it's really old glass, here's a bubble in the side, she showed the audience saying she would normally never take an artifact from a cemetery, but she wanted to show everyone. She than stated the correct thing to do with an artifact is to rebury it at the location where it was found, which is what she will now do. She also showed posted envelopes with the postage on them that say "in commemoration of Delaware County, Civil War days, Delhi, New York, Delhi, Legion Field Station". Further noting the postcards were signed by every head of village department. The postcards are dated 1999.

She further noted she received a call from Fred Youmans, they met and he gave her official original records from the 1800s that he fought with the village. About the burial ground, the old burial ground for years. It went on for years and years, supreme case, Supreme Court and everything. They are very fragile; they date back to 1883. She will store them for the village.

Approval of August 11, 2025 Minutes:

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

Old Business:

Supervisor Boukia stated last Friday was the deadline for the proposal submissions for the joint comprehensive plan, we received four which she printed for the council, noting they're all digital. She would like to have the company selected by the next meeting, although we could potentially move it to November, but there's some grant deadlines and she has to send an update by the end of the month and let them know where we are with it. She noted that she hasn't reviewed them extensively, but two are over \$100,000 and then the other two are \$75,000 or under, both being joint comprehensive plans with the village. Further, noting she had let the mayor know that we got the bids in, she would take them to him as well. We're ultimately the ones deciding on it. Councilmember Baldwin asked if we had gotten one for the company that did the prior comprehensive plan; Boukai said yes.

Councilmember Viafore stated we have the joint meeting with the village on the 23rd. Boukai said yes, we can discuss it with them at that time.

New Business:

Supervisor Boukai presented Resolution No. 0018 of 2025 – “Authorizing Application for Funds from the Justice Court Assistance Program”

BE IT RESOLVED, The Board of the Town of Delhi authorizes the Town of Delhi Town Court to apply for a JCAP grant in the 2025-26 grant cycle up to \$30,000.00. Town Justice Mathew Burkert to file an application for office equipment and courtroom enhancements from the New York State Office of Court Administration Justice Court Assistance Program.

Offered by: Councilmember Morgan
Second by: Councilmember Viafore

Roll Call:

	YEA	NAY	ABSENT
Supervisor Maya Boukai	X		
Councilmember Matthew Krzyston	X		
Councilmember Margaret Baldwin	X		
Councilmember Josh Morgan	X		
Councilmember Christina Viafore	X		

Supervisor Boukai then presented the following four resolutions which all relate to hiring special legal counsel for the assessment lawsuits. She noted the council had already discussed this at the last meeting, there’s a procedure we need to follow with the county in order to share expenses. With the town doing the resolutions we are dotting our eyes and crossing our T's.

Boukai stated both Resolution No 14 and 15 are authorizing us to contract with the attorney that we've already been contracting with as we did a motion for that last month. The below resolutions are formalizing it for both of the two commercial properties:

RESOLUTION NO. 0014 of 2025
AUTHORIZATION TO RETAIN SPECIAL LEGAL COUNSEL
September 8, 2025

WHEREAS; the Town and its Board of Assessors has been sued in order to contest the assessment on certain taxable premises in the Town, and more particularly properties owned or assessed to Saputo Cheese USA;

WHEREAS; the Town is defending these lawsuits and is requesting a joint defense agreement with both the Delaware Academy School District at Delhi, New York and Delaware County, and

WHEREAS; the Town needs to retain special legal counsel for these purposes;

NOW THEREFORE BE IT RESOLVED; that the Town of Delhi Supervisor is hereby authorized to sign a retainer agreement with the law firm of Whiteman Osterman & Hanna LLP of Poughkeepsie, New York for the defense of these actions, as well as to execute on behalf of the Town, such other documents as may be needed either in the retaining of the law firm or in the defense of these actions: and it is further

RESOLVED; that the Town of Delhi Supervisor is authorized to make such disbursements as may be necessary for a retainer for said law firm and such other payments as may be required, as provided for in the joint defense agreements, subject to appropriations provided for this purpose.

This Resolution shall become effective immediately.

