

**Town of Delaware Town Board  
Budget Workshop  
October 9, 2024 – 5:00 p.m.**

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 9<sup>th</sup> day of October, 2024, at 5:00 o'clock p.m. prevailing time for the purpose of a Budget Workshop.

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

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

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

**5:00 p.m. BUDGET WORKSHOP:** At 5:00 p.m. Supervisor Scott DuBois opened the Budget Workshop and reviewed the budget with the Board. He anticipates a budget with a 1-1/2%, no more than 2% increase. This is the first year the Millennium Pipeline is coming back on; the PILOT is finished. He's sure they're going to challenge their assessment; the pipeline goes through almost every township. The Supervisor didn't put any raises in yet, wanted to see how the numbers played out. He brought down the paving line, increased the truck fund. If he has any spare money he wants to throw it into the truck fund. A single axle is \$400,000. Supervisor DuBois would like to see the Highway Dept. in all new trucks before he goes. He reviewed the trucks and mower on order.

Assessor Debbie Shea has indicated that she has a limited amount of years go to before retirement and wants to bring in an assistant. Everyone agreed assessors are getting harder and harder to find. She's got someone interested and requested \$10-12,000 for a part-time Assessor Clerk. The Clerk mentioned it takes three years of training to become an Assessor.

The Supervisor mentioned that we try as a Board to keep expenses down. He mentioned the Villa, the new owners want to put millions into the place. There are tons of groups golfing, the course is busy every weekend.

There being no public comment, the Budget Workshop was closed on motion of Councilman Hermann, seconded by Councilman Steppich and carried.

**REGULAR BOARD MEETING  
October 9, 2024 – 6:00 p.m.**

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

**PUBLIC HEARING:** At 5:55 p.m. the Public Hearing on Introductory Local Law #2-2024 to override the tax levy limit established by GML §3-c commenced.

The Supervisor explained that this is a procedure the town does every year since the 2% tax cap went into place. There's a pretty hefty fine if you go over the 2%.

Resident Pamela Ludgren questioned the water/sewer charges, Supervisor DuBois responded that it only affects Callicoon. You have to benefit to pay the fee. She questioned the Villa Roma, the Supervisor explained about the tax certiorari loss last year and how it affected the taxpayers. In response to a question, the Supervisor reviewed the Millennium Pipeline's PILOT project.

With no further public comment, the Public Hearing was closed at 6:08 p.m. on motion of Councilperson Hermann, seconded by Councilperson Steppich and carried.

ACCEPTANCE OF MINUTES: Minutes of the September 11, 2024 meeting were approved on motion of Councilperson Steppich, seconded by Councilperson Hermann; and carried unanimously.

**HIGHWAY SUPERINTENDENT:** The Supervisor spoke to Bill Eschenberg, he went over his budget; Bill is looking for increases in paving etc. Scott is looking at historical data on that. He spoke of the three vehicles – majority of that is covered with CHIPS funding.

**BUILDING INSPECTOR/CEO:** Kristofer Scullion reported some homes on Kenoza Lake are finished; Mike Dubrovsky is putting another one. There are three in progress over there. He issued driveway permits for a piece of property that was subdivided; one on Reum Road and two more started in the Beechwoods. Houses will come next. Mr. Scullion served Fern Manor a violation to start the clock; he said he's going to look into taking it down. Attorney Ken Klein said that if we took action it would be under the unsafe building procedure and the cost goes onto the property tax bill. The Supervisor asked to keep the Board apprised in case we have to take action. Mr. Scullion mentioned that the fire alarm violations have been quiet. They still owe us another \$5,000; by end of October they were up to \$14,700.

**TOWN CLERK:** (1) September receipts totaled \$2,574 with \$1,675.67 turned over to the Supervisor. Building Inspector receipts totaled \$1,400; the rest was Clerk income. (2) The County is holding another Hazardous Household Waste program at the landfill on October 20<sup>th</sup>. No pre-registration is required.

**UDC REPORT:** No report. There was discussion about a UDC Alternate.

**ENGINEER'S REPORT:** Engineer Bill Brown reported construction is underway on the water project, they've poured the foundation on the new well house. He's meeting with DOT and the contractor today to work on permit requirements for the Mill Street and 17B section. They'll do some work this Fall, shut down for winter and finish in Spring. The next section is Upper Main then across the railroad tracks.

They're halfway through installing the water meters; 75 or 80 out of 150 are installed. Installment takes about a half hour. Katey has sent out three notices so far; it may require knocking on doors if people don't respond.

NYS Dept. of Health has required a lead service line inventory for every water system in the state. They've been working with Mike Gorr and have the inventory completed; it will go to DOH next week to satisfy the initial requirement. We're not aware of any lead but until we could visually see a pipe you can't tell what it is.

**SUPERVISOR'S REPORT:** Supervisor DuBois reported (1) we're working on the budget numbers; getting all the department requests. He wants to try to minimize the impact to the taxpayers and is looking at ways we can cut expenses. We want to be more efficient in the different things we do.

