

**Town of Delaware Town Board
Regular Board Meeting
July 13, 2016**

Members Present:

Edward T. Sykes, Supervisor
Cindy Herbert, Councilwoman
John Gain, Councilman
Alfred Steppich, Councilman
Christopher Hermann, Councilman

Also present: Tess McBeath, Town Clerk; James McElroy, Building Inspector/CEO; Kenneth C. Klein, Town Attorney

Supervisor Sykes opened the regular meeting at 7:00 p.m.

GUEST TO THE BOARD:

RESOLUTION #47-2016 – ACCEPTANCE OF MINUTES: Minutes of the June 8, June 29 and July 12, 2016 meetings were approved on motion of Councilwoman Herbert, seconded by Councilman Gain and carried unanimously.

BUILDING INSPECTOR/CEO: James McElroy reported that permits are slow this year but there are a couple of bigger projects – a half million dollar house and a 2 million dollar house are both going up. There's a project in Kenoza Lake, 18-room hotel with 12 cabins. The developer is waiting for DOT approval; DOT suggested he relocate the driveway and it's in a better place. The 8-room small inn next to the Callicoon Post office is moving right along; doing the finishing touches now.

TOWN CLERK: (1) June receipts totaled \$1,958 with \$1,930.50 turned over to the Supervisor. Of that, \$1,673 was building fees. (2) The June 28 federal primary election results were transmitted by the Clerk for Callicoon, Cohecton, Delaware and Tusten. It is expected to be the Clerk's responsibility from here on. (3) A certificate of completion for 2016 training was received from the Hon. Charles Nystrom. (4) The abstract of settlement for 2016 property taxes was received from the Treasurer's office. (5) A letter from the UDC about the new round of TAG grants was received. (6) The final revisions to the Town Code were sent out yesterday. Special thanks to Jim McElroy and Ken for all their help. (7) Complaints of speeding have been received from residents of Hospital Road and Seminary Road. They would like the speed limit to be 30 mph and have requested a speed limit determination.

Supervisor Sykes asked the Clerk to hold off as the Girl Scouts would like a speed limit in the hamlet, and also a crosswalk. He would like to submit all the requests together.

HIGHWAY SUPERINTENDENT: No report.

ASSESSORS: Supervisor Sykes reported that the re-val went pretty well. He feels that doing it in house was the better way to do it.

GRANTS REPORT: Councilwoman Herbert reported that on June 21 she received notice that the historic district in Callicoon is now listed on the National Register of Historic Districts, not just New York State. Supervisor Sykes gave an update on railroad square and the sidewalk projects.

CALLICOON BUSINESS ASSOCIATION: Isaac Green Diebboll mentioned the Callicoon Country Fair on July 30.

UDC REPRESENTATIVE: Harold Roeder (1) reviewed the charts of the river basin storage, noting that the water is a little below the long-term median. The three dams are at 88.6% capacity. (2) Mr. Roeder spoke of the TAG grant applications; Supervisor Sykes wondered whether a camper and other debris which is on the island in Callicoon from the 2006 flood could be a TAG project. Mr. Roeder said he would check but TAG grants are usually technical projects. (3) Mr. Roeder reported that the UDC wrote and met with the DEP about the emergency management plan for the dams. They're discussing supplemental notification systems to help notify people along the river. Maybe there could be a special sound or blast that tells people we have a flooding problem. A public education campaign would need to be done. They spoke of Reverse 911, siren alerts, and cell service which is bad along the river. Mr. Roeder wanted the Board to know that the UDC is working on this. (4) Zane Grey Festival this

weekend. (5) Solar information from the NPS for areas within the river corridor was provided, listing land uses within certain areas, and ensuring that they're compatible with the water and land use guidelines from the federal government.

SUPERVISOR'S REPORT: Supervisor Sykes mentioned that Dave Ohman would like to submit a CFA grant application to do an engineering study for possibly moving the sewer plant. They were turned down last year. The study would include archeological, storm water management, etc.

