

**TOWN OF DELHI
BOARD MEETING
March 8, 2021
7:00PM**

Supervisor Tuthill called the meeting to order at 7:05pm.

Those present:

Councilmember's: Janet Tweed, William Cairns, Matt Krzyston, and Christina Viafore.

Highway Superintendent Daren Evans

Residents: Rick Ackerly and Peg Baldwin of the PAC Committee

The Pledge of Allegiance was led by Councilmember Tweed.

Privilege of the Floor:

N/A

Approval of February 8, 2021 Regular Monthly Meeting Minutes:

Councilmember Viafore noted that the spelling of Parkitec was incorrect; the correct spelling was Parkitects. With the correction of spelling Councilmember Krzyston made a motion to accept the February 8, 2021 board minutes, with Councilmember Tweed seconding. Motion carried.

Old Business:

Supervisor Tuthill gave the floor to Rick Ackerly of PAC for an update on the playground. Mr. Ackerly stated there were slight changes to where the playground will sit. Ackerly stated he asked for a turn-key price from Parkitects which would include the site prep and they just recently got back to him stating they cannot give him a price on the chain link fence as the price of steel is fluctuating so much and we don't know when the playground construction will occur. They also cannot give us a price on the site prep as their representative would need to come down once there is no snow to see the site. Ackerly said he had spoken to Tom Leo as he had already done the elevations; Leo and Chris Maney are now working with Parkitects and getting the scope of work from them so that they can come up with a figure for the site prep. He believes they can complete the work and get it to Councilmember Viafore so they can submit the grant by April 1, 2021. Supervisor Tuthill told Ackerly the board would have to do a motion allowing Viafore to submit the application for the grant prior to it being submitted. The town clerk requested again for copies of all paperwork regarding the playground for the town's records. Viafore will bring the completed grant application to the clerk to send to the O'Connor Foundation. Ackerly stated he would forward Viafore all information he has, Viafore stated she could keep the plans that were presented tonight. Councilmember Tweed made the motion to approve submitting the grant to the O'Connor Foundation for the construction, site prep all that would be required for the playground. Councilmember Krzyston seconded the motion. Tuthill stated he talked to Town Attorney Dave Merzig as the Parkitects paperwork showed some federal numbers and he wanted to make sure we could piggy-back on a federal contract; Merzig stated it should not be a problem. Merzig will look the paperwork over when we get a final draft from Parkitects. Motion carried.

Tuthill signed the contract with Aqua Concept for the opening and closing of the pool at a combined cost of \$1,474.00 after a motion was made by Councilmember Tweed and seconded by Councilmember Viafore. Motion carried. The clerk will mail/email the signed contract to Aqua Concept.

Supervisor Tuthill announced Councilmember's Tweed and Viafore have completed the Town Justice Court audit for the fiscal year 2020. A motion was made by Councilmember Krzyston to accept the completed filing of the audited accounts for the Town Justice Court with Councilmember Cairns seconding the motion. Motion carried. The Town Clerk will send a copy of the minutes to the Unified Court System as she has already submitted the completed audit.

New Business:

Supervisor Tuthill announced the Town Clerk has submitted records for destruction as followed by the LGS-1. A motion was made authorizing the Town Clerk to dispose of the records identified in her request per LGS-1 guidelines by Councilmember Krzyston and seconded by Councilmember Cairns. Motion carried.

Supervisor Tuthill stated Highway Superintendent submitted a bid notice for approval for the bidding of hauling fees, diesel fuel and heating fuel. A motion was made by Councilmember Cairns and seconded by Councilmember Krzyston to advertise the bid notice; bids will be opened at our April 12, 2021 board meeting. Motion carried. The clerk will place the notice in the Reporter for two weeks.

Supervisor Tuthill announced we had received a letter from Catskill Watershed Corporation regarding the NYC DEP Hamlet designations; he said there was an opportunity for towns to designate hamlets where you could choose to make it off limits for the city to purchase which we did with the village extension and the Fraser extension. Every five years it comes up and gives you the opportunity to take parcels out of the designation, you cannot put any more parcels in. If a homeowner wishes to opt out they can give a reason and the town can discuss it and take the property off the list that's excluded. Delhi is already over 100% so the city cannot solicit to buy. We must make the announcement so people have the opportunity to make the request; if we don't want to make a change the town does not have to do anything. Councilmember Tweed questioned if there would be a benefit to the town doing it, Tuthill stated he saw no benefit as we have so little land left that was why it was designated. We were trying to keep something that was buildable unless the city is going to start giving back land Tuthill didn't feel we should give it up on our own as a personal opinion. He gave the papers to the councilmember's to look over.

