

**Town of Delaware Town Board
Regular Board Meeting
July 11, 2018**

Members Present:

Edward T. Sykes, Supervisor
Cindy Herbert, Councilwoman
Alfred Steppich, Councilman
Christopher Hermann, Councilman
John Gain, Councilman

Also present: Tess McBeath, Town Clerk; James McElroy, Building Inspector/Code Enforcement Officer; Kenneth C. Klein, Town Attorney

6:55 p.m. BID OPENING: Supervisor Sykes opened the bids for Fuel Oil and Diesel Fuel:

	<u>Fuel Oil</u>	<u>Diesel Fuel</u>
County Petroleum PO Box 247, Ferndale, NY 12734	\$2.6935	\$2.7115
Town & Country Energy Corp. 439 Rutledgedale Road, Equinunk, PA 18417	\$2.3735	\$2.387
Resnick Energy PO Box 469, Mountindale, NY 12763	\$2.4260	\$2.3758

Bid award will be made at the regular meeting.

Supervisor Sykes opened the regular meeting at 7:00 p.m. with a pledge to the flag.

RESOLUTION #63-2018 - ACCEPTANCE OF MINUTES: Minutes of the June 13, 2018 meeting were approved on motion of Councilman Gain, seconded by Councilwoman Herbert and carried.

BUILDING INSPECTOR/CEO: Jim McElroy reported (1) He has 21 open permits. (2) Delaware River Solar (DRS) has finalized the Baer Road solar project; he gave them a certificate of compliance. They've put up a permanent fence which he said blends in. (3) Someone wants to do a mass BBQ for 300-500 people. He gave them the requirements re: police, parking, water, sanitary facilities, EMS; they won't be serving alcohol. (4) Mr. McElroy went to a class at Sullivan Renaissance. They're providing money to help with abandoned houses, foreclosures; he's looking into getting some funding from there. (5) Letters went out to eight businesses regarding the grease interceptors, the sewer is taking on too much grease. (6) Someone concerned about toxic solar panels took issue with the laboratory tests on the panels being performed in China; Mr. McElroy called DRS and asked them if they would get an American lab to look at it and they said they would.

ASSESSOR: No report.

HIGHWAY SUPT.: No report.

TOWN CLERK: (1) June receipts totaled \$4,742 with \$4,737 turned over to the Supervisor. Of that, \$4,607 was building fees. (2) We received the certificate of insurance from the Callicoon Business Assn for their activities in the Callicoon Creek Park. (3) The Local Update of Census Addresses (LUCA) was completed by the Clerk and Deputy Terri LaFleur; we updated and corrected 227 addresses as opposed to approximately 900 addresses which were corrected during LUCA prior to the 2010 Census.

GRANTS UPDATE: Supervisor Sykes reviewed the list of projects we've been working on at Town Hall.

CALLICOON BUSINESS ASSOCIATION: No report.

UDC REPRESENTATIVE: Harold Roeder reviewed the reservoir levels; Cannonsville is at 88% capacity, together, the three reservoirs have storage of 242 billion gallons. Mr. Roeder spoke of the raft trip coming up in August, this is the UDC's 30th year. Bill Rudge sent an email

about the Governor announcing funding for water infrastructure projects; information was provided to the Clerk.

SUPERVISOR'S REPORT: Supervisor Sykes reported that we're on target for the water; we're on target for the salt shed. He thinks we can get rid of most of the gravel and what we can't get rid of we'll stockpile.

OLD BUSINESS: None.

COUNCIL COMMENT: Councilman John Gain addressed the Board. Last month there was mention of the fact that he didn't have a problem with the proposed map that Mike Puerschner had. He did say he didn't have a problem with it, but he was pointing to a particular area on the map. He doesn't want it construed as his support for the project, he was there for his own edification and he fully recognizes the fact that the Planning Board makes the decision. He in no way expected that statement to be made at the meeting last month and he didn't want anyone to think he was putting pressure on the Planning Board to approve the Puerschner project.

NEW BUSINESS:

a. RESOLUTION #64-2018 – BID AWARD – FUEL OIL:
RESOLVED, that the fuel bid be awarded to the low bidder, Town & Country Energy Corp., 439 Rutledgedale Road, Equinunk, PA 18417 at \$2.3735/gallon. Motion by Councilman Gain, seconded by Councilwoman Herbert and carried unanimously.

RESOLUTION #65- 2018 – BID AWARD – DIESEL FUEL:
RESOLVED, that the diesel fuel bid be awarded to the low bidder, Resnick Energy, PO Box 469, Mountindale, NY 12763. at \$2.3758/gallon. Motion by Councilman Steppich, seconded by Councilman Hermann and carried unanimously.

b. Heather Jacksy from County Planning and Environmental Management explained about the Callicoon campground property as it relates to CFA grant applications. Both the County and the Town will have to put in separate applications (the work will be done at the county level) as the Trust for Public Land can't apply for funding through the Water Quality Improvement Program.

Supervisor Sykes reviewed the history of the project. He feels it's a great project for the town, and the County has agreed it's going to be part of their park system. The DEC is interested in a better river access. The Supervisor feels it's an economic project that's good for us because we can put a sewer plant on the spot as well. It's a win-win for everybody.

