



# Town of Tusten Town Board Meeting

End of the Year Meeting Agenda

Meeting ID: 890 1678 4280

December 08, 2020

6:30 PM

<b>Supervisor Bernard Johnson</b>	Present
<b>Deputy Supervisor Jane Luchsinger</b>	Present
<b>Councilwoman Jill Padua</b>	Present
<b>Councilman Bruce Gettel</b>	Present
<b>Councilmember Al Smith</b>	Present
<b>OTHERS PRESENT:</b> Crystal Weston, Town Clerk; Danielle Jose-Decker, Attorney to the town; Ken Klein, Attorney to the town; David Bunce, NWS Interim Superintendent;	

## OPENING ITEMS

### **Call Meeting to Order**

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

### **Pledge of allegiance**

Supervisor led the Pledge of Allegiance

**Announcements** - Supervisor Johnson read the following announcements aloud.

- Zoom
  - On the bottom of your screen, you should see the option of turning on Closed Captioning. This may not be 100% accurate but we will remind all of those participating in the meeting to please state your name and speak loudly and clearly.
  - Also, on the bottom of your screen next to the microphone, there is an arrow, upon clicking this you can turn up your volume.
- Garbage receptacles
  - Three more receptacles were found at the Highway Barn - one was placed on the main street deck and two down at Veterans' Park.
- Building Closure Reminder
- 2021 Tax Collection for Tusten
  - Hours of Collection: Monday & Tuesday 9:00 AM - 2:00 PM, Fridays 12 noon - 7:00 PM OR by Appointment

# Town of Tusten

## Town Board Meeting

- Preferred ways to pay - Check, Money Order, Credit Card (Online or By Phone).  
Cash only is absolutely necessary and exact change if possible
- There is also a Drop Box under the flagpole that is checked daily.
- Congratulations to the Honorable Klu Padu, Justice for the Town of Tusten on becoming the President of the Sullivan County Magistrates Association.

### Payment of Bills

**RESOLUTION # - 2020**

**PAYMENT OF BILLS**

On motion of Councilwoman Jill Padua, seconded by Supervisor Bernard Johnson. The following resolution was

**ADOPTED 5 AYES 0 NAYS**

**RESOLVED** that the bills be paid as presented for November 2020, bills audited by Councilwoman Jill Padua & Councilwoman Bruce Gettel.

### November 2020 Report

Fund Acct	Ck Acct Disburse
-----------	---------------------

<b>General</b>	\$105,169.72
<b>Highway</b>	\$168,761.53
<b>Water</b>	\$15,824.91
<b>Sewer</b>	\$26,657.91
<b>Lighting dist.</b>	
<b>TOTAL</b>	<b>\$316,414.07</b>

### **DIVISION REPORTS**

The Following November Monthly reports have been submitted by their respective departments.

#### **Highway**

- Used 558.8 gal of diesel fuel 494.8 gal was for highway and 64 was non highway use.
- Used 125.6 gal of gas 1.1 was highway and 124.5 was non highway use.
- Patched holes on dirt and paved roads.
- Stocked pile sand for winter.
- Repaired pipe on Ackerman Rd.
- Paved parts of Mahl's Pond.

# Town of Tusten

## Town Board Meeting

- Repair wash outs on Swamp Pond and Lackawaxen.
- Ditch Perry Pond and Grassy.
- Cut trees on Hankins Rd.
- Put snow removal equipment on trucks.
- Installed new parking sign for Town Hall.
- Graded dirt roads get them ready for winter.
- Serviced Water & Sewer generators

