

**Town of Delaware Town Board  
Budget Workshop  
October 24, 2024 – 5:30 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 24<sup>th</sup> day of October, 2024, at 5:30 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  
Cindy Herbert, Councilperson  
Christopher Hermann, Councilperson  
Alfred Steppich, Councilperson  
ABSENT: Ian Blumenthal, Councilperson

Also present: Tess McBeath, Town Clerk

**5:30 p.m. BUDGET WORKSHOP:** At 5:30 p.m. Supervisor Scott DuBois opened the Budget Workshop.

**RESOLUTION – ACCEPT TENTATIVE BUDGET AS PRELIMINARY BUDGET:**

Moved: Councilperson Hermann

Seconded: Councilperson Herbert

RESOLVED, that the 2025 tentative budget be adopted as the preliminary budget and setting the Public Hearing on November 6, 2024 at 5:30 p.m. The budget will increase by 1.8% which is the equivalent of \$12 per \$100,000 assessment. Resolution carried AYES-4, NAYS-0 (Councilperson Blumenthal absent).

**OTHER BUSINESS:**

**RESOLUTION: CONSENT ORDER AND JUDGMENT – NY DELAWARE I, LLC AND NY DELAWARE II, LLC:**

The following motion was offered by Councilperson Cindy Herbert, who moved its adoption, and seconded by Councilperson Christopher Hermann, to wit:

**WHEREAS**, NY Delaware I, LLC and NY Delaware II, LLC (“Petitioners”) have served and filed notices of protest and notices of petition and petitions for review and reduction of real property assessments for the year 2021 with respect to parcels owned by them located in the Town of Delaware; and

**WHEREAS**, the Town of Delaware has appeared in the aforesaid proceedings by Kenneth C. Klein, Esq., attorney for the Town, and Petitioners have appeared in the aforesaid proceedings by Walter F. Garigliano, Esq.; and

**WHEREAS**, following negotiations among the parties and their counsel, a settlement of all matters in dispute has been reached; and

**WHEREAS**, it appears that the proposed settlement of all matters in dispute will result in a fair and equitable resolution of Petitioners’ complaint with respect to the subject assessments;

**NOW, THEREFORE**, be it resolved, that Kenneth C. Klein, Esq., attorney for the Town, be, and he hereby is authorized, directed and allowed to enter into a formal consent order and judgment with the attorney of record for the Petitioners, which consent order and judgment has been provided to the Town Board for complete reading and filing this date; and be it further

**RESOLVED**, that Kenneth C. Klein, Esq., attorney for the Town, be, and he hereby is authorized, empowered and directed to execute the proposed consent order and judgment, and to thereby bind the Town of Delaware thereto; and be it further

**RESOLVED**, that Kenneth C. Klein, Esq., attorney for the Town, be, and he hereby is authorized, empowered and directed to do all other things, and to execute any and all other documents, which are reasonably necessary and incidental to the effectuation and finalization of the aforesaid consent order and judgment.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

Supervisor Scott M. DuBois voting aye;  
Councilperson Cindy Herbert voting aye;  
Councilperson Alfred Steppich voting aye;  
Councilperson Christopher Hermann voting aye; and

The resolution was thereupon declared duly adopted.

**OTHER BUSINESS:**

The Clerk requested permission to attend a NYS Town Clerks Association regional meeting on December 8-9 and share a room with the Bethel Clerk. The Association of Towns will be presenting legislative updates pertaining to our Town Clerk position. *Request approved.*

**ADJOURNMENT:** There being no further business before the Board, the meeting adjourned at 6:20 p.m. on motion of Councilperson Hermann, seconded by Councilperson Herbert and carried unanimously.

Respectfully submitted,

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Tess McBeath, RMC  
Town Clerk