

A regular meeting of the Board of Trustees for the Village of Delhi was held **Tuesday, November 19, 2024** at 6:00 pm at Village Hall.

The meeting started at 6:00 pm with the Pledge of Allegiance.

Present: Mayor: Jeffrey Gearhart
Trustees: Jeremy Fitch, Janet Tweed and Barbara Sturdevant

Absent: Trustee Ian Lamont

Guests: Mathew P. Burkert, Town of Delhi Justice; Sean Leddy; Jehed Diamond; Bill Brown and Elizabeth DeFalco

PRIVILEGE OF THE FLOOR

Jhed Diamond spoke to her dissatisfaction of follow through on her requesting a noise ordinance 3 years ago. She indicated there has been no results to date.

Sean Leddy addressed the board and spoke on the conceptual improvement plan he gave them for improving traffic on Court Street and adding parking spots.

Sean indicated he felt the village board had a good idea regarding Court Street but there is a cost to move forward – an engineering study is needed.

Sean also address the village regarding the selling of Spring Lake – he feels that is a bad idea – village has the name of a trapper to solve the beaver issue at Spring Lake and feels that lake is an asset – could be turned into a mini-park with picnic tables, parking, etc.

Sean Leddy spoke to the village board regarding Reservoir Park – conceptual design for park. Mayor Gearhart indicated this would expand park opportunities. Sean will focus on the park – he has an idea for a pavilion to rent out for family gatherings.

Matt Burkert, Town of Delhi Justice was present and spoke to the village indicating the fact the Town Court is looking to send letters to the vehicle owner on all parking tickets issued and follow up to insure payments are received on these parking tickets or face having a judgement placed with the Delaware County Clerk relating to unpaid parking tickets.

Motion was made by Trustee Sturdevant to allow Town of Delhi Court to start sending letters on our Village of Delhi parking tickets issued. Motion was seconded by Trustee Fitch and passed unanimously.

Judge Burkert also indicated the Divergent Program will be starting soon.

Bill Brown reported that EFC has announced the wiia awards. Village of Delhi hasn't yet been notified. We should receive a notice from EFC – Village should ask for an exit interview to see comments on our submission – Bill also indicated there will be more funding available at a later date – our request to EFC for funding is to replace the oldest pipes (60 – 80 years old).

Bill indicated Village of Delhi is working to update the lead service line inventory. The process is under way – letters have been mailed to village residents. Bill indicated the grant is also funding excavation – grant agreement should be received shortly.

Bill also spoke on Well #3 Repair – the well is the last lot in the village on Delaware Avenue – there is an issue with drywell and well – the well is 50 feet away from the well house – they are looking to relocate further to the edge of the property.

Motion was made by Trustee Fitch to approve the minutes of the October 15, 2024 regular meeting. Motion was seconded by Trustee Sturdevant and passed unanimously.

Motion was made by Trustee Sturdevant to approve Abstract #006 dated November 19, 2024 in the amount of \$472,971.47 (General fund \$272,745.36, Water fund \$54,253.70, Sewer fund \$121,662.09, Joint Activities fund \$2,649.08 and Trust & Agency fund \$21,661.24) with the addition of the Cummins invoice #V9-241021285 in the amount of \$1,138.83, which would be paid out of Sewer. Motion was seconded by Trustee Tweed and passed unanimously.

Motion was made by Trustee Tweed to accept the Bingo Inspection Report dated 10/16/2024, Police Report dated September 2024, Street Report dated November 2024, Water Report dated 11/14/2024, Sewer Report dated November 13, 2024, Code Enforcement Report 10/9/2024 – 11/12/2024, Treasurers report dated October 2024 and Clerk Report dated November 19, 2024. Motion was seconded by Trustee Fitch and passed unanimously.

Trustee Fitch reported for the **Police Committee**

Motion was made by Trustee Fitch to accept bullet proof vest invoice from Lombardi & Associates in the amount of \$7,244.09. Motion was seconded by Trustee Tweed and passed unanimously.