### **Water & Sewer**

- Pumped out 20 septic tanks with Koberlein.
- Replaced 4 deep concrete septic tank lids with plastic lids and risers.
- Completed monthly drinking water and waste water sampling and reporting.
- Turned off water service to the Veterans Park and Ballfield.
- Marked out water and sewer lines for a dig request on Erie Ave and one on Route 97.
- Inspected 4 water meters.
- Replaced landscape fabric around two sand beds.
- Pumped down the caustic soda addition tank to unclog a pipe for the Effluent Flowmeter at the sewer plant.
- Continued sand bed maintenance by removing sludge from sand bed #1 and #2.
- Exercised generators at Kirk Rd pump station and Well #1.
- Pumped a grinder station down on Main St due to a bad start capacitor on the electric panel, which was replaced.
- Pumped out and cleaned one of the chlorine contact chambers at the sewer plant with Koberlein.
- Took one final water meter reading.
- Turned off water to one house for the winter.
- Turned water on to one building.
- Responded to a grinder station on Main St with a pump that wouldn't turn off due to a stuck float. Freed up the float and pump resumed working.
- Installed new logos on vehicles and tractor.
- Inspected residential pump stations and 2 grinder stations.
- Talked to one homeowner about a high-water bill, possibly a water leak.

### **Building Department/ Code Enforcement**

Construction Inspections - 17  
Fire & Safety Inspections - 0  
Complaint/Violation Inspections - 1

# Town of Tusten

## Town Board Meeting

Certificate of Occupancy - 2  
Certificate of Compliance - 4

Building Permits - 14  
New Homes - 2  
Accessory Building/Garage - 2  
Renovation/Alteration/Addition - 2  
Camping - 0  
Chimney/Fuel - 0  
Accessory Building Commercial - 0  
Geothermal System - 1  
New Commercial Construction - 0  
Renovation/Alteration - Commercial Construction - 0  
Deck - 1  
Demolition Permit - 1  
Driveway Permit -  
Electrical - 3  
Logging Permits - 1  
Mechanical -  
Permit Renewals - 0  
Pool - 0  
Roof Replacement - 1  
Roof Structure - 0  
Septic Permits - 0  
Sidewalk - 0  
Sign Permit - 0  
Solar Permit - 0  
Well - 0  
Flood Plain Permit - 0

C/O and violation search - 9

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

Monies collected by this office from November 1, 2020 to November 30, 2020 are \$4,663.10.

Respectfully,

# Town of Tusten

## Town Board Meeting

Jim P Crowley, Building Inspector  
JPC/js

### **Assessor**

For the month of November, a small claims assessment hearing was rescheduled from October. This was a long and involved hearing with the court officer unwilling to make a decision. It involved a vacant parcel along with the improved parcel. The vacant was not supposed to be eligible or this proceeding, but the officer dragged the hearing on about whether the parcel was a buildable lot and wanted me to submit further proof that the lot was buildable. While I did provide this proof for an adjourned date, the officer stated that the proof was the burden of the property owner yet asked me to do this work. The taxpayer and I finally settled on both the cases as it was obvious the hearing officer did not plan to make a decision on his own. This was a settlement that I felt was in the best interest of the town.

Results of the two hearings from Adventine Properties were received with one which I completely won and the second with a small reduction. All results rulings were received in time to be posted on the data for the January tax bills which will eliminate the generation of the corrected bills by the tax collector. The preparations for the four cases took much time in October and early November causing a backup in the processing of the deeds and address changes which were all caught up for the submission of the tax roll for the printing of the January 2021 tax bills. A couple of hours were also spent removing the "STAR markers" that had been added for the printing of the school tax bills. These STAR markers print a statement on the school tax bill that a STAR check will be received from the Department of Taxation. The high deed volume continued through November with sales basically doubled the normal amount. Roll data was submitted on November 13<sup>th</sup> as requested by the processing center, Telescent.

Work has begun on folders for construction during 2020 that will require changes to the 2021 roll. As building permit volume is up, more time will be needed for the preparation of this roll.

Ken Baim

Sole Assessor

### **Upper Delaware Council**

**Presentation; 5 Year Strategic Plan.**

Buck Moorehead and Steven Schwartz presented the results of the 5 Year Strategic Planning workshop held at the Narrowsburg Union in October. If any Board Members are interested in

# Town of Tusten

## Town Board Meeting

reading the 5-year plan (recommend reading the Executive Summary), it is available online and I will send you the link. If you wish to comment, you should read it this week.

### **WURM Committee;**

TMR River Access Boat Ramp Feasibility Study, the committee recommended that the consultant JHA Companies contact the PA Fish and Boat Commission for info on their Boat ramps. JHA is working on cost estimates and permitting requirements.

