

Town of Delaware Town Board
BUDGET WORKSHOP
October 8, 2025 – 5:00 p.m.

The budget workshop 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: Tess McBeath, Town Clerk; Leila McCullough, Deputy Town Clerk

At 5:00 p.m. the Budget Workshop was opened on motion of Councilperson Herbert, seconded by Councilperson Steppich and carried.

Supervisor DuBois reviewed the tentative budget and proposed salaries. He mentioned that we're coming in with a flat budget, it came in at -.1% as proposed. The Supervisor is being cautious as he is concerned about the pipeline and the Villa Roma. He explained about the PILOT agreements and how they work.

The budget workshop was closed at 5:55 p.m. on motion of Councilperson Steppich, seconded by Councilperson Hermann and carried.

PUBLIC HEARING: At 6:00 p.m. the Public Hearing on Local Law #2-2025, to override the tax levy limit established by GML §3-c was opened on motion of Councilperson Hermann, seconded by Councilperson Steppich. Supervisor DuBois explained that this law says that towns could no longer increase their taxes past 2% or the CPI. The reason why we put this law forth is in case there's any calculation with the districts or the town that goes over the 2%. If you go over there's a severe penalty by NYS. We pass this just in case - it doesn't mean we go over it but we can. There being no public comment, the public hearing was closed on motion of Councilperson Hermann, seconded by Councilperson Blumenthal and carried.

REGULAR BOARD MEETING
October 8, 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 8th day of October, 2025 at 6:00 o'clock p.m., prevailing time.

Also present were: Kristofer Scullion, Building Inspector/Code Enforcement Officer; William Brown, P.E., Delaware Engineering

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

RETIREMENT RECOGNITION: William E. Eschenberg, Highway Superintendent retires October 10, 2025. Supervisor DuBois said when it's time to recognize someone's retirement he's happy for that person. He sees life in thirds – the first third you're a child going to school and college, then career and work and then the third one is retirement. He wanted to personally thank Bill Eschenberg who served as the Highway Superintendent for 26 years. The Supervisor mentioned that we've always gotten compliments on the roads, he's done a great job and he wishes Mr. Eschenberg the best of luck. He hopes he has great enjoyment in his final third.

GUEST TO THE BOARD:

RESOLUTION - ACCEPTANCE OF MINUTES: Minutes of the September 10, 2025 meeting were approved on motion of Councilperson Herbert, seconded by Councilperson Steppich, and carried unanimously, AYES-5, NAYS-0

HIGHWAY SUPERINTENDENT: Supervisor DuBois reported that he met with Bill last week personally thanked him for all his work and wished him well. Fall has been good weatherwise, we haven't had much rain.

BUILDING INSPECTOR/CEO: Mr. Scullion reported we got our new set of 2025 code books. He's finishing up a couple of houses, he did the final inspections last month. We have a couple that are going to start soon. He's up to 85 building permits.

Mr. Scullion said the new code always increases insulation requirements; a new electric law is supposed to take into effect Jan 2026. No gas, no oil for new construction. If you currently have a boiler you can replace that. Mr. Scullion doesn't think it's going to be enforceable. NYSEG can't keep up. NYSEG needs to upgrade, they have too many demands with developments, etc. that they can't keep up with.

TOWN CLERK: (1) September receipts totaled \$2,017 with \$1,848.44 turned over to the Supervisor. Of that, \$1,590 was Building fees. (2) We received a letter on September 18 from the Kenoza Lake Fire Dept. re: replacing the Welsh Road bridge. The letter was provided to you. (3) The Crosswalk study will be done on October 11th, during the Callicoon Artwalk. (4) Town of Bethel sent us a copy of their Local Law #1 regarding a moratorium on high density residential development.

UDC REPORT: Harold Roeder's report was provided to the Board. (1) The DRBC received an application from the Villa Roma Country Club, Docket-2014-020-2, to renew the approval of an existing groundwater and surface water withdrawal to supply domestic, irrigation and/or snow-making water from nine Wells and a couple of Pond Intakes. (2) The UDC has asked our Town to fill out the Project Review Checklist to confirm that no special use permit is needed for a UDC/NPS review regarding the Callicoon Depot.

ENGINEER'S REPORT: Bill Brown provided an update: (1) We're just about at the end, the water tank went up this past month. Doing final testing on that and then we can put that into service. That's the last big thing. All the water mains are in the ground, the building is up, they have to stripe Mill Street, do some painting; the propane tank and generator are in at the wellhouse. Well pumps haven't been installed yet, that will be this month. Now we need NYSEG to turn the power on. The new pole was set, transformers are up. Need meters to be done, that gets done by NYSEG. It's a new service to the well house. They upgraded the electric at the reservoir. It will be a new service at the replacement tank in DelVue. Once power comes on we test all the equipment. Everything's under warranty, there

will be training with Mike Gorr; they'll have everything dialed in to meet his needs.

New permit is in effect for the WWTP. No big changes there, they increased some of the testing that has to be done. They didn't require any more treatment beyond what's being done. Doing some outreach to commercial entities that may have mercury; may have to check in with Job Corps and then we sent them a letter saying we don't have any mercury. That's good for 5 years.

SUPERVISOR'S REPORT: Supervisor DuBois stated thank you to the Board and the public for another successful dump day; seems that it worked out pretty well. He thanked the county for allowing us to have the tonnage.

The Supervisor mentioned that we had a budget workshop earlier; we've had some last-minute assessments that were challenged and we had some other assessments come off. It's always at trick, and we want to show our employees we appreciate the job that they do. It looks like we're flat, he thinks it's a -.01% reduction. The Supervisor thanked the Board for working with him on that. There were the usual increases in insurances and fuel and material. Our Highway BAN payment is going to turn into a Bond. That will impact us next year.

