

**Town of Delaware Town Board
REGULAR BOARD MEETING
March 13, 2024 – 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 13th day of March, 2024, 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
Christopher Hermann, Councilperson
Alfred Steppich, Councilperson
Ian Blumenthal, Councilperson

Also present: Tess McBeath, Town Clerk; Kristofer Scullion, Building Inspector/Code Enforcement Officer; Kenneth C. Klein, Town Attorney; William Brown, Delaware Engineering; Cat Scott, District 5 Legislator

GUEST TO THE BOARD: Joanne Rosenberger introduced Katie Slemmer of Junior Girl Scout Troop 356, who spoke to the Board about her Girl Scout Bronze Award Project, the highest award for a junior scout. The projects show leadership skills and make a difference in our community. Miss Slemmer would like to build a Peace Pole, which is a post with four sides, each saying "May peace prevail on earth." The purpose is to remind people that we can all work together in harmony.

Woodstock is very close and that is a place of peace; she thinks it would be a good idea to place a peace pole here in Callicoon and she suggested the entrance to the Callicoon Creek Park. She had a written presentation with photos and a map showing what the peace pole would look like.

Miss Slemmer's troop will help her paint the garden peace poles and sell them as a fundraiser. She would like to have four languages, English, Spanish, French and American Sign Language. They can also add a braille plaque. Cost is \$300. They'd like to have a special unveiling ceremony when they install it, sometime before the tractor parade in June. Miss Slemmer was applauded for her presentation.

RESOLUTION TO APPROVE INSTALLATION OF PEACE POLE: On motion of Councilperson Hermann, seconded by Councilperson Herbert, Miss Katie Slemmer is authorized to place a peace pole at the entrance of the Callicoon Creek Park. Resolution carried unanimously.

ACCEPTANCE OF MINUTES: Minutes of the January 10, 2024 re-organizational meeting and February 14 regular meeting were approved on motion of Councilperson Steppich, seconded by Councilperson Herbert and carried unanimously.

HIGHWAY SUPERINTENDENT: Scott spoke to Bill Eschenberg, the Highway Superintendents went to Albany to lobby our representatives as the Governor's budget proposal slashes \$100M out of the CHIPS Fund. They got the \$100M restored and asked for another \$150M. They've actually added to it; there's a Pothole piece, a Pave NY piece, regular CHIPS Funding and an extreme winter piece. CHIPS is very important to small towns because that's our paving budget. The Supervisor mentioned

that although there was some minimal damage from the last storm, the weather is unseasonably warm now.

BUILDING INSPECTOR/CEO: Kristofer Scullion reported that we did have some wind damage, some of it was in Bnos Rochel. A lot of people were without power. They pulled a demo permit to gut a building so we can see what's wrong with the structure. They did an asbestos inspection on that one building so they can see if they can fix it.

Mr. Scullion stated he's been busy. A lot is happening, and lots of people are pouring concrete. He feels it's going to be another busy year. Mr. Scullion sent out 47 short term rental (STR) letters, he's up to 27 or 28 done. He's down to 42 or 43 with the ones he took off. Town of Callicoon has approx 55. People want to know if we're capping how many STRs are allowed. Attorney Ken Klein mentioned that the problem is no matter how many you think you know about, there are probably others as well.

TOWN CLERK: (1) Taxes. Collections to date totaled \$4,645,145.15, with \$1,151,656.23 still outstanding. (2) February receipts totaled \$2,747; Building Inspector's receipts totaled \$2,430 and \$2,736 was turned over to the Supervisor.

UDC REPORT: Harold Roeder (1) provided a written report to the Board, along with the hydrologic conditions report. All of the reservoirs are at 100% or above. (2) He mentioned that the UDC will not undertake a review our water project as the project was discussed by UDC staff and the NPS back in 2018-19. (3) There is a 175th anniversary of the Roebling Aqueducts on April 27. (4) Water safety billboards will be placed on Route 97 and also Route 652 in Pennsylvania.

ENGINEER'S REPORT: Mr. Brown provided an update on the water project. Tests were conducted on the two wells drilled; the on-site testing has been completed and we're waiting for the lab samples to come back. The targeted flow was 200 gal/min; one is at 230 and the other is 265. The hydrogeologist is currently writing the report. There are a litany of things tested to make sure the water quality is acceptable. Right now they're working through the permitting process on the wells. The bigger piece is replacing the lines, which requires permits from NYS DOT, Sullivan County DPW and the railroad.

