

TOWN OF DELHI

**September 11, 2018
7:15PM**

PUBLIC HEARING MEETING MINUTES

**“For the approval of a Cable Television Agreement between Time Warner
Cable Northeast LLC and the Town of Delhi”**

Supervisor Tuthill called the meeting to order at 7:15pm. He stated that the public hearing was being held to approval of a cable franchise agreement between Time Warner Cable Northeast LLC and the Town of Delhi.

Supervisor Tuthill that offered privilege of the floor to ask questions or make comments, he then introduced Kevin Egan, Director of Government Affairs of Time Warner. Richard Gumo town resident encouraged the board to have a public channel offered free of charge for public broadcasting of Town Board Meetings. It was a way for the residents to be informed through this public channel. Supervisor Tuthill stated Delhi Telephone does something similar, Councilmember Krzyston agreed with Mr. Gumo and felt that residents enjoy the ability to watch and learn from the streaming. Kevin Egan stated they can look at doing this through public service commission; they could entertain doing something like this. Town resident Scott May agreed with Mr. Gumo and stated when he first came to the area Time Warner had such a channel and stated it was well received in the community. Councilmember Tweed stated for community members that do not have cable or access to cable whether or not we can negotiate having the meetings on our website that people could access without needing to sign up for a specific cable service. She felt this could provide very good community access. Mr. Egan stated that that would be outside the scope of the franchise agreements. He stated towns do this themselves by uploading. Mr. Gumo stated this was not limited to town meetings it was a live broadcast of games etc., where Mr. Egan stated it comes at a cost, per PFC regulations the costs would be a “peg” for customers and becomes quite involved. Councilmember Krzyston asked how long the agreement was for and was told by Mr. Egan it is a fifteen year agreement. Councilmember Krzyston and Councilmember Tweed will be the councilmember’s who will be the contact persons for Mr. Egan regarding the creation of the public channel, they will work with him and return to the board with information of such creation.

As there was no further public comment Supervisor Tuthill closed the public hearing at 7:28pm.

**TOWN OF DELHI
BOARD MEETING
September 11, 2018
7:30PM**

Supervisor Tuthill called the meeting to order at 7:30pm.

Those present:

Councilmembers: Janet Tweed, Matt Krzyston, Al Perkins, Bill Cairns

Highway Superintendent: Daren Evans

Resident(s): Carol Morrissey, Gerry Benhardt, Trinity Elliston, Diara Oliver, Dale Downin, Dan Ayres, Scott May, Kevin Egan, Richard Gumo, Garrett McKenna, Caleb Mallery, Kayleish Crowe, JD Ralston, Randy Eathen Blinn, Plucido Amendolia, Gregory Wuytack, Sorendron Jeonanine, Alyssa Carrert, Korbin Valenzuela, Charleze Perez, Aminata Cisse, Akua Bruce, Sarah Adenegan, Nandi Slocumbe, Alyssa Gaetano

The Pledge of Allegiance was led by Councilmember Cairns. Councilmember Perkins requested a moment of silence in remembrance of 9/11.

Privilege of the Floor:

Carol Morrissey, President of Tanglewood Lake Homeowners Association came forth and requested to know what the follow-up was of the Flood Mitigation Review status. Supervisor Tuthill has not heard from them they are still working on it. It must be completed by the end of the year. Once it is completed it is a public document.

Town resident Dan Ayres introduced himself and discussed his involvement with the Delhi EMS squad. The EMS squad is considering converting to a paid squad from a volunteer squad. They have had a number of meetings, and are in exploratory discussions with the Town of Sidney as they made this transition. There are many challenges to the EMS squad as they are volunteers, the number of hours required for training and education and the fact that there are just not enough volunteers. The volunteers have expressed that they are burnt out and can just not continue a change needs to occur. They have looked at a couple of different options; one being contracting with an existing service but the price would be prohibitive, secondly transitioning to a paid squad would take a couple of years in order to accomplish. They would need a signed administrative support which Ayres feels none of the municipalities can afford to provide and it would need starting capital which would be taxpayer monies. As such they have been investigating working with Sidney whom have made the transition already and have been successful. Doing such can be rather quick and will allow us to maintain local EMS coverage. The improvement would be in the response time, tax burden and they would be paid by billing for services. One of the primary issues is that they could get transfer agreements with three major entities within our community which is the hospital, nursing home and the college. Two of which are interested. Mr. Ayres has been asked by the fire commission if they can deliver by the end of the year although this is an aggressive timeline they are seriously investigating. The major issues will be the transfer of the certificate of need, how the assets will be leased to the new entity naming a number of other details. Lawyers are currently involved to assist with many of those details. There has been no definitive decision at this point; a lot of work is going forward and he wanted to make sure the municipality is aware of all the work that is going forward. Councilmember Krzyston questioned if Sidney was interested, Mr. Ayres stated absolutely, he further said as a business model you have an existing infrastructure **with additional volume, you would not have to replicate billing services, payroll, policies and procedures. You would have more revenue coming in to offset the overhead.**