Motion was made by Trustee Fitch to accept the ISD quote for totaling \$5,987.93. Motion was seconded by Trustee Sturdevant and passed unanimously.

Motion was made by Trustee Fitch to approve the parking fine resolution draft. Motion was seconded by Trustee Tweed and passed unanimously.

“Village of Delhi Resolution No. 8 of 2024

Resolution Setting Minimum Fine Amounts for Specified Parking Violations and Authorizing the Delhi Police Department to Issue Parking Tickets

WHEREAS, the Village of Delhi recognizes the need to maintain safety, order, and accessibility on its streets by enforcing parking regulations; and

WHEREAS, the Village Board is authorized to set fine amounts for parking violations within the village to ensure compliance and efficient handling of violations;

NOW, THEREFORE, BE IT RESOLVED by the Village Board of the Village of Delhi as follows:

1. Minimum Fine Amounts for Specified Parking Violations

The minimum fine amounts for the following specified parking violations, when paid by mail within 30 days of the issuance of the ticket, shall be as follows:

- **Category A Violations:** \$35.00
- **Category B Violations:** \$50.00
- **Category C Violations:** \$100.00

2. Late Payment Penalty

If payment for any specified parking violation is not received within 30 days of the ticket issuance date, the minimum fine amount shall double:

- **Category A (after 30 days):** \$70.00
- **Category B (after 30 days):** \$100.00
- **Category C (after 30 days):** \$200.00

3. **Authorization for Issuance of Parking Tickets and Accepted Violation Schedule**

The Delhi Village Police Department is hereby authorized to issue parking tickets that include the specified fine amounts and late fee information according to the following violation schedule:

- **Category A Violations:**
 - VL § 276-15a – Parked Out of Markings
 - VL § 276-15b – Parked Left Side of Curb
 - VL § 276-16 – No Parking Anytime
 - VL § 276-20 – No Parking 2 am to 6 am Dec 1 to Mar 31
 - VL § 276-21 – Overtime Parking
 - VTL § 1202-A2A – Parked Blocking Driveway
- **Category B Violations:**
 - VL § 276-23 – Parked in Fire Lane
 - VTL § 1202-A1B – Parked on Sidewalk
 - VTL § 1202-A1A – Double Parked
 - VTL § 1202-3 – Parked within 15’ Fire Hydrant
- **Category C Violations:**
 - VL § 276-22E1 – Parked in Handicap Zone Village Lot
 - VL § 276-28 – Parked in Handicap Zone Public Street
 - VTL § 1203-C4 – Parked in Handicap Area Off-Street

4. **Effective Date**

This resolution shall take effect on December 1, 2024, and shall apply to all parking violations issued on or after this date on parking summonses reflecting the updated parking fines.

ADOPTED by the Village Board of the Village of Delhi on this November 19, 2024.”

Mayor Gearhart reported for the **Public Works Committee**.

Motion was made by Trustee Fitch to approve Progressive Administrative Fee for Replacement of Water Meters policy. Motion was seconded by Trustee Tweed and passed unanimously.

“Progressive Administration Fee for Replacement of Water Meters

The following fee schedule for meter replacement in the Village of Delhi is in effect when replacing meters found to be inoperative due to circumstances beyond the normal wear and tear.

First meter – cost of meter + labor

Second meter – cost of meter + labor + \$200 administrative fee

Third meter – cost of meter + labor + \$400 administrative fee

Fourth meter – cost of meter + labor + \$600 administrative fee

Each subsequent replacement will incur an additional \$200 administrative fee over the previous cost for replacement.”

Village of Delhi Winter Maintenance Policy –

Motion was made by Trustee Sturdevant to approve “Village of Delhi Winter Maintenance Policy”.

Motion was seconded by Trustee Tweed and passed unanimously.