Offered by: Councilmember Morgan

Second by: Councilmember Viafore

Roll Call:

	YEA	NAY	ABSENT
Supervisor Maya Boukai	X		
Councilmember Matthew Krzyston	X		
Councilmember Margaret Baldwin	X		
Councilmember Josh Morgan	X		
Councilmember Christina Viafore	X		

RESOLUTION NO. 0015 of 2025
AUTHORIZATION TO RETAIN SPECIAL LEGAL COUNSEL
September 8, 2025

WHEREAS; the Town and its Board of Assessors has been sued in order to contest the assessment on certain taxable premises in the Town, and more particularly properties owned or assessed to Burdkidz, LLC;

WHEREAS; the Town is defending these lawsuits and is requesting a joint defense agreement with both the Delaware Academy School District at Delhi, New York and Delaware County, and

WHEREAS; the Town needs to retain special legal counsel for these purposes;

NOW THEREFORE BE IT RESOLVED; that the Town of Delhi Supervisor is hereby authorized to sign a retainer agreement with the law firm of Whiteman Osterman & Hanna LLP of Poughkeepsie, New York for the defense of these actions, as well as to execute on behalf of the Town, such other documents as may be needed either in the retaining of the law firm or in the defense of these actions: and it is further

RESOLVED; that the Town of Delhi Supervisor is authorized to make such disbursements as may be necessary for a retainer for said law firm and such other payments as may be required, as provided for in the joint defense agreements, subject to appropriations provided for this purpose.

This Resolution shall become effective immediately.

Offered by: Councilmember Baldwin

Second by: Councilmember Krzyston

Roll Call:

	YEA	NAY	ABSENT
Supervisor Maya Boukai	X		
Councilmember Matthew Krzyston	X		
Councilmember Margaret Baldwin	X		
Councilmember Josh Morgan	X		

Boukai then presented Resolutions No. 16 and 17 are the resolutions that the county needs in order for us to initiate the process of them potentially sharing the legal expenses with us. She also noted that these four documents have already been submitted to the county with the caveat that they knew we were going to be voting on this tonight. They also have copies of the two actual lawsuits as well.

RESOLUTION No. 0016 OF 2025

September 8, 2025

**RESOLUTION AUTHORIZING INTERMUNICIPAL AGREEMENT IN TAX CERTIORARI
PROCEEDING – BURDKIDZ, LLC**

WHEREAS, a tax certiorari proceeding has been commenced against the Town of Delhi challenging a real property tax assessment; and

WHEREAS, any adjustment to the assessment may affect the governmental operations and tax rates of the County of Delaware, the Town of Delhi, and the Delaware Academy Central School District of Delhi; and

WHEREAS, the County of Delaware previously adopted Resolution No. 168, dated September 24, 2014, establishing standards and procedures by which it may elect to participate in litigation involving challenges to real property tax assessments within the County; and

WHEREAS, said standards and procedures have been met in this instance; and

WHEREAS, the Town of Delhi, the County of Delaware, and the Delaware Academy Central School District of Delhi intend to enter into an agreement providing for the fair and equitable allocation of costs and reimbursements incurred in connection with said proceeding;

NOW, THEREFORE, BE IT RESOLVED, that the Town of Delhi is hereby authorized to enter into an Intermunicipal Agreement with the County of Delaware and the Delaware Academy Central School District of Delhi regarding participation in and the sharing of costs related to the aforementioned tax certiorari litigation.

Offered by: Councilmember Morgan

Second by: Councilmember Krzyston

Roll Call:

	YEA	NAY	ABSENT
Supervisor Maya Boukai	X		
Councilmember Matthew Krzyston	X		
Councilmember Margaret Baldwin	X		
Councilmember Josh Morgan	X		
Councilmember Christina Viafore	X		

RESOLUTION No. 0017 OF 2025

September 8, 2025

RESOLUTION AUTHORIZING INTERMUNICIPAL AGREEMENT IN TAX CERTIORARI

PROCEEDING – SAPUTO CHEESE USA

WHEREAS, a tax certiorari proceeding has been commenced against the Town of Delhi challenging a real property tax assessment; and

WHEREAS, any adjustment to the assessment may affect the governmental operations and tax rates of the County of Delaware, the Town of Delhi, and the Delaware Academy Central School District of Delhi; and

WHEREAS, the County of Delaware previously adopted Resolution No. 168, dated September 24, 2014, establishing standards and procedures by which it may elect to participate in litigation involving challenges to real property tax assessments within the County; and

WHEREAS, said standards and procedures have been met in this instance; and

WHEREAS, the Town of Delhi, the County of Delaware, and the Delaware Academy Central School District of Delhi intend to enter into an agreement providing for the fair and equitable allocation of costs and reimbursements incurred in connection with said proceeding;

NOW, THEREFORE, BE IT RESOLVED, that the Town of Delhi is hereby authorized to enter into an Intermunicipal Agreement with the County of Delaware and the Delaware Academy Central School District of Delhi regarding participation in and the sharing of costs related to the aforementioned tax certiorari litigation.

