



TOWN OF TUSTEN TOWN BOARD

Regular Meeting Minutes

December 13, 2022

6:30 PM

Zoom ID: 809 1678 4280

PRESENT

Supervisor Bernard Johnson
Deputy Supervisor Jane Luchsinger
Councilman Greg Triggs
Councilman Bruce Gettel
Councilman Kevin McDonough

OTHERS PRESENT

Crystal Weston, Town Clerk; Victoria Strumpfpler, Deputy Town Clerk; Ken Klein, attorney to the town, approximately 10 members from the public.

1 OPENING ITEMS

1.1 Call Meeting to Order

Supervisor Bernard Johnson Called the meeting to order at 6:33 PM.

1.2 Pledge of allegiance

Supervisor Bernard Johnson led the pledge of allegiance

1.3 Payment of Bills

RESOLUTION # 173.1-2022

PAYMENT OF BILL FOR THE MONTH OF NOVEMBER

On motion of Deputy Supervisor Jane Luchsinger, seconded by Councilman Bruce Gettel, the following resolution was,

ADOPTED 5 AYES 0 NAYS

RESOLVED that the bills for the month of November be paid as presented:

<u>FUND ACCT</u>	<u>CK ACCT DISB.</u>
General Fund	\$99,184.39
Highway Fund	\$145,541.84
Water Fund	\$26,300.93
Sewer Fund	\$26,998.38
Lighting Dist.	\$0.00
Escrow Accts	\$4,456.75
TOTAL	\$302,482.29

2 DIVISION REPORTS

2.1 Highway – Submitted by Don Neiger, Highway Superintendent

November 2022

- Used 876.4 gal of diesel fuel 766.6 gal was for highway and 109.8 was non highway use.

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- Used 155 gal of gas 2.2 was highway and 152.8 was non highway use.
- Patched holes on dirt and paved roads.
- Removed trees in road way Ackerman Rd, Mahls Pond Rd, Ryer Rd and Irish Town Rd.
- Patched and T & L (True & Leveled) Perry Pond Rd and Forest Pond Rd for next years paving.
- Made sand salt mix for winter.
- Graded dirt on Grassy Swamp Rd, Luxton Lake Rd, Lake Ridge Rd, Humphrey, and Hankins.
- Paved a piece of Gables RD.
- Started to get equipment ready for winter.
- Out on snow removal once in November.

2.2 Water & Sewer

Monthly Report for November 2022

- Completed monthly drinking water and waste water sampling and reporting.
- Checked and inspected pump and grinder stations
- Removed sludge and replaced landscaping fabric on sand bed #3
- Replaced damaged landscaping fabric on sand bed #2
- Made adjustments to the chlorinator at the sewer plant, as needed, to maintain Federal and State standards on the effluent wastewater
- Did water meter readings every Wednesday in the month of November and informed homeowners with increased high-water usage.
- Koberlein pumped and cleaned out sludge from the dosing tanks at the sewer plant.
- Completed daily chlorine residual testing
- Adjusted and tested chlorinator at Well #3 as needed
- Had chlorinator at Well #3 replaced
- Tested insulation in ceiling of Well #2 for asbestos. Test was negative.
- Replaced all outside lights at sewer plant office
- Flushed 2 dead end hydrants due to discolored water. Discolored water was resolved after flushing.
- Shut off water to 6 locations
- Removed water meters from 3 locations for winter storage
- Replaced water meter base and radio head at 1 location
- Replaced radio head at 1 location
- Responded to 1 dig request
- Koberlein pumped out 1 septic tank

FINANCIAL REPORT FOR NOVEMBER 2022	
Narrowsburg Water	
Water Metered Rent	\$ 29,780.82

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Service Charge	\$ 97.50
Water Penalty	\$ 202.60
TOTAL RECEIVED	\$ 30,080.92
Narrowsburg Sewer	
Sewer Rent	\$ 16,551.94
Service Charge	\$ 7.50
Sewer Penalty	\$ 137.01
TOTAL RECEIVED	\$ 16,696.45
GRAND TOTAL	\$ 46,777.37
Jocelyn Strumpfler Water & Sewer Clerk	

2.3 Building Department/ Code Enforcement

Town of Tusten Building Inspector's Report NOVEMBER 2022 Monthly Report

Construction Inspections – 24

Fire & Safety Inspections – 0

Complaint/Violation Inspections – 2

Certificate of Occupancy Issued – 1

Certificate of Compliance Issued – 3

Total New Permits Issued – 11

New Homes – 0

Renovation/Alteration/Addition – 2

Chimney/Fuel – 0

Acc Bldg Comm – 0

Ren/Alt/Addition – Comm Const - 0

Deck – 0

Accessory Building/Garage – 0

Camping - 0

New Comm Const – 0

Commercial Deck - 0

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Demolition Permit – 0
Electrical – 5
Mechanical – 0
Plumbing – 0
Roof Replacement - 1
Septic Permits – 1
Sign Permit – 0
Well – 0

Driveway Permit – 0
Logging Permits – 1
Pool – 0
Roof Structure - 0
Sidewalk - 0
Solar Permit – 1
Flood Plain Permit - 0

Expired Permit Renewals – 0

Abstracts/Violation Search – 6

Dangerous and Unsafe Building – 0
Complaints Received – 0
Violations Issued – 0
Previous Violations Closed/Corrected – 0

Complaints Closed – 0
Violations Corrected – 0
Stop Work – 1

Building Inspector and Clerk attended training on Introduction to Fire Alarm Plan Review on November 18, 2022.