Litter Sweep, 2021; I am looking to talk with anyone/everyone involved in Litter pluck to become more familiar with dates and how it works. email me at [suesul1941@gmail.com](mailto:suesul1941@gmail.com) I am emailing Evan Padua to confirm his interest in representing Tusten in this effort.

### **Project Review:**

Resolution for “Approving Development of a River Management Plan Addendum (Commercial Solar Position Paper added to the RMP) The Council passed such a resolution which would allow addendums to the RMP without going through a Minor Amendment process, which requires unanimous agreement to make any changes or additions to the RMP. There is a history of minor changes that have taken place over the years, often by NPS unilaterally.

**National Park Service:** Start Dates for Supt. Joe Salvatore is 12/21 and Land Use Planner Cody Hendricks is 12/7

### **UDC**

Project Review Workbook Rollout: Shannon Cilento has been attending Town/Township Planning Board meetings to introduce the new workbook. There is a very informative video presentation now available on YouTube and may include use as a training tool for Planning/Zoning CE Credits.

Nominating Committee: The Council approved the following candidates for next year’s Council.

Chairman...Jeff Dexter, Damascus Township, PA

Vice Chair.... Susan Sullivan, Town of Tusten NYS

Treasurer...Al Henry, Berlin Township, PA

Location of UDC meetings; As of January, all UDC meetings, including the Monthly Full Council Meeting and Committee meetings, will be on Zoom

Social Media; Shannon and Ashley have given us social media presence, and those of you who enjoy FB and/or Instagram, can search for and “like’ Upper Delaware Council, and contribute photos etc.

# Town of Tusten

## Town Board Meeting

**Volunteers;** Upper Delaware Community Network/Volunteers: The Network is an online bulletin board, with 900 members, many who are new to this area. Beverly Sterner and Brad Waldron who moderate the Network, invite anyone who is looking for volunteers for the organizations, to post their contact information on the network. the link is [UDCommunityNetwork@groups.io](mailto:UDCommunityNetwork@groups.io)

### Energy Committee

*No report submitted*

### Zoning Re-Write Committee

*No report submitted*

### Grants

- TAG 2021 Comp Plan in progress
- Roof & Gutters have been completed
- Culvert Project is in progress but due to COVID things have slowed down and we may need to ask for an extension on this project.

### PUBLIC COMMENT

*10 minutes will be given for public comment. Please keep your comments directed to the board.*

### NEW BUSINESS

1. Open bids received for 2021 septic pumping

ONLY one company submitted a Bid for 2021 Septic pumping.  
The Bid was received on Monday 12/7/202 at 9:20 AM

### **RESOLUTION # -2020**

### **AWARD 2021 SEPTIC PUMPINIG**

On motion of Deputy Supervisor Jane Luchsinger, seconded by Councilwoman Jill Padua. The following resolution was

### **ADOPTED 5 AYES 0 NAYS**

**RESOLVED** that on recommendation of David Bunce, NWS Interim Superintendent, Koberlein Inc, was hereby awarded the 2021 Septic Pumping Job in the amounts presented:

<b>CHARGE</b>	<b>AMT</b>
Base Bid Price (per gallon) to include 3 emergency calls	\$0.1875
Surcharge Price (per call) for emergency calls over 3	\$0.1875
Labor, Hauling & Disposal for used filter sand per yard	\$34.00

# Town of Tusten

## Town Board Meeting

### 2. NWS Purchase Approval re: Septic Tank Riser & Covers

#### **RESOLUTION # -2020**

#### **APPROVED NWS SEPTIC TANK RISER & COVER PURCHASE**

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 David Bunce, NWS interim Superintendent to purchase 80 feet of Inlet Port Pipe at \$6.53/ft and 80 feet of 30-inch Center Port Pipe at \$23.55/ft off the State Bid (NYSOGS #PC 69053) from Chemung Supply Corp. for a total of \$2,406.40.