He's asking the Board to go out to bid with the project. They'd like to get contractors to start work late Spring early summer. Supervisor DuBois asked about the timeframe; Mr. Brown responded that the tentative completion date is August 31, 2025 so by next Fall we'll be up and running. If they start this summer they can get the bulk of the work done. The more flexibility we can give the contractors may be reflected in the pricing.

With regard to the highway garage, the Supervisor is working more toward a number that he thinks we can afford. The \$1.8 million grant expires in 2025 and it's a matching grant. We bid the barn out twice, it came in at numbers in the \$6M range. The Supervisor and this Board being very financially conscious, that's a number that the town can't afford.

SUPERVISOR'S REPORT: Supervisor DuBois stated that we have a clean up coming; he again asked people not to go early and load the dumpsters. Last time his request was heeded and we didn't have very much when they showed up that morning. The Supervisor and Board volunteers their time and the County is gracious enough to give us tonnage. He mentioned we take in a lot of mattresses. Supervisor DuBois commented on the beautiful weather we're having; people are out in Town.

PUBLIC COMMENT: None.

COUNCIL COMMENT: Councilperson Blumenthal asked if it would help if the water project bid put it out that Phase One has to be done in a certain amount of time, and then Phase Two; but keep it all in the scope of things. Mr. Bown responded that they have an order of operations, some things have to happen before other things can happen. We can phase it but he would like to have the flexibility in things like notifying property owners as they work on one street and then another. They're replacing all the 4" water lines with 6", as 4" doesn't meet current standards. The elevated water tower in DelVue is being replaced as part of the project. We're still using the reservoir on Fremont Street.

OLD BUSINESS:

RESOLUTION: BID AWARD – CRUSHED STONE:

On motion of Councilperson Herbert, seconded by Councilperson Steppich, it was

RESOLVED, that the bids be awarded to the lowest bidder for crushed stone, with the authorization to use the next lowest bidder as an alternate in case the low bidder doesn't have the product when needed. Resolution approved: AYES-5, NAYS-0.

NEW BUSINESS: Supervisor DuBois reviewed the proposed local law.

RESOLUTION: INTRODUCTION OF LOCAL LAW #1-2024 – AMENDING ARTICLE II OF CHAPTER 193 OF THE CODE OF THE TOWN OF DELAWARE WITH REGARD TO TAX EXEMPTIONS FOR PERSONS OVER 65 YEARS OF AGE:

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 No. 1 of the Year 2024 entitled "A local law amending Article II of Chapter 193 of the Code of the Town of Delaware with regard to tax exemptions for persons over 65 years of age" is hereby introduced before the Town Board of the Town of Delaware, County of Sullivan, 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 hereby determines the aforesaid local law to be a Type II Action pursuant to §617.5(26) and (33) of the regulations promulgated under the State Environmental Quality Review Act ("SEQRA"); and

BE IT FURTHER RESOLVED, that the Town Board hold a public hearing on the aforesaid local law at the Town Hall, 104 Main Street, Hortonville, New York, at 5:55 p.m., prevailing time, on April 10, 2024; and

BE IT FURTHER RESOLVED, that the Town Clerk publish or cause to be published a public notice in the Sullivan County Democrat, of such 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 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: SET DATES FOR TOWN CLEAN-UP: On motion of Councilperson Christopher Hermann, seconded by Councilperson Alfred Steppich, it was resolved that the Town Clean-up will be held one-day only on Saturday, April 20 from 9-4. The Clerk is directed to put out an RFP for the hauler. Scrap metal will be collected by Metal Giant. Resolution carried unanimously.

Litterpluck. The Clerk asked Board members to assist with a litterpluck on April 14.

RESOLUTION: HAMLET OF CALLICOON TRASH REMOVAL. On motion of Councilperson Herbert, seconded by Councilperson Steppich, the Clerk is directed to put out an RFP for the hamlet; from Memorial Day until after Dickens on the Delaware in December. Resolution passed unanimously.

RESOLUTION: PAYMENT OF BILLS: March 2024 bills/vouchers were reviewed and approved for payment on motion of Councilperson Steppich, seconded by Councilperson Hermann, and carried:

Callicoon Light	\$ 842.88
Callicoon Sewer	15,735.40
General Fund	221,472.98
Highway Dept.	96,573.98
Kohlertown Light	153.73
Water District	108,111.82
Water Imp. Capital	270,590.01

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

Respectfully submitted,

Tess McBeath, RMC
Town Clerk