

**TOWN OF DELHI
BOARD MEETING
March 12, 2019
7:00PM**

Supervisor Tuthill called the meeting to order at 7:00pm.

Those present: Councilmember's Janet Tweed, Al Perkins

Arrived at 7:56pm: Councilmember Matt Krzyston

Absent: Councilmember Bill Cairns

Hwy Superintendent Daren Evans

Town Justice: Richard Gumo

The Pledge of Allegiance was led by Councilmember Perkins.

Privilege of the Floor:

N/A

Approval of February 13, 2019 Regular Board Meeting Minutes:

Supervisor Tuthill requested a motion be made approving the February 13, 2019 meeting minutes. Councilmember Perkins made the motion to approve the minutes of the February 13th meeting with Councilmember Tweed seconding; motion carried.

Old Business:

Supervisor Tuthill asked Councilmember Krzyston if he had made any headway with the franchise agreement with Charter Communications. Councilmember Krzyston stated he believes they are happy to see no action on it. Supervisor Tuthill stated he will send them an email.

Supervisor Tuthill asked if Town Justice Richard Gumo had chosen a design from the presentation done by the SUNY Delhi college students on the courtroom. Justice Gumo thanked the board members who attended the presentation and stated the students did an excellent job with the presentation. Justice Gumo has taken pieces from the designs and presented the board with the courts "wish list" they would like to see happen. He gave the council members a copy of a design he and his clerk felt would fit the needs of the court. He further stated the way it was left with Sarah Poole the SUNY instructor was if they wanted changes or anything else they could come back to them with them so they could review it and give it back to the students and go from there. The judge had given the board the copies of the presented designs, and asked if the board had any questions. He stated that basically the theme was to increase the seating capacity; the current capacity is roughly 25 to 30 seats. Reconfiguring the current bench could make the capacity 70 to 80 seats. Based on the students designs the judge and his clerk have draw a design which would allow them new office spaces for both the clerk and the judge on the back wall with the bench turned. He walked the board through this proposed design showing them what the court would like to see done to the current room. The judge stated the current court chamber does not allow for court conferences with defense attorneys, defendants, the district attorney and family members as it is too small with the filing cabinets desks and so forth. It is impossible to fit that many people, but in his proposal it would

allow for the current chamber to become the DA's office (he is there once a week at the best) in the mornings, we can use this room also for a jury room instead of squeezing them into the current copy/mail common area or assessor's room. Also, when the Code Officer has meetings they generally are in the common area, this would allow for him to have privacy when meeting with people. This room could become a conference area; if the board goes into executive session they could adjourn into this area instead of having to have the audience leave the current courtroom.

The current length of the bench is 21 feet the students have proposed cutting the bench down to 15 feet; it would still allow for five persons to comfortably sit at the bench. A swinging half door would be put on both sides of the bench. An area would also be put in for individuals coming in from the jail with a four foot wall separating them from interaction with the audience. His thoughts are also to expand the closet to make the closet larger (roughly 9X9) for the public defender's use to meet with clients, as now there is no area for them. The current exit doors would remain as such. The carpet would be the largest expense. With the students doing the work the expense to the town would be for materials only. The work could be completed by the end of the semester should a decision be made, they believe construction once approved would be 4 to 12 days. The air conditioner would need to be moved also relocating the electric would be necessary (this cost could not be provided.) Justice Gumo asked the board's opinion of the presentation. Councilmember Perkins asked if with the design proposed what the seating would be, Justice Gumo stated it would double the seating at least. Supervisor Tuthill stated our insurance carrier NYMIR was here and said grant money is available for the court to join the chairs together so that they cannot be thrown. Justice Gumo stated Al Alwine our Court Attendant does a great job. Town Supervisor Tuthill stated the only problem he can foresee is trying to find an electrician to get things wired up the same time the students are working. There is a separate department at SUNY that we may be able to coordinate with Justice Gumo said. He also said by shrinking the bench we could re-use the material for the partial wall. Justice Gumo asked the board if they had any suggestions or questions, Supervisor Tuthill questioned if the bench is moved would it be a distraction with people coming and going from the court, Justice Gumo stated the Court Attendant would be located at the entrance to the side of the bench directing them to the correct area, they will not be crossing the bench. Supervisor Tuthill stated he agreed the location of the bench would be best in the proposed direction. Justice Gumo again stated he would like to respond to SUNY as soon as possible. Councilmember Tweed asked if court would be affected by this construction, Justice Gumo said they were very good on their estimates and there may be only one day that could be affected, but the students were confident the work could be done quickly.

