

**Town of Delaware Town Board
Special Meeting
November 6, 2024**

A special 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 6th day of November, 2024, at 5:30 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

Also present: Tess McBeath, Town Clerk

PUBLIC HEARING: The Public Hearing on the 2025 Budget commenced at 5:30 p.m. on November 6, 2024 on motion of Councilperson Herbert, seconded by Councilperson Steppich. There being no public comment, the hearing was closed on motion of Councilperson Steppich, seconded by Councilperson Herbert. Meeting adjourned at 5:40.

**REGULAR BOARD MEETING
November 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 November, 2024, at 5:50 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

5:50 p.m. PUBLIC HEARING: Local Law #3-2024: Fixing Sewer Rents for Sewer District No. 1 and Sewer District No. 2 for the year 2025. At 5:50 p.m. the Public Hearing was opened on motion of Councilperson Steppich, seconded by Councilperson Hermann, There being no public comment, the hearing was closed on motion of Councilperson Hermann, seconded by Councilperson Steppich.

5:55 p.m. PUBLIC HEARING: Local Law #4-2024: Fixing and Determining Water Rates for the Hamlet of Callicoon Water District for the year 2025. The Public Hearing was opened on motion

of Councilperson Steppich, seconded by Councilperson Herbert. There being no public comment, the hearing was closed on motion of Councilperson Hermann, seconded by Councilperson Steppich.

REGULAR BOARD MEETING

The regular meeting was opened by Supervisor DuBois at 6:00 p.m. with a pledge to the flag.

GUEST TO THE BOARD:

ACCEPTANCE OF MINUTES: Minutes of the October 9 and October 24, 2024 meeting were approved on motion of Councilperson Steppich, seconded by Councilperson Hermann and carried unanimously.

HIGHWAY SUPERINTENDENT: The Supervisor spoke to Bill Eschenberg, they're tidying up, going over the trucks, building a little lean-to. The Supervisor gave an update on the trucks.

BUILDING INSPECTOR/CEO: Kristofer Scullion reported that things slowed down a bit, a small house has started in Kenoza Lake Estates and there are those two on Beechwoods Road. Mr. Scullion stated he didn't even hit 100 permits yet.

TOWN CLERK: (1) October receipts totaled \$2,564 with \$2,488.75 turned over to the Supervisor. Building Inspector receipts totaled \$2,285. (2) Small Town 4H held their 5K on October 20th, they had 118 participants and raised about \$4,000 for their scholarship. They sent a thank you for your help. They mentioned that if there is ever a volunteer opportunity for their club to help they would be happy to assist. (3) A response was received from DOT about the speed limit request on Route 52 near the Janice Center, they'll assess the situation and get back to us. (4) A resident complained about speeding on Beechwoods Road #5. A sign was put up indicating the corner ahead, but she doesn't feel it's effective and asked for a 25 mph speed limit. The Board stated DOT is slowly; there's approximately \$44,000 left of the \$75,000 we received in 2019. Sullivan 180 wants the money spent by December 31; an emailed summary of their plans was sent to you earlier in the month. (6) On November 18 the Office of the Aging is holding an outreach event for Seniors here in our conference room. (7) Barbara Hahl called, her group is doing a bus trip and will be parking at the Callicoon Creek Park today through Friday.

UDC REPORT: Harold Roeder (1) attended three meetings in October/November. (2) There are projects being reviewed for the Towns of Highland, Lumberland and Shohola. (3) The Operations Committee is working on their Five-Year Strategic Plan with Heather Jacksy from County Planning. (4) There was a presentation about seeking a national wild and scenic river designation for the Lackawaxen River, which was met with strong opposition from landowners and others. (5) The Skinners Falls bridge will be dismantled in the interest of public safety. (6) Mr. Roeder also provided a hydrological report from November 4 indicating the low reservoir storage levels. The reservoirs were lowered because of the Delaware Aqueduct tunnel repair. The Neversink is at 36.5% storage, the Pepacton at 63.5% and Cannonsville at 55.8%.

ENGINEER'S REPORT: Engineer Bill Brown reported construction is underway. They have installed the new water main on Mill Street to 17B. He thinks they'll probably be able to work there for a couple more weeks until the blacktop plants close. They've poured the foundation and base walls for the wellhouse; some piping needs to be done Water meters are trickling down; 80 or 90 out

of 150 have been installed. Mr. Brown requested help from the Town; we may have to put placards on people's doors. He mentioned the businesses haven't responded. Some people have wanted to opt out of meter installation, but that's not a choice. It's a formal requirement mandated by the DRBC and the town water law.

We've received payment requests in the amount of \$5,107.20 and \$33,196.80 from A. Treffeison & Sons for the water meter installation and an invoice from Rutledge Excavating, Inc. in the amount of \$313,613.89. Rutledge has ordered the bulk of materials for the job and that's on site. Mr. Brown explained that once the Board approves those invoices they get forwarded to the state for approval, then EFC wires funds to the Town. We don't need formal approval as the contracts are in place; this work is all under contract.

Mr. Brown explained that they've sent two rounds of postcards about the meter installation. He's going to make list of folks that haven't scheduled.

