



# Town of Tusten Town Board Meeting

Regular Meeting Minutes

July 11, 2023

6:30 PM

Zoom ID # 890 1678 4280

**Venue:** Tusten Community Hall, 210 Bridge Street

**PRESENT**

Supervisor Bernard Johnson  
Councilman Triggs  
Councilman Kevin McDonough  
Councilman Bruce Gettel

**OTHERS PRESENT**

Crystal Weston, Town Clerk; Victoria Strumpfner, Deputy Town Clerk; Leigh Delaney, 3<sup>rd</sup> Deputy Town Clerk

**ABSENT**

Deputy Supervisor Luchsinger

## **1 OPENING ITEMS**

### **1.1 Call Meeting to Order**

Supervisor Bernard Johnson called the meeting to order at 6:30pm

### **1.2 Pledge of allegiance**

Supervisor Bernard Johnson led the pledge

### **1.3 Announcements**

- Passing of Dorothy "Dot" McCormack
- Passing of Carrol Kramer
- TYC 4<sup>th</sup> of July was a success
- Upcoming Riverfest 7/23/2023

### **1.4 Payment of Bills**

#### **RESOLUTION # 83-2023**

#### **PAYMENT OF BILLS**

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

**ADOPTED 4 AYES 0 NAYS 1 ABSENT** (Deputy Supervisor Luchsinger)

**RESOLVED** that the Town Board motion to pay the bills as presented:

# Town of Tusten

## Town Board Meeting

FUND	CK ACCT DISBURSE	VOUCHER #'S
General	\$49,086.03	402, 403, 405-421
Highway	\$170,928.02	422-434
Water	\$58,144.03	401, 435-451
Sewer	\$25,074.03	400, 452-468
Lighting Dist.	\$821.30	404
Escrow Accts		
Capital Gen		
Capital Hwy		
Capital Water	\$23,325.00	469
<b>TOTAL</b>	<b>\$326,557.11</b>	

## 2 DIVISION REPORTS

### 2.1 Highway Department – submitted by Donald Neiger

- Used 905.6 gal of diesel fuel 751.1 gal was for highway and 154.5 was non highway use.
- Used 274.1 gal of gas 0 was highway and 274.1 was non highway use.
- Patch holes on dirt and paved roads.
- Removed trees in road way from storms repair wash outs.
- Ditch Hoffman, Mahl's Pond, Perry Pond and Forest Pond for paving.
- Replace pipes on Hoffman, and Bear Run.
- Grade dirt roads.
- Mow grass on right of way.
- Pave Forest Pond and part of Perry Pond with help from Sullivan County Paving.

### 2.2 Water & Sewer Department

- 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 June and contacted home and building owners with unusually high water use to help them find leaking pipes or fixtures.
- Koberlein pumped-out and cleaned sludge from the dosing tanks at the sewer plant.
- Continued working on the Lead Service Line Inventory required by the NYS Department of Health by going through old records.
- Continued removing sludge and weeds from the sand beds at the sewer plant.

# Town of Tusten

## Town Board Meeting

- Phoenix Enterprises installed a new water line and valve for 104 Main St. Used GPS to map the entire water line and valve. Hand delivered boil water notices/ water off notices to Main St, Bridge St and Demauro Ln. The new line was pressure tested and inspected. Water was shut down to install a new T and valve in the existing water main for Main St.
- Hand delivered rescinded boil water notices to School St from School St water main repair in May 2023
- Hand delivered rescinded boil water notices/ water off notices to Main St, Bridge St, and Demauro Ln
- Rutledge installed new sewer lines and manholes for the bridge project. Marked new lines and manholes with GPS and took pictures.
- Pike County Generator Inc. installed new propane tank and propane generator at Well #1. Marked new propane lines with GPS. Took measurements and pictures.
- Responded to 1 afterhours septic tank check
- Responded to 1 afterhours fire call on Hilltop Ln
- Checked 3 septic tanks
- Installed new risers on 2 septic tanks
- Installed 2 new radio heads
- Installed 1 new water meter base
- Repaired 1 bent curb stop stem
- Re-installed water meters for Veteran's Park and playground
- Installed water fountain at playground
- Mowed at Well houses, sewer plant, and Kirk Rd.
- Installed shed over Kirk Rd pump station control panel. Installed air conditioner in new shed to prevent control panel from overheating.
- Flushed 1 fire hydrant due to complaint of brown water
- Began complete inventory of the water & sewer warehouse
- Discovered 16 properties listed on AirBnB. 10 properties were listed as residential in Beacon program. The properties were updated to commercial.
- RAM 3500 utility and RAM 3500 dump truck were both serviced
- Oversaw/assisted fire departments using fire hydrant near little Lake Erie to fill tankers for fire at 67 Arena Ct.