Offered by: Councilmember Krzyston

Second by: Councilmember Viafore

Roll Call:

	YEA	NAY	ABSENT
Supervisor Maya Boukai	X		
Councilmember Matthew Krzyston	X		
Councilmember Margaret Baldwin	X		
Councilmember Josh Morgan	X		
Councilmember Christina Viafore	X		

Councilmember Baldwin questioned Delaware Academy, Boukai stated from what she and the clerk can decipher is that we initiate this with the county, and then the county initiates with the school. Even though it mentions the school in it, we can't really force them to do anything. So that'll be on the county's end. And there is precedent for that. We did find documents showing that the school paid this, the county paid this, the town paid this. We're kind of learning as we go on this so and thanking the clerk, because this has been like we've been working with a hand tied behind our backs for the last month on getting the kind of way the procedure works.

Boukai stated we have officially moved our October 13th meeting from Columbus Day to Monday, October 6th, and then we will have our two budget workshops Tuesday the 7th of October and Thursday, October 9th. She doesn't anticipate needing a third date, and depending on how the meeting goes on Monday, the 6th, we could potentially get started on discussing the budget. Boukai then requested a motion to advertise changing the meeting date, and also adding to the legal the budget workshops for October 7th and 9th at 5pm.

Councilmember Viafore made the motion with Councilmember Baldwin seconding. Motion carried, clerk to advertise.

Committee Reports:

Highway/Machinery: (Councilmember's Baldwin & Morgan) Written report from Superintendent Evans provided to councilmembers. Boukai stated Evans was unavailable to attend the meeting. Councilmember Baldwin said they accomplished a lot. Boukai said yes, the weather has been cooperative. Boukai asked the clerk if we had received confirmation on the gutter work on the highway roof, the clerk stated they had changed the date from last week to this week, she believed it would be for Tuesday.

Personnel: (Councilmember's Viafore & Baldwin): Councilmember Baldwin asked Councilmember Viafore if a date had been set for the gentleman from AFLAC to come speak to employees. Viafore stated the 22nd of September in the afternoon. Baldwin then asked Boukai how the app was working at the highway garage for timekeeping. Boukai stated one employee has specifically requested to be able to clock in using the app and not the tablet. They have been given access to do that. She hasn't heard if they actually have started doing that. She did get notice that the tablet wasn't working today, so we will see what Adam was going to go over there and check and see what was going on. She doesn't know if it was just a loose plug or that they couldn't get it to turn on. It's still a work in progress, and it's probably something that she is going to need some help with. She is going to have Councilmember Viafore help, just coordinating not only the back end of it, but also, what are the capabilities in terms of time off and all of that kind of stuff like we know they can request their time off through the app, but making sure to cruise properly and stuff like that before we get rid of the paper stuff that they're doing for time off requests and other things. We're still hybridizing right now, but we're moving. There is progress being made.

Councilmember Baldwin said everyone is aware we will be meeting with the village on the 23rd and the Teamsters on the 18th.

Baldwin then said we needed to have a policy developed, and we do have one at the table, and so we're progressing with the clerk's help and her research and everybody's experience with Facebook. Boukai said Councilmember Viafore changed the pool page over to the town page. We don't have to leave any followers or anything like that, it's just changed right over. The clerk was already able to do a post about road work being done, so we just need to kind of tailor the policy to what we want, but this is a really good start. Boukai asked where the clerk obtained the information, she stated a combination of towns and NYSAOT.

