



Town of Tusten Town Board Meeting

Regular Meeting Minutes

July 12, 2022

6:30 PM

Venue: Tusten Town Community Hall, 210 Bridge St. * Zoom ID [890 1678 4280](#)

PRESENT

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

ABSENT

Attorney Ken Klein

OTHERS PRESENT

Crystal Weston, Town Clerk; Victoria Strumpfler, 1st Deputy Town Clerk; Jocelyn Strumpfler, 2nd Deputy Town Clerk; about 16 from the general public, 16 on zoom

1 OPENING ITEMS

1.1 Call Meeting to Order

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

1.2 Pledge of allegiance

Supervisor Bernard Johnson lead everyone in the pledge

1.3 Announcements/Correspondence

Chorba/Clemente/Michell

- Supervisor Bernard Johnson held a moment of silence for Jeff Chorba from Chorba Consulting who has been with us over 15 years helping out with technology aspects of the office

1.4 Presentation regarding Re-districting

Robert Doherty, Legislative Chair/Dist. 1

George Conklin, Dist. 5

Nadia Raj, Dist. 2

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1.5 Payment of Bills

RESOLUTION # 105 - 2022

PAYMENT OF BILLS

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

ADOPTED 5 AYES 0 NAYS

RESOLVED that the bills be paid as presented:

June expenses

Fund Acct	Ck Acct Disburse
General	\$61,664.71
Highway	\$58,629.46
Water	\$12,828.75
Sewer	\$8,623.15
lighting dist	\$289.00
escrow accts	\$0.00
TOTAL	\$142,035.07

2 DIVISION REPORTS

2.1 Highway- *submitted by Donald Neiger, Highway Superintendent*

- Used 1071.8 gal of diesel fuel 889.2 gal was for highway and 182.6 was non highway use.
- Used 223.3 gal of gas 0 was highway and 223.3 was non highway use.
- Patched holes on dirt and paved roads.
- Removed trees in road way on Dexheimer Rd, Perry Pond Rd, Hoffman Rd and Irishtown Rd.
- Paved Cochection Turnpike and Irishtown Rd. with help from Sullivan County Paving.
- Ditched Cochection Turnpike, Irishtown Rd and Francis Drive.

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- Repaired wash out on dirt roads and graded Grassy Swamp Rd, Bear Run Rd.
- Mowed brush on right of ways.

2.2 Water & Sewer

Narrowsburg Water & Sewer District Monthly Report for June 2022

- The water and sewer department will be resuming the inspection of septic tanks and will be installing risers above the center and inlet lids that are more than 6" deep.
- Completed monthly drinking water and waste water sampling and reporting.
- 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 June and contacted homeowners/business owners about high water usage.
- Koberlein pumped out sludge from dosing tanks.
- Took 1 final meter reading for a closing.
- Turned water off to one house so repairs could be made to water lines in the house, turned the water back on.
- Removed sludge and weeds from sand beds.
- Mowed wells and sewer plant.
- Turned water on and installed meter to one building.
- Fixed chipped concrete around outlet pipe in chlorine contact tank at the sewer plant.
- The water tank got inspected by Atlantic Underwater Services.
- Responded to after-hours water leak, service line got hit by a contractor on Route 97. Turned water off to the property until contractor could fix the service line.
- Marked out sewer lines and easement for house on School St.
- Inspected entire water district for leaks. Found a leak on Main St with the help of New York Rural Water Association. Repaired a leaking service line with help from the Highway Department and TAM.
- Starting to work with NY Rural Water Association on assessing the condition of the sewer system, at no cost.
- Made repairs to a leaking chemical injector at Well #1.
- Pumped out 1 septic tank.
- Had 4 after hour call-ins for Kirk Rd pump station due to heat issues.
- Installed a cooler at Kirk Rd pump station to help cool the air going into the panel to avoid after hour call-ins due to heat issues.
- Repaired a water leak to the Post office on Main Street with TAM. 94 gallons per minute was the recorded the loss for approx. 5 hours. During the work Main Street did

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experience a decrease of water pressure, however at no time did the water need to be shut off.

