

**TOWN OF DELHI
BOARD MEETING**

April 12, 2016

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

Those present: Council members Tom Little, Bill Cairns, Al Perkins, Matt Krzyston;
Town Highway Superintendent Daren Evans
Town residents: Kim Cairns, Christina Viafore
Reporter Bob Cairns, Delaware County Times

The Pledge of Allegiance was led by Councilman Cairns.

Executive Session:

Supervisor Tuthill apologized that the council would be entering into an executive session to discuss upcoming litigation. Councilman Little made a motion to enter into executive session with Councilman Perkins seconding the motion. Motion carried. Supervisor Tuthill requested that the Town Assessors and Delaware County Real Property Director Mike Sabansky be present during the executive session.

Privilege of the Floor:

Supervisor Tuthill invited public comment, no public came forth.

Approval of the Meeting Minutes of March 8, 2016:

Councilman Perkins noted that he was not at the meeting and therefore on page 2, Resolution #02-2016 – Highway Shared Services Agreement a correction be made to reflect such. Also under Committee Reports, Health/Youth a correction be made removing his name and putting Councilman Cairns on as the correct committee member. With the clarifications of corrections to be made Councilman Perkins made the motion to accept the March 8, 2016 minutes. Councilman Little seconded the motion. Motion passed.

Old Business:

NYC Land Acquisition, Nicole Franzese, Director of Delaware County Planning Board will be attending our May 10, 2016 board meeting and will present the new maps to the board and a final decision will be made.

Lakeside Engineering has returned the signed contract, all is moving along well with the swimming pool design.

New Business:

- 1) The opening of bids received for the following items:

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

- Allison Oil Company - \$1.49 per gallon fixed
- Mirabito Energy Products - \$1.71gallon fixed

Item #2 - #1 Diesel Fuel – Price delivered to Delhi Highway Garage/ Bid will be fixed price per gallon.

- Mirabito Energy Products - \$1.6879 per gallon fixed / clear kerosene (if needed for winter blend with diesel) -\$2.0479 per gallon fixed.

Item #1 – Hauling fees for approximately 6,000 yards of #1 washed crushed stone from Seward Sand and Gravel (Davenport pit), and approximately 2,000 yards of #1 washed crushed stone from Clark Company (Romar pit Bloomville) 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 15, 2016.

- Ben Reynolds Construction Company, Inc.
Seward Sand & Gravel - \$5.25 per cubic yard.
Clark Company Romar - \$2.93 per cubic yard.
- Kilpatrick Farm Products
Seward Sand & Gravel - \$6.20 per cubic yard.
Clark Company Romar - \$3.40 per cubic yard.
- Mark Babcock
Seward Sand & Gravel - \$3.47 per cubic yard.
Clark Company Romar - \$6.08 per cubic yard.
- Schulz’s Trucking
Seward Sand & Gravel - \$6.00 per cubic yard.
Clark Company Romar - \$2.75 per cubic yard.
Fuel surcharge per bid
- Todd Trucking
Seward Sand & Gravel - \$6.85 per cubic yard.
Clark Company Romar - \$2.50 per cubic yard.
- LaFever Excavating Inc.
Seward Sand & Gravel - \$13.00 per cubic yard.
Clark Company Romar - \$ 6.50 per cubic yard.

The committee will review the bids and make recommendations as to rewarding of the above bids.

- 2) Mike Sabansky of Delaware County Real Property Tax Services offered a presentation to the board on the Delaware County Solar Farm Pilot Program which is going to be discussed at tomorrow’s Delaware County Board of Supervisor’s meeting. Mr. Sabansky gave a hand out to the board and discussed solar energy farms. He stated that approximately 6,500 letters have been sent to homeowners with more than 20 acres of land, and preferably within a mile of a

three-phase power line or electric substation. The companies are offering \$500.00-\$2,000 per year lease to construct solar farm projects. Landowners should be leery signing and should consult legal advice before signing. Mr. Sabansky discussed the creation of a “community host agreement” which will gain revenue from the solar installations, as without a plan solar farms would be tax exempt for fifteen years. Towns must “opt in” to do something as they are the taxing jurisdiction. At the request of the town County Planning will review the local laws, but possible amendments to local ordinances may be needed. Supervisor Tuthill discussed the community host agreement stating it to be similar to a PILOT agreement but reaffirmed that it was not a tax break.