“Village of Delhi Winter Maintenance Policy

Introduction

The Village of Delhi’s streets, roads and sidewalks are subject to freezing rain, ice, snow and drifting at any time from October through April. The Village’s goal is to maintain the approximately 8.32 centerline miles of streets and roads and designated sections of sidewalks in as good winter driving and traveling conditions as weather, equipment, and budgets allow. This does not mean bare, dry pavement or surfaces should be expected after each snowfall or ice storm. Furthermore, this does not mean that streets and sidewalks will be free of ice and snow.

Village owned streets and roads

A complete list of Village owned streets and roads is as followed:

Bell Hill Road, Bell Hill Road Spur, Bridge Street, B. Scott Clark Drive, Cherry Hill Road, Church Street, Clinton Street, Court Street, Crestwood Drive, Cross Street, Cuddeback Ave, Delaware Ave, Delview Terrace, Delview Terrace Ext, Depot Street, Depot Street Ext, Division Street, Edgerton Street, Elm Street, Elm Street Spur, Franklin Street, Gallant Ave, High Street, Orchard Street, Page Ave, Park Place, Phoebe Lane, Prospect Street, Second Street, Sheldon Drive, Spruce Street, Woolerton Street.

Snow and ice control

The main objective of snow and ice control is to plow the road surfaces to the shoulder or curb and try to keep the center of road bare surface if possible. The Village of Delhi endeavors to maintain adequate traction for vehicle’s properly equipped for winter driving conditions. Planning and preparing for snow and ice operations is difficult due to the uniqueness of each storm. The inter relationship of factors such as rate of snowfall, moisture content, accumulation, temperature, time of day, and wind velocity determines the uniqueness of each storm. The Village maintains adequate supplies of sand and rock salt. During a snow or ice event, the Village Street crew will start snow and ice operations at approximately 4:30 am and continue till 8:00 pm when necessary. Each plow route takes approximately 2.5 to 3 hours to complete under normal conditions, route time could be extended due to the conditions of the event. Some events may necessitate a difference of hours and will be determined per event. It should be understood that unusual situations (i.e. manpower shortages, extreme weather events and mechanical malfunctions) might change these time schedules. Every effort to accomplish these maintenance schedules shall be attempted. No guarantee is made or implied on removal operations. The Street Supervisor and Mayor have the authority to suspend snow and ice control operations in severe storm conditions when there is a danger to operators, or is not practical or cost effective to continue. During snow and ice events, the Village Street crew will respond to emergency conditions to the extent practical. The Village will not respond to unverified emergency requests directly from the public. The request must come from the appropriate emergency agency, (i.e. fire, police, etc.). If the Village is directed by an emergency agency, the Village will plow private driveways if so, directed by police, fire, or other emergency units of government. Village employees and operators are not responsible for any damage occurring during the snow removal operations from private driveways during emergency operations.

Equipment

The Village of Delhi has equipment designed for snow and ice operations. The equipment is kept in good repair. The Villages equipment is subject to break downs and unforeseen incidents, when this happens plowing route times may be extended. The Village takes all steps possible to ensure equipment down time is at a minimum. In addition, the Village of Delhi has shared service agreements with most local municipalities and New York State that could provide equipment and personnel if deemed necessary.

Sidewalks

Village Code 250-7 states that the owner/occupant jointly whose premises adjoins public sidewalks must keep the sidewalk free of snow or ice for the full width of such sidewalk. Removal is required within 24 hours after a snowfall.

Village Code 250-8 states that sidewalks in front of commercial establishments and commercial parking lots should be kept free of snow and ice at all times between the hours of 9 am and 5 pm.

