

**TOWN OF DELHI
BOARD MEETING**

October 11, 2016

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

Those present: Council members Tom Little, Bill Cairns, Al Perkins, Absent: Councilman Matt Krzyston

Highway Superintendant Daren Evans

Residents: Kim Cairns, Robert Cairns, Tom Merritt, Dave Kopecek, Lenny Amberger

Reporter: Abby Butler, Walton Reporter

The Pledge of Allegiance was led by Councilman Cairns.

Privilege of the Floor:

Tom Merritt stated he has been a community member his entire life and as a resident of Tanglewood Lake would like understanding and support with the issues they are facing. Supervisor Tuthill stated that we are aware of the issues they are facing and at this time we have had little luck in finding help for them, we understand the washout concern with the road and a thought of culvert replacement which could possibly help their situation. Lenny Amberger another resident of Tanglewood Lake spoke regarding the emergency route. He stated that Tanglewood Lake Road used to be called Bullet Hole Road which was at one time a through road to Maggie Hoag Road. He further stated that at some point the Town of Delhi saw fit to abandon that right of way there by negating the only logical through route. Now that the DEC is stating they need to come up with a new route when there is none available. Supervisor Tuthill also stated that he was unsure as to DEC's issue as this has been as such for many years. Mr. Amberger felt that Hurricane Sandy created issues and this is just an aftereffect. The state inspected all dams in the state and this is a progression from that. Supervisor Tuthill would like to see information from DEC. David Kopecek also owns property at Tanglewood stated that he along with the other residents don't question that that dam be safe, but they question why it would be reclassified. He is in possession of the document from DEC which classifies the ratings of dams. He read the definitions, and believed they are classifying the dam at Tanglewood Lake erroneously based upon DEC definitions, and felt they are going against their own guidelines. He discussed should the dam break it could wash out the culvert by Stoop's property as the stream crosses under Tanglewood Lake Road and Huska Road. Those two areas would wash out should the dam fail. Those areas haven't been updated in years he stated. Mr. Amberger stated that the Town of Delhi would state that they were grandfathered in and there would be no requirement to replace them, although when culverts were replaced that led into the lake they were required to follow DEC guidelines. Highway Superintendent Evans stated that water has gone over the culvert by the Stoop property before, Mr. Amberger agreed. Councilman Perkins asked if a new culvert were placed would it solve the problem, and stated that it seemed that Tanglewood Lake was classified incorrectly. He wondered if they had attempted to reach out to them, Mr. Merritt stated they have an engineer from Binghamton who is familiar with these situations and he will be doing an inundation study looking at that area

below the dam where it reaches the Stoop property. He also stated that are trying to be compliant with the things DEC is asking, they will provide modest changes to the dam that they have requested. The bigger issue is finding something that will satisfy them in terms as to why they are putting the “pinchers” on them through no fault of the residents own. The belief that culvert improvement would be beneficial, but the engineering will be a determining factor. Councilman Little stated a new bridge will not give them the second means of egress nor would a culvert replacement. Supervisor Tuthill asked for a copy of the engineering study and we will forward it to our attorney. Mr. Amberger added what is unique about Tanglewood Lake is that part of it is on a town road, Tanglewood Lake Road terminates at Bagley Brook so there are properties that are on the town road. Councilman Perkins stated that we do not have a problem getting to residents. Mr. Merritt stated that there are ten owners on that road. Supervisor Tuthill again stated if an emergency were to occur we would be there.

Approval of the Meeting Minutes of September 13, 2016 Joint Meeting & Regular Meeting

The minutes of the joint meeting of the Town and Village regarding the Flood Commission were presented with Councilman Little making a motion to accept the minutes as presented. Councilman Perkins seconded the motion. Motion carried. The minutes of the Regular Meeting of the Town Board were presented with Councilman Cairns making the motion to accept as presented. Councilman Little seconded. Motion carried.

Old Business:

The Village of Delhi Codes regarding student rentals which were discussed last month have been forwarded to the Planning Board, Tuthill stated we are still waiting for feedback from the Planning Board, as they have been very busy. He hoped that at their October 24th meeting it will be addressed. There are several issues regarding student rentals that are occurring and need to be addressed.

Tanglewood Lake Road issue was discussed above.