### 2.3 Building Department/ Code Enforcement

#### Town of Tusten Building Inspector's Report JUNE 2023 Monthly Report

Construction Inspections – 21

Fire & Safety Inspections – 0

Complaint/Violation Inspections – 0

Certificate of Occupancy Issued – 5

Certificate of Compliance Issued – 10

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Total Permits Issued – 21

# Town of Tusten

## Town Board Meeting

New Homes – 1	Accessory Building/Garage – 0
Renovation/Alteration/Addition – 3	Camping - 0
Chimney/Fuel – 0	
Acc Bldg Comm – 0	New Comm Const – 0
Ren/Alt – Comm Const - 0	
Deck – 3	Commercial Deck - 0
Demolition Permit – 0	Driveway Permit – 1
Electrical – 4	Logging Permits – 0
Mechanical – 2	
Plumbing – 0	Pool – 1
Roof Replacement - 0	Roof Structure - 0
Septic Permits – 2	Sidewalk - 0
Sign Permit – 0	Solar Permit – 1
Well – 0	

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Permit Renewals - 0  
Flood Plain Permit – 0  
Abstracts/Violation Search – 4

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Dangerous and Unsafe Building – 0	
Complaints Received – 1	Complaints Closed – 0
Violations Issued – 0	Violations Corrected – 0
Previous Violations Closed/Corrected – 0	Stop Work – 0

Monies collected by this office from June 1, 2023 to June 30, 2023 are \$3,702.80

Respectfully,  
Jim P Crowley, Building Inspector  
JPC/js

### 2.4 **Assessor** – Ken Baim - no report

### 2.5 **Upper Delaware Council** – submitted by Evan Padua

- The National Park Service did a water safety presentation. They stated that there were 3 drownings total in the UPDE corridor in 2022, and only one so far in 2023. None of the victims were wearing a PFD or Lifejacket. Life Jacket loaner stations are located all up and down the river at select access points. The NPS is looking for Volunteers to help count the number of Life Jacket users on the Upper Delaware river. The data from the past 5 Years shows about a 50% wear rate on our river, which is higher than the national average of life jacket users.

# Town of Tusten

## Town Board Meeting

- Please contact Ingrid Petere at [ingrid\\_peterec@nps.gov](mailto:ingrid_peterec@nps.gov) if you are interested in volunteering.
- The NYDEC recently Shocked up 4 Northern Snakehead fish in our Upper Delaware in an area south of Callicoon. This means they are likely in Narrowsburg and many surrounding waters. This invasive species, if caught, is to be killed and reported to NYDEC or NPS immediately. These fish are 24-32" in length, live in shallow weedy areas, and eat just about anything that is smaller than them.
- There is a Beech Leaf disease spreading throughout Appalachia as a whole, and likely to affect our area. Beech leaves will have translucent lines through them as they die, and this will bring a higher mortality rate for Beech trees in our area.
- UPDE NPS is looking for a Community Planner and full-time position opening. Please inquire with NPS if interested.
- UDC approves Substantial Conformance for Narrowsburg Veterinary. It is now onto the NPS for their review.
- UDC fundraising events coming up are a Scranton/Wilkes Barre Rail Riders baseball game on 8/1, and a Family Raft Trip on 8/6. Please contact the UDC if you are interested in participating in any of these events.

### 2.6 Energy Committee

- Continue to work on the HORSE

### 2.7 Zoning Revision Committee – *no report*

### 2.8 Narrowsburg Water & Sewer Committee – *submitted by Jane Luchsinger*

- The Water/Sewer committee met July 5th at 8:00 am.
  1. A smoke detection of the lines will be performed to identify any leaks in the water systems
  2. In June the committee met with a representative of RCAP to discuss the sewer rates. RCAP will be doing an analysis of our current rates and advise us of any suggested changes.

### 2.9 Grants – *submitted by Jane Luchsinger*

1. Little Lake Erie Culvert – A Construction update meeting with Hunt Engineering, NY DOT and Rutledge Excavating took place this month. It is expected that the pre-formed dam/culvert will be arriving August 10 and demolition of the old culvert will begin 10 days prior.
2. Water infrastructure project – The project continues to be coordinated by Delaware Engineering. Delaware Engineering is waiting for DOH approval of our work plans. Paperwork to that end will be part of this meeting (SEQRA).
3. We have been awarded \$20,000 by Sullivan 180 for the purpose of building a pavilion and playground “mound” in the Tusten Park on the Flats. A committee has been formed to work on this project, including a representative from the Tusten Youth Commission (Crystal Weston), a representative from the Flats (Harvey Weissman), a representative from the Town Board (Ben Johnson), a representative from Tusten Social (Greta Knutzen) and the project coordinator (Jane Luchsinger).