Councilmember Cairns is involved with the Delhi Rural Fire Department stated that they kicked this idea around a couple of years ago and they found that on average 30 to 40 percent of the EMS responses were not in our district he asked resident Scott May who is a Fire Commissioner and is involved with Mr. Ayres in developing this service if this still held true. Mr. May said that is part of the concern behind this, that they feel obligated that there is a community sense of service that the department wants to serve the community. We have that level of need and don't want to let the community down. He further stated New York State says this is a non essential service, May does not know why but that is their ruling, fire is required but EMS is not. So as people get less release time for work and it becomes difficult to meet the training requirements on a volunteer basis they see the service declining and with that being said this is not how they want to treat our community. He went on to say they see calls on Saturdays getting two to three calls from Walton because they cannot crew, they see Stamford who dissolved their EMS and they have a first responder service that is it; we do not want to see that happen to Delhi, Sidney was very aggressive in forming their service. It needs to be noted that this is a non-profit corporation, so the nonprofit being different from a profit corporation can accept insurance payments and also has the ability to as a nonprofit in their mission to forgive or provide charity care. This is different than the commercial model as with commercial you would be turned to a collection agency; they feel it is a more fitting compassionate service to what they have provided in the past, but we do not have the paramedics to cover the same amount of hours. This is a way to help do that, Delhi EMS would still exist in some form but more like a first responder service to assist both the firefighters and this service that you would have a full time paid crew that would be available to serve the community. Ayres stated he believes once Delhi makes the transition you will see other local communities also make the transition as they are all having the same struggle. Councilmember Cairns stated he made an interesting point, as he has to wonder every town having this same struggle where will all the paramedics and EMT will come from, Mr. Ayres stated that becomes a new business, they will have to hire and come to our community, he feels many of the volunteers will come to the service opening up other vacancies in other businesses, again to help draw people to our community. One of the advantages Delhi has is that the two health care institutions plus the college provides enough volume to make it financially viable. Councilmember Perkins stated the main difference between the other ambulance service in our area and this is that the other is a for profit and what is being proposed tonight is a non for profit. Scott May stated that fire districts are prohibited from charging in New York State. May further stated the Fire District meets the first Thursday of the month at 8:00pm it is an open public meeting and they welcome people to come with questions. Councilmember Krzyston thanked both Ayres and May stating they did an excellent job in explaining, and just wanted to touch on what Councilmember Cairns stated earlier according to statistics one of four calls goes out of our fire district in just the past two years; this means for taxpayers one out of four dollars is paying calls outside our district. As a municipal representative this is something we have to pay attention to, people expect this service after sitting in one of the meetings he admitted he was naive to how it operates, these people are volunteers and they are burnt out but continue to go. He felt this it is critical and the timeline he understands, Supervisor Tuthill is glad to see them pushing forward for this. Councilmember Perkins concurred. Ayres stated if we want to provide first class care for our community we need to have a rapid response EMT program. As a health care professional Councilmember Tweed stated it starts with the emergency and continues on through them.

Mr. Ayres also stated he is the Chair of the Delhi Beautification Committee and would respectfully request that the town consider an increase their budget this year from \$1,000.00 to \$1,500.00. Councilmember Perkins thanked Ayres for the committees work.

Mr. Gumo spoke as Town Justice stating that on the first and third Tuesdays when they have prosecutors here, the courtroom is standing room only with people waiting outside to get in. He is suggesting the board consider reconfiguring the room, changing the room would create more room for standing room only. He will take some steps to get drawings together for the board to review changing direction of the courtroom, this will be mainly labor expenses.

