



Town of Tusten Town Board Meeting

Regular Meeting Minutes

April 11, 2023

6:30 PM

Zoom ID # 890 1678 4280

Venue: Tusten Town Community Hall, 210 Bridge Street, Narrowsburg, New York

PRESENT

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

OTHERS PRESENT

Crystal Weston, Town Clerk; Victoria Strumpfner, Deputy Town Clerk; Attorney to the Town, Ken Klein

1 OPENING ITEMS

1.1 Call Meeting to Order

Supervisor Johnson called the meeting to order at 6:31pm

1.2 Pledge of allegiance

Supervisor Johnson led the pledge

1.3 Announcements

Conservation Advisory Council (CAC)

Presentation Thursday 4/13/23 7:30 PM Tusten Town Hall

Conservation for Wildlife, Habitat, & People

Narrowsburg Water District

Hydrant Flushing April 24th & 25th

1.4 Payment of Bills

RESOLUTION # 52-2023

PAYMENT OF BILLS

On the motion of Councilman McDonough, seconded by Councilman Triggs the following resolution was,

ADOPTED 5 AYES 0 NAYS

RESOLVED that the Town Board motion to approve the bills as presented:

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Fund Acct	CK Acct Disburse	Voucher #'s	Late Bills
General	\$ 44,214.46	228-241,105.99	173A,170
Highway	\$ 173,150.07	211-227	
Water	\$ 63,058.00	173-188,206-210	170A
Sewer	\$ 13,731.55	189-203,203A,204,205	171,172
Lighting Dist.	\$ 0.00		
Escrow Accts	\$ 1,072.50	170B	
TOTAL	\$ 295,226.58		

2 DIVISION REPORTS

Some reports have been sent to the board in advance of the meeting, therefore they are not read out loud at the meeting; copies of all reports may be obtained at the Town Clerks Office.

2.1 **Highway** – submitted by Highway Superintendent Donald Neiger

- Used 1021.1 gal of diesel fuel 980.1 gal was for highway and 41 was non highway use.
- Used 267.8 gal of gas 0 was highway and 267.8 was non highway use.
- Patch holes on dirt and paved roads.
- Removed trees in road way Hoffman, Perry Pond, Ryer Rd, Trout Pond A and Dexheimer and Mahl's Pond. Cut brush on right of way Hoffman.
- Repair pipe Luxton Lake outlet.
- Make sand salt mix for winter.
- Grade dirt on Humphery and Brook Rd and Lake Ridge.
- Out on snow and ice removal several times in March.
- Mow brush on right of ways with boom mower.
- Start to remove snow removal equipment from some trucks. Start to get summer equipment out.

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2.2 Water & Sewer

- Hydrant flushing is scheduled for April 24th and 25th.
- System wide smoke testing of the sewer lines is schedule for July 11th and 12th.
- May 1st the water and sewer department will resume summer hours of 6:00am to 2:30pm
- Tested wells and sewer plant daily to ensure the drinking water and wastewater quality met federal and state standards. Made adjustments as needed.
- Completed monthly drinking water sampling, wastewater sampling, reporting for the DOH and DEC.
- Did water meter readings every Wednesday in the month of March and contacted home and building owners with unusually high water use to help them track leaking pipes or fixtures.
- Koberlein pumped-out and cleaned sludge from the dosing tanks at the sewer plant.
- Turned water on to one home that we previously turned off due to excessive water use, a plumber made repairs to a leaking toilet.
- Repaired a broken curb valve box on Bridge St.
- Replaced one meter base at a home that stopped working and a radio head at another home.
- Responded to 2 power outages.
- Started finding, marking, and GPS mapping curb valves around town. Completed Bridge St, Route 97, Feagles Lake, Kirk Rd, Main St, 5th St, 4th St, 3rd St, 2nd Ave and started working on the second half of Delaware Dr. Added risers where needed to have access to the curb valve in case of an emergency.
- *We are working with a surveyor who is doing a town wide survey for the water system improvement project.*
- Marked water lines at the water tower for a dig request for soil boring for the water system improvement project.
- Found and repaired leaking service line on Rt. 97. Leak was due to multiple holes in a lead gooseneck.

