

**Town of Delaware Town Board**  
**REGULAR BOARD MEETING**  
**August 13, 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 13<sup>th</sup> day of August, 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  
Cindy Herbert, Councilperson  
Alfred Steppich, Councilperson  
Christopher Hermann, Councilperson  
Ian Blumenthal, Councilperson

Present were: Catherine Scott, Sullivan County District 5 Legislator, Tess McBeath, Town Clerk; Kristofer Scullion, Building Inspector/Code Enforcement Officer; Kenneth C. Klein, Esq.; Town Attorney; William Brown, P.E., Delaware Engineering; Warren Blumenthal, Planning Board Chairman

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

**RETIREMENT RECOGNITION:** Supervisor Scott DuBois recognized Hon. Eric J. Nystrom for his 19 years of service to the Town of Delaware. Justice Nystrom served as Assessor (1992-1993), Town Supervisor (1994-1996) and as Town Justice (2009-2025).

Supervisor DuBois also honored Highway Dept. Foreman William J. Maxwell's retirement with a certificate recognizing his 35 years of service to the Town Highway Dept.

**GUEST TO THE BOARD:** Councilperson Blumenthal introduced Michael Sweeton, formerly Warwick Town Supervisor and now a community liaison with the Orange County Land Trust. He spoke to the Board about what can be done through our township and the state re: farmland preservation.

Mr. Sweeton stated that Sullivan County realizes they have to do something to recognize that farming is a continuing option for people in the county. The land trust is working with municipalities to determine what they want their community to look like in the next 20-30 years. Warwick's conservation preservation program is paid for through a real estate transfer tax. He spoke of a Hudson Valley Community Preservation Act; they're talking with the legislature about including Sullivan County in it. They're trying to encourage any farmer that's interested to go to Cornell Cooperative Extension website, there's a three page pre-application form. You can still own the land, can leave it to your kids, just can't build residential housing on it. You could exclude portions of the farm. If you know landowners who may be interested, have them check out the website. Farmland Preservation program applications are due by 8/22. A certified appraisal is done and the land trust would hold the land, the landowner still owns the land. The easements allow the farmer to farm.

Councilperson Blumenthal asked Mr. Sweeton to describe the cluster subdivision. It would give the developer a bonus to put them on the smallest lots and avoid things like prime soils, water features like streams, and that's how you lay out the subdivision. The remainder of the subdivision would be

clustered and preserved on an average of 60% of the site. That 60% gets some sort of restriction on it, it can't be built on. It's not about no development, it's a way to preserve land that could then be farmed. A farmer could hay the land. In Warwick they upzoned from two acres to four acres. Gave them a bonus of three acres to use if they clustered.

Attorney Ken Klein stated that our zoning does provide for cluster development and it's at 50%. We have overlay zones; it's an extra layer in the planning process. Mr. Sweeton stressed that it doesn't commit the County or the Town to anything. As far as the transfer tax, the amount is set over the median sale price. The Town sets the amount, although it can be up to 2%, most towns go with 1% or 1.5%.

**RESOLUTION - ACCEPTANCE OF MINUTES:** Minutes of the July 9, 2025 meeting were approved on motion of Councilperson Hermann, seconded by Councilperson Herbert, and carried unanimously, AYES-5, NAYS-0

**HIGHWAY SUPERINTENDENT:** Supervisor DuBois reported that it's business as usual.

**BUILDING INSPECTOR/CEO:** Mr. Scullion reported that he's getting some more new home applications. Has a couple more planning, a couple of tear downs on River Road. They've been working up at Bnos Rochel, he's trying to get a fence between their property line and the property that has a conservation easement on it. He met with both land owners and we'll hopefully put the fence close to the property line. No false alarms that he's aware of. There are a couple of things before the Planning Board next week.

**TOWN CLERK:** (1) July receipts totaled \$1,740. with \$1,733 turned over to the Supervisor. Of that, \$1,538 was Building fees. (2) We completed the Silver Feather grant; the full \$75,000 was used toward the Callicoon train Depot reconstruction; it took 6 years but it's finally all done. (3) Assessor Debbie Shea and her Clerk Skylar Vairo are asking your permission to attend the NYS Assessor's Assn seminar on Assessment Administration. The money is in her budget and they'll share a room. Debbie's costs are shared with Town of Fremont. *Permission granted.*

**UDC REPORT:** Harold Roeder's report was provided to the Board. He thanked us for supporting the UDC's need for financial assistance. He hopes for success. There is a proposal for a UDC Board Member Code of Conduct Policy, which will require a change to the bylaws. They approved a revision to the UDC Employee Compensation Plan. A hydrologic report was provided.

**ENGINEER'S REPORT:** Bill Brown provided an update: They're working through construction. All of the water mains are installed, the last one was the railroad crossing. They have some restoration to do. All of the customers have been contacted about the water meters, we have four left to install. It's a drive-by meter system, which will download all the data from meters to Katey's computer.