Recreation/Health/Youth: (Councilmember's Krzyston & Supervisor Boukai): Supervisor Boukai announced the pool has closed for the season. She believed we were just shy of \$7,000 the total revenue from aerobics and some lessons were really good. Now, if we can just get the heating costs down, that would be more beneficial. But season finished strong. We had our last movie night on the 23rd of August. We'll need to work doing some tweaking with timing for next year. She thinks we should plan on trying to do this twice a year again. I think it works out well with Sarah Sisco, kind of setting everything up for us but she thinks being a bit conscientious of sunset time is the coldness, because it did get really cold, and we happened to pick the two coldest nights of the summer. Next year she is thinking about something in June, maybe something in August for next year, because even though July is great, just the sunset so late, we would be going towards midnight for a two-hour movie.

Councilmember Krzyston added he just wanted to make sure we thank the Delhi Community Fund for supporting that movie night and also the Rotary Club that paid for and distributed all their snacks. They really went above and beyond. And also, the parents who brought their kids, it was cold, but it was very successful.

Councilmember Baldwin asked if there was going to be a report from Amy and Christopher. Boukai said Christopher's is closing up the pool on the 12th, which is Friday. He's planning on being there. He thinks it's something that he could potentially provide to the town next year, but he wants to assist and everything this year with Todd Shady. He'll do a report for October, and she has not gotten Amy's report, but she will just invite her to the meeting in October. One thing that Amy did mention was, that we should consider this for budget season, is making the head life guard a stipend, like a set amount versus hourly, especially with the app. Boukai said she thinks it's perfect for the guards to use and anyone that's hourly, but Amy was popping down, like, here and there, and this will make for easier bookkeeping. That's just something we can consider, and we can look at the two budgets this year and last year, this year being more reflective of where we want to take the

pool and what direction we want to take the pool, because we started in June, early June, where last year we started in late June. She believes the budget now can really be more reflective of what the community needs are and where we want to take the program.

Councilmember Baldwin asked the clerk how things were going in her office. The clerk stated the deputy Liz Ralston is doing phenomenal, because she is incredibly intelligent. The clerk further stated that she's really a fast learner, and she is amazing, adding she has a good rapport with the people, and that's important. Supervisor Boukai added she has seen firsthand, she has a lot of initiative. If she sees something that needs to be done, she just does it. And that's only going to get better once she knows more about the flow of everything. Baldwin that said she thinks we hit the jackpot, we already had it with the former deputy and now we have it again. The clerk agreed.

Economic Development/Shared Services: (Councilmember Morgan & Viafore): Supervisor Boukai stated we have the joint meeting coming up on the 23rd.

Buildings/Codes: (Councilmember Morgan & Krzyston): Councilmember Viafore stated we did work on the job description, she just has to take out the tracking of the changes and we can get it out. Boukai said once Viafore gets it with the changes, eliminate the tracking the changes are eliminated, she will send it over to county personnel. Viafore stated they had taken out some things that weren't necessary anymore; Councilmember Morgan added they had some outdated information. Boukai requested to give the clerk permission to advertise, and she believes we should advertise in the newspaper, on Nixle and on our Facebook page. Boukai will send the advertisement to the clerk once it's approved by county personnel.

IT: (Councilmember Viafore & Krzyston): Councilmember Viafore stated she updated Facebook and updated the pool being closed on Google. She also noted we had received the cybersecurity information. Boukai stated the next steps for that is someone's going to contact us, it's kind of like just on hold until they contact us. And then her main question is going to be, what can because we did this, there were three tiers of cyber insurance that we did with NYMIR, and we did the middle tier, we did a couple of things so that we could qualify for that middle tier. But she is thinking that because the value of the services that we're getting is around \$5,000 she is wondering if we can maybe downgrade for the time period that we have this additional cybersecurity and then go back up to the higher level; possibly saving some insurance money. Adding, we'll wait and see when they reach out to us. She believes their goal is a January launch, it could be a little bit of time.

Councilmember Baldwin added that a resident asked her about the Fitch's Bridge roof, is there anyone she can refer her to. Boukai stated the county, but she will check on the person's name as it is a county highway department issue.

Baldwin also said the fire department is part of our village and town, and they provide us services, and they're very concerned about the situation at the fire department; about the facility, about the volunteer services and the gear and the grants and trying to get money. They are concerned about surviving, because they say the reserves will be worn out. Then it's going to change everybody's way of making contribution and the security that we have in the community, she felt it was important to mention it. She then asked if anyone might have some ideas about grants for them.

CODES Monthly Report:

A motion was made by Councilmember Krzyston to accept the Code's report for August 2025. Councilmember Morgan seconded the motion. Motion carried.