Private Driveways

Driveway maintenance is the property's owner's responsibility. Property owners should not place snow over or on to the ends of drains and driveways culverts. It is the property owner's responsibility to keep culverts open and clear for the passage of water. The Village of Delhi and its employees are not responsible for snow removal from private driveways and yards. New York State prohibits the plowing of snow from driveways across any roadways. Violators may be liable for fines and civil liability due to injury or accidents. If private contractors are used by property owners, they must be made aware of this policy. *NYS highway law 214 (Depositing ashes, snow, ice, stones, sticks, etcetera upon the highway. Any person who shall deposit or throw loose stones in the gutter or grass adjoining a town highway, or shall deposit or throw upon a highway, ashes, papers, snow, ice, stones, sticks, or other rubbish, shall be liable to a penalty to be sued for and recovered by the Village. No stone or other rubbish shall be drawn to and deposited within the limits of any highway, except for the purpose of filling in a depression or otherwise improving the highway, and only with the written consent and under the direction of the Village)

Mailboxes

Operators are instructed to be very cautious near mailboxes. In most cases a properly installed and maintained mailbox will permit a snow plow to clear snow underneath it. Most cases of damaged mailboxes are caused by heavy snow hitting the box.

Complaints

Written complaints addressed to the Street Superintendent, Mayor, Village Clerk or Village Board members will be addressed by the Street Supervisor. Any verbal complaints given to a Village of Delhi employee, Street Supervisor, Mayor, Village Clerk or Village Board member If given in a respectable manner will be relayed to the proper personnel. Village of Delhi Street employees, Mayor, Street Supervisor, Village Clerk or Village Board members or their spouses and family members will not deal with rude, obscene or belligerent complaints, actions or behavior. Anonymous complaints will not be acted on."

Vehicle First Aid Kits

Motion was made by Trustee Sturdevant to authorize purchase of 13 first aid kits (1 water, 2 sewer & 10 street) at a cost of \$22.51 each from Hummel's. Motion was seconded by Trustee Tweed and passed unanimously.

Friesland Campina – Mayor Gearhart indicated that he, Courtney from Roemer, David and Nick from Sewer have a meeting with Friesland Campina on Friday (11/22/2024) at 1 PM to discuss updating their user agreement.

Mayor Gearhart mentioned to the board that there was an individual walking near E-Center was hit by a vehicle. Contributing factors might have been tall grass at Pizza Hut that has already been addressed to the owner of the building but the area is dark even with the current lighting. Trustee Tweed commented that we should be following Complete Streets and send this to the sidewalk committee.

Well #3 Repair – A & M Excavating Quote dated 11/14/2024 - \$7,476

Motion was made by Trustee Sturdevant to approve quote from A& M Excavating dated 11/14/2024 in the amount of \$7,476 for repair to well #3. Motion was seconded by Trustee Fitch and passed unanimously.

Trustee Sturdevant reported for the **Joint Services Committee**.

Motion was made by Trustee Sturdevant to authorize Greater Delhi Area Chamber of Commerce to hold the Holiday parade on December 6, 2024 and Mayor Gearhart to sign PERM 33c Application for NYS DOT as the applicant and for the Village to handle any insurance requirement. Motion was seconded by Trustee Tweed and passed unanimously.

Mayor Gearhart reported for the **Codes, Building & Planning Committee**.

Bishop building update – Mayor Gearhart indicated that power washing and painting of the front of the building has been done. Josh Morgan, Code Officer, is talking with Bishop about repairs that are needed on the back and side of the building.

Discussion regarding Court Street – Sean Leddy made a presentation to the village board. Trustee Sturdevant indicated that she would like to think about this further as she felt a gain of 4 parking spaces might not be worth the money needed to accomplish this. Table and bring this back to the December 17, 2024 meeting.

Village Hall painting – Mayor Gearhart indicated that he has communicated with Steve and this is not going to happen until spring.

Village Hall signs - Mayor Gearhart has quotes from Decker Advertising and Deb Fleming but we will hold on this for now until building is painted in the Spring.

Mayor Gearhart mentioned that there is a sign when entering the village @ Delside Acres – the sign is aged – Mayor Gearhart will look into replacing this sign or refurbishing.

Zoning Review Board: public workshop for the low impact business zone, ADU's, short-term rentals and parking – Mayor Gearhart will talk to Duane Sturdevant and see if this is ready to present to the village board and then have a public workshop for public comment.