Supervisor Tuthill acknowledged the several SUNY students in the audience asking which class they represented. He was told it was a requirement for “American Government.” He welcomed them to Delhi.

Approval of August 14, 2018 Regular Meeting Minutes:

Supervisor Tuthill asked for approval of the August 14th minutes as presented, Councilmember Tweed requested one addition be made to her statement in the “IT” portion of the August minutes. She stated the rationale of not getting voicemails for councilmember’s was not only just the cost but the inconvenience to the councilmember’s of having to come into the office to check the voicemails due to the current phone system that we have. She wished that to be added to her report. With this addition being added to the minutes Councilmember Krzyston made the motion with the amendment of the above statement to approve the August 14th meeting minutes. Councilmember Perkins seconded the motion, motion carried.

Old Business:

Supervisor Tuthill announced that the Village of Delhi has filed the local law for the annexation of the seven properties on State Route 28. With this being done the annexation requirements are completed.

Councilmember Krzyston gave members of the board copies of a draft MOU that is for discussion purposes only, it has not been shared. Per last month’s board meetings discussion of the Bramley Mountain Fire Tower the duties are laid on his report. It discusses responsibilities for the Catskill Mountain Club and the Town of Delhi. Our responsibilities would be to either lease or accept the fire tower donation from the owner in order to be able to include it in our insurance policy. Councilmember Krzyston stated that per our last meeting he believed the board felt it was not cost prohibitive but wanted to make sure we knew what our duties were. If the board likes what it reads in the draft it will be signed by the town and the Catskill Mountain Club, we will then proceed to work with the DEP to easement so that it can be used by the public. Councilmember Krzyston stated he is in favor of the fire tower. Councilmember Cairns stated he would like to hear a little more about the word “lease.” Councilmember Krzyston stated that should be the biggest thing we should be worried about as it is up to the owner, although Krzyston stated they have not spoken with him at this point to see if he would like to lease or donate to the town, leasing would be the preferable to the town; we would have a long term lease for a cost of very minimal proposing possibly a dollar. Councilmember Perkins stated it was important to point out this would take two to three years for the project as the organization needs to raise the money necessary to reconstruct the fire tower. Town Supervisor Tuthill stated he needs more discussion with DEP because he asked them what they would require for insurance and they gave him much larger numbers than what they have given other entities. Councilmember Perkins disagreed due to his experience dealing with them on other things. Councilmember Tweed stated she had two contacts from Ann Roberti and DEP as well which may have more precise numbers for the project. Supervisor Tuthill stated he spoke with the boss and was unaware of whom others have spoken to, he will speak to him again on Friday and will discuss the matter further with him. Councilmember Krzyston requested that the board read and make comments to either himself or Councilmember Tweed so that he can send a revised version to Catskill Mountain Club. Supervisor Tuthill stated he would like to hear feedback from the owner of the fire tower as to what he is looking for as the owners main concern when he met with Tuthill was that if for some reason anyone wanted the tower removed he wants it back.

Details need to be worked out as to how that would happen, Tuthill doesn't believe he wants to donate it as he wants to keep ownership, a lease would be feasible as without one we cannot insure private property with municipal money.

Town Supervisor Tuthill stated the insurance adjuster came to inspect the truck which and totaled the truck. They have offered the town according to Highway Supervisor Evans \$47,891.00 and the truck was insured for \$118,000.00. Councilmember Perkins stated we do not have to accept what they come up with, they are looking at it as the truck is over ten years old. The town put new items on this truck and the insurance company has this information, the equipment on it is newer. This needs to be negotiated per Councilmember Perkins we need the list from the insurance company first. Supervisor Tuthill wants the highway committee to meet with Evans and help him with this. Councilmen Perkins will contact our insurance carrier.

New Business:

Supervisor Tuthill stated as far as the franchise agreement with Time Warner (Charter Communications) Councilmember's Krzyston and Tweed will be working with Kevin Egan of Charter to get a public access channel available and will get back to the board regarding such discussions. Once worked out we will do a resolution for the franchise agreement.

Supervisor Tuthill stated that the Court Clerk has requested an audit prior to her last day of September 28th. She is willing to have the committee meet with her to close out her books; one of the members will make this happen prior to her departure.