**BE IT FURTHER RESOLVED** that the Town Board hereby authorize David Bunce, NWS interim Superintendent to purchase 40 Polylock 15" Heavy Duty Lids and 40 Polylock 30" Heavy Duty Lids from Koberlein for a total of \$5,696.00. As per the Adopted Procurement Policy, three written quotes have been received and recorded.

**NOW, THEREFORE, be it resolved** that the Town Board hereby authorize David Bunce, NWS interim Superintendent to make the above purchases at a grand total of \$8,102.40.

### 2. Amazon Credit Card

#### **RESOLUTION # - 2020**

#### **APPROVAL TO OBTAIN AMAZON CC**

On motion on Supervisor Bernard Johnson, seconded by Councilwoman Jill Padua. The following resolution was,

**ADOPTED 5 AYES 0 NAYS**

**RESOLVED** that the Town Board hereby authorize Crystal Weston, Town Clerk to obtain an Amazon CC on behalf of the Town of Tusten for authorized purchases from the Town Departments.

### 4. Gate for Veterans Park

#### **RESOLUTION # -2020**

#### **APPROVAL FOR PURCHASE OF VETERANS PARK GATE**

On motion of Councilwoman Jill Padua, seconded by Councilman Bruce Gettel. The following resolution was

**ADOPTED 5 AYES 0 NAYS**

**RESOLVED** that the Town Board here give authorization to Deputy Supervisor to pursue the purchase of a Gate for the entrance of Veterans Park for an amount not to exceed \$3000.00; Procurement Policy shall be reviewed.

### 5. NWS - Culvert Project

# Town of Tusten

## Town Board Meeting

FOR TOWN BOARD DETERMINATION: Chapter 11 – Right of Way, of the LAFAP Manual, Section 11.6.1 Just Compensation, states; “The acquiring Sponsor may set a minimum offer amount for an acquiring project recognizing the inconvenience to property owners. For example, NYSDOT’s current policy is established at a \$500 minimum offer. This is an example only and local Sponsors are in no way obligated to use this amount as a minimum.”

The Town may increase the low awards to a minimum adopted by the Town.

**RESOLUTION # -2020**

**LITTLE LAKE ERIE CULVERT PROJECT COMPENSATION SCHEDULE FOR ADJOINING PROPERTIES**

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 the below compensation schedule as presented pending the confirmation that the appropriate SEQRA was completed.

Map #	Parcel #	Owner	Fee or TE	Sq Ft	Appraised Award	Rounded	Town Board Approved Amt.
4	4	Stuart	FEE	655	\$1211.75	\$1,200	\$1,200.00
1	1	Dirlam	FEE	2,911	\$5,385.35	\$5,400	\$5,400.00
2	2	Dirlam	TE	6,484	\$2,399.08	\$2,400	\$2,400.00
3	3	Yard Sale	TE	340	\$125.80	\$130	Up to \$500.00
5	5	Littke	TE	254	\$93.98	\$100	Up to \$500.00
					<b>TOTAL</b>	<b>\$9,230</b>	<b>&lt;/= \$10,000.00</b>

6. 2021 Annual Meeting & Training School

**RESOLUTION # -2020**

**APPROVAL TO ATTEND 2021 ANNUAL MEETING & TRAINING SCHOOL**

On Councilwoman Jill Padua, seconded by Councilman Alfred Smith. The following resolution was

**ADOPTED 5 AYES 0 NAYS**

# Town of Tusten

## Town Board Meeting

**RESOLVED** that the Town Board hereby authorize any Town of Tusten Employee that may want to attend the 2021 Annual Meeting & Training School Virtual Event February 14-17, 2021 shall be authorized to do so at a cost to the town of \$100/ person.

### 7. Liquor License

#### **RESOLUTION # -2020**

#### **LIQUOR LICENSE**

On motion of Supervisor Bernard Johnson, seconded by Councilwoman Jill Padua. The following resolution was

#### **ADOPTED 5 AYES 0 NAYS**

**RESOLVED** that the Town Board accepted the amended Liquor License previously sent on 9/23/2020 for 251 Bridge Street Narrowsburg, NY 12764. The amended applicant's name is IL Piccolo Ponte LLC. The restaurant will now be Licensed to sell Liquor, Wine, Beer & Cider on the outside Patio or deck as well as inside.

