

**TOWN OF DELHI
BOARD MEETING
May 8, 2018
7:30PM**

Supervisor Tuthill called the meeting to order at 7:38pm.

Those present: Councilmember’s Janet Tweed, Al Perkins, Bill Cairns, Matt Krzyston
Hwy Superintendent Daren Evans
Town Attorney: David Merzig
Residents: Lillian Browne, The Reporter

At 7:38pm Supervisor Tuthill announced a motion was necessary for the board entering into executive session. Councilmember Cairns made the motion for the board to go into executive session to discuss the employment history of a particular individual. Councilmember Perkins seconded the motion. Motion carried. At 8:10pm Councilmember Perkins made the motion to exit executive session with Councilmember Cairns seconding. Motion carried to enter back into regular meeting.

The Pledge of Allegiance was led by Councilmember Perkins

Privilege of the Floor:
N/A

Approval of April 10, 2018 Regular Board Meeting Minutes:

Councilmember Cairns made a motion to accept the minutes of the April 10, 2018 Board Meeting with Councilmember Perkins seconding. Motion carried.

Old Business:

Councilmember Al Perkins made the motion allowing Supervisor Tuthill to sign the Merchant Agreement with GovPay.Net for the acceptance of credit cards by the Town Clerk. Councilmember Krzyston seconded the motion. Motion carried. Clerk to return signed contract for processing.

Supervisor Tuthill stated that Resolution No. 003 of 2018 was necessary for the annexation of the seven properties on State Highway 28 from last month’s public hearing. Passing this resolution requires a special election to be held, to which Tuthill stated the Town will be required to hold a special election within 90 days. The board has gotten information as to how to do this from the Association of Towns legal staff, they state it is only the seven homes involved in the annexation that are required to vote. Councilmember Perkins made the motion to approve Resolution No. 003 of 2018 with Councilmember Tweed seconding. Motion carried with roll call as follows:

	Aye	Nay	Abstain
Supervisor Tuthill	<u> X </u>	<u> </u>	<u> </u>

Councilmember Krzyston	<u> </u>	<u> </u>	<u> X </u>
Councilmember Tweed	<u> X </u>	<u> </u>	<u> </u>
Councilmember Perkins	<u> X </u>	<u> </u>	<u> </u>
Councilmember Cairns	<u> X </u>	<u> </u>	<u> </u>

Supervisor Tuthill presented the board with Resolution No. 006 of 2018, a bond resolution for the pool. This bond resolution will allow "AUTHORIZING THE ISSUANCE OF SERIAL BONDS OF THE TOWN OF DELHI, DELAWARE COUNTY, NEW YORK IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$1,000,000 PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE THE CONSTRUCTION OF THE DELHI AQUATIC CENTER AND DELEGATING THE POWER TO ISSUE BOND ANTICIPATION NOTES IN ANTICIPATION OF THE SALE OF SUCH BONDS TO THE TOWN SUPERVISOR." This will allow us to do a bond anticipation note with Delaware National Bank for one year as they have offered to do a note for one year at 0%. This will alleviate the town from getting into a cash flow bind while we are waiting for the grant monies to come in. Councilmember Perkins made the motion to adopt Resolution No. 006 of 2018 with Councilmember Tweed seconding. Motion carried with roll call as follows:

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

New Business:

Supervisor Tuthill stated Resolution No. 004-2018 was necessary for the annexation of the property on County Highway 18 (Clark property), a motion was made by Councilmember Perkins to approve Resolution No. 004-2018 with Councilmember Cairns seconding. Motion carried roll call as follows:

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

Supervisor Tuthill stated Resolution No. 005-2018 was necessary for the annexation of the village owned properties on County Highway 18. No public hearing was necessary as these properties are village owned. A motion was made by Councilmember Perkins to approve Resolution No. 005-2018 with Councilmember Krzyston seconding. Motion carried roll call as follows:

	Aye	Nay	Abstain
Supervisor Tuthill	<u> X </u>	<u> </u>	<u> </u>

Councilmember Krzyston	<u>X</u>	_____	_____
Councilmember Tweed	<u>X</u>	_____	_____
Councilmember Perkins	<u>X</u>	_____	_____
Councilmember Cairns	<u>X</u>	_____	_____

Supervisor Tuthill announced we would be awarding of the bids for the bid items that were opened at the April board meeting. Highway Supervisor Evans stated the following:

Bid awarded to:

Item #1: Hauling fees for approximately 4000 yards of #1 washed crushed stone from Seward Sand and Gravel (Rider Pit), and 4000 yards of #1 washed crushed stone from Clark Companies (Romar Pit) to Delhi Highway Department stockpile Sherwood Road. Bid will be awarded to one bidder with the lowest combined bids for both pits. Hauling of material must be complete by October 12, 2018.