Supervisor Tuthill announced he had received the NYS Ag & Markets report for the dog control officer which was completed February 18, 2021 all was satisfactory.

Supervisor Tuthill announced he had completed the Bureau of the Census boundary and annexation survey; the town had no changes this year.

Tuthill told the board he spoke with the town attorney regarding the solar programs; he stated he had another town that was looking to do it and recommended to them not to do it as there is a liability issue. If project does not go forward or something goes wrong with the project we are considered a "partner" in the project, so we have to be very careful as to how things are worded. Tuthill then said we can ask them to give us some recommendations, it won't cost us anything and we can have the attorney review it and go from there. The board agreed to it and Tuthill will sign the paperwork and send it in. He will forward their response to the attorney for review.

Supervisor Tuthill brought forward Resolution No. 002 of 2021, Councilmember Krzyston made the motion approving the below resolution with Councilmember Tweed seconding:

CONTINUATION OF OPERATIONS PLAN SPECIFIC TO A PUBLIC HEALTH EMERGENCY INVOLVING A COMMUNICABLE DISEASE

WHEREAS, the spread of the Novel Coronavirus (COVID-19) pandemic has caused a public health emergency throughout the United States and indeed the world; and

WHEREAS, said pandemic has resulted in a number of changes to operations of local governments as a result of previously unforeseen conditions and impacts; and

WHEREAS, amendments to the NYS Labor Law Education Law require all public employers to be prepared for a public health emergency involving a communicable disease by requiring the drafting and publication of a Continuation of Operations Plan for use during such an emergency; and

WHEREAS, The Town of Delhi has prepared a Continuation of Operations Plan and has afforded all applicable duly recognized or certified representatives of the Town of Delhi employees an opportunity to comment and provide input on the Plan and the actions in the Plan; and

NOW THEREFORE, BE IT RESOLVED that the Town of Delhi hereby adopts the above referenced Continuation of Operations Plan, effective immediately; and

BE IT FURTHER RESOLVED that the finalized plan be published in conspicuous locations within the Town as well as on the municipal website and employee handbook (if applicable)

WHEREUPON, the Resolution was put to a vote and recorded as follows:

	Aye	Nay	Absent
Supervisor Tuthill	<u> X </u>	_____	_____
Councilmember Krzyston	<u> X </u>	_____	_____
Councilmember Tweed	<u> X </u>	_____	_____
Councilmember Viafore	<u> X </u>	_____	_____
Councilmember Cairns	<u> X </u>	_____	_____

The Clerk will forward the resolution to the county as well as Councilmember Viafore. Supervisor Tuthill requested a motion for the advertising of the bid for the Pool concrete installation with Covid clause. The Pac committee helped put it together. Councilmember Tweed stated bids would be required to be back to the town by April 2nd at 3:00pm. A motion was made by Councilmember Viafore and seconded by Councilmember Cairns to have the clerk advertise the bid for two weeks. Motion carried. The clerk stated she did not have a copy of the bid and requested Councilmember Tweed to forward her the information.

Executive Session:

A motion was made by Councilmember Krzyston to enter into executive session to discuss the employment history of a particular individual. Councilmember Tweed seconded. Motion carried. The board entered executive session at 7:30pm and exited at 7:40pm by a motion of Councilmember Cairns and seconded by Councilmember Tweed, motion carried. Upon returning to the regular meeting at 7:40pm Supervisor Tuthill announced the hiring of the Recreation Director at a salary of \$6,000 for the season beginning April 1st through September 30th. There is a spending limit of \$500 to order pool incidentals without having to have the clerk do so; purchases above \$500 will have to go through the town. Councilmember Tweed made a motion to hire Ellen Pringle as Recreation Director, Councilmember Viafore seconded the motion. Motion carried. The clerk will send thank you letters to the others that were interviewed for the position.

