

**TOWN OF DELHI  
BOARD MEETING  
October 9, 2023  
7:00PM**

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

Those present:

Councilmember's: Margaret Baldwin, Christina Viafore, and Bill Cairns, Matt Krzyston  
Highway Superintendent Daren Evans

Residents: Horace Lee, Mathew Burkert, Maya Boukai, Amy Randall, Elizabeth DeFalco; The Reporter

**The Pledge of Allegiance** was led by Councilmember Krzyston.

**Approval of September 11, 2023 Regular Monthly Meeting Minutes:**

Councilmember Cairns made the motion to approve the September minutes as presented with Councilmember Viafore seconding. Motion carried.

**Old Business:**

Motion was made by Councilmember Viafore to approve the ISD Agreement Contract with Supervisor Tuthill signing the contract. Councilmember Baldwin seconded the motion; motion carried.

Supervisor Tuthill stated the contract for the highway department required the board to go into executive session. Which would be held at the end of the meeting.

**New Business:**

Supervisor Tuthill stated he had received from Glenn Nealis, Director of Delaware County Economic Development and letter and resolution regarding governmental immunity from compliance with the Town of Delhi local regulations regarding site plan review and zoning relating to the Bramley Mountain Fire Tower project. He and Kent Manuel, who is our county planner, have worked up the agreement, so the county does not have to go through our planning and zoning board. There are nine things we must look at and if we agree with them then we can waive those requirements. Councilmember Baldwin asked if NYC was requiring this also. Tuthill said no. He further stated a special use permit shouldn't be an issue, but the only thing he at this time can think that we would want to put into the resolution (if we pass the resolution) would be the county would need to be responsible should parking become an issue and emergency access. Other than that, he doesn't see why it wouldn't be in our best interests to let them proceed as the county will be responsible for all the costs anyway. Tuthill asked all the board to read over the letter and make sure to read the nine items we have to consider and the next meeting we can discuss it. If anyone has any questions on the nine items or if they have something you want to see put in the resolution, let him know as he will have the clerk and attorney work on getting a resolution drafted up for the November meeting. Tuthill added he believed we need to add a couple of paragraphs to it.

Supervisor Tuthill stated it's that time of year again, and proceeded to introduce Local Law No. 002 of 2023 Local Law to override the tax levy limit established in General Municipal Law 3-c. At this time, we don't know if we have to, but we don't want to wait to pass the law. We will have a public hearing on that resolution at the next meeting and we will also have a public hearing on the 2024 budget. The public hearings will be held November 13<sup>th</sup> at 7:00pm and then we will go into the regular meeting. We will go from one public hearing to the next. Resolution No. 004 of 2023

“Resolution to Establish a Public Hearing for Tax Cap Override Local Law” provided to the board, the time will be changed 6:45pm to 7:00pm. Tuthill noted a resolution will be needed for the budget also. Councilmember Baldwin made the motion for Local Law No. 002 of 2023 Tax Levy and Resolution No. 004 of 2023 public hearings; Councilmember Cairns seconded the motion. Motion carried. A motion was made for the public hearing and Resolution No. 005 of 2023 for the budget by Councilmember Cairns and seconded by Councilmember Viafore. Motion carried.

A motion was made by Councilmember Cairns for the clerk to advertise for two weeks the public hearings for the November 13<sup>th</sup> meeting at 7:00pm; regular monthly meeting to follow. Councilmember Viafore seconded the motion. Motion carried.

**Highway/Machinery: (Councilmember’s Baldwin & Cairns)** Written report from Superintendent Evans provided to councilmembers. Evans stated they were wrapping up the year end projects. The equipment is in pretty good shape, and they are preparing for winter set-ups. Evans stated the Volvo has been taken for repairs; the insurance should be enough for the repairs.

Councilmember Cairns asked if the fence would be completed on Sherwood Road; Evans said yes, it shouldn’t take that long.