NARROWSBURG WATER & SEWER		
FINANCIAL REPORT FOR MARCH 2023		
Narrowsburg Water		
Water Metered Rent	\$	1,333.50
Service Charge	\$	475.00
Water Penalty	\$	165.10
TOTAL RECEIVED		\$ 1,973.60
Narrowsburg Sewer		

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Sewer Rent	\$ 1,054.41
Service Charge	\$ 50.00
Sewer Penalty	\$ 128.26
TOTAL RECEIVED	\$ 1,232.67
GRAND TOTAL	\$ 3,206.27
Jocelyn Strumpfler Water & Sewer Clerk	

2.3 Building Department/ Code Enforcement

MARCH 2023 Monthly Report

Construction Inspections –
Fire & Safety Inspections – 0

Complaint/Violation Inspections – 0

Certificate of Occupancy Issued – 2

Certificate of Compliance Issued – 7

Total Permits Issued – 10

New Homes – 0
Renovation/Alteration/Addition – 2
Chimney/Fuel –
Acc Bldg Comm – 0
Ren/Alt – Comm Const - 0
Deck – 0
Demolition Permit – 0
Electrical – 2
Mechanical – 2
Plumbing –
Roof Replacement - 1
Septic Permits – 2
Sign Permit – 0
Well – 0

Accessory Building/Garage – 0
Camping - 1

New Comm Const – 0

Commercial Deck - 0
Driveway Permit – 0
Logging Permits – 0
Permit Renewals – 0
Pool – 0
Roof Structure - 0
Sidewalk - 0
Solar Permit – 0

Flood Plain Permit – 0

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Abstracts/Violation Search – 14

Dangerous and Unsafe Building – 0

Complaints Received – 0

Violations Issued – 0

Previous Violations Closed/Corrected – 0

Complaints Closed – 0

Violations Corrected – 0

Stop Work – 0

Monies collected by this office from March 1, 2023 to March 28, 2023 are \$2,778.10.

2022 New York State Part 1203 Report filed with New York State Department of State

Respectfully,

Jim P Crowley, Building Inspector

JPC/js

2.4 Assessor- *submitted by Ken Baim, Sole Assessor*

1. During the month of March, we did attend the Sullivan County Assessor's Association regular monthly meeting in Jeffersonville.
2. Files were prepared for data collection in early March. Field data was collected in later March with the help of Ken's cousin who has been visiting and helping with data collection for the past several years.
3. In the later part of the month, valuation and data entry had commenced capturing valuations on building permits completed and in process. As always, March was a very busy month with many hours logged.

2.5 Upper Delaware Council

- No report received

2.6 Energy Committee

- Presentation read aloud by Brandi Merolla via zoom
- Resignation of Brandi Merolla from the TEC

2.7 Zoning Update Committee – *presented by Jane Luchsinger, Deputy Supervisor*

- In progress...

2.8 Grants – *presented by Jane Luchsinger, Deputy Supervisor*

1. Little Lake Erie Culvert – Pre-construction meeting with Hunt Engineering, NY DOT and Rutledge Excavating took place on the 30th of March. Tree was cut down March 31 which made the deadline for the protection of the northern long eared brown bat. The next step is to re-route the water line which would otherwise be located under the temporary bridge.
 - Began lowering water levels in the lake

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2. Water infrastructure project – The project continues to be coordinated by Delaware Engineering. Additionally, the water and sewer lines are being surveyed to see where they cross over each other.
3. We have not heard from the Sullivan 180 with regards to the Municipal partnership grant for a pavilion for the Multigenerational Park.
4. Waiting for word on the Delaware River Basin Restoration Grant for the purpose of creating an Open Space Plan all of Tusten

2.9 Conservation Advisory Council – presented by Jane Luchsinger, Deputy Supervisor

1. The first lecture in the series of 3 was given by Shannon Cilento on the topic of Health Aspects of Open Space. It was well received.
2. Thursday, April 13, will be the next lecture. Tray Talley and Rachel Morrow from the Delaware Highlands Conservancy will be speaking on Conservation for Wildlife, Habitat and People.
3. Still waiting to hear if we received funding for the Open Space Plan.

2.10 Water / Sewer Committee – presented by Jane Luchsinger, Deputy Supervisor

1. Our Water Department has received notice from the NY State Department of Health that our Annual Report has been approved.
2. The new water tower has been ordered.
3. Employees of the water department do their best to inform you of any shut downs or problems but we suggest that all residents in the water district sign up for Code Red Alerts which will inform you of any outages or problems related to water services. To sign up follow the directions on the Town website, under Community.

3 PUBLIC COMMENT – the following comments were heard

1. Star Hesse – resigned from TEC
2. Fabiano Lotino – Air BnB Questions
3. Iris Helfeld – resigned from TEC
4. Naomi Holloch – resigned from TEC

4 OLD BUSINESS

4.1 Highway Sand & Stone Bids Received

RESOLUTION # 53-2023

AWARD HIGHWAY SAND & STONE

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

ADOPTED 5 AYES 0 NAYS

RESOLVED that the Town Board hereby award the 2023 Highway Sand & Stone Bid to Deckleman & Rutledge for the Amounts shown below (Prices are Per Ton).