New Business:

Supervisor Tuthill stated the Justice Court is applying for another grant for digital archiving of court records, and presented the board with Resolution No. 5 of 2016 Resolution Authorizing Application for Funds from the Justice Court Assistance Program. Councilman Little made a motion accepting Resolution No. 5 of 2016. Councilman Perkins seconded the motion. Motion carried. Roll call as follows:

	<u>YEA</u>	<u>NAY</u>	<u>ABSENT</u>
Supervisor Mark Tuthill	X		
Councilman Matthew Krzyson			X
Councilman W. Allan Perkins	X		
Councilman William Cairns	X		
Councilman Thomas Little	X		

Supervisor Tuthill introduced Local Law No. 2 of 2016, Local Law to override the Tax Levy Limit established in General Municipal Law § 3-C. Resolution No. 6 of 2016 will set a public hearing of the adoption of Local Law No. 2 of 2016 Tuthill stated. Councilman Perkins made the motion to accept Resolution No. 6 of 2016 authorizing a public hearing be set for November

8, 2016 at 7:00pm, for the adoption of the Local Law to Override the Tax Levy Limit, with Councilman Cairns seconding. Motion carried.

Supervisor Tuthill stated that Jane Hymers of the Zoning Board of Appeals appointment had expired and after twenty plus years of services has decided to retire. He met with the ZBA board last night and would like to appoint Josh Morgan at a term of October 2016 through September 30, 2021 to take over Mrs. Hymers spot. Mr. Allan Reed would fulfill the spot vacated by Patrick Sullivan from October 2016 through September 2019. Another member Vince Olechnowicz's position will expire in 2017, we will need to fill his position. Also, the Planning Board will have a vacancy as John Taylor, Chairman is planning on retiring from his position. A motion was made by Councilman Little to approve both Morgan and Reed for the vacated Zoning Board of Appeals positions, Councilman Cairns seconded the motion. Motion carried.

Committee Reports:

Highway/Machinery: (Councilmen Perkins & Cairns) – Highway Superintendent stated that they are waiting for everything to be finalized to have money on hand. Supervisor Tuthill is waiting to hear from “Mario” regarding the payment for the Hamden Hill Road issues. Superintendent Evans stated the reclamation will be outsourced; the ditches are being cleaned by our crew. Supervisor Tuthill is completing a grant for the purchase of a new truck for the Highway Department; Superintendent Evans is providing necessary information.

Health/Youth: (Councilmen Krzyston & Cairns) – Councilman Cairns stated that the Delaware Academy Varsity Club is sponsoring a Bulldog 5K this Sunday.

Economic Development/Shared Services: (Councilmen Perkins & Krzyston) – Councilman Perkins stated Shared Services was unable to meet last month, but will be meeting in October.

Recreation: (Councilman Perkins) – Councilman Perkins stated they are in the final stages with the pool. Eric Robert has been donating his time and has completed a final review of the architectural plans; a couple of issues were noted and returned to the architects for incorporation. Things should be sent to DOH and Department of Recreation shortly. Everything is looking good.

Personnel: (Councilman Little) – N/A

Building: (Councilman Little) – N/A

IT: (Councilman Krzyston) – Town Clerk Schmitz thanked David Kopecek for his help in updating the town website.

CODES: (Councilman Cairns & Little) – Councilman Little stated the Rehab Center is progressing very well; more concrete placement is being down with the second floor being worked on. The Village is concerned about the grease trap/separator to the village sewage system due to the added volume. Dale Downin has been very busy.

CODES Monthly Report–

A motion was made by Councilman Little to accept the September 2016 Code Report. Councilman Cairns seconded the motion. Motion carried.

Justice Court Report:

A motion was made by Councilman Perkins and seconded by Councilman Little to accept the September 2016 Justice Report. Motion carried.

Clerk's Monthly Report:

A motion was made by Councilman Little to accept the September 2016 Clerk's Report, and seconded by Councilman Cairns. Motion carried.

Supervisor's Financial Report:

The September Supervisor's Report was unavailable. The report will be available at the budget workshop next Tuesday.

Supervisor's County Report:

Supervisor Tuthill stated we are waiting for the draft of the county's budget; it is at the finance committee. The Capital Projects Committee will be touring the rehab center, as the county is looking at the possibility of a new building for the mental health facility.

Abstracts:

A motion was made by Councilman Perkins and seconded by Councilman Little to approve the abstract of accounts "A-DB" vouchers #424-455 = \$69,775.16 and account "TA" voucher #507 - 509 = \$7,509.82 totaling \$77,284.98. Motion carried.

Adjourn:

A motion was made at 8:10pm to adjourn by Councilman Cairns and seconded by Councilman Perkins. Motion carried.

Respectfully submitted,

Elsa Schmitz

Elsa Schmitz, Town Clerk, Town of Delhi