**PUBLIC COMMENT:** None.

**COUNCIL COMMENT:** Councilperson Steppich mentioned that the sides of the road are maintained, the roads look good. The Supervisor said that Mr. Eschenberg was driving by a section of 17B and the road was undermining itself and no one had noticed it. Now there's a stop light and one lane is closed while they stabilize the bank.

**OLD BUSINESS:**

**RESOLUTION— ADOPTION OF LOCAL LAW #2-2024: TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED BY GML §3-c:**

The following resolution was introduced by Councilperson Steppich, who moved its adoption, and seconded by Councilperson Hermann 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 2023 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 Christopher Hermann voting aye;  
Councilperson Alfred Steppich voting aye; and  
Councilperson Ian Blumenthal voting aye.

The resolution was thereupon declared duly adopted, AYES-4, NAYS-0, ABSENT-1 (Councilperson Cindy Herbert absent.)

**NEW BUSINESS:**

INTRODUCTION OF LOCAL LAW #3-2024: FIXING SEWER RENTS FOR 2025: The following resolution was introduced by Councilperson Steppich, who moved its adoption, and seconded by Councilperson Hermann to wit:

**BE IT RESOLVED**, that Introductory Local Law #3 of the year 2024 entitled “A local law fixing sewer rent for the year 2025 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 13, 2024 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 Christopher Hermann voting aye;  
Councilperson Alfred Steppich voting aye; and  
Councilperson Ian Blumenthal voting aye.

The resolution was thereupon declared duly adopted, AYES-4, NAYS-0, ABSENT-1 (Councilperson Cindy Herbert absent.)

INTRODUCTION OF LOCAL LAW #4-2024: FIXING AND DETERMINING RATES FOR THE YEAR 2025 FOR THE HAMLET OF CALLICOON WATER DISTRICT: The following resolution was introduced by Councilperson Hermann, who moved its adoption, and seconded by Councilperson Steppich to wit:

**BE IT RESOLVED**, that Introductory Local Law #4 of the year 2024 entitled “A local law fixing and determining rates for the year 2025 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 13, 2024 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 Christopher Hermann voting aye;  
Councilperson Alfred Steppich voting aye; and  
Councilperson Ian Blumenthal voting aye.

The resolution was thereupon declared duly adopted, AYES-4, NAYS-0, ABSENT-1 (Councilperson Cindy Herbert absent.)

**RESOLUTION – SET BUDGET WORKSHOP:**

Moved by: Councilperson Hermann  
Seconded: Councilperson Steppich

RESOLVED, that a Budget Workshop is set for 5:30 p.m. on October 24, 2024. Resolution carried unanimously.

**RESOLUTION – E-911 ROAD NAMING “LONG FARM WAY”:**

Moved by: Councilperson Alfred Steppich  
Seconded: Councilperson Christopher Hermann

WHEREAS, the Town Board of the Town of Delaware has received a request to name a private road affecting tax parcels 23.-1-28.7 and 23.-1-28.9, a copy of a map of said private road is attached hereto and made a part hereof; and therefore be it

RESOLVED, that the Town Board of Delaware hereby approves the request to name the private road located off Gabel Road leading to tax parcels 23.-1-28.7 and 23.-1-28.9 “Long Farm Way.”

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 Alfred Steppich voting aye; and  
Councilperson Ian Blumenthal voting aye.

The resolution was thereupon declared duly adopted, AYES-4, NAYS-0, ABSENT-1 (Councilperson Cindy Herbert absent.)

**PUBLIC COMMENT:** Town resident Kohloa addressed the Board about parking issues with her neighbors. She has appeared before the Board previously. Kohloa spoke of the neighbors stalking and harassing her, damaging her car. She has lived here for over 35 years and has always parked on Highview Avenue; she feels she is being bullied. Supervisor DuBois stated that the town has no ability to resolve this; it’s a neighbor dispute. No code violations are there and we have not established a local parking regulation.

Attorney Ken Klein requested a photo of the sign. He said we’ll look into it, and if it’s an illegal sign we’ll take care of it. Attorney Klein told Kohloa she may have to engage counsel of her own – that we can’t fix what’s going on between neighbors. If they’re harassing her, she could sue them or she could file a complaint with the police.

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

Callicoon Light	\$ 629.54
Callicoon Sewer	12,371.95
General Fund	41,151.10
Highway Dept.	602,089.80
Kohlertown Light	145.93
Water District	10,402.62
Water Imp. Capital	110,120.40

**EXECUTIVE SESSION:** On motion of Councilperson Hermann, seconded by Councilperson Steppich, the Board went into executive session at 6:55 p.m. to discuss a personnel matter. Executive session closed at 7:05 p.m. on motion of Councilperson Steppich, seconded by Councilperson Hermann and carried.

**ADJOURNMENT:** With no further business, on motion of Councilperson Hermann, seconded by Councilperson Blumenthal and all in favor, the meeting adjourned at 7:05 p.m.

Respectfully submitted,

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Tess McBeath, RMC  
Town Clerk