PUBLIC COMMENT:

COUNCIL COMMENT: The Board members thanked Yael Feinerman for breakfast at the clean-up.

OLD BUSINESS:

RESOLUTION– ADOPTION OF LOCAL LAW #2-2025: TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED BY GML§3c:

The following resolution was introduced by Councilperson Herbert, who moved its adoption, and seconded by Councilperson Blumenthal, to wit:

§1. Legislative Intent.

It is the intent of this local law to override the limit on the amount of real property taxes that may be levied by the Town of Delaware, County of Sullivan, pursuant to General Municipal Law §3-c, and to allow the Town of Delaware, County of Sullivan, to adopt a town budget for (a) town purposes, (b) fire protection districts and (c) any other special improvement district governed by the Town Board for the fiscal year 2026 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law §3-c.

§2. Authority.

This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes the Town Board to override the tax levy limit by the adoption of a local law approved by vote of sixty percent (60%) of the Town Board.

§4. Severability.

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 intended to be the legislative intent that the remainder of this local law would have been adopted had any such provisions not been included.

§5. Effective date.

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 Herbert voting aye;
Councilperson Alfred Steppich voting aye;
Councilperson Christopher Hermann voting aye; and
Councilperson Ian Blumenthal voting aye.

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

NEW BUSINESS:

RESOLUTION – ACCEPT TENTATIVE BUDGET AS PRELIMINARY BUDGET:

Moved: Councilperson Hermann

Seconded: Councilperson Blumenthal

RESOLVED, that the 2026 tentative budget be adopted as the preliminary budget and setting the Public Hearing on November 12, 2025 at 5:45 p.m. The budget will decrease by -.01%. Resolution carried AYES-5, NAYS-0

INTRODUCTION OF LOCAL LAW #3-2025: FIXING SEWER RENTS FOR 2026: The following resolution was introduced by Councilperson Hermann, who moved its adoption, and seconded by Councilperson Blumenthal to wit:

BE IT RESOLVED, that Introductory Local Law #3 of the year 2025 entitled “A local law fixing sewer rent for the year 2026 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 5:50 p.m. prevailing time, on November 12, 2025 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 Scott M. DuBois voting aye;
Councilperson Cindy Herbert voting aye;
Councilperson Christopher Hermann voting aye;
Councilperson Alfred Steppich voting aye; and
Councilperson Ian Blumenthal voting aye.

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

INTRODUCTION OF LOCAL LAW #4-2025: FIXING AND DETERMINING RATES FOR THE YEAR 2025 FOR THE HAMLET OF CALLICOON WATER DISTRICT: The following resolution was introduced by Councilperson Steppich, who moved its adoption, and seconded by Councilperson Herbert to wit:

BE IT RESOLVED, that Introductory Local Law #4 of the year 2025 entitled “A local law fixing and determining rates for the year 2026 for the Hamlet of Callicoon Water District in 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 5:55 p.m. prevailing time, on November 12, 2025 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 Scott M. DuBois voting aye;
Councilperson Cindy Herbert voting aye;
Councilperson Christopher Hermann voting aye;
Councilperson Alfred Steppich voting aye; and
Councilperson Ian Blumenthal voting aye.

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

RESOLUTION: WAIVER OF 30-DAY WAIT - BIG SHOT BOWLING LOUNGE:

Moved by: Councilperson Alfred Steppich

Seconded: Councilperson Christopher Hermann

RESOLVED, that the Town of Delaware acknowledges a new liquor license application by Big Shot Bowling Lounge for a Bowling Alley establishment located at 9202 State Route 97, Callicoon, NY. In this instance the Town of Delaware waives its right to the 30-day hold and consents to the processing and issuance of the aforesaid license and does hereby grant the 30-day waiver.

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 Cindy Herbert voting aye;
- Councilperson Christopher Hermann voting aye;
- Councilperson Alfred Steppich voting aye; and
- Councilperson Ian Blumenthal voting aye.

The resolution was thereupon declared duly adopted.

Millennium Pipeline. Supervisor DuBois explained that he sent an email to the town supervisors about a month ago because of the millennium pipeline. They're challenging the assessment. He said it's probably a few hundred million dollars along the whole line; there's also a compressor station in Eldred. Ken Klein spoke to the county, they're in; we're trying to rally the school, towns and county. 25% towns, 25% county, schools are 50%.

RESOLUTION: JOIN IN DEFENSE: On motion of Councilperson Steppich, seconded by Councilperson Blumenthal, the following resolution was offered:

The Supervisor is hereby authorized to enter into an agreement to join in with Sullivan County, affected towns and/or school districts for the defense of the action commenced by Millennium Pipeline regarding their Special Franchise Full Value Assessment. Motion carried, AYES-5, NAYS-0.

RESOLUTION: APPOINTMENT TO FILL A VACANCY:

Moved by: Councilperson Steppich

Seconded: Councilperson Blumenthal

RESOLVED, that effective 12:01 October 11, 2025, Christopher Hermann is here by appointed to fill the position of Highway Superintendent to fill the vacancy left by the retirement of William Eschenberg. Resolution APPROVED: AYES-4, NAYS—0, ABSTENTION-1 (Councilperson Hermann abstaining).

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

Callicoon Light	\$ 686.37
Callicoon Sewer	11,620.10
Capital	52,407.85
General Fund	42,969.12
Highway Dept.	34,859.84

Kohlertown Light	165.37
Water District	5,384.07

ADJOURNMENT: With no further business, on motion of Councilperson Herbert, seconded by Councilperson Hermann and carried unanimously, the meeting adjourned at 6:30 p.m.

Respectfully submitted,

Tess McBeath, RMC
Town Clerk