Supervisor Tuthill stated Justice Court Clerk Cathy Fletcher is applying for a court grant, Supervisor Tuthill then presented the board with Resolution No. 009-2018 - Resolution Authorizing Application for Funds from the Justice Court Assistance Program. Cathy has done this for several years successfully and will be missed for all her efforts. He requested a motion be made authorizing Resolution No. 009-2018. Councilmember Perkins made a motion approving Resolution No. 009-02018 with Councilmember Krzyston seconding, motion carried. Roll call as follows:

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

Supervisor Tuthill presented the board with bills for the new pool project. There was a bill for Treffeisen & Sons, LLC for \$14,535.00 and Andrew R. Mancini Associates Inc. for \$233,609.00, he asked for a motion approving them for payment. Councilmember Perkins made the motion approving both bills for payment with Councilmember Tweed seconding. Motion carried with the Town Clerk emailing them to Bryan Boyer of Delaware National Bank for payment.

Committee Reports:

Highway/Machinery: (Councilmember's Perkins & Cairns) –

Highway Superintendent Evans provided the board with a written report. He also stated that the truck which was bid on this evening, they **successfully** won the bid \$21,100.00, significantly cheaper than the prior bid for the last truck, but again this is pending board approval this should be known tomorrow evening. The truck is an 04 Sterling. We are finally done sealing roads. Councilmember Cairns wanted to thank Daren and the crew for what they have done, good work

speaks well of him and the crew. . Supervisor Tuthill stated the Town of Harpersfield did a new roof on their highway garage with a company that did all the specs and did the bids and it costs roughly \$1,000.00, he will give Councilmember Cairns the information. We will try for a grant next year.

Health/Youth: (Councilmember's Tweed & Cairns) – Councilmember Cairns stated there is lots going on behind the scenes now. Councilmember Tweed stated they have been talking with a lot of people gauging interests as well as feasibility to making it all come together. Also the park playground is closed. Councilmember Perkins stated it will be closed for the rest of the year.

Economic Development/Shared Services: (Councilmen Perkins & Krzyston) – Councilmember Perkins stated they have not had a meeting although they are working on the liner for the ice skating liner. The Village will contribute again this year Councilmember Krzyston stated.

Recreation: (Councilmember Perkins) – Councilmember Perkins stated they had a construction meeting today, they will be pouring on Tuesday for the pool. On track, looking good for now.

Personnel: (Councilmember Perkins & Councilmember Tweed) – N/A

Building: (Councilmember's Cairns & Krzyston) – Councilmember Krzyston stated students painted the town sign. Councilmember Cairns stated he will be meeting with a contractor possibly next week on some of the small projects (windows not operating, AC, patching up dry wall, roof by entryway.) He anticipates having numbers by the next meeting. Councilmember Krzyston questioned September 29th the students will be coming to work in the gardens, Councilmember Tweed stated Michele DeFresse has been in contact regarding the cleanup for the fall.

IT: (Councilmember Tweed) - Councilmember Tweed stated the emails are up as of last month. She and Councilmember Krzyston will be working on public access channel.

CODES: (Councilmember Cairns) – Code Enforcement Officer Downin attended the meeting this evening. He stated he has been in contact with engineers from NYSEG, within the next two years they will be replacing the substation he believes it will be across the road from where it is now. They are still in preliminary plans. They are also planning another substation on Hamden Hill.

CODES Monthly Report:

A motion was made by Councilmember Cairns to accept the August 2018 Code Report. Councilmember Perkins seconded the motion. Motion carried.

Justice Court Report:

A motion was made by Councilmember Perkins and seconded by Councilmember Krzyston to accept the August 2018 Justice Report. Motion carried.

Clerk's Monthly Report:

A motion was made by Councilmember Cairns to accept the August 2018 Clerk's Report, and seconded by Councilmember Perkins. Motion carried. Councilmember Krzyston stated he liked the minutes that she provided as they are detailed.

Supervisor's Financial Report:

Supervisor Tuthill presented the board with August 2018 Supervisors Financial Report with Councilmember Krzyston making the motion to accept and Councilmember Cairns seconding. Motion carried.

Supervisor's County Report:

Supervisor Tuthill stated that it is semi quite at the moment. They are starting budget season that will take up a month or two. No information on DPW, the Mental Health site everything is done they are finishing up the paperwork. Hopefully everything gets approved at the next county board meeting so they can do the survey and get the building up for design. Councilmember

Krzyston questioned the County Building on 97 Main regarding parking, Supervisor Tuthill stated they do need more parking but has not heard anything more on.