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COMPANY	NON-COLLUSION	Crusher Run	6-S	57	Sand
Deckelman	YES	\$14.40	\$21.90	\$18.90	\$16.50
R & H Gorr	YES	\$17.25	\$25.95	\$23.25	\$18.50
Rutledge	YES	\$15.85	-	\$17.90	\$18.45
Callahan	YES	\$21.20	\$37.20	\$24.70	-

4.2 Genis Loci Contract

RESOLUTION # 54-2023

AUTHORIZATION TO CONTRACT WITH GENIUS LOCI PLANNING

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

ADOPTED 5 AYES 0 NAYS

RESOLVED that the Town Board authorize the supervisor to sign agreement with Genius Loci Planning as presented:

PLANNING SERVICES AGREEMENT

between

Genius Loci Planning and the Town of Tusten, New York

This agreement is between Genius Loci Planning, 1796 County Hwy 6, Bovina Center, NY, (hereinafter referred to as "GLP") and the Town of Tusten, 210 Bridge Street, Narrowsburg, NY (hereinafter referred to as the "Town").

WHEREAS, the Town desires to engage GLP to perform certain professional and technical services;

WHEREAS, the Town has worked successfully with GLP to develop the Town's comprehensive plan and adopt several amendments to the Town's zoning law, subdivision regulations, and other local laws;

WHEREAS, Peter Manning, Principal, GLP is qualified, and has agreed to perform such services;

NOW, THEREFORE, in consideration of the mutual covenants, conditions and agreements contained herein and for other good and valuable consideration, the parties do hereby agree as follows:

1. SERVICES TO BE PERFORMED

The Town agrees to engage GLP and GLP agrees to provide professional planning services to assist in completing the process to adopt Local Law No. 1, 2022; completing comprehensive revisions to the zoning law in cooperation with Zoning Review Committee; preparing the town for adoption of comprehensive zoning revisions; and completing the formation of the town conservation advisory council and assisting the CAC in establishing routine meetings and potential future projects and activities. Said services and estimated costs are illustrated in Appendix A of this agreement.

The Town will be responsible for:

- Working with GLP to schedule meetings of the zoning review committee, conservation advisory council, and compliance with any applicable Open Meetings Law and Freedom of Information Law requirements;
- Printing or printing costs associated directly with the projects and services;

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- Working with GLP to complete county review communications and procedures; and legal review and publication requirements.

2. PERIOD OF SERVICES

The period of services for this agreement begins March 1, 2023 and continues until scope of work is completed or December 31, 2023, whichever comes first, unless otherwise amended by mutual written agreement between GLP and the Town.

3. COSTS/PAYMENT SCHEDULE

GLP will charge \$62.50 per hour for work performed under this contract in an amount not to exceed \$7500. GLP will submit monthly or bi-monthly invoices to the Town, with payments to be issued within 30 days of receipt of invoice.

GLP agrees to execute the work diligently according to the terms of this contract.

This contract and any appendices attached hereto are the entire agreement of the parties and supersede any agreement, oral or written, pertaining hereto. This contract may be amended in writing signed by both parties. This contract may be terminated for convenience by either party by notification in writing to the other party. The Town shall, upon such termination, be responsible for payment for services rendered up to the time of such notification.

5 NEW BUSINESS

5.1 **Municipal Clean Up Day**

RESOLUTION # 55-2023

SPRING 2023 MUNICIPAL CLEAN-UP

On the motion of Supervisor Johnson, seconded by Councilman Gettel the following resolution was,
RESOLVED that the Town Board motion to set the Spring Municipal clean-up day for Saturday May 6, 2023 9am - 2pm

5.2 **EDDM Flyer**

RESOLUTION # 56-2023

SPRING 2023 EDDM FLYER

On the motion of Councilman Triggs, seconded by Councilman McDonough the following resolution was,
ADOPTED 5 AYES 0 NAYS
RESOLVED that the Town Board authorize the Town Clerk to mail out an EDDM flyer with upcoming news

5.3 **Budget Amendments, Line Creations & Transfers**

RESOLUTION # 57-2023

BUDGET AMENDMENTS, LINE CREATIONS & TRANSFERS

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

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ADOPTED 5 AYES 0 NAYS

RESOLVED that the Town Board motion to approve the following budget amendments, line creations, and transfers:

General Fund

create

A8020.1 Planning Office Clerk

increase A8020.1 \$2,000.00

decrease A8020.4 Planning Contr. \$2,000.00

create

A8010.1 Zoning Office Clerk

increase A8010.1 \$500.00

decrease A8010.4 Planning Contr. \$500.00

create

A1410.14 Deputy Town Clerk 3

increase A1410.4 \$5,000.00

decrease A1410.13 2 Deputy Clerk \$5,000.00

create

A135512 Office Clerk to the Assessor

increase A135512 \$3,000.00

decrease A1355.4 Assessor Contr. \$3,000.00

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WATER FUND

move funds from General Fund to increase:

EXPENSE:

	Capital Improvement	
SW8397.4	Property	\$39,847.15

Narrowsburg Water System Improvement Project

5.4 Lawn Mowing Bid

RESOLUTION # 58-2023

2023 LAWN MOWNING BID

On the motion of Councilman Triggs, seconded by Councilman Gettel the following resolution was,

ADOPTED 5 AYES 0 NAYS

RESOLVED that the Tusten Town Board will accept sealed bids on the Lawn mowing and summer maintenance of Town of Tusten grounds. Full job description BID packets are available online at www.TOWNOFTUSTEN.org and at the Town Clerks office. Said bids shall be mailed or delivered to the office of the Town Clerk, 210 Bridge St., P.O. Box 195, Narrowsburg, N.Y. 12764, **clearly marked "LAWN MAINTENANCE / MOWING BID" no later than 3:00 p.m. Monday May 1, 2023.** Bids will be opened read at the Town Board Workshop, May 2, 2023 6:30 PM. The Town Board reserves the right to reject any and all bids and to waive any irregularities in the bidding and to re-advertise for new bids. **Non-Collusion Certificate required** and is available at the Tusten Town Clerks Office & online.

LET IT BE FURTHER RESOLVED that the Town Clerk put a notice in the local paper

5.5 Road Closure

RESOLUTION # 59-2023

ROAD CLOSURE

On the motion of Councilman McDonough, seconded by Councilman Triggs the following resolution was,

ADOPTED 5 AYES 0 NAYS

RESOLVED that the Town Board approve the closing of Main Street for the Deep Water Literary Festival on Friday June 16, 5pm – 8pm.

5.6 Litter Pluck

RESOLUTION # 60-2023

SPRING 2023 LITER PLUCK

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

ADOPTED 5 AYES 0 NAYS

RESOLVED that the Town Board motion to approve the use of the Town Parking lot on April 30th, 2023 for the 2023 Spring liter pluck.

*Coupons are available for public to pick up at the Town Clerks Office

5.7 Permission to Chi Hive to use the Muti Generational Park

RESOLUTION # 61-2023

PERMISSION TO CHI HIVE TO USE THE MULTI GENERATIONAL PARK

On the motion of Councilman Triggs, seconded by Councilman McDonough the following resolution was,

ADOPTED 5 AYES 0 NAYS

RESOLVED that the Town Board approves the Chi Hive to use of the Multi- Generational Park on the flats, including insurance naming the Town as a secondary holder.

5.8 Accept Resignation

RESOLUTION # 62-2023

ACCEPT TEC RESIGNATION

On the motion of Supervisor Johnson, seconded by Councilman McDonough the following resolution was,

ADOPTED 5 AYES 0 NAYS

RESOLVED that the Town Board accept the resignation of Star Hesse, Naomi Holloch, and Brandi Merolla

6 **PUBLIC COMMENT** - *the following comments were heard*

1. Star Hesse – TEC
2. Fabiano Lotio – Air BnB Questions

7 **CLOSING ITEMS**

Board Comment

- Greg Triggs – Thanks Tom Coacci for fixing the deck
-Tusten Social is for people over 60 who are in need of just about any help

Meeting reminder

- Tusten Planning Board Meeting 4/25/23 7:30pm

8 **Enter Executive Session**

RESOLUTION # 63-2023

ENTER EXECUTIVE SESSION

On the motion of Supervisor Johnson, seconded by Councilman McDonough the following resolution was,

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ADOPTED 5 AYES 0 NAYS

RESOLVED that the Town Board enter executive session at 7:20pm for the purpose of discussing the employment history of a particular individual.

No decision made

No action taken

Exit Executive Session

On motion of Supervisor Johnson, seconded by Councilman McDonough, the following resolution was, that the Town Board hereby exit executive session at 8:00pm

9 Adjournment

With no further business to be had, the meeting was adjourned at 8:02 PM on motion of Councilman McDonough, seconded by Councilman Gettel All in favor.

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