SUPERVISOR'S REPORT: Supervisor DuBois reported that they worked on the budget and were able to keep it relatively low impact. It went up 1.84% which is \$12.00 per \$100,000 of assessment. He feels it's a responsible budget, and is happy that the Board was able to keep it relatively low. The Supervisor stated that Governor Hochul has issued a statewide burn ban; he spoke of the monster fire near Neversink - over 600 acres; one in Greenwood Lake New Jersey is burning close to homes. He's thankful that it's November 13 and we haven't had to roll out the plow trucks.

PUBLIC COMMENT: None.

COUNCIL COMMENT: None.

OLD BUSINESS:

RESOLUTION– ADOPTION OF LOCAL LAW #3-2024: A LOCAL LAW FIXING SEWER RENTS FOR THE YEAR 2025 IN SEWER DISTRICT NO. 1 AND SEWER DISTRICT NO. 2:

Moved by: Councilperson Steppich
Seconded: Councilperson Hermann

**SECTION I
Purpose**

This Local Law is adopted pursuant to the provisions of Article 14-F of the General Municipal Law and Section VI (C) of the Sewer Rent Law of the Town of Delaware, New York (Local Law No. 2 of 1997), in order to fix and determine the per unit rates to be charged for the year 2025 in Sewer District No. 1 and Sewer District No. 2 of the Town of Delaware.

**SECTION II
Sewer Rent Rates for the Year 2025**

A. The following rates shall be charged in the Town of Delaware Sewer District No. 1 (Kohlertown) during the year 2025 for sewer rent:

Operation and Maintenance	\$458.96
Capital	<u>20.14</u>
Total	\$479.10

B. The following rates shall be charged in the Town of Delaware Sewer District No. 2 (Callicoon) during the year 2025 for sewer rent:

Operation and Maintenance \$503.60

**SECTION III
Effect of Invalidity**

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 affect, 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 declared to be the legislative intent that the remainder of this local law would have been adopted had any such provision not be included.

**SECTION IV
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;
- Councilwoman 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– ADOPTION OF LOCAL LAW #3-2024: A LOCAL LAW FIXING AND DETERMINING RATES FOR THE YEAR 2025 FOR THE HAMLET OF CALLICOON WATER DISTRICT:

Moved by: Councilperson Steppich
Seconded: Councilperson Herbert

**SECTION I
Purpose**

This local law is adopted pursuant to the provisions of paragraph A of Section 210.12 of Chapter 210 of the Code of the Town of Delaware, entitled “Water,” in order to fix and determine the rates to be charged for the year 2025 in the Hamlet of Callicoon Water District of the Town of Delaware.

**SECTION II
Water Rates for the Year 2025**

The following rates shall be charged in the Town of Delaware Hamlet of Callicoon Water District during the year 2025:

Capital
(billed annually on property tax bill): \$ -0- per unit

Water: \$13,484.41

Moved by: Councilperson Hermann
Seconded: Councilperson Steppich
Resolution APPROVED: AYES-5, NAYS-0.

RESOLUTION - FIRE ADVISORY BOARD APPOINTMENT: On motion of Councilperson Herbert and seconded by Councilperson Steppich, Timothy Hornicek is hereby appointed to represent the Town on the Sullivan County Fire Advisory Board. Resolution carried unanimously.

RESOLUTION - WATER UNIT CHANGE:

Moved by: Councilperson Steppich
Seconded: Councilperson Herbert

RESOLVED, that the Water Units for SBL: 14,-4-9.2 located at 34 Upper Main Street, be reduced from two units to one unit as it is no longer a commercial property. Resolution carried, AYES-5, NAYS-0.

RESOLUTION – SNOW AND ICE CONTROL AGREEMENT WITH SULLIVAN COUNTY 2024-2027: On motion of Councilperson Christopher Hermann, seconded by Councilperson Alfred Steppich, the following was

RESOLVED, that pursuant to Highway Law Section 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, 2024 and ending June 30, 2027 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 Scott M. DuBois voting aye;
- Councilwoman 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: BOARD OF ASSESSMENT REVIEW APPOINTMENT:

Moved: Councilperson Hermann
Seconded: Councilperson Steppich

RESOLVED, that Linda Eschenberg be appointed to the Board of Assessment Review for a five year period ending September 30, 2029. Resolution carried unanimously.

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

Callicoon Light	\$ 646.65
Callicoon Sewer	22,470.44
General Fund	50,249.16
Highway Dept.	75,894.43

Kohlertown Light	148.24
Water District	8,107.14

EXECUTIVE SESSION: Motion to go into Executive Session to discuss potential litigation at 6:22 p.m. by Councilperson Steppich, seconded by Councilperson Herbert and carried.

Motion to go out of Executive Session at 6:46 by Councilperson Steppich, seconded by Councilperson Herbert and carried.

ADJOURNMENT: With no further business, on motion of Councilperson Steppich, seconded by Councilperson Hermann and all in favor, the meeting adjourned at 6:46 p.m.

Respectfully submitted,

Tess McBeath, RMC
Town Clerk