	<u>Rider (Seward) Pit</u>	<u>Romar (Clark) Pit</u>	<u>Combined Bid</u>
Gerster Trucking	\$4.25	\$2.95	\$7.20

Item #2: #1 Diesel Fuel – Price delivered to Town of Delhi Highway Garage. Bid will be a fixed price per gallon. Fuel must be cut 60/40 Kero by October 12, 2018.

Mirabito - \$2.4353 per gallon fixed price per gallon
 \$2.8153 per gallon clear kero for winter blend with diesel
 \$2.5873 per gallon 60/40 blend kero/diesel

Item #3: #2 Heating Oil – Price delivered to Delhi Town Hall and Highway Garage. Bid will be a fixed price.

Mirabito \$2.3619 per gallon

Supervisor Tuthill instructed the Town Clerk to notify all bidders.

Councilmember Perkins stated he has made arrangements with Delaware Academy for residents to be able to use the elementary playground once construction is underway for the new pool. The town will issue a Certificate of Insurance to Delaware Academy for liability coverage. The school prefers we start using the playground after graduation which is on the 21st of June. We will post signs at our playground informing residents once we know when construction is to begin for the pool. Councilmember Perkins will take care of this once we know further about construction.

Supervisor Tuthill announced we had received the check from Delaware Academy for their share of the Burdkidz (Price Chopper) litigation. County Finance Committee has approved the County's share just waiting on the paperwork from Real Property Tax Services.

Councilmember Perkins stated approval was necessary from the board for the payment of a Decker Advertising bill for the pool. Councilmember Cairns made the motion to pay the bill with Councilmember Perkins seconding. Motion carried. Town Clerk will email Bryan Boyer of the Pool Committee the bill.

Supervisor Tuthill announced the Annual Update Document for Fiscal Year Ending 2017 has been completed and is available for public review. The Town Clerk will advertise its availability. A motion was made by Councilmember Perkins accepting the Update Document for 2017 with Councilmember Cairns seconding. Motion carried.

Councilmember Perkins announced that with the pool project it will be necessary to test the concrete as such they are requesting the board approve a contract with Atlantic Testing Labs at a cost of \$10,797.00 for services. The monies are to come out of the pool project. Councilmember Perkins requested approval for the Supervisor to sign the contact with Atlantic Testing Laboratories with Councilmember Tweed seconding. Motion carried.

There will be a pool ground breaking ceremony on May 23rd at 11:00am.

Supervisor Tuthill announced the open house/ribbon cutting ceremony for the nursing house on May 17th from 5:00pm to 7:30pm with the ribbon cutting at 6:00.

Supervisor Tuthill asked Highway Superintendent Evans about the loader sitting next to the grader this weekend. Evans stated it is a one month rental and was in last month's report. Tuthill stated he and Evans needed to get together regarding the tandem grant as more information is again required.

Supervisor Tuthill announced the Dairy Fest is back on June 9th and 10th.

Committee Reports:

Highway/Machinery: (Councilmember's Perkins & Cairns) – Written report from Superintendent Evans was given to council members. Highway Superintendent Evans stated the first batch of grader patch will be finished on Monday as the weather has been too wet. The tandem cab and chassis will be coming in September but will have to be fitted. Councilmember Krzyston questioned how the 5 year plan was coming, to where Evans stated we are still good on plan even with last year's weather and this year so far has not been cooperative. We are on the third year of the plan. With Hamden Hill being done last year we are planning on moving up Huska Road and Tanglewood Lake. The CHIPS report has also been updated giving us a little more. Councilmember Cairns asked if anyone had heard the rumor that NYSE&G and the Power Authority will be doing extensive work on Hamden Hill Road and getting rid of Sherwoods Road Substation. Supervisor Tuthill has not heard of this and stated if they tear the road up again we will bill them for damages.

Health/Youth: (Councilmember's Tweed & Cairns) – Councilmember Krzyston stated that as the liner for the skating rink is torn; Delaware Academy may possibly want it for covering a field. Councilmember Perkins stated he would have to check with the Village as it was purchased under shared services.

Economic Development/Shared Services: (Councilmen Perkins & Krzyston) – Councilmember Perkins stated they are still working with the Village and the Legion to discuss an ongoing issue with the Legion. With the efforts in bringing in a new hotel they are working with the College and appraisals. He has a meeting with the college president tomorrow and will keep moving forward.

Recreation: (Councilmember Perkins) – Councilmember Perkins stated a fundraiser last weekend at the Legion raised about \$2,000.00 for the pool. Items were donated and the person that

won the 50/50 raffle re-donated the money back to the pool. Blues Maneuvers also donated their time to play.