- 3) Approval has been received from DEC on the proposed changes to the Local Law for flood damage prevention. Supervisor Tuthill stated that the next step would be to hold a public hearing for the adoption of the amended law. Councilman Little made a motion to schedule a public hearing on May 10, 2016 at 7:15 pm, Councilman Cairns seconded the motion. Motion passed.
- 4) The Dog Control Officer brought to Supervisor Tuthill’s attention that he has not been paid \$10.00 per dog for dogs placed at the local shelter. The town will go back three years to reimburse the dog officer per Supervisor Tuthill. Al Alwine, Dog Control Officer will be contacted for a voucher for services, to be provided at the May 2016 meeting for approval.
- 5) Town Bookkeeper, Maggie Reinmann has requested approval to attend NYS Retirement System Employer training on Tuesday, April 26th in Cobleskill. Councilman Krzyston made a motion to approve the request, Councilman Little seconded the motion. Motion passed.
- 6) Councilman Perkins reported to the board that both the Town Clerk’s computer and the main server in the clerk’s office are both in need of replacement. ISD has given a proposal to replace both systems at a cost of \$1,734.97. Councilman Perkins made a motion to approve replacing both systems, Councilman Krzyston seconded the motion. Motion passed.
- 7) Councilman Perkins also reported that the Highway Department was in need of a new system, a quote from Delaware County has been received at a cost of \$964.77 to include computer, monitor, keyboard and all-in-one printer. Councilman Perkins made the motion to purchase the computer for the Highway Department from Delaware County bid, Councilman Krzyston seconded the motion. Motion passed.
- 8) An audit was received from the Delhi Joint Fire District – Financial Statements- Statutory/Cash Basis, year ended 12/31/2015.
- 9) Supervisor Tuthill stated that a motion was necessary to sign a retainer agreement with the firm of E. Stewart Jones Hacker Murphy, LLP of Albany, based on

receiving a signed inter-municipal agreement with the Village of Delhi, Delaware Academy school district and Delaware County. The representation will be for the assessment challenge by Price Chopper - Burdkitz (owners of the plaza). Councilman Cairns made the motion to hire E. Stewart Jones Hacker Murphy, LLP, with Councilman Little seconding the motion. Motion carried. Supervisor Tuthill stated the cost per hour will be as follows: \$270.00 per hour for the partners; \$250.00 per hour for the associates.

Committee Reports:

Highway/Machinery: (Councilmen Perkins & Cairns) – N/A.

Health/Youth: (Councilmen Krzyston & Cairns) – Councilman Krzyston stated the Covered Bridge Run is to be held June 4, 2016. D-CAN is applying for a grant for sand for the Sheldon Park Volleyball Court.

Economic Development/Shared Services: (Councilmen Perkins & Krzyston) – Councilman Krzyston stated there was a Joint Meeting of the Town and Village for the purposes of updating both municipalities of the Flood Commission. Councilman Perkins acknowledged that the Delhi Cemetery Association had contacted the town and requested assistance for road work. The town's backhoe will be unavailable, Councilman Perkins approached Village Trustee Chris Maney, and he will go to the Village Board to determine if the Village of Delhi can help. Also the plowing of snow up to the vaults was discussed, as in the past a resolution was done in the beginning of the year stating "as needed." Attorney Merzig will be contacted prior to next year regarding legalities of doing plowing for cemetery, legion etc.

Recreation: (Councilman Perkins) – Councilman Perkins stated that ground cover (mulch) is needed for the playground. Possible funds still available from O'Connor Grant.

Personnel: (Councilman Little) – N/A

Building: (Councilman Little) – New lock box and new sign have been installed for the court. Boiler inspection was completed.

IT: (Councilman Krzyston) – N/A

CODES: (Councilman Cairns & Little) – Code Officer Downin has been at the new health facility regularly inspecting, work (twice per week) progressing well.

CODES Monthly Report–

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

Justice Court Report:

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

Clerk's Monthly Report

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

Supervisor's Financial Report

Councilman Krzyston made the motion to accept the January 2016 Supervisor's Financial Report, Councilman Little seconded the motion. Motion passed.

Councilman Cairns made the motion to accept the February 2016 Supervisor's Financial Report, Councilman Krzyston seconded the motion. Motion passed.

Supervisor Tuthill reported that New York State DOT will repave a section of approximately 2.9 miles of State Route 10. From Hamden/Delhi town line to Peakes Brook Road.

There will be a public hearing tomorrow at 5:30 pm at Delaware County Offices regarding the PILOT program for the nursing home project.

A letter was received from Delaware County Soil and Water Conservation District, our MOU has expired. Councilman Little made a motion authorizing Supervisor Tuthill to sign a renewal of the MOU, Councilman Krzyston seconded the motion. Motion carried.

Supervisor's County Report:

Supervisor Tuthill reminded the audience that Mike Sabansky will be providing a presentation tomorrow at the regular monthly meeting of the Board of Supervisors regarding the Solar Farms project. The board will vote on whether to "opt in/opt out" of the program.

Abstracts:

A motion was made by Councilman Cairns and seconded by Councilman Krzyston to approve the abstract of accounts "A-DB" vouchers #113 – 156 = \$79,283.36 and account "TA" voucher #489-491 = \$7,509.82 totaling \$86,793.18. Motion carried.

Adjourn:

A motion was made at 9:15 pm to adjourn by Councilman Perkins and seconded by Councilman Krzyston. Motion carried.

Respectfully submitted,

Elsa Schmitz

Elsa Schmitz, Town Clerk, Town of Delhi