RESOLUTION #48-2016 – AUTHORIZATION TO APPLY FOR GRANT:

Moved by: Councilman Gain
Seconded: Councilman Steppich

RESOLVED, that Delaware Engineering is authorized to submit a CFA grant application on behalf of the Town of Delaware. Resolution carried unanimously.

OLD BUSINESS: None.

NEW BUSINESS:

a. **RESOLUTION # 49-2016: AUTHORIZATION TO ROLL OVER BIDS FOR DIESEL FUEL AND NO. 2 FUEL OIL:**

Moved by: Councilman Steppich
Seconded: Councilman Hermann

RESOLVED, that the Board exercise its option to extend the bid for Fuel Oil and Diesel Fuel which was awarded to Town and Country Energy Corp. in 2015. Resolution carried unanimously.

PUBLIC COMMENT: Isaac Green Diebboll brought up the Girl Scout project and said that when he was dealing with Marcia Fink on a crosswalk, he was told it had to be handicapped accessible. The CBA would be supportive of both the crosswalk and the speed limit designation. Supervisor Sykes said we need to keep in mind that it's a county road. Dawn Carlin mentioned that perhaps the National Historic Register has funding that could be used for redoing the curbing.

PUBLIC COMMENT: Debbie Carlin informed the Board that a stop sign was put up on Fred Schwartz Road where it intersects with Swiss Hill Road in Kenoza Lake (dead end road). She questioned whether they should have been notified. On June 24 a stop sign was put up at the end of Dan Brey's driveway. Councilman Hermann said if it's a dead end it should have a sign. The Town Attorney said he believes the Town Board has to authorize the placement of new signs. Ms. Carlin was told that we'd look into it.

PUBLIC COMMENT: Michael Palumbo told the Board he sent an email with attachments from the Baer Road neighbors, and he wants the Board to know they stand ready to help the Board and would like to be included in the process. Supervisor Sykes told him our next solar workshop is on August 3 at 3:30 p.m. Mr. Palumbo mentioned they've been working with the energy committee and have spent a lot of time on it. They tried to stay on their original points – setbacks, lot coverage, sensitivity to the character of the Town.

PAYMENT OF BILLS: On motion of Councilman Steppich, seconded by Councilman Gain, it was resolved that the bills be paid on Abstract #7-2016 in the following amounts:

Callicoon Light	Voucher #7	\$ 654.70
General Fund	Voucher #218-262	53,017.45
Highway Fund	Voucher #139-170	242,378.70
Kohlertown Light	Voucher #7	176.29
Sewer #2	Voucher #75-90	8,266.88

Resolution was thereupon APPROVED: AYES-5, NAYS-0.

RESOLUTION #51-2016: EXECUTIVE SESSION:

Moved by: Councilwoman Herbert
Seconded: Councilman Gain

RESOLVED, that this Board move into Executive Session at 7:30 p.m. to discuss potential litigation. Resolution was thereupon APPROVED: AYES-5, NAYS-0.

RESOLUTION #52-2016 - RETURN TO REGULAR SESSION:

Moved by: Councilman Gain
Seconded: Councilwoman Herbert

RESOLVED, that this Board go out of Executive Session and return to Regular Session at 7:40 pm. Resolution unanimously carried.

RESOLUTION #53-2016 - COMMENCE LITIGATION:

Moved by: Councilman Gain
Seconded: Councilman Hermann

RESOLVED, that this Board authorizes the Town Attorney to commence litigation against Ian Liefer and whoever else may be responsible for The Camping Trip event in order to enjoin.

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

Supervisor Edward T. Sykes voting aye,
Councilwoman Cindy Herbert voting aye;
Councilman John Gain voting aye;
Councilman Christopher Hermann voting aye; and
Councilman Alfred Steppich voting aye

The resolution was thereupon declared duly adopted.

ADJOURNMENT: With no further business, on motion of Councilman Steppich, seconded by Councilman Gain, the meeting adjourned at 7:42 p.m.

Respectfully submitted,

Tess McBeath, RMC
Town Clerk