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

Building: (Councilmember's Cairns & Krzyston) – Councilmember Cairns stated Kiff's was here last week for the court as they had no heat. They installed a new circulator. We are keeping an eye on the court circuit breakers as they have tripped twice now. If it continues we will have an electrician come in. Also, he is looking into LED lighting as it will reduce the draw. We have not received numbers yet for the replacing of the roof or coating of the garage roof. Superintendent Evans noted the garage was without heat this morning and Kiff was called. Councilmember stated the annual boiler inspection will be Friday between 8am and noon.

IT: (Councilmember Tweed) – N/A

CODES: (Councilmember Cairns) – Councilmember Cairns announced there were three building permits issued and one sign permit for April. Two Certificate of Occupancy letters issued and 104.9 miles travels for eight inspections. Based on what Cairns is seeing things will be ramping up.

CODES Monthly Report:

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

Justice Court Report:

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

Clerk's Monthly Report:

A motion was made by Councilmember Perkins to accept the April 2018 Clerk's Report, and seconded by Councilmember Krzyston. Motion carried.

Supervisor's Financial Report:

Supervisor Tuthill presented the board with April Supervisors Report with Councilmember Krzyston making the motion to accept and Councilmember Perkins seconding. Motion carried.

Supervisor's County Report:

Supervisor Tuthill stated he knows nothing about the DPW rumors. He has heard nothing about proposals and there is nothing on the agenda in regards to the DPW.

Councilmember Krzyston questioned how the Mental Health facility was coming along. Supervisor Tuthill stated that they are getting closer. They are meeting with the owner Tim Robinson going over appraisals and hoping to get into contract. The push is on to get it designed by winter and started next spring. They are getting close.

Councilmember Krzyston questioned if the county was still interested in purchasing 95 Main Street. Supervisor Tuthill stated the property is being purchased by a private individual although the county may approach the buyer regarding leasing or buying a portion for parking for 97 Main.

Supervisor Tuthill stated there have been ongoing negotiations on land acquisitions, the state needs to step in to stop it. They have work ahead of them trying to see if possibly purchasing on portions and leaving buildable parcels. They all agree that protecting around the streams and wetlands is important

but purchasing properties on as has been happening is probably not very protective of water quality. , Delhi is over 100% of original purchase estimates by DEP already. Tuthill went on the WAC tour last week, Pat Palmer the new head from NYS Health got to see firsthand what we are dealing with in Delaware County.

Abstracts:

Councilmember Perkins made the motion to approve Abstract #005 - 2018 accounts A – SF Voucher No. 162-207 \$183,158.83, no Trust and Agency vouchers. Total of presented vouchers for Abstract #005-2018 - \$183,158.83. Councilmember Cairns seconded the motion. Motion carried.

Adjourn:

Councilmember Perkins announced he will not be at the June 12, 2018 board meeting. Supervisor Tuthill stated that at the June meeting we will announce the date of the special election for the annexations. Supervisor Tuthill will get the Clerk the election information per NYS Association of Towns requirements.

A motion to adjourn the regular monthly meeting at 9:05pm was made by Councilmember Cairns and seconded by Councilmember Perkins. Motion carried.

Respectfully submitted,

Elsa Schmitz

Elsa Schmitz

Town Clerk, Town of Delhi

TOWN OF DELHI
JOINT MEETING OF THE TOWN OF DELHI AND THE VILLAGE OF DELHI
Delhi Town Hall
Public Hearing
May 8, 2018
7:30PM

Present:

Supervisor: Mark Tuthill
Councilmember's: Janet Tweed, William Cairns, Al Perkins, Matt Krzyston
Town Attorney: David Merzig
Mayor: Richard Maxey
Trustees: Jeremy Fitch, Robin Hultenius, Sridhar "Sam" Samudrala
Village Attorney: Benjamin Heffley
Residents: Richard Gumo

Supervisor Tuthill called the Joint Public Hearing of the Town of Delhi Town Council and Village of Delhi Board of Trustees to order at 7:15pm for the Petition for Annexation of Territory comprised of the following property:

149.16-1-7.11 – Burton F. Clark Inc. - County Highway 18

Supervisor Tuthill invited the public to come forward for questions. Delhi resident Richard Gumo questioned deed restrictions which are on properties in the area, he also stated that he as well as other property owners never received notification as to the annexation of the above property. He further questioned zoning jurisdiction, Supervisor Tuthill stated at such time as annexation the properties would be subject to village codes. Gumo then stated the village had already purchased two lots adjacent to his property this was done as a "private transaction" and he was unaware of any zoning that has been adopted by the village that pertains to the properties in which the village wells now sit. Now with the village seeking to annex in this property and the village owned properties (not required to be in the public hearing), he wanted to make certain the deed restrictions would apply to these properties.

Town Attorney Merzig stated deed restrictions stay with the properties regardless of whether they are in the town or village.

As there was no further public comment the hearing was closed at 7:36pm.

Respectfully Submitted,

Elsa Schmitz

Elsa Schmitz
Town Clerk, Town of Delhi