

**ˆTown of Delaware Town Board
REGULAR BOARD MEETING
April 9, 2025 – 6:00 p.m.**

A regular meeting of the Town Board of the Town of Delaware, Sullivan County, New York, was held at the Town Hall, in Hortonville, New York, in said Town, on the 9th day of April, 2025 at 6:00 o'clock p.m., prevailing time.

The meeting was called to order by Supervisor DuBois, and there were

PRESENT: Scott M. DuBois, Supervisor
Alfred Steppich, Councilperson
Christopher Hermann, Councilperson
Ian Blumenthal, Councilperson
ABSENT: Cindy Herbert, Councilperson

Present were: Tess McBeath, Town Clerk; Kristofer Scullion, Building Inspector/Code Enforcement Officer; Kenneth C. Klein, Esq.; Town Attorney; William Brown, P.E., Delaware Engineering

Councilperson Steppich led the pledge to the flag; Supervisor DuBois welcomed everyone to the Board meeting.

PUBLIC HEARING: At 5:55 p.m. the Public Hearing on Local Law #1-2025: Amending §89-7 of Chapter 89 of the Code of the Town of Delaware (False Alarm Law) commenced on motion of Councilperson Steppich, seconded by Councilperson Blumenthal and carried. Supervisor DuBois gave some background on the law; i.e., the Town wishes to share the revenue from the false alarm fees with the local fire districts. Motion to close the Public Hearing by Councilperson Hermann, seconded by Councilperson Steppich and carried.

RESOLUTION - ACCEPTANCE OF MINUTES: Minutes of the March 12, 2025 meeting were approved on motion of Councilperson Hermann, seconded by Councilperson Steppich, and carried unanimously, AYES-4, NAYS-0 (Councilperson Herbert absent.)

HIGHWAY SUPERINTENDENT: Supervisor DuBois reported that he spoke with Mr. Eschenberg, he has a couple of people leaving. They're doing winter clean up, going over the trucks; getting ready for paving. We'll probably do some type of surplus auction this Spring. We still have probably a half years' wait for the new truck; hopefully we don't get tagged with any tariffs.

BUILDING INSPECTOR/CEO: Mr. Scullion reported a couple of new houses, finished one in Kenoza Lake Estates , started another one by the stone arch. There's a lot going on. There's a Planning Board meeting next Wednesday, Bnos Rochel will be in for their conditional use. He gave the attorney a list of everything to bring to the meeting. Mr. Scullion had some complaints about some of the workers, he had to deal with that. They're doing renovations and some interior work; holding off on the new buildings. Mr. Scullion finished his training last month so he's good for the year. Waiting on new code books which he expects to come out next year. The biggest changes are in the energy code – stricter energy codes are coming.

TOWN CLERK: (1) March receipts totaled \$5,201 with \$5,193 turned over to the Supervisor. Of that, \$4,965 was Building fees. Property tax collections total \$5,415,254.48 to date, which is 89.41% of the warrant. (2) Litterpluck is postponed to Saturday the 19th. Five families have volunteered, altogether we have 53 volunteers from 4H, Girl Scouts and assorted adults. The County's litterpluck program runs through October though, so anyone can participate. Vests, grabbers, trash bags and coupons for free dumping are available at town hall. (3) Both the Clean up and the Shredding event will be held on April 26th, Jeff Bank is sharing the cost of the shred truck. We have 12-15 boxes of obsolete records to shred for the Town. (4), The New York Association of Local Government Records Officers (NYALGRO) is holding their annual conference at the Villa Roma this year. Authorization for both Clerk and Deputy to attend was requested. *Permission granted.*

UDC REPORT: Harold Roeder's report was provided to the Board. A hydrologic report was also sent along. The Neversink is a 86.3% storage, Pepacton 87.4% and Cannonsville 92.5%.

ENGINEER'S REPORT: Bill Brown provided an update: The contractors are re-mobilizing this month after winter shutdown. Once the asphalt plants open up they'll start on water line installation. Water main installation is set to resume on 17B, along with Upper Main Street. Well house to be constructed, new water tank on Del Vue Road to be installed, well pumps will be installed as well as the remaining 15 meters.