Monies collected by this office from November 1, 2022 to November 30, 2022 are \$2,495.90.

Respectfully,
Jim P Crowley, Building Inspector

2.4 Assessor – Submitted by Ken Baim, Sole Assessor

During the month of November, I attended the Sullivan County Assessor's Association regular monthly meeting in Liberty New York. The tri county holiday party and making baskets for a raffle was settled. Discussion of those who had court dates for small claims hearing was held and results thereof were shared.

As previously mentioned Tusten's two SCAR hearings were settled via stipulation between assessor and Adventine Properties, the company that represented the aggrieved taxpayers.

Quarterly sales reports were run and submitted to Department of Taxation after all deeds we received from the county had been processed. At the same point in time the data was transmitted to TeleScent for the January tax bills. At this point all valuation changes are frozen until 2023 roll as apportionment between all the towns has to be done to set the tax rates for the January bills.

A few deeds and address changes have been received that will be updated and submitted in early December for name and address purposes only.

Respectfully submitted,
Ken Baim, Sole Assessor

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2.5 Upper Delaware Council – Following reports were submitted by Susan Sullivan

Susan Sullivan Presented the Town Board with a Framed Poster on which the Delaware Valley Corridor is highlighted. This has been gifted from the UDC to assist the Town Boards & Committees when doing / authorizing projects within the corridor.

UDC REPORT

Water Use/Resource Management Committee: Evan Padua attending for Tusten. Ongoing topic is the construction of a boat ramp at the Ten Mile River Access. The Committee is following up with current/new Managers; the Conservation Fund and then the DEC

Project Review Committee; I attend this one. Of interest is the Telecommunication Subcommittee report. They are working on a position paper regarding improvement of emergency cell service in the River Corridor. From Sull Co Emerg Service Alex Ran; all carriers must transmit a 911 call. BUT what about if you have no bars? He says a 911 TEXT will be more likely to be received. Looking into the mysterious future, T-Mobile and Starlink have partnered to provide service via satellite to rural areas with difficult terrains like we are.

New Officers: For 2023 Aaron Robinson Shohola Rep. nominated for Chair, and Ginny Dudko, Deerpark Rep for Vice Chair. Al Henry continues as Treasurer

Skidders Falls Bridge: PennDots Project Advisory Committee will meet January 19, 2023. Not open to the public.

DRBC REPORT

Regulations on Frack Waste and Water Withdrawals from the Basin were announced this month. Se their website to read them.

NYDEC REPORT

Jeff Rider will be the DEC's permanent representative to the UDC beginning in January.

NPS REPORT

Lindsey Kurnath is the new Superintendent for the Upper Delaware. Her previous assignment was Fire Island Seashore. and Cody Hendricks, NPS Land Use Specialist is leaving his position for a new job in Montana.

Many personnel changes, including my stepping down from Tusten's UDC Representative. I notified the Town Board, letting them know that I am willing to serve as a second Alternate, and advised that Evan Padua wished to continue in his Alternate position and continue to attend WURM Committee meeting. I would strongly recommend that he continue to represent Tusten in this way.

- The Town Board took a moment to thank Susan Sullivan in her representation for the Town of Tusten over the last 14 + years.
- Susan recommended that an individual who has or will be part of the Planning Board, ZBA, or CAC would be an excellent person for the position of UDC Rep.

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2.6 Energy Committee – submitted by Brandi Merolla, Energy Committee Chair

The TEC is working on a few loose ends with projects so there is no TEC report this month.

2.7 Zoning Re-Write Committee

Continues to meet, closer to completion.

2.8 Grants

Little Lake Erie Culvert Project continues to Move Forward

No further grants available currently.

2.9 Conservation Advisory Council

Continues to meet monthly.

The CAC members attended the UDC meeting regarding GIS Mapping

Created their mission statement.

3 PUBLIC COMMENT

Star Hesse – Rcv'd FOIL appeal denial letter. Asked for clarification on the items within.

Supervisor Bernard Johnson clarified and offered if any further assistance in what the resident was looking for was needed.

4 OLD BUSINESS

4.1 Open Sand Filter Bids & Award

The following Sealed Bids were received, open and read aloud. Town Clerk shall submit them to the Water Superintendent for further review and recommendation. The Bid will be awarded on December 28, 2022 at the Town Board End of the Year Meeting unless otherwise noted.

COMPANY	AMOUNT	NON- COLLUSION
• WHIBO	\$ 80,838.00	YES
• Covia Corp.	\$ 222,324.75	YES
• Holliston Sand Co.,	\$ 101,925.00	YES
PER 500 CUBIC YARDS		

4.2 Senior Exemption – Tabled

4.3 Town Hall Building Underground Water Issues

The Town has obtained one quote and is looking obtain one more to fulfil procurement obligations prior to awarding and moving forward with the repair(s).