2.3 Building Department/ Code Enforcement

JUNE 2022 Monthly Report

Construction Inspections – 17
Fire & Safety Inspections – 0

Complaint/Violation Inspections – 0

Certificate of Occupancy Issued – 3

Certificate of Compliance Issued – 14

Total New Permits Issued – 17

New Homes – 2
Renovation/Alteration/Addition – 1
Chimney/Fuel – 1
Acc Bldg Comm – 0
Ren/Alt – Comm Const - 0
Deck – 4
Demolition Permit – 0
Electrical – 1
Mechanical – 1
Plumbing – 0

Accessory Building/Garage – 1
Camping - 0
New Comm Const - 0
Commercial Deck - 0
Driveway Permit – 2
Logging Permits – 2
Pool – 0

Roof Replacement - 0
Septic Permits – 2
Sign Permit – 0
Well – 0

Roof Structure - 0
Sidewalk - 0
Solar Permit – 0
Flood Plain Permit - 0

Expired Permit Renewals – 0

Abstracts/Violation Search – 9

Dangerous and Unsafe Building – 0
Complaints Received – 1
Violations Issued – 2
Previous Violations Closed/Corrected – 0

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

Building Inspector and Clerk attended online training on June 10, 2022 on (1) Multifamily Air Sealing and (2) Multifamily Thermal Bridging.

Monies collected by this office from June 1, 2022 to June 30, 2022 are \$4,502.20.

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Respectfully,
Jim P Crowley, Building Inspector
JPC/js

2.4 Assessor- *submitted by Sole Assessor Ken Baim*

During the month of June, I attended the Sullivan County Assessor's Association which had their regular monthly meeting at Brother Bruno's in Mongaup Valley. A fairly lengthy discussion of May grievance day proceedings was one of the most prevalent topics and how each town had dealt with grievance filing companies being in the forefront. Locally the files were brought up to date with any new deeds and grievance changes and submitted for the printing of the July 1 final roll. The final roll was picked up in Monticello and published for July 1st. Crystal has posted the roll to the town web site for me. I am expecting three small claims review actions to be received in July from Aventine Properties, a Long Island firm the represents tax payers for a reduction in their taxes. While not looking forward to this legal contest, the current high prices of real estate make it possible to find good supporting current sales.

Respectfully submitted,

Ken Baim, Sole Assessor

2.5 Upper Delaware Council- *presented by Susan Sullivan via ZOOM*

Ten Mile River Access:

National Park Service has signed agreement with the Conservation Fund and will maintain a kiosk at TMR as they have done in the past.

UDC takes interest in facilitating discussions on use of NYS Environmental Protection Fund Upper Delaware Watershed funding to improve conditions at the Ten Mile River Access. Such discussion would include the Conservation Fund and the National Park Service along with Friends of the Upper Delaware as funding administrators.

Note the FUDR was awarded line-item annual funds from NY State, of over \$500,000 per year (check with FUDR for exact amount)

Telecommunication Facilities in River Corridor

The UDC is forming a subcommittee to study this issue, i.e., gather current zoning ordinances from all towns and townships, look at NPS map of existing towers on both sides of the River, NPS data on solutions in other Parks and properties, and inform itself

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on most current technologies, with goal of formulating a Position Paper, to guide reviews of future projects. This is the same approach UDC took to commercial solar projects in the Corridor.

For the Board and members of the public who are interested, Sullivan County IT director Lorne Greene will be UDC's presenter at our August 4 monthly meeting. He will give update on the progress of providing improved telecommunication services to Sullivan County. I believe that the funds they were seeking have been approved. That's Thursday, August 4 at 7:00 PM

Tusten Zoning Document/TAG Grant

Discussed at July 5 public hearing, and has been forwarded to NPS for final approval. TAG grant deadline of 8/19 will be met. Also, applications for coming years TAG program will be due.

UDC Family Raft Trip on August 7.

Reserve by July 29. Kids \$19. \$29 for adults. Float from Skinners Falls, a 5 mile stretch to Narrowsburg, courtesy of Landers River Trips. Get application from UDC office or website

UDC Awards Banquet. The deadline for nominations is 7/29. Anyone can submit a nomination. The banquet is September 18 at the Central House in Beach Lake. Get application from UDC office or website.

2.6 **Energy Committee-** *presented by Brandi Merolla via ZOOM*

June 2022

Soft Plastic

The TEC has collected over 14 tons of soft plastic since we entered into the TREX recycling program 3 years ago. The next 2 benches made of recycled plastic will be awarded to Pete's Market who has given us about 1/3 of all we've collected and to the Kirk Rd walk project. TREX has recently changed what is and isn't allowed in the collection boxes.

Accepted soft plastic items are: produce bags, store bags, ice bags, Ziploc bags, cereal box liners, case wrap, bread bags, newspaper sleeves, dry cleaning bags, and bubble wrap. Clean and dry items please.

