

**Town of Delaware Town Board
Regular Board Meeting
October 10, 2018**

Members Present:

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

Members Absent:

Cindy Herbert, Councilwoman

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

Supervisor Sykes opened the regular meeting at 7:00 p.m.

GUEST TO THE BOARD: None.

RESOLUTION #87-2018 - ACCEPTANCE OF MINUTES: Minutes of the Regular Meeting on September 12, 2018, the Budget Workshop September 26, 2018, and the Budget Workshop held October 4, 2018 were approved on motion of Councilman Gain, seconded by Councilman Steppich and carried unanimously.

BUILDING INSPECTOR/CEO: Jim McElroy reported that (1) the building season has been difficult because of the rain. (2) The solar farm on Hospital Road is being constructed. (3) The permit for the cidery is moving along, and there are four new houses under construction. (4) Jim Wilson is working to move the Brewery over to the Olympia Hotel. He's not planning on brewing in the Olympia at this time. (5) Mr. McElroy has met with the owners of the old firehouse and their architects about the proposed distillery. (6) Mr. McElroy also met with Buck Moorhead from the CBA at the train station to go through some of their thoughts. The only resistance he has is that their plan calls for no parking whatsoever. We have a parking problem in Callicoon so that's simply not acceptable.

Supervisor Sykes mentioned that the folks that own the old firehouse have a laboratory and a label for their distillery. Councilman Steppich asked about the guy who owns the Apple Barn; Mr. McElroy said he has some issues to go through with him; i.e., no fire inspections, limited egress, etc. Apparently they opened as some sort of rental hall, which might be a special use and may need Planning Board approval.

Councilman Steppich asked about old boarding house in Kenoza Lake. Mr. McElroy said Sims Foster is building a cabana bar and also wants to do a prototype of one of the cabins. The hotel is finalized at 17 rooms. The 4th floor is a penthouse suite for \$1,400 night. After reaching an agreement with the homeowners association, Mr. Foster intends to have six rowboats by the lake for rent, and has bought the house at the end of the lake (which has lake rights).

TOWN CLERK: (1) September receipts totaled \$12,315 with \$12,226.50 turned over to the Supervisor. Of that, \$11,779 was building fees. (2) The grant agreement with the NYS Dormitory Authority for the \$100,000 salt shed grant was completed, signed and mailed on September 18. (3) Our Dept. of State liaison for the railroad grant said the payment request is currently being reviewed and she'll keep us posted.

Councilman Steppich asked about Tom Shepstone's bills and the back billing; whether we have a process in place. Supervisor Sykes responded that the bookkeeping department will be doing the billing on a timely basis.

ASSESSOR: Supervisor Sykes asked about the tax certiorari's. Attorney Klein said we're waiting for a decision from the Court on the two in Kenoza Lake, and he believes they're in the process of doing some valuation with the Villa Roma.

HIGHWAY SUPT.: Supervisor Sykes and Councilman Steppich met with the Supt of Highways earlier today. Mr. Eschenberg showed them some vehicles, there are some trucks with some serious rust and repair issues. Supervisor Sykes said they're working on a plan.

GRANTS UPDATE: Supervisor Sykes reported we do have some grants that we're working on and the Clerk keeps it all straight for him.

CALLICOON BUSINESS ASSOCIATION: Supervisor Sykes reported that they had a good turnout for the Art Walk this past weekend. There's a piece of art on display in the Callicoon Creek park which he encouraged people to view.

UDC REPRESENTATIVE: Harold Roeder (1) reviewed the reservoir levels; on October 9 Cannonsville was at 95.5% capacity; total storage in all three reservoirs is at 98.6%. This is 88 billion gallons above the daily storage median, and 70 billion gallons above this time last year. Supervisor Sykes stated that he lives on the river and only in the beginning of August has he been able to use the river. Since then it's been too high and muddy.

Mr. Roeder spoke of a ray of hope regarding problems with the UDC and the NPS. They're getting the top Northeast Region official to sit down and talk on October 18; they're hoping it's positive.

Supervisor Sykes received a letter from Kristine Heister a few weeks ago asking for a meeting with supervisors of the river towns. She asked that the meeting not to be an advertised public meeting but the Supervisor said that would be an illegal meeting and we have to follow certain rules in NYS. The Supervisor said he'd try to put together a meeting with the Supervisors and one other representative from the river towns of Cohecton, Tusten, Fremont and Delaware. Councilman Gain would like to attend and Supervisor Sykes asked if Harold could attend also.