Regarding the well house behind the DYC, the building is up, they had an electrical inspection yesterday, they're ready to turn the power on and start things up. The last big thing is the water tank on DelVue; they're going to start on that on Monday. Foundation will go in, stainless steel tank going up. Should take about two weeks to go up.

The last part will be putting the new wells online. The Dept of Health is requiring a pitless unit, a more elaborate component than the pitless adapter we asked for. There's an upcharge for that and Mr. Brown requested a change order for Frey Well Drilling – increase the contract amount by \$83,252.13. He mentioned that we have approx. \$60,000 available from when we bought the water company earmarked

for the DelVue tank replacement.

**RESOLUTION -MODIFY CONTRACT WITH FREY WELL DRILLING:**

Motion by Councilperson Steppich

Second by Councilperson Herbert

RESOLVED, that Delaware Engineering is authorized to modify the contract with Frey Well Drilling with a \$83,252.13 change order. Motion carried unanimously.

The DEC is updating the SPEDES permit for the wastewater plant. It had to be advertised for so many days; now the permit is in the process of being finalized. No big changes, there are some additional things they want to be monitored, certainly George is aware of them. We'll need to update the sewer law to incorporate verbage that when anybody new connects to the system DEC has to be notified. Don't want overdevelopment and then don't have enough capacity for the sewer. Going to push back a little bit because we'll be updating our water code from going from unit cost to a usage cost. Mr. Brown would like to make the changes to water and sewer at the same time.

**SUPERVISOR'S REPORT:** Supervisor DuBois stated that it's budget season so we have to start crunching some numbers. We'll have some new personnel coming up next year. New Town Clerk, new Highway Supt, going to one judge.

**PUBLIC COMMENT:** Legislator Cat Scott said she was glad to see Michael Sweeton's presentation again. The farmland preservation program is just allowing the towns to bring it to their voters. She suggested we look at our zoning law.

Supervisor DuBois mentioned that the millenium pipeline is challenging their assessment. It will affect all the towns, the school and the county. Unfortunately, with the Villa Roma we absorbed all the legal costs. This time we're talking hundreds of millions of dollars in assessed value. He plans to reach out to other supervisors where the pipeline goes through. He wants the legislature and school district to pool our resources this time and represent all of us. Let's fight big corporate with big dollars – with everybody kicking in it shows we have a much bigger pot. It affects the river towns from Fremont down to Forestburgh and they're going to come after all of us. Last year the IDA exemption came off, Millennium didn't realize it until they got their tax bills. Wanted to alert Ms. Scott and remind here that there's a compressor station in Highland. Asked her to mention the Article 7 to the other legislators.

Supervisor DuBois asked Brian Scardefield (Director of Sullivan County Parks and Recreation) what's going on with the new park. Mr. Scardefield informed the Board that they're doing the SEQRA process and they'll be sending out lead agency letters. They're looking to put in 34-36 parking spots and have two parking areas. They're taking down the pavilion and rest rooms and working on a trail down to the river. Phase 2 will have trails down through the penninsula areas. The DEC will have a new boat launch.

Councilman Steppich asked for confirmation that the school never chipped in for litigation. Supervisor DuBois stated that both the school and the county did not.

**COUNCIL COMMENT:** None.

**OLD BUSINESS:** None.

**NEW BUSINESS:**

**RESOLUTION – RE-APPOINT JOANNE ROSENBERGER TO BOARD OF ASSESSMENT REVIEW:**

Moved by: Councilperson Alfred Steppich  
Seconded: Councilperson Christopher Hermann

RESOLVED, that Joanne Rosenberger be reappointed to the Board of Assessment Review for a term ending 9/30/2030 and that Mrs. Rosenberger continue as Chair. Motion carried, AYES-5, NAYS-0.

**RESOLUTION - AUTHORIZATION TO APPLY FOR GRANTS:**

Moved by: Councilperson Blumenthal  
Seconded: Councilperson Herbert

RESOLVED, that grant applications to Sullivan 180 and the Upper Delaware Council be submitted for a crosswalk study by Creighton Manning for the hamlet of Callicoon at a cost of \$9,000. Resolution carried unanimously.

**RESOLUTION - SET DATE FOR TOWN CLEAN-UP:** On motion of Councilperson Hermann, seconded by Councilperson Steppich it was resolved that the Town Clean-up will be held one-day only on Saturday, September 13, 2025 from 9-4. Scrap metal will be collected by Metal Giant. Resolution carried unanimously.

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

Callicoon Light	\$ 1,468.06
Callicoon Sewer	13,681.67
Capital	362,871.99
General Fund	44,884.80
Highway Dept.	73,983.74
Kohlertown Light	344.81
Water District	7,105.71

**ADJOURNMENT:** With no further business, on motion of Councilperson Blumenthal, seconded by Councilperson Herbert and carried unanimously, the meeting adjourned at 6:55 p.m. Resolution carried.

Respectfully submitted,

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Tess McBeath, RMC  
Town Clerk