### 8. Set Meetings

#### **RESOLUTION # - 2020**

#### **SET END OF THE YEAR AND THE ORGANIZATIONAL**

On motion of Supervisor Bernard Johnson, seconded by Councilwoman Jill Padua. The following resolution was,

#### **ADOPTED 5 AYES 0 NAYS**

**RESOLVED** that the Town Board shall hold the Year End Meeting for Tuesday December 29, 2020 at 6:30 PM and the 2021 Organizational Meeting for Tuesday January 5, 2021 at 6:30 PM. Both Meetings shall be held via zoom unless otherwise noted.

### 9. Municipal Clean up

#### **RESOLUTION # - 2020**

#### **MUNICIPAL CLEAN UP**

On motion of Supervisor Bernard Johnson, seconded by Deputy Supervisor Bernard Johnson. The following resolution was

#### **ADOPTED 5 AYES 0 NAYS**

**RESOLVED** that the Town Board hereby authorize the Town Supervisor to sign the Agreement titled "Acknowledgment of Permit Conditions" with Sullivan County Solid Waste Management Guidelines For Commercial Users & Haulers.

### 10. Executive Session

# Town of Tusten

## Town Board Meeting

### **RESOLUTION # -2020**

#### **ENTER INTO EXECUTIVE SESSION**

On motion of Supervisor Bernard Johnson, seconded by Deputy Supervisor Bernard Johnson. The following resolution was,

**ADOPTED 5 AYES 0 NAYS**

**RESOLVED** that the Town Board enter into executive session at 7:45 PM for the purpose of acquisition, sale of real property. Attorney's Danielle Jose & Ken Klein were invited to stay.

No decisions were made

Motion was made by Deputy Supervisor Jane Luchsinger, seconded Supervisor Bernard Johnson to exit executive session at 7:55 PM.

*\* All Members of the Public were be placed in the virtual meeting waiting room and brought back in once the Town Board exited the Executive Session.*

### 11. Town Hall Door

One quote received in the amount of \$3,800.00 – unable to obtain any further quotes.

### **RESOLUTION # - 2020**

#### **PURCHASE APPROVAL**

On motion of Councilwoman Jill Padua, seconded by Councilman Bruce Gettel. The following resolution was

**ADOPTED 5 AYES 0 NAYS**

**RESOLVED** that the purchase proposal received from Keller Glass to remove the existing front door with frame and install a new Door with custom ticket window and pass thru in the amount of \$3890.00

### **PUBLIC COMMENT**

Mike Farrell

- requested that in the future Town Board should hold public comments before enter into executive session
- requested clarity that compensation schedule is a rental/inconvenience fee to adjoining property owners.

### **CLOSING ITEMS**

#### **Board Comment**

No further Comments

#### **Meeting reminder**

- **Town Board End of Year Meeting**

# Town of Tusten

## Town Board Meeting

**PLEASE TAKE NOTICE** that the Town Board of the Town of Tusten Sullivan County, NY will conduct the End of Year Meeting on Tuesday, December 29, 2020, at 6:30 pm. The meeting will be held at the Town Municipal Building, 210 Bridge Street, Narrowsburg, NY 12764, and on Zoom. Zoom Meeting ID: 918 535 3724

- **Town Board 2021 Organizational Meeting**

**PLEASE TAKE NOTICE** that the Town Board of the Town of Tusten, Sullivan County, NY will conduct the 2021 Organizational Meeting on Tuesday, January 5, 2021, at 6:30 pm. The meeting will be held at the Town Municipal Building, 210 Bridge Street, Narrowsburg, NY 12764, and on Zoom. Zoom Meeting ID: 918 535 3724

### **Adjournment**

On motion of Supervisor Bernard Johnson at 8:06 PM and seconded by Deputy Supervisor Jane Luchsinger to close the regular meeting. All in favor.

Respectively Submitted

Crystal Weston

Town Clerk

12/11/2020