SUPERVISOR'S REPORT: Supervisor Sykes said we've had two budget workshops and we'll have a third tomorrow on October 11. The Board has made progress and will meet for another budget workshop October 30th. And hopefully adopt the tentative budget as a preliminary budget. The Board can then schedule a public hearing for 7th or 8th of November.

OLD BUSINESS: None.

NEW BUSINESS:

Supervisor Sykes reported that snow and ice funds from the county were underpaid last year. Now we're going to get an additional payment of \$397.06/mile to correct the 2017-18 snow and ice allocation.

RESOLUTION #88-2018 – SNOW AND ICE CONTRACT WITH SULLIVAN COUNTY:

The following resolution was moved by Councilman John Gain, seconded by Councilman Al Steppich and adopted:

RESOLVED, that pursuant to Highway Law §135-a providing for snow and ice control on County Roads with the Town, the Supervisor be and he is directed to execute a contract with the County of Sullivan for the Town to undertake and perform snow and ice control on County roads located in the Town for the period beginning July 1, 2018 and ending June 30, 2021 and any extensions thereof duly authorized as provided in such contract at the rates therein provided or hereafter approved.

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

Supervisor Edward Sykes voting aye;
Councilman John Gain voting aye;
Councilman Alfred Steppich voting aye; and
Councilman Christopher Hermann voting aye.

The resolution was thereupon declared duly adopted; AYES-4, NAYS-0. (Councilwoman Cindy Herbert absent.)

Sewer Rents for 2019. Supervisor Sykes reviewed the law and the rate schedule. He spoke of the repair issues they've had with the sewer plant, and the need for a new electrical service. Councilman Steppich spoke of the long wait to get electrical service from NYSEG; they're so backed up.

RESOLUTION #89-2018 - INTRODUCTION OF LOCAL LAW #4-2018: FIXING SEWER RENTS FOR 2019: The following resolution was introduced by Councilperson Gain, who moved its adoption, and seconded by Councilperson Hermann to wit:

BE IT RESOLVED, that Introductory Local Law #4 of the year 2018 entitled “A local law fixing sewer rent for the year 2019 in Sewer District No. 1 and Sewer District No. 2 of the Town of Delaware” is hereby introduced before the Town Board of the Town of Delaware, Sullivan County State of New York; and

BE IT FURTHER RESOLVED, that copies of the aforesaid local law be laid upon the desk of each member of the Town Board; and

BE IT FURTHER RESOLVED, that the Town Board hold a public hearing on said local law at the Town of Delaware Municipal Building, 104 Main Street, Hortonville, NY at 7:00 p.m. prevailing time, on November 7, 2018 and

BE IT FURTHER RESOLVED, that the Town Board determines the proposed local law to be a Type II action pursuant to §617.5(C)(20) and (27) of the regulations of the Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, for which no further environmental review is required; and

BE IT FURTHER RESOLVED, that the Town Clerk publish or cause to be published a public notice in the Sullivan County Democrat, of said public hearing at least five (5) days prior thereto.

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

Supervisor Edward Sykes voting aye;
Councilman John Gain voting aye;
Councilman Alfred Steppich voting aye; and
Councilman Christopher Hermann voting aye.

The resolution was thereupon declared duly adopted; AYES-4, NAYS-0. (Councilwoman Cindy Herbert absent.)

Supervisor Sykes reported that the property we've been working on for the sewer plant is still not resolved. The Stockbridge-Munsee Indian tribe has to approve our remediation plan at the old Freda farm. The Supervisor received a copy of an email the Engineer sent to put a fire under them. That's key. If they say no, he doesn't know what we're going to do.

RESOLUTION #90-2018 – BUDGET WORKSHOP: A budget workshop will be held October 30, 2018 at 7:00 p.m. Resolution moved, seconded and adopted.

PUBLIC COMMENT: None.

RESOLUTION #91-2018 - PAYMENT OF BILLS: On motion of Councilman Steppich, seconded by Councilman Gain, it was resolved that the bills be paid on Abstract #10-2018 in the following amounts:

Callicoon Light	Voucher #10	\$ 843.09
General Fund	Voucher #324-364	47,293.93
Highway Fund	Voucher #194-220	65,294.19
Kohlertown Light	Voucher #10	221.21
Sewer #2	Voucher #133-145	11,431.71

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

ADJOURNMENT: With no further business, on motion of Councilman Steppich, seconded by Councilman Hermann, the meeting adjourned at 7:50 p.m.

Respectfully submitted,

Tess McBeath, RMC
Town Clerk