Committee Reports:

Highway/Machinery: (Councilmember’s Tweed & Cairns) – Written report from Superintendent Evans was given to council members (see attached.) Superintendent Evans stated the most crucial issue is the

replacement of the motor for the self propelled broom truck. For the repairs it is a cost of roughly \$12,000. Tuthill asked what a new broom truck would cost Evans stated at least \$50,000. Councilmember Cairns made the motion to authorize Evans to have the broom truck repaired with Councilmember Krzyston seconding. Motion carried. Evans is scheduled to meet with SUNY tomorrow regarding the options for making the garage compatible for a generator hook up. The 2011 Ford will need to go to the dealer for repairs as its control module needs to be replaced and programmed. Councilmember Cairns wished to thank the highway department for the good job they have done.

Personnel: (Councilmember's Tweed & Viafore) - Councilmember Tweed stated all employees are to complete the sexual harassment training, through NYMIR or if taken elsewhere they need to provide documentation. Councilmember Viafore questioned the paperwork for the recreation director; Tuthill stated it would be through the bookkeeper.

Recreation/Health/Youth: (Councilmember's Tweed & Viafore) – Councilmember Tweed stated the main thing was getting the recreation director set up as well as the pool and playground. The recreation director will be doing the interviewing as well as making the recommendations for the hiring of the lifeguards for the pool and work on the appropriate paperwork to get the pool ready to open this season. Tuthill stated he spoke to the town attorney regarding donating the piece of equipment to Hamden; he stated it is not a problem among municipalities. He does hope they will fill the hole. Councilmember Viafore stated she sent the board copies of the proposed grant proposal. Councilmember Viafore stated the college is doing a community day on April 24th, she stated they will be working in the pool and playground area. There are several picnic tables that need painting.

Economic Development/Shared Services: (Councilmen Cairns & Krzyston) – Councilmember Krzyston stated that we together with the village submitted a pre application for design work asking the soil and water district for their permission to apply for the grant. The project was named in the flood mitigation plan which was the Woolerton Street Bridge. They will let us know if they like the idea and if we should submit an application for funding. Chris Maney did most of the work with Krzyston helping.

BUILDINGS: (Councilmember Cairns & Councilmember Krzyston) – Councilmember Cairns stated we have not received the specs on the highway garage from the individual we were waiting for as such he has reached out to a company called Roofing Innovations. They will come and give us a proposal as to what should be done. The Town of Harpersfield used them years ago and was happy with the process. Tuthill said we need to get this done.

IT: (Councilmember Tweed & Councilmember Viafore) – Councilmember Viafore stated the term limits have been updated the clerk helped her. She linked the You Tube channel to the website for our meetings. She shared the Chambers video to the site which showed Supervisor Tuthill, and is sharing vaccination information on the site.

CODES: (Councilmember Cairns & Krzyston) – Councilmember Cairns stated there were one building permits issued, 10 inspections/meetings were done, there were 5 in office conferences, 1 fire inspection, 6 c/o letters, 2 certificates of occupancy letters, and he drove 76 miles. Cairns stated the code officer is not seeing the building permits anticipated as building costs are going up.

CODES Monthly Report:

A motion was made by Councilmember Krzyston to accept the February 2021 Code Report. Councilmember Cairns seconded the motion. Motion carried.

Justice Court Report:

Supervisor Tuthill questioned if there had been a motion accepting the grant money received by the Justice Court. He requested a motion to accept the Unified Court Systems grant for the court in the amount of

\$1,116.52. Councilmember Tweed made the motion to accept the grant with Councilmember Viafore seconding. Motion carried. A motion was made by Councilmember Krzyston to accept the February 2021 Justice Court Report. Councilmember Viafore seconded the motion. Motion carried.

Clerk's Monthly Report:

A motion was made by Councilmember Krzyston to accept the February 2021 Clerk's Report and the February 2021 Tax Collectors Report. Councilmember Viafore seconded the motion. Motion carried.

