



Town of Tusten Town Board Meeting

Regular Meeting Minutes

Zoom ID: 885-7528-0026

July 14 2020

6:30 PM

1 OPENING ITEMS

1.1 Open Public Hearing:

Local Law no. 1 of 2020 to amend Chapter 255 of the Town Code (Vehicles and Traffic) by prohibiting parking on Bridge Street in the hamlet of Narrowsburg.

Supervisor Bernard Johnson opened the Public Hearing at 6:30 PM, 15 minutes were given for the public to make any comments re: Proposed LL # 1- 2020

Comments heard from the public:

- Stephen Stuart
- Mike Farrell
- Mrs. Creamer
- Ed Krause

Motion made by Supervisor Bernard Johnson, seconded by Councilwoman Jill Padua, All in favor. Public Hearing closed at 7:45 PM.

1.2 Open Public Hearing:

Local Law no 2 of 2020 to amend Chapter 115 of the Town Code (Animals) by providing enforcement remedies and for payment of shelter fees.

Supervisor Bernard Johnson opened the Public Hearing at 7:45 PM, 15 minutes were given for the public to make any comments re: Proposed LL # 2- 2020

Comments heard from the public:

- Danielle Decker- Jose
- Bob Olman
- Mrs. Creamer
- Colin Peters
- Ed Jackson

Motion made by Supervisor Bernard Johnson, seconded by Councilwoman Jill Padua, All in favor. Public Hearing closed at 8