New electric service is required for the new well house; NYSEGs fee is \$7,161.91. They are also requiring the contractor set a new utility pole and associated hardware to accommodate the new service. This requires that the Town approve Change Order #1 to Contract TD2-E24 with Vacri Construction in amount of \$5,980 to set the utility pole. New contract price to be \$243,980. Mr. Brown stated that the work will progress throughout spring, tentative completion early July. Once everything's up and running we'll monitor the usage until we get a baseline for how much water people are using.

RESOLUTION: AUTHORIZATION TO APPROVE CHANGE ORDER:

Moved by: Councilperson Steppich

Seconded: Councilperson Hermann

RESOLVED, that Change Order #1 to Contract TD2-E24 with Vacri Construction is approved in amount of \$5,980 to set the utility pole. New contract price to be \$243,980. Motion carried, AYES-4, NAYS-0 (Councilperson Herbert absent).

Mr. Brown provided information on the Delaware Youth Center athletic court upgrades: The Delaware Youth Center received a \$100k Community Impact grant to go towards upgrades of the basketball/tennis courts, which will be extended to include pickleball courts. The grant requires Town administer the project. Bids were advertised for the project, three bids received on April 3 and were reviewed by Delaware Engineering. Mr. Brown recommends the Town award the contract for Delaware Youth Center Pickleball Court Renovations to Northeast Paving & Sealcoat of Ellenville, NY, the low bidder, in amount of \$114,046.00. He further recommends the Town Board authorize Supervisor to sign award documents. Work to be performed this spring

SUPERVISOR'S REPORT: Supervisor DuBois stopped by the auditor's office to go over the preliminary report. He reviewed their report and will summarize it for the Board. The Supervisor stated that Clean up day is on the 26th. He wanted to remind everyone about the burn ban; it's pretty dry out there. Unless they extend it, the burn ban runs through May 15.

PUBLIC COMMENT: Linda Bashoor lives on border of Cochedcton and Kenoza Lake. She and people she’s spoken to are alarmed and surprised by their NYSEG bills after the new meters were installed. People on fixed incomes are getting hurt. Her concern is the high costs, and she’s spoken to Legislator Cat Scott.

Supervisor DuBois thanked her for her comments. He explained that NYSEG is privately owned and suggested she speak to Legislator Matt McPhillips, who also works at NYSEG. He’s got a lot of knowledge on this and is a great resource.

Supervisor DuBois recognized our Legislator Catherine Scott; he appreciates her attending our meeting. Ms. Scott stated that anytime anyone has a question on their NYSEG bill, she has a strong grasp on how all this works. Any questions about the county and the state, please call - she’s happy to advocate for them as best she can. She mentioned that Paula Kay had a meeting at the government center with NYSEG representatives to answer questions from the public.

Linda Bashoor spoke of an organization called NYSERDA. This is the program that helps low income individuals weatherize their home and appliances. She was just approved; it’s a free program. Ms. Bashoor said the name is the Empower program, and NYSERDA manages it. They assign a certified contractor to do an assessment of your entire hone.

COUNCIL COMMENT: None.

OLD BUSINESS:

RESOLUTION: ADOPTION OF LOCAL LAW #1-2025: AMENDING §89-7 OF CHAPTER 89 OF THE CODE OF THE TOWN OF DELAWARE:

Moved by: Councilperson Steppich

Seconded: Councilperson Hermann

SECTION I

Amendment of §89-7 of Chapter 89 of the Code of the Town of Delaware

1. Subdivision (1) of subsection A of §89-7 of Chapter 89 of the Code of the Town of Delaware is hereby amended to read as follows:

“(1) Fine schedule:

False Alarm	Fine
First false alarm	\$0
Second false alarm and third false alarms	\$250
Fourth false alarm	\$500
Fifth false alarm	\$1,000
Sixth or more false alarms	\$2,000”

2. A new subsection D is hereby added to §89-7 of Chapter 89 of the Code of the Town of Delaware to read as follows:

“D. Distribution of fines collected. All fines collected pursuant to this section, following receipt thereof by the Town Supervisor, shall be distributed such that the Town shall receive fifty percent (50%) thereof and the Fire District whose fire company responded to the subject false alarm shall receive fifty percent (50%) thereof.”

SECTION II

If any clause, sentence, phrase, paragraph or any part of this local law shall for any reason be adjusted finally by a Court of competent jurisdiction to be invalid, such judgment shall not effect, impair or invalidate the remainder of this local law, but shall be confined in its operation and effect to the clause, sentence, phrase, paragraph or any part thereof, directly involved in the controversy or action in which such judgment shall have been rendered. It is hereby stated to be the legislative intent that the remainder of this local law would have been adopted had any such provisions not been included.