Councilmember Perkins stated he had received reports from all the summer youth programs from the Village of Delhi, he wanted on behalf of the Town to thank the people for donating their time for coaching these programs. He said the reports are available.

Judge Richard Gumo stated for the record how much he appreciates the services Cathy Fletcher has provided in the operations of the court. When he was first asked to run for judge he would not have taken the job unless she remained as court clerk. She will be sorely missed and very hard to replace. He also thanked the Town Clerk who has been instrumental acquiring the number of resumes that have been submitted to fill the position. She has been the unsound and unrecognized person who has been the mover in helping the judge to find the replacement. He thanked her. Supervisor Tuthill thanked Judge Gumo for all the work he has done in interviewing for Cathy's replacement.

Executive Session:

A motion was made by Councilmember Cairns at 8:30pm to enter into executive session to discuss the employment history of a particular person. Councilmember Tweed seconded the motion, motion carried. A motion was made to exit executive session at 9:00pm by Councilmember Perkins and seconded by Councilmember Cairns, motion carried.

The regular meeting was resumed at 9:00pm. Town Supervisor Tuthill announced that they have accepted Court Clerk Cathy Fletchers resignation effective September 28, 2018. Councilmember Cairns made the motion with regrets with Councilmember Krzyston seconding. Motion carried.

A motion was made by Councilmember Perkins to hire Kathleen Tofts for the new Court Clerk, starting date September 16, 2018 at a salary of \$40,000 a year plus insurance. Councilmember Tweed seconded the motion, motion carried. A motion was made by Councilmember Perkins to approve Kathleen Tofts to attend the annual Fall Conference for Court Clerks in Lake Placid. Councilmember Cairns seconded the motion. Motion carried.

Abstracts:

Councilmember Krzyston made the motion to approve Abstract #009 - 2018 accounts A – SF Voucher No. 386 – 424 \$85,740.53 and account TA Voucher No. 167 - 169 = \$12,074.46. Total of presented vouchers for Abstract #009-2018 - \$97,074.46. Councilmember Perkins seconded the motion. Motion carried.

Adjourn:

Budget workshops will be scheduled for September 25th at 4:15pm and October 2, 2018 at 4:15pm. The Town Clerk will advertise such. A public hearing will be held on October 9th at 7:15pm for a Local Law to Override the Tax Levy. A public hearing for the final budget will be held on November 13th at 7:00pm. A motion to adjourn the regular monthly meeting at 9:20pm was made by Councilmember Cairns and seconded by Councilmember Perkins. Motion carried.

Respectfully submitted,

Elsa Schmitz

Elsa Schmitz

Town Clerk, Town of Delhi

Legal Notice

Published in Walton Reporter

NOTICE IS HEREBY GIVEN, that there will be two Budget Workshop Meetings for the Town of Delhi to be held on the following:

Tuesday, September 25, 2018 at 4:15 pm

Tuesday, October 2, 2018 at 4:15 pm

at the Town Hall, 5 Elm Street, Delhi. Any other business that may come before the board will also be addressed at such time.

Elsa Schmitz
Town Clerk
Town of Delhi

**TOWN OF DELHI
BOARD MEETING
September 25, 2018
4:15 PM
Budget Workshop**

Call to Order:

Supervisor Tuthill called the budget workshop to order at 4:25pm. With the request from Judge Gumo for an agenda item due to the retirement of Court Clerk Cathy Fletcher the board discussed new business.

Those present:

Councilmember's: Janet Tweed, Matthew Krzyston, William Cairns

Highway Supervisor: Daren Evans

Town Clerk: Elsa Schmitz

Absent:

Councilmember Allen Perkins

New Business:

Judge Richard Gumo- Motion to remove Cathy Fletcher as signer on Justice Court Account at DNB.

Adjourn: New Business 4:30pm

A motion was made by Councilmember Cairns to remove Cathy Fletcher as signee from the Delhi Town Justice Court account at Delaware National Bank effective September 28, 2018, due to her retirement. As such Judge Richard Gumo will "sole signee" of any checks written from the Delhi Town Justice Court account. Councilmember Janet Tweed seconded the motion. Motion carried.

Respectfully Submitted,

Elsa Schmitz

Elsa Schmitz, Town Clerk