# Town of Tusten

## Town Board Meeting

4. Waiting for word on the Delaware River Basin Restoration Grant for the purpose of creating an Open Space Plan all of Tusten.
5. The UDC grant for zoning updates continues.

### **2.10 Tusten Youth Commission – submitted by Crystal Weston**

- Weekly programing 3pm – 6pm for summertime
- Preparations for Halloween are underway

### **2.11 Conservation Advisory Council**

- Committee has not met
- Awaiting Open Space Grant
- Awards are due to be announced late August, early September
- Continue their work on the informational brochures

## **3 PUBLIC COMMENT**

*The following people made comments:*

- Bonnie
- Bernie Lohmann
- Star Hesse

## **4 OLD BUSINESS**

### **4.1 Park Pavilion**

- Committee met and awaiting drawing plans
- If everything looks good, it can go out to BID

### **4.2 Rule on Prevailing Wage for Aggregate Hauling – no discussion**

## **5 NEW BUSINESS**

### **5.1 Tusten Youth Storage**

#### **RESOLUTION # 84-2023**

#### **TUSTEN YOUTH STORAGE**

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

**ADOPTED 4 AYES 0 NAYS 1 ABSENT** (Deputy Supervisor Luchsinger)

**RESOLVED** that the Town Board motion to approve the purchase of a storage container no more than \$3,000 for the Tusten Youth Commission

### **5.2 93 Main Street**

#### **RESOLUTION # 85-2023**

#### **93 MAIN STREET REPAIRS**

# Town of Tusten

## Town Board Meeting

On the motion of Councilman McDonough, seconded by Councilman Gettel the following resolution was,  
**ADOPTED 4 AYES 0 NAYS 1 ABSENT** (Deputy Supervisor Luchsinger)  
**RESOLVED** that the Town Board motion to approve the repairs for the preexisting leaky roof

### 5.3 Liquor License

#### **RESOLUTION # 86-2023**

##### **LIQUOR LICENCES**

On the motion of Supervisor Johnson, seconded by Councilman Triggs the following resolution was,  
**ADOPTED 4 AYES 0 NAYS 1 ABSENT** (Deputy Supervisor Luchsinger)  
**RESOLVED** that the Town Board motion to approve the 30-day waiver for Narrowsburg Coffee Creations

### 5.4 Spectrum for Service

#### **RESOLUTION # 87-2023**

##### **SPECTRUM FOR SERVICE**

On the motion of Councilman Triggs, seconded by Councilman McDonough the following resolution was,  
**ADOPTED 5 AYES 0 NAYS 1 ABSENT** (Deputy Supervisor Luchsinger)  
**RESOLVED** that the Town Board approves to contract with Spectrum for the Town Hall Offices for Fiber and phone lines

### 5.5 Hire Gardener

#### **RESOLUTION # 88-2023**

##### **HIRE GARDENER**

On the motion of Councilman McDonough, seconded by Councilman Triggs the following resolution was,  
**ADOPTED 4 AYES 0 NAYS 1 ABSENT** (Deputy Supervisor Luchsinger)  
**RESOLVED** the Town Board motion to hire Lee Allison as the part- time Gardner 2 hours a week at the rate of \$30 an hour

### 5.6 Lead Pipe Inventory

#### ➤ Delaware Engineering - SEQRA

Helen Budrock confirmed the application would be due on/before August 25, 2023, recommendation is to proceed with the SEQRA as an unlisted action since funding is being sought out.

#### **PART I of SEQRA**

Project description: Data Collection, An inventory of the assets of the water district. including material of the existing water services copper, lead, ect., an inventory supposed to be completed by October, in order to comply with EPA requirements.

#### **RESOLUTION #89-2023**

# Town of Tusten

## Town Board Meeting

### **LEAD PIPE INVENTORY SEQRA PART I**

On motion of Supervisor Bernard Johnson, Seconded by Councilman Bruce Gettel, the following resolution was

**ADOPTED 4 AYES 0 NAYS 1 ABSENT** (Deputy Supervisor Luchsinger)

**RESOLVED** by the Town Board to accept Part I of the SEQRA for the Lead Pipe Inventory as prepared by Delaware Engineering & the Consulting Firm.

### **PART II of SEQRA**

Impact Statement: Will the proposed action create a material conflict with the adopted land use plan? All 11 questions were answered as little to no impact.

### **RESOLUTION #90-2023**

#### **SEQRA PART II LEAD PIPE INVENTORY**

On motion of Supervisor Bernard Johnson, seconded by Councilman Bruce Gettel, the following resolution was,

**ADOPTED 4 AYES 0 NAYS 1 ABSENT** (Deputy Supervisor Luchsinger)

**RESOLVED** by the Town Board to accept Part II of the SEQRA for the Lead Pipe Inventory as prepared by Delaware Engineering & the Consulting Firm.