NOT accepted are: frozen food bags, chips bags, net or mesh produce bags, pet food bags, meat wrapping, vinyl shower curtains or tablecloths, bedding packaging, pool covers, gloves or masks, and six-pack rings.

The lists will be posted on the collection boxes and hopefully on the town website asap. We sincerely thank everyone who contributes to this recycling effort.

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LED Streetlights

I spoke with NYSEG asking when their engineer would be visiting Tusten to assess our streetlight poles. Since the pendant lights hang, and NYSEG owns the poles, they needed to approve the placement of the armature with the new LED pendants.

On July 8, coincidentally, I ran into the engineer from NYSEG and the lighting designer from NYPA on Main St. I asked them to please expedite the process so that Tusten can finally have all our LED streetlights installed. NYPA agreed and said that when they return, they'll have a punch list of lights needing adjustments, they will hang the cobra heads on our new poles in the old bank parking lot and hang the 6 Main St pendants. Then the Wi-Fi nodes will follow providing Wi-Fi to Main St to Bridge St to Kirk's Rd.

HORSE- High solids, Organic waste, Recycling System with Electrical output.

After 8 months of testing, the plant food produced by the HORSE has been certified ORGANIC by the Northeast Organic Farming Association of New York (NOFA-NY). Our liquid plant food made from Tusten food scraps is called "Second Helpings: A Plant Food Solution".

Climate Smart Communities Grant

To get closer to the \$10,000 grant we are applying for, we are waiting on the clerk to post the few changes to the town website regarding Tusten's energy saving benchmarking.

We are awaiting the new post to satisfy NY State's requirements.

Brandi Merolla, Chairwoman

2.7 Parking Committee- *presented by Councilman Bruce Gettel*

- Met at lot - looking to see how we can use lot now
- Temp. lines have been made
- Mowed grass to increase space
- Highway can remove grass and add gravel
- Sign status- Charlie Kocher working on signs

2.8 Zoning Update Committee – *presented by Deputy Supervisor Jane Luchsinger*

- Working on final report
- Continue to meet every other week

2.9 Grants – *presented by Deputy Supervisor Jane Luchsinger*

- Water Grant 8am Monday committee meeting
- UDC
- Kirk Rd Grant – start work at the end of week

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3 PUBLIC COMMENT

- *No comments were made at this time*

4 OLD BUSINESS

4.1 Local Law #2 of 2022

INTRODUCTORY OF LOCAL LAW #2 OF 2022

RESOLUTION # 106 - 2022

LOCAL LAW #2 OF 2022

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

ADOPTED 5 AYS0 NAYS

BE IT RESOLVED, that introductory Local Law No. 2 of the Year 2022 entitled "A local law establishing a Conservation Advisory Council for the Town of Tusten, Sullivan County, New York" is hereby introduced before the Town Board of the Town of Tusten, County of Sullivan, State of New York; and **BE IT FURTHER RESOLVED**, that copies of the aforesaid local law be laid upon the desk of each member of the Town Board; and **BE IT FURTHER RESOLVED**, that the Town Board hereby determines the aforesaid local law to be a Type I Action pursuant to the regulations promulgated under the State Environmental Quality Review Act for which a full environmental assessment form shall be completed; and **BE IT FURTHER RESOLVED**, that the Town Board hereby designates itself as Lead Agency for purposes of environmental review of the aforesaid local law pursuant to the regulations promulgated under the State Environmental Quality Review Act; and **BE IT FURTHER RESOLVED**, that the Town Board hold a public hearing on the aforesaid local law at the Town of Tusten Community Hall, 210 Bridge Street, Narrowsburg, New York, at 6:30p.m., prevailing time, on August 2nd, 2022; and **BE IT FURTHER RESOLVED**, that the Town Clerk publish or cause to be published a public notice in the River Reporter of such public hearing at least five (5) days prior thereto.

ROLL CALL VOTE:

Supervisor Bernard Johnson	voting	<u>AYE</u>
Deputy Supervisor Jane Luchsinger	voting	<u>AYE</u>
Councilman Bruce Gettel	voting	<u>AYE</u>
Councilman Greg Triggs	voting	<u>AYE</u>
Councilman Kevin McDonough	voting	<u>AYE</u>

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4.2 Adopt Negative Declaration