Justice Court Report:

Councilmember Krzyston made the motion to accept the Justice Court Report for August 2025. Councilmember Morgan seconded the motion, motion carried.

Clerk's Monthly Report:

A motion was made by Councilmember Krzyston to accept the August 2025 Clerk Report, seconded by Councilmember Morgan. Motion carried.

Supervisor's Financial Report:

Supervisor Boukai stated we will have some budget adjustments on the recreation line item on the contractual line item, but the bookkeeper and she are doing some shifting of things. We did get some grant money in, and we still have the pool closing and the propane that is not part this, is through August. It will be done in September, so there will be a few budget adjustments. But looking at the revenue side of things for our A fund, we've hit our revenue goals already, and we still have four months left of the year. The same can be said with the B fund. We have 10% remaining that we still need to fund, and we still have four months left. We're doing good. And same thing with on the expenditure side, they are 33.3%, our expenditures are lower than what we have projected. Councilmember Krzyston how are our revenues higher, Boukai said a lot of it is the interest, because we budgeted very conservatively with the interest; that's the majority of it. We're waiting for CHIPS money to come in, but Daren says that it always comes in at the very end of the year. That's a big chunk of money that we're essentially waiting for. We're still waiting around for FEMA reimbursement for last year's storm, but she's not holding her breath on that. The good thing is, we were able to do what we needed to do and front the money, and now we're just kind of waiting. Adding in CLASS, it was \$84,000 of interest earned through August, and we're at around \$27,000 with Delaware National. We have three CDs renewing on the 15th, so we'll see where the rates are with that, but we'll easily finish the year well over 100,000 in interest. Councilmember Baldwin asked if we could use any of it to help the taxpayers; Boukai said any interest earned has to stay in the fund it was earned in. So yes, and no, we just have to kind of see where, because we haven't seen anyone's budgets yet. Baldwin thanked Boukai for the investments and payouts earned. Boukai added for example, the trucks that we're purchasing, it's \$90,000 worth of interest for that payment plan. She and the bookkeeper are going to explore maybe we can increase our premium or payment to our principal, so that reduces some of the interest. There was a couple things she wanted to look at in the contract before she signs it for those two trucks. She thinks the interest is something, regardless of who's in office, that they should be looking at. Adding that's \$100,000 is 5% that's 5% right there, because it's \$20,000 for 1%; every little bit helps. Councilmember Krzyston added that would not have happened if you didn't do it. He then thanked her. She added she didn't understand why it wouldn't have happened, it's like free money. Krzyston said ultimately, it's the supervisor's job to decide that, and nobody else felt comfortable doing that, but it'd just be easier to just not. Boukai said it helped that the village had already tried it as had Walton, there were no issues they thought it was great.

Supervisor's County Report:

Boukai stated she didn't have anything to report on for the county. Councilmember Krzyston asked if she knew anything about the people that bought the highway garage; Boukai no other than they do business in Cooperstown and in Florida, and he's a developer that has experience, and seems, from what she's heard, seems like he is really looking to add value to the community. Councilmember Morgan added he is a nice man.

Kryston then asked about the competency hearings anything change with that or no; Boukai said mental health meeting is Monday, 22nd, so she will have an update at the joint meeting. But again, she doesn't think anything will come of it. She believes what needs to happen is, we need to take it to the next level, the state level.

Abstracts:

Councilmember Viafore made the motion to approve Abstract #009 – 2025 Accounts “A-SF” Voucher No. 00393 – 00394 totaling \$5,787.25, and Abstract #0010 -2025 Accounts “A-SF” Voucher No. 00395-00433 = \$55,373.79, “TA” Voucher No. 0039 = \$17,904.71. Total vouchers, \$79,065.75 Councilmember Morgan seconded. Motion carried.

Executive Session:

Councilmember Krzyston made the motion to enter into executive session for the employment history of a particular individual. Councilmember Viafore seconded the motion at 6:41pm. A motion was made at

7:31pm to exit the session by Councilmember Viafore and seconded by Councilmember Krzyston. Motion carried.

Adjourn:

Councilmember Baldwin made a motion to adjourn the meeting at 7:31pm, Councilmember Krzyston seconded. Motion carried.

Respectfully submitted,

Elsa Schmitz

Elsa Schmitz, Town Clerk
Town of Delhi