Trustee Sturdevant reported for the **Finance Committee**.

NYSLRS invoice for Retirement – FYI – these invoices are on Abstract #6 - ERS - \$107,503 & PFRS - \$74,970

EFPR Group –

Motion was made by Trustee Sturdevant to approve engagement letter for year ended May 31, 2023 in the amount of \$20,500. Motion was seconded by Trustee Fitch and passed unanimously.

Motion was made by Trustee Fitch to approve the quote dated 11/13/2024 in the amount of \$10,900 with Pool Brook Contracting, Inc to replace plug valve on Clarifer #2. Motion was seconded by Trustee Tweed and passed unanimously.

OLD BUSINESS

Printer / Copier buyout option –

Motion was made by Trustee Sturdevant to pay buyout of \$1,575.93 for Xerox copier and this can be used in the Delhi PD. Motion was seconded by Trustee Tweed and passed unanimously. It was noted that Village Clerk will need to arrange for a new service agreement for the PD.

NEW BUSINESS

Troop 33 Boy scouts camp out at Reservoir Park – per Mayor Gearhart this event has been cancelled.

Christmas Luncheon at VH is scheduled for December 20, 2024 from 11:00 AM – 1:00 PM.

Climate Smart Communities – Mayor Gearhart indicated that we have been awarded \$50,000 from NYSERDA and we are waiting for those funds to be deposited in our bank account.

IPAWS (Integrated Public Alert and Warning System) – Village Clerk is looking into details of what we need to do and she will report back to the board when she has more details.

Town of Walton letter dated 11/5/2024 –

Motion was made by Trustee Fitch to approve the entire board to sign a letter to the Delaware County Board in support of the Town of Delhi Board letter dated 11/5/2024. Motion was seconded by Trustee Tweed and passed unanimously.

Motion was made by Trustee Sturdevant to appoint Emily Helck to Zoning Review Committee effective immediately. Motion was seconded by Trustee Fitch and passed unanimously.

Kayak – FYI - hibernation schedule per email of 11/12/2024 from Johna Marie @ Rent.fun.

Trustee Sturdevant indicated that NY Forward was in the village last Thursday (11/14/2024). Village of Delhi submitted for the \$4.5 million grant. Village of Delhi will give our power point presentation 12/4/2024 at 10:30 AM in Binghamton.

Mayor Gearhart mentioned he had a meeting recently with Sunni Jo exploring possibilities for purchase of 95 Main Street. Sunni is a local architect and wants to get involved in Delhi.

The board also spoke of a letter of intent that has been submitted to NY Restore for a \$500,000 grant for new housing, rehabbing, ADU (all housing).

Mayor's Report

Delaware County Council of Mayors last meeting was 11/13/2024 – next meeting is 1/8/2024. Mayor Gearhart indicated there is a meeting tomorrow (11/20/2024) with the Supervisors at 6:00 PM.

EXECUTIVE SESSION

Motion was made by Trustee Tweed to enter executive session for the purpose of discussing employment history of a particular person. Motion was seconded by Trustee Sturdevant and executive session started at 8:56 pm.

Motion was made by Trustee Fitch to exit executive session. Motion was seconded by Trustee Sturdevant and the board went back to open session at 9:23pm.

Motion was made by Trustee Fitch to have our Village attorney move forward with 87 Delaware Avenue for the noise & nuisance violations at that property. Motion was seconded by Trustee Sturdevant and passed unanimously.

Motion was made by Trustee Sturdevant to authorize the Mayor to sign the Certificate of Eligibles List for Wyatt Malave to complete the paperwork to Delaware County and note that Village of Delhi has paid \$10,750 to Village of Walton toward Wyatt's financial obligation to Walton for training.

Motion was made by Trustee Fitch to adjourn. Motion was seconded by Trustee Tweed and passed unanimously.

Meeting adjourned at 9:25 pm.

Respectfully submitted,

Kimberly Cairns
Village Treasurer