RESOLUTION #66-2018 - TO AUTHORIZE PREPARATION AND ADMINISTRATION OF A STATE CONSOLIDATED FUNDING APPLICATION GRANT TO PURCHASE A PARCEL FOR USE A WASTEWATER TREATMENT PLANT FOR THE HAMLET OF CALLICOON LOCATED IN THE TOWN OF DELAWARE, NY:

Moved by: Councilman John Gain
Seconded: Councilman Alfred Steppich

WHEREAS, the New York State Department of State (NYS DOS) administers funding to advance preparation, refinement or implementation of Local Waterfront Revitalization Programs (LWRP), made available to local governments under Title 11 of the New York State Environmental Protection Fund Local Waterfront Revitalization Program; and

WHEREAS, the LWRP encourages municipalities to plan for the future of their waterfronts and undertake improvement projects to implement their plans; and

WHEREAS, the Upper Delaware River is an Approved Inland Waterway under the LWRP and the NYS DOS Division of Coastal Resources; and

WHEREAS, the NYS Department of Environmental Conservation has an interest in relocating their fishing access near Callicoon; and

WHEREAS, the Town of Delaware is in need of relocating the wastewater treatment plant (WWTP) serving the hamlet of Callicoon and received a 2017 CFA grant from NYSEFC through their Engineering Planning Grant Program to prepare a Preliminary Engineering Report for the WWTP relocation; and

WHEREAS, a community visioning process conducted in 2017 for the hamlet of Callicoon resulted in community objectives to increase opportunities for passive enjoyment of the river and to provide area walking trails; and

WHEREAS, a 48-acre waterfront parcel suited to meet the needs of a new wastewater treatment plant location, a relocated river access area, and a County park with walking trails and passive enjoyment of the river will be optioned by the Trust for Public Land (TPL) for such a project, based on project planning with State, County, and Town entities having specific interests in the property; and

WHEREAS, public acquisition of the property would also contribute to the protection of the Callicoon water supply, which has a wellhead on an adjacent parcel; and

WHEREAS, TPL would facilitate the sale and apportionment of the property to Sullivan County, the Town of Delaware and NYS Department of Environmental Conservation separately and respectively for the purposes stated above; and

WHEREAS, the 2018 round of the NYS Consolidated Funding Application (CFA) program offers several potential sources of project funding including the Department of State's Local Waterfront Revitalization Program (LWRP), the Office of Parks, Recreation and Historic Preservation's Environmental Protection Fund Grants Program for Parks, Preservation and Heritage (EPF); and the New York State Department of Environmental Conservation (DEC) – Water Quality Improvement Project Program (WQIP) and;

WHEREAS, the above mentioned programs would potentially fund between 40% and 90% of eligible project costs; and

WHEREAS, the project partners have been collaborating on project planning and budgeting; and

NOW, THEREFORE BE IT RESOLVED, the Town Board hereby authorizes the Town Supervisor, and/or their authorized representative (*as required by the funding source(s)*) to execute any and all necessary documents to submit a CFA application seeking funding from WQIP for the acquisition of property in the hamlet of Callicoon from TPL for siting a new wastewater treatment facility; and

BE IT FURTHER RESOLVED, that should the funding be terminated, the Town shall not be obligated to continue any action undertaken or contemplated to be undertaken for the use of this funding.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, resulting as follows:

Supervisor Edward T. Sykes voting aye;
Councilwoman Cindy Herbert voting aye;
Councilman Christopher Hermann voting aye;
Councilman Alfred Steppich voting aye;
Councilman John Gain voting aye.

The resolution was thereupon declared duly adopted, AYES-5, NAYS-0.

PUBLIC COMMENT: Jerry and Dylan Smith addressed the Board about cable and the lack of high speed internet on Schwartz Road. Jerry Smith would like to know what's being done about it. Dylan Smith mentioned that the July 10 issue of the Democrat cited a NY government website and provided statistics: Sullivan County was allotted \$617,000, of which Delaware

received \$1,500 (5 locations were provided broadband service) as opposed to other towns - Fremont \$13,000 (257 locations); Cohecton \$35,000 (223 locations). The Supervisor explained about the cable construction fund which will be used to expand the cable lines. The Smiths were referred to Aileen Gunther's office for additional information.

COUNCIL COMMENT: Councilman Steppich wanted to compliment the Highway Department; he's noticed that the roadways are trimmed back; they've been mowing and the roads look nice.

RESOLUTION #67-2018 - PAYMENT OF BILLS: On motion of Councilman John Gain, seconded by Councilman Chris Hermann, it was resolved that the bills be paid on Abstract #7-2018 in the following amounts:

Callicoon Light	Voucher #7	\$ 759.99
General Fund	Voucher #249-	106,440.28
Highway Fund	Voucher #152-	262,534.97
Kohlertown Light	Voucher #7	206.66
Sewer #2	Voucher #86-100	25,860.42

Resolution was thereupon APPROVED: AYES-5, NAYS-0.

ADJOURNMENT: With no further business, on motion of Councilwoman Herbert, seconded by Councilman Hermann, the meeting adjourned at 8.00 p.m.

Respectfully submitted,

Tess McBeath, RMC
Town Clerk