Supervisor Tuthill asked about the sidewalk at the playground. Evans stated the sidewalk is formed but they have been short on manpower as employees have been using vacation before winter. They are tentatively shooting for next Thursday (the 19<sup>th</sup>). Councilmember Baldwin said they visualized that it would stop at an odd spot, so maybe when the new equipment arrives, we may have to do a little piecing in. Tuthill asked Baldwin for an update on the other piece for the playground; she stated the shipping is October 25<sup>th</sup> and Daren and Nathan of Parkitec have made arrangements for storage etc., and they hope to start November 6<sup>th</sup>.

**Personnel: (Councilmember’s Viafore & Baldwin):**  
Councilmember Baldwin stated we would discuss things in executive session.

**Recreation/Health/Youth: (Councilmember’s Viafore & Baldwin):**  
Supervisor Tuthill said we have already discussed playground equipment. Councilmember Baldwin stated the pool is quiet, there are a few things she would like to make sure are stored in a warm spot and the heaters are in there. Councilmember Cairns said we need to get the picnic tables away. Baldwin said keep them away from the fence. Councilmember Viafore said she can get a group together to take care of it.

**Economic Development/Shared Services: (Councilmember Cairns & Krzyston):**  
Councilmember Krzyston stated they have no report on this.

**Buildings: (Councilmember Cairns & Krzyston):** Councilmember Cairns stated the soffits at the highway garage have been repaired, the new roof over the A/C has been finished; the bill was in the abstract. The clerk’s office had a leak again; the clerk stated Dan Horton of Wy-O Electric and Plumbing came in and disconnected the power to the drum lights in the office to avoid a fire due to the water. She thanked Horton for his help. She requested someone cut the tape hanging from the ceiling. Tuthill stated it will be a tough fix, he explained to the board the issue with the roof.

**IT: (Councilmember Viafore & Krzyston):** Councilmember Viafore stated the email migration has been completed. Tuthill stated the new phones will be installed in the next three weeks.

**Codes: (Councilmember Cairns & Krzyston):** Councilmember Krzyston stated in the month of September there were: 3 building permits issued, 1 building permit renewal, 12 inspections / meetings, 7 in-office conferences, 3 c/o letters and he drove 152 miles.

### **CODES Monthly Report:**

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

**Justice Court Report:**

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

**Clerk's Monthly Report:**

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

**Supervisor's Financial Report:**

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

Councilmember Baldwin questioned the building reserve and what it is to be used for. Tuthill stated when we have had surplus money it has been put into a building fund. Tuthill further stated if we could find a new building it would be money we could use. We could also get grant money. If we could join forces, we could put property back on the tax rolls.

**Abstracts:**

Councilmember Cairns made the motion to approve Abstract #0010 – 2023 accounts A – DB Voucher No. 00387 – 00421 equaling \$110,980.04 and account TA Voucher No. 00124 – 00127 equaling \$14,553.88. Total vouchers presented equaled \$125,533.92. Councilmember Baldwin seconded the motion. Motion carried.

Councilmember Baldwin questioned the reimbursement to the families for the money's that were discussed previously. She will sign a voucher so that each family will be reimbursed the \$50.00 and it will be on the November abstract.

**Supervisor's County Report:**

Supervisor Tuthill stated they are still waiting on parts for the new building on Main and Page. It's budget season at the county also.

Councilmember Krzyston asked if Tuthill was aware of information regarding the sale of the school from the sheriff's department and if it was over with. Tuthill stated there is potential of litigation.

**Executive Session:**

Councilmember Krzyston made the motion at 7:30pm to go into executive session for contract negotiations with Councilmember Viafore seconding. Motion carried. Tuthill requested Highway Superintendent Evans to also stay for his discussions. Tuthill stated he wasn't sure if there would be decisions or not.

A resident stood and started to discuss the dangers of the crosswalks in the village. Supervisor Tuthill stated that was a village issues as such they would be required to speak with the village. Councilmember Baldwin gave the date of the next village meeting to them.

A motion to exit executive session was made by Councilmember Baldwin at 8:04pm with Councilmember Viafore seconding. Motion carried.

**Adjourn:**

Councilmember Cairns made a motion to adjourn the meeting at 8:05pm, Councilmember Kryston seconded. Motion carried.

Respectfully submitted,

*Elsa Schmitz*

Elsa Schmitz, Town Clerk, Town of Delhi