Supervisor Tuthill announced that the information on the proposed ATM machine was reviewed by the Town's attorney and he found no real issues with it. Supervisor Tuthill stated it would come down to where we would put it (anchoring it). Justice Gumo said as it is no "out of pocket" expense to the town, he would like to try and have it put in the vestibule although the town would have to provide an outlet and phone line for the machine. The Town of Hamden has had much success with the ATM being there, this would eliminate much paperwork for the court as people can assess the machine to pay fines and it can be used also for the clerk's office. Councilmember Perkins stated we would need to provide an outlet and an ethernet line. If the machine is placed outside we would have to provide a covered area for it, Justice Gumo would like to see it in the building. Councilmember Tweed questioned if it was used by the clerk's office would it disrupt the court, Gumo stated no. She also questioned if Hamden had any issues with the ATM machine, Gumo again stated no.

Supervisor Tuthill stated the F- 550 truck refurbishing is done; the Town Clerk has the paperwork to send to the O'Connor Foundation for reimbursement on half the expenses.

Councilmember Perkins requested that the Town Clerk contact ISD to see what would be needed for the ethernet connection for the ATM and also to move the court offices.

New Business:

Supervisor Tuthill stated Resolution No. 002 of 2019 –BAN Purchase of a Tandem Snowplow to authorize serial bonds for the purchase of the new snowplow tandem. This is necessary while waiting for grant money to come in. Councilmember Perkins made the motion to adopt Resolution No. 002 of 2019, with Councilmember Tweed seconding:

RESOLUTION NO. 002 OF 2019

A RESOLUTION AUTHORIZING THE ISSUANCE OF SERIAL BONDS OF THE TOWN OF DELHI, DELAWARE COUNTY, NEW YORK IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$160,000 PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE THE PURCHASE OF A TANDEM SNOWPLOW AND DELEGATING THE POWER TO ISSUE BOND ANTICIPATION NOTES IN ANTICIPATION OF THE SALE OF SUCH BONDS TO THE TOWN SUPERVISOR.

BE IT RESOLVED, by the Town Board of the Town of Delhi, Delaware County, New York (the “Town”) (by the favorable vote of not less than two-thirds of all of the members of the Board) as follows:

SECTION 1. The specific purpose (hereinafter referred to as “purpose”) to be financed pursuant to this resolution is the purchase of a new 2019 Western Star 4700SF tandem truck with a Henderson snow equipment package (plow, wing and dump/spreader box). The estimated maximum cost of said purpose is \$210,000.

SECTION 2. The Town Board plans to finance a portion of the cost of said purpose by the issuance of serial bonds of the Town in an amount not to exceed \$160,000, hereby authorized to be issued therefor pursuant to the Local Finance Law. Highway equipment funds in the amount of \$50,000 will be used to finance the balance of the cost of said purpose. The Board expects to receive a State and Municipal Facilities Program (SAM) grant from the Dormitory Authority of the State of New York in the amount of \$75,000 to offset a portion of the costs described above.

SECTION 3. It is hereby determined that said purpose is an object or purpose described in subdivision 28 of paragraph a of Section 11.00 of the Local Finance Law, and the period of probable usefulness of said purpose is fifteen (15) years.

SECTION 4. It is hereby determined that the proposed maturity of the obligations authorized by this resolution will not be in excess of five (5) years.

SECTION 5. Current funds are not required to be provided prior to the issuance of the bonds authorized by this resolution or any notes issued in anticipation of said bonds.

SECTION 6. The proceeds of the bonds authorized by this resolution, and any notes issued in anticipation thereof, may be applied to reimburse the Town for expenditures made after the effective date of this resolution for the specific purpose set forth herein. This resolution shall constitute a statement of official intent for purposes of Treasury Regulation Section 1.150-2 of the United States Treasury Department.

SECTION 7. Each of the bonds authorized by this resolution, and any notes issued in anticipation thereof, shall contain the recital of validity prescribed by Section 52.00 of the Local Finance Law. The faith and credit of the Town are hereby irrevocably pledged for the payment of the principal of and interest on said bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on said bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of the Town a tax sufficient to pay the principal of and interest on said bonds as the same become due and payable.