PROPOSED LOCAL LAW TO ESTABLISH A CONSERVATION ADVISORY COUNCIL

RESOLUTION # 107 - 2022

ADOPTION OF NEGATIVE DECLARATION

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

ADOPTED 5 AYS 0 NAYS

WHEREAS, consistent with the Comprehensive Plan’s recommendation to reestablish a Conservation Advisory Council, and in the interests of preservation and improvement of the quality of the natural environment with its vital importance to the health, welfare, and economic wellbeing of present and future residents; and **WHEREAS**, pursuant to 6 NYCRR § 617 a Full Environmental Assessment Form (“FEAF”) Part 1 in connection with the proposed adoption of said local law (the “action”) was prepared, dated July 1 2022, the action was classified as Unlisted, and was accepted by the Town Board at its July 12, 2022 meeting; and **WHEREAS**, the Town Board has reviewed the FEAF Parts 2&3 provided, has considered the criteria contained in 6 NYCRR 617.7, and thoroughly analyzed all identified relevant areas of environmental concern, and found that it has sufficient information on which to base a determination of significance; and **NOW THEREFORE BE IT RESOLVED**, that for the reasons set forth in Parts 1, 2 and 3 of the FEAF, the Town Board hereby adopts a negative declaration, finding that the action will not result in any significant adverse environmental impacts and that an Environmental Impact Statement will not be prepared.

ROLL CALL VOTE:

Supervisor Bernard Johnson	voting	<u>AYE</u>
Deputy Supervisor Jane Luchsinger	voting	<u>AYE</u>
Councilman Bruce Gettel	voting	<u>AYE</u>
Councilman Greg Triggs	voting	<u>AYE</u>
Councilman Kevin McDonough	voting	<u>AYE</u>

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5 NEW BUSINESS

- 5.1 Approval of Shumaker Engineering proposal for Re-bid Main St. culvert.

RESOLUTION # 108 - 2022

MAIN ST CULVERT PROPOSAL TO RE-BID

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

ADOPTED 5 AYS 0 NAYS

RESOLVED that the Town Board approve of Shumaker Engineering proposal and consultant agreement to re-bid Main St. Culvert

- 5.2 Genius Loci

RESOLUTION # 109 - 2022

SIGN CONTRACT WITH GENIUS LOCI

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

ADOPTED 5 AYES 0 NAYES

RESOLVED that the Town Board to authorize the Supervisor Bernard Johnson to sign contract amendment with Genius Loci, adopting the following:

Cost/Payment Schedule

Raise the amount not be exceeded from \$5000 to \$10,000.

SERVICE DATES

Amend the date of service to begin on April 3, 2022 NOT April 25, 2022.

- 5.3 Zoning / Planning School

RESOLUTION # 110 - 2022

PLANNING FEDERATION PLANNING & ZONING SCHOOL

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

ADOPTED 5 AYS 0 NAYS

RESOLVED that the Town Board Authorize the Tusten Planning & Zoning Board Members to attend the AOT & NYS Planning Federation Planning & Zoning School September 13, 2022 in Hyde Park New York at a cost of \$90 per member plus mileage.

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5.4 Approve the Budget Modification as presented:

RESOLUTION # 111 - 2022

BUDGET MODIFICATIONS

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

ADOPTED 5 AYS 0 NAYS

RESOLVED that the Town Board approve the following budget modifications to the General Fund:

General Fund

Increase -

add sub account of economic growth to budget		
A6989.9	Kirk's Road Grant	\$20,000.00

Decrease -

A2706	Local Grants Income line	\$20,000.00
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Increase		
A3650.4	Demolition of unsafe buildings	\$2,400.00

Decrease		
A1990.4	Contingency	\$2,400.00

5.5 Voting District Maps

RESOLUTION # 112 - 2022

PROPOSED VOTING DISTRICT LETTER FROM TUSTEN

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

ADOPTED 5 AYES 0 NAYS

RESOLVED that the Supervisor draft a letter opposing to the proposed voting map option number one of re-districting

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6 PUBLIC COMMENT

The following comments were heard

- Star Hesse - Portable Toilet, asking the board to review other options

7 CLOSING ITEMS

7.1 Board Comment

- Deputy Supervisor Jane Luchsinger spoke to the Chamber of Commerce about helping out in the cost of the portable toilet and it's not in their budget this year
- Deputy Supervisor Jane Luchsinger would like 10 bags of brown mulch for Tuesday morning
- Councilman Greg Triggs has an email for everyone, if they would like

7.2 Adjournment

With no further business to be had, motion made by Deputy Supervisor Jane Luchsinger, seconded by Councilman Greg Triggs, all in favor. Meeting closed at 7:40pm

Respectively Submitted by:
Victoria Strumpfler,
Deputy Town Clerk