Supervisor's Financial Report:

Supervisor Tuthill presented the board with three monthly reports; the 2020 Year End, the January and February 2021 Supervisors Reports. He felt a motion should be made separately accepting the reports. Councilmember Cairns made a motion to accept the 2020 Year End report with Councilmember Tweed seconding. Motion carried. Councilmember Tweed made a motion to accept the January 2021 Supervisor's Report with Councilmember Viafore seconding. Motion carried. On the February 2021 Councilmember Tweed questioned General Fund, town wide detailed revenues under the balance line there is a negative \$73,570.14, and he stated in revenue that's a good thing as it was a payment we weren't expecting. She asked if that money was going to be used for the highway garage roof, Tuthill stated they would probably take it out of the Capital Reserve Building Fund depending on how much it is. There being no further questions Councilmember Cairns made the motion to accept the February 2021 Supervisor's Report with Councilmember Viafore seconding. Motion carried.

Supervisor's County Report:

Councilmember Tuthill stated they have had to shut down the Mental Health Project till March 15th as there were five positive COVID-19 cases. They will all have to be screened before they come back. Councilmember Tweed questioned Tuthill regarding the report for the police reform. She stated five community members felt their suggestions/recommendations were not heard and were ignored. As this took awhile to get off the ground it didn't seem like a high priority to the county, she felt it raised concerns as to how it was handled and also how much public input was being accepted. She felt this was a chance for us to do better and to make ourselves better as a community as this is such a hot topic. Tuthill stated written comments had to be in by today at 5; he would be reading all the comments tomorrow. He felt some of the things he was hearing were not part of the things that they were given the task to address. Some of them felt there should be more mental health; he said the sheriff's department would be being trained by mental health professionals. Tweed said other communities have put together other teams to go out if the call states someone is having a mental breakdown. Tweed felt training of the Sheriff's Department is good but, felt the need was there to create a secondary department to address the mental health issues. Tuthill said there will be contact people to get to the field. Councilmember Krzyston stated from what he has heard from the public they felt it was not inclusive, they didn't understand why the general public wasn't surveyed the way the village did their survey; they feel like it doesn't represent the big issues like race and drug abuse as it should. Tuthill said there will be a public hearing tomorrow at 12:45pm. Tweed questioned if it would be approved at the meeting; Tuthill stated you have to have a final draft to put before the board and he was not aware. Krzyston urged Tuthill to consider the two letters from Delhi citizens; he didn't feel there should be a rush to approve it right now. Tuthill felt as a lifelong resident of Delhi he had not seen issues with diversity being a problem. Krzyston felt the report has to acknowledge if someone "feels" like they are being treated differently, that's all that matters; this report has to acknowledge it. Tuthill stated not everyone's ideas or opinions will make the draft, but they had the opportunity to present their opinion. This is why they are having a public hearing and will read the comments. Tweed felt that it was a time to do better and also a chance to be providing direction to

move forward rather than just looking back. Tweed then said as a county and a community we need to seize this opportunity rather than seeing it as a burden or something that is making problems that aren't there. Councilmember Krzyston then questioned Tuthill if there was anything about the highway department. Tuthill stated it was out to bid although their designers are still working on plans. Tuthill wished to clarify what was published in one of the papers; that the county approved \$29 million dollar ban for the highway buildings; that is a maximum amount. They can use some of it, all of it or none of it; it's just authorizing the use while we wait to see where things work out. There is money in the county budget that is already set aside for the building. Tweed felt it was a sticker shock, and asked if there was a specific amount for the buildings. Tuthill believed it was 14 million. The board discussed EMS and the possibility of the county taking it over.

Abstracts:

Supervisor Tuthill announced that Trust and Agency will be renamed; this year when we do our Annual Update Document there will be a different classification he will discuss it with the bookkeeper. Councilmember Tweed made the motion to approve Abstract #003 - 2021 accounts A – DB Voucher No. 0073 – 00110 equaling \$48,478.02, account TA Voucher No. 0017 – 0019 = \$12,907.79. Total vouchers presented equaled \$61,385.81. Councilmember Cairns seconded the motion. Motion carried.

Adjourn:

Councilmember Cairns made a motion to adjourn the meeting at 8:35pm, Councilmember Viafore seconded the motion. Motion carried.

Respectfully submitted,

Elsa Schmitz

Elsa Schmitz
Town Clerk
Town of Delhi