### **PART III of SEQRA Determination of significance**

No moderate or large impacts were identified as part II. The project will involve investigative report work to determine the material and quality of existing water service lines throughout the water district for the purpose of creating an accurate and up-to-date inventory. No installation, construction, demolition, or other permanent physical alterations will occur as part of this project. Visual investigations point of view testing and historical research will be used to gather information whenever possible. In some cases, minor, temporary excavations may be needed to confirm buried water service material, no significant impacts to the environment should occur as a result of these activities. **Therefore, The proposed action will not result in any significant adverse environmental impacts.**

### **RESOLUTION #91 - 2023**

#### **NEGATIVE DECLARATION OF TYPE II SEQRA ACTION FOR THE NARROWSBURG WATER DISTRICT- LEAD SERVICE LINE INVENTORY PROJECT**

On motion of Supervisor Bernard Johnson, seconded by Councilman Bruce Gettel, the following resolution was,

**ADOPTED 4 AYES 0 NAYS 1 ABSENT** (Deputy Supervisor Luchsinger)

**WHEREAS**, the Town of Tusten, Sullivan County, New York, (hereinafter the "TOWN") is in the process of creating a complete and updated inventory of existing water services; and

**WHEREAS**, the Environmental Protection Agency's (hereinafter "EPA") Lead and Copper Rule Revisions are requiring that all water systems complete an updated inventory of existing water services by October 16, 2024; and

**WHEREAS**, the TOWN desires to comply with the aforementioned requirement set forth by the EPA; and

**WHEREAS**, the TOWN intends to seek funding for the creation of the water service inventory through the Bipartisan Infrastructure Law (BIL) Lead Service Line (LSL) Inventory Program,



# Town of Tusten

## Town Board Meeting

administered by the New York State Department of Health (NYSDOH); and

**WHEREAS**, the TOWN has determined itself to be the appropriate body to act as "Lead Agency" with the sole discretion and authority to conduct the environmental review for the PROJECT; and

**WHEREAS**, the project is classified as a Type II action, based on the definitions set forth under the State Environmental Quality Review Act (SEQRA), pursuant to 6 NYCRR Part 617.5 subdivision (c)(6), (c)(21), and (c)(24); and

**WHEREAS**, as a part of the funding and review process, it may be requested that the TOWN complete a *Short Environmental Assessment Form* (SEAF) for the purpose of determining whether the PROJECT shall have an adverse impact on the environment; and

**WHEREAS**, *Short Environmental Assessment Forms* (SEAF) Part 1, 2, & 3 have been completed for this project by Delaware Engineering and reviewed by the Tusten Town Board

**NOW THEREFORE BE IT RESOLVED THAT,**

1. The TOWN declares its intention to serve as Lead Agency for the purposes of the SEQRA for this PROJECT;
2. The TOWN determines that this project is classified as a Type II action under the State Environmental Quality Review Act (SEQRA), pursuant to 6 NYCRR Part 617;
3. The TOWN, having reviewed Part 1, Part 2, and Part 3 of the Short Environmental Assessment Form, hereby determines that the PROJECT will not have an adverse environmental impact and hereby issues a "Negative Declaration" for the PROJECT; and
4. The Town authorizes the Town Supervisor to endorse the SEAF documents.

### 5.1 Local Revitalization Program for the Upper Delaware

**RESOLUTION #92-2023**

**SUPPORT LETTER TO NYS**

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

**ADOPTED 4 AYES 0 NAYS 1 ABSENT** (Deputy Supervisor Luchsinger)

**RESOLVED** that the Town Board are hereby Committed to the local waterfront revitalization program for the Upper Delaware River. And support the Sullivan County application to New York State Department of State to secure funding for planned initiatives that will result in a master plan. For the waterfront pre-vitalization along the Upper Delaware River from the village of Hancock and Delaware County. Through the Delaware Hamlets of Sullivan County in the city of Port service in Orange County.

## 6 **PUBLIC COMMENT**

- Bonnie – Questioned how to proceed with a personal matter
- Star Hesse – Beautification Bills

# Town of Tusten

## Town Board Meeting

- Bernie Lohmann
- Mike Farrell

### 7 **CLOSING ITEMS**

#### **Board Comment**

#### **Meeting reminder**

- Town of Tusten Workshop – 8/1/2023 at 6:30pm

#### **Adjournment**

With no further business to be had, the meeting was adjourned at 7:45PM on motion of Councilman McDonough, seconded by Councilman Gettel All in favor.

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