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5 NEW BUSINESS

5.1 Fire Advisory Board Appt

RESOLUTION # 174-2022

2023 SULLIVAN COUNTY FIRE ADVISORY BOARD APPOINTMENT

On motion of Supervisor Bernard Johnson, seconded by Deputy Supervisor Jane Luchsinger, the following resolution was,

ADOPTED 5 AYES 0 NAYS

RESOLVED that The Town Board re- appoint Craig Burkle at the Town of Tusten Rep. on the Sullivan County Fire Advisory Board for 2023.

5.2 Sullivan County Division of Solid Waste, 2023 Agreement

RESOLUTION # 175-2022

2023 SULLIVAN COUNTY SOLID WASTE AGREEMENT

On motion of Deputy Supervisor Jane Luchisnger, seconded by Councilman Kevin McDonough, the following resolution was,

ADOPTED 5 YAES 0 NAYS

RESOLVED that the Town Board hereby authorize & direct Supervisor Bernard Johnson to sign the 2023 Solid Waste Agreement with Sullivan County.

5.3 Authorize Code School

RESOLUTION # 176-2022

AUTHORIZE CODE SCHOOL

On motion of Deputy Supervisor Jane Luchsinger, seconded by Councilman Greg Triggs, the following resolution was,

ADOPTED 5 AYES 0 NAYS

RESOLVED that the Town Board hereby authorize the Code Dept Employees to attend Code School in Lake Placid to obtain 24 hours of the required continuing ed.

5.4 Authorize Supt. Highways temp work hires

RESOLUTION # 177-2022

AUTHORIZATION FOR HIGHWAY SUPERINTENDANT TO HIRE

On motion of Supervisor Bernard Johnson, seconded by Deputy Supervisor Jane Luchsinger, the following resolution was,

ADOPTED 5 AYES 0 NAYS

RESOLVED that the Town Board hereby authorize Highway Superintendent, Don Neiger , to hire as many temporary employees for the Snow removal season as he sees fit; Pay rate shall be the same as the current payrate of the Highway Employees; Hours will be determined by Highway Superintendent on an as needed basis.

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5.5 NWS 2023 Removal/ Disposal of used Filter sand Bid

RESOLUTION # 178-2022

AUTHORIZATION TO REQUEST FOR BIDS – NWS 2023 REMOVAL/DISPOSAL OF FILTER SAND

On motion of Supervisor Bernard Johnson, seconded by Deputy Supervisor Jane Luchsinger, the following resolution was,

ADOPTED 5 AYES 0 NAYS

RESOLVED that NWS Dept is hereby authorized to request Sealed Bids for the 2023 Removal/Disposal of used Filter Sand to be received by the Town Clerks Office by January 9, 2023 at noon and opened at 3: 00 PM. The bids are to then be awarded on Tuesday January 10, 2023.

5.6 NWS 2023 Septic Tank Pumping

RESOLUTION # 179-2022

AUTHORIZATION TO REQUEST FOR BIDS – NWS 2023 SEPTIC TANK PUMPING

On motion of Supervisor Bernard Johnson, seconded by Deputy Supervisor Jane Luchsinger, the following resolution was,

ADOPTED 5 AYES 0 NAYS

RESOLVED that NWS Dept is hereby authorized to request Sealed Bids for the 2023 Septic Tank Pumping to be received by the Town Clerks Office by January 9, 2023 at noon and opened at 3: 00 PM. The bids are to then be awarded on Tuesday January 10, 2023.

5.7 NYMIR – Mike Preis

Town Board has received the 2023 NYMIR insurance proposal from Mike Preis for review.

6 PUBLIC COMMENT

NO Public Comments were heard.

7 EXECUTIVE SESSION

RESOLUTION # 180-2022

ENTER EXECUTIVE SESSION

On motion of Supervisor Bernard Johnson, seconded by Deputy Supervisor Jane Luchsinger, the following resolution was,

ADOPTED 5 YAYES 0 NAYS

RESOLVED that the Town Board hereby enter executive session at 7:20PM for the purposes of discussing negotiations & real estate negotiations.

NO decisions were made, no minutes taken.

On motion of Supervisor Bernard Johnson, seconded by Deputy Supervisor, all in favor. The Town Board exited the executive session at 7:31 PM.

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8 CLOSING ITEMS

8.1 Board Comment

- Jane Luchsinger- Read aloud a letter
- Kevin McDonough- excess nails sticking out in the Narrowsburg Deck, should be taken care of

8.2 Meeting reminder

- End of Year Meeting December 29, 2022 at 10:00 AM
- Town Board Organizational Meeting, Tuesday, January 3, 2023 at 6:30 PM
- Town Board Regular Meeting, Tuesday, January 10, 2023 at 6:30 P

8.3 Adjournment

With no further business to be had, the meeting was adjourned at 7:32 PM on motion of Supervisor Bernard Johnson, seconded by Deputy Supervisor Jane Luchsinger. All in favor.

Respectfully Submitted,
Crystal Weston, Town Clerk
Victoria Strumpfler, Deputy Town Clerk