SECTION III

This local law shall take effect immediately upon filing in the office of the Secretary of State.

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

Supervisor Scott M. DuBois voting aye,
Councilperson Christopher Hermann voting aye,
Councilperson Cindy Herbert voting aye,
Councilperson Alfred Steppich voting aye; and
Councilperson Ian Blumenthal voting aye

The resolution was thereupon declared duly adopted.

RESOLUTION: BID AWARD – DELAWARE YOUTH CENTER ATHLETIC COURTS: On April 3, 2025 the bid opening commenced, with three bids received:

Northeast Paving and Sealcoat PO Box 667 Ellenville, NY 12728	\$114,046
Superior Surfacing Systems Ltd PO Box 4299 Middletown, NY 10941	\$183,600
Poley Paving and Construction Corp PO Box 916 Liberty, NY 12754	\$150,498

On motion of Councilperson Steppich, seconded by Councilperson Hermann, the bid is hereby awarded to the lowest bidder, Northeast Paving and Sealcoat, at a cost of \$114,046. Supervisor DuBois is authorized to sign the Notice of Award, Notice to Proceed, and Agreement for the Project. Resolution carried unanimously, AYES-4, NAYS-0 (Councilperson Herbert absent.)

Alexander Gardner, President of the Delaware Youth Center reported that the project is being funded through the Sullivan 180 Community Impact Grant and any overages will be funded by the DYC. Mr. Gardner mentioned that he's very pleased and stated the Youth Center has the money in the bank to cover the other costs.

RESOLUTION – AWARD CLEAN-UP HAULER: Three requests for quotes were sent out, only one responded. Thompson Sanitation quoted \$375 per roll-off. Proposal accepted on motion of Councilperson Hermann, seconded by Councilperson Steppich and carried.

RESOLUTION – AWARD HAMLET OF CALLICOON TRASH REMOVAL SERVICES: Three requests for quotes were sent out, only one responded. Thompson Sanitation quoted \$3,260.. Proposal accepted on motion of Councilperson Blumenthal seconded by Councilperson Hermann and carried unanimously.

RESOLUTION – AUDIT OF JUSTICE COURT RECORDS:

Moved by: Councilperson Christopher Hermann

Seconded by: Councilperson Alfred Steppich

RESOLVED, that the Delaware Town Board hereby acknowledges that an audit of the Justice Court records was conducted for fiscal year 2024 and that a copy of such audit be transmitted to the NYS Unified Court System. Resolution carried: AYES-5, NAYS-0, ABSENT-1 (Councilperson Herbert absent).

RESOLUTION: AUTHORIZING THE DISPOSITION OF CERTAIN OBSOLETE RECORDS:

Moved by: Councilperson Steppich

Seconded: Councilperson Hermann

WHEREAS, The State of New York Education Department Records Retention and Disposition Schedule MU-1 provides the retention schedule for various records, and allows for the legal disposition of official records;

WHEREAS, the Records Management Officer (Town Clerk) has reviewed and inventoried the records held in the Town's records storage areas;

WHEREAS, according to the New York State Archives Records Retention Disposition Schedule MU-1, the Records Management Officer has marked obsolete records for disposal;

NOW, THEREFORE BE IT RESOLVED that the Records Management Officer (Town Clerk) is hereby authorized to destroy those records marked for disposal. Resolution carried, AYES-5, NAYS-0. (Councilperson Herbert absent).

RESOLUTION: PAYMENT OF BILLS: April 2025 bills/vouchers were reviewed and approved for payment on motion of Councilperson Steppich, seconded by Councilperson Hermann and carried unanimously:

Callicoon Light	\$ 738.86
Callicoon Sewer	12,269.88
Capital	9,576.70
General Fund	61,397.49
Highway Dept.	55,435.42

Kohlertown Light	162.00
Water District	8,558.37

ADJOURNMENT: With no further business, on motion of Councilperson Blumenthal, seconded by Councilperson Hermann and carried unanimously, the meeting adjourned at 6:32 p.m. Resolution carried.

Respectfully submitted,

Tess McBeath, RMC
Town Clerk