SECTION 8. Subject to the terms and contents of this resolution and the Local Finance Law, and pursuant to the provisions of Sections 21.00, 30.00, 50.00 and 56.00 to 63.00, inclusive, of said Law, the power to authorize bond anticipation notes in anticipation of the issuance of the serial bonds authorized by this resolution and the renewals of said notes, and the power to prescribe the terms, form and contents of said serial bonds and said bond anticipation notes (including, without limitation, dates, denominations, maturities, interest payment dates, consolidation with other issues, manner of execution and redemption rights), and the power to determine to issue said bonds providing for substantially level or declining debt service, and the power to sell and deliver said serial bonds and any bond anticipation notes issued in anticipation of the issuance of said bonds, are hereby delegated to the Town Supervisor, the Chief Fiscal Officer of the Town. The Town Supervisor is hereby authorized to sign any serial bonds issued pursuant to this resolution and any bond anticipation notes issued in anticipation of the issuance of said serial bonds, and the Town Clerk is hereby authorized to affix the corporate seal of the Town to any of said serial bonds or any bond anticipation notes and to attest such seal.

SECTION 9. The Town Supervisor is further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution, and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and to designate the bonds authorized by this resolution, and any notes issued in anticipation thereof, as "qualified tax-exempt obligations" in accordance with Section 265(b)(3) of the Code.

SECTION 10. This resolution shall take effect immediately upon its adoption.

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 requested the Town Clerk to forward the approved resolution to Walsh & Walsh LLP.

Supervisor Tuthill stated a "Notice to Bidders" for fuel oil, diesel fuel, salt and hauling fees for girt and salt was needed to be advertised. He wants the fuel oil to state "any/all fees included" on the bid for the paper. Councilmember Perkins made a motion to authorize the advertising along with the

changes suggested in regards to the stipulating the costs, Councilmember Tweed seconded. Motion carried.

Supervisor Tuthill announced that Highway Supervisor Evans had his Expenditure of Highway Moneys form complete for 2019, he asked Evans to give a quick rundown of the roads. Highway Superintendent Evans stated the roads to be repaved or resealed are Peakes Brook, Bell Hill, Scotch Mountain, part of Maggie Hoag, both ends of Huska Road and Tanglewood Lake and Sherwoods Road. Councilmember Tweed questioned Evans as he mentioned only the ends of Huska Road and not the middle; Evans stated not yet as we do not have the money to do the remainder of the road. He also stated they have to keep up with what they have paved before they can add more at this time. Supervisor Tuthill asked for a motion to approve the Expenditure of Highway Moneys for 2019, Councilmember Perkins made the motion approving the expenditure with Councilmember Tweed seconding. Motion carried with councilmember's signing.

Supervisor Tuthill announced the Town Clerk has requested approval to attend the annual NYSTCA Conference in May. Councilmember Perkins made the motion to approve the Town Clerk to attend with Councilmember Tweed seconding. Motion carried.

Committee Reports:

Highway/Machinery: (Councilmember's Perkins & Cairns) – Written report from Superintendent Evans was given to council members. Town Supervisor announced that the new truck has arrived. The plow and wing have arrived also; the truck is ready for use. Councilmember Perkins wanted to make the comment that it has been ten years since the town has purchased a new snow plow. Superintendent stated in his report if the weather cooperates he will drive the truck in the St. Patrick's Day Parade. Supervisor Tuthill asked if the equipment list for the insurance company was completed, Councilmember Perkins stated Evans had given it to him and Perkins will send it to the insurance company.

Health/Youth: (Councilmember's Tweed & Cairns) – Councilmember Tweed stated the ice rink and open gym have been ongoing for the winter.

Economic Development/Shared Services: (Councilmen Perkins & Krzyston) – Councilmember Perkins stated they have started the housing study which we are working with the Village of Delhi; they met on March 6th at the E-Center. There are 12 people on board that range from the college, hospital, village, town, IDA, both plants and the Rehab Center. There is representation for all those areas. They have now formed a committee to review the RFP to come up with one of our own on some examples on what Glen Nealis of IDA had given them. That committee is revising the RFP and we will probably review that via email and then approve getting that out. At that point they will be looking at hiring someone to do the study; they hope to have everything wrapped up by the end of the year. The Village of Delhi is the lead agency on the program we are working along with them to get this done.

Recreation: (Councilmember Perkins) – Councilmember Perkins stated at this point construction is wrapped up right now for the pool. They have been working on the road issue; it is pretty much taken care of as to what they want to do. They are waiting for spring so they can drain the pool put the final coat on and refill it.

They are advertising for recreation director and lifeguards. We will be interviewing as they come in. Once this happens they will present them to the board. Councilmember Tweed is on this committee, hopefully in April they can present them to the board.

Councilmember Tweed announced that the Complete Streets for the county is meeting this Thursday, she will be able to report back on this meeting. They are gearing up on identifying the local

pathways and routes for non automotive ways of mobility i.e.: biking, walking, running that sort of thing.

Personnel: (Councilmember Perkins & Councilmember Tweed) – Perkins announced that we coming along closer to union negotiations, he would like to get started on the negotiations no later than July.

Building: (Councilmember’s Cairns & Krzyston) – Supervisor Tuthill announced that the work on the lighting issues has been completed. Councilmember Perkins said that the courtroom microphones still have issues; one seems to be working now. Councilmember Krzyston was going to address this.

IT: (Councilmember Tweed & Councilmember Krzyston) – Councilmember Tweed stated she has spoken with Dave Kopecek, they did our website 10 years ago. They have been doing security, maintenance and upgrades as they go along. She stated it is reaching the end of life for the current platform. They can make our all our documents searchable pdf’s; this will make it easier for our citizens to find information. It will help also if there are FOIL requests as it will make information easier to access. Also our current website is not mobile friendly and an update is necessary for this to happen. They could not give her a cost because they are not sure what we are getting into, but ten years ago the cost was \$2,500 to do the original website. The updates can be split out for a number of months to be able to cover the costs. This is something that is coming due; they are handling some parts of the cyber security (something she has been concerned about). Dave can come up with a fee structure once we know what we want. The updates for the mobile friendly and changing out the platform on the current website would need to take based on our current website would be 2 ½ to 3 full day’s work. The clerk stated she has been having issues trying to update information on the website. Supervisor Tuthill stated Councilmember Tweed should get some numbers from Mr. Kopecek.

CODES: (Councilmember Cairns) – N/A

CODES Monthly Report:

A motion was made by Councilmember Perkins to accept the March 2019 Code Report. Councilmember Tweed seconded the motion. Motion carried.

Justice Court Report:

A motion was made by Councilmember Tweed and seconded by Councilmember Perkins to accept the March 2019 Justice Report. Motion carried.

Clerk’s Monthly Report/Year End Report:

A motion was made by Councilmember Tweed to accept the March 2019 Clerk’s Report and seconded by Councilmember Perkins. Motion carried.

Supervisor’s Financial Report:

Supervisor Tuthill noted that we did receive PILOT payments from Clark Companies and Sportsfield, once again this year we have to cut the fire department a separate check, which goes against what we have been told to do; not have the fire department money run through town accounts. Unfortunately PILOT money has to come through us. There was a voucher in the abstract for the fire department share on the PILOT payments. It shows in the PILOT revenue line. He asked if the councilmember’s had any questions. Councilmember Krzyston made the motion to approve the Supervisor’s Report, with Councilmember Perkins seconding. Motion carried.

With Councilmember Krzyston arriving at 7:56pm, Supervisor went back to “Old Business to address the franchise agreement and then back to “New Business” for Resolution No. 002 of 2019.

Supervisor’s County Report:

Supervisor Tuthill stated the new floor plan for the new mental health facility is pretty much nailed down. A meeting is scheduled for a week from tomorrow to go over that and to start looking at some potential looks for the building itself. They are making progress. Councilmember Krzyston asked if this was for inpatient or outpatient, Supervisor Tuthill stated outpatient, they are combining three different agencies in one building. The first floor is twice as big as the second floor; the kids will be on the second floor keeping them away from the adults. They are happy with the layout. Hopefully they will get out bidding probably the end of the year. They are hoping to start building next April. DPW is still looking for a site. Councilmember Krzyston asked about Page Ave., Tuthill stated they probably will not build on Page, but will keep the offices there. Councilmember Tweed asked about the Board of Elections, Supervisor Tuthill stated there has been another proposal with BOE which he opposed and he cannot comment at this time.

Councilmember Tweed announced that Jen Metzger will be at the Village of Delhi on Friday from 1:30 to 2:30.

Abstracts:

Councilmember Perkins made the motion to approve Abstract #003 - 2019 accounts A – DB Voucher No. 0072- 00108 equaling \$258,680.57, account TA Voucher No. 00187 – 00189 equaling \$14,201.02. Total vouchers presented equaled \$272,881.59. Councilmember Tweed seconded the motion. Motion carried.

Adjourn:

Supervisor Tuthill asked the council if they wanted to discuss the court rearrangement further or if they wanted to wait for Councilmember Cairns to be present. Councilmember Perkins wanted to see us move along with it a little. Councilmember Perkins said when at the presentation Jared Yando commented that he was concerned about getting the electrical students involved at the same time, as he was not sure it could happen; Councilmember Perkins doesn’t want this to be a deterrent to us whether or not they can be here We need to have some idea (he wondered who did the electrical work before), if we are moving this way it would probably go quicker if we could have an electrician come in and do those changes as we are also talking about adding more outlets to the rooms. We have to meet codes with the right amount of outlets. He would not want to see it get held up by not being able to coordinate everything. Supervisor Tuthill said that would be the question to put to them to see if they have had any conversations with the electrical program to see if it is feasible for them to coordinate. If it doesn’t look feasible we can look around for an electrician. Justice Gumo said he would contact them tomorrow. Supervisor Tuthill stated if we had to start shopping around for an electrician we could start doing that now. Councilmember Perkins wondered if they could give us an idea of costs on the layout the judge is proposing, Justice Gumo stated they have not seen it yet as he wanted the councils opinion on it first. Councilmember Perkins stated that a lot of the cost sounds like it is carpeting, the judge agreed and stated it is just a question of what is feasible for the time being. The council questioned what was under the existing bench and discussed carpeting. Councilmember Tweed questioned what was under the carpet, whether it was concrete and plywood. Supervisor Tuthill stated he was thinking of replacing carpeting in the building next year as it is showing wear and tear. Councilmember Perkins assumed they were including it in their costs for the renovation. Supervisor Tuthill said the judge should have them give us the cost based on re-carpeting the whole courtroom, giving us a dollar amount on walls, re-using the window at the court

chamber and relocating the air conditioner. Supervisor Tuthill stated as far as getting new chairs the Town could take care of that. Councilmember Perkins believes we should move forward as he likes the idea, his only concern is that we have the extra seating. The council again discussed the layout for seating. Councilmember Perkins stated having the existing court chamber be made into a meeting room would be good for small meetings and pool committee meetings would be easier. Supervisor Tuthill stated it would give the Code Officer the ability to meet people at ground level instead of having to go upstairs to his office. Supervisor Tuthill stated the judge would follow up with the college, and give us a decent number of what they think the seating will be and the cost to do the renovations. Councilmember Tweed questioned if the camera for taping our meetings could be either relocated or turned, Judge Gumo said it would be minimal work to do that. Supervisor Tuthill and Councilmember Perkins directed the Town Clerk to contact ISD for the cost of moving and doing the work for the court offices and ATM. Supervisor Tuthill stated putting up new walls would require quite a bit of wiring, but would not be that big of a deal. He appreciated the work the court has put into this project. Supervisor Tuthill stated Dale Downin our Code Officer should be involved. The size of the ATM machine was discussed; Justice Gumo will get the measurements. Supervisor Tuthill requested the Court Clerk email the council everything again on the court realignment, then Supervisor Tuthill will poll the board to give the court the authorization to get started. Justice Gumo will get the information requested from the college. Supervisor Tuthill suggested a motion be made for the judge to move things forward, if there is a problem they will get a hold of the judge. This way there is something official in the minutes to move the project forward. Councilmember Perkins then made the motion to authorize Justice Gumo to move forward with SUNY Delhi to ascertain the costs associated with the change and enter into a contract with them not to exceed \$5,000 (excluding the cost of electric) including carpeting for the courtroom. Councilmember Krzyston questioned the cost of \$5,000 being included. Supervisor Tuthill agreed with Councilmember Perkins.

A motion was made by Councilmember Perkins to adjourn at 8:35pm with Councilmember Krzyston seconding. Motion carried.

Respectfully submitted,

Elsa Schmitz

Elsa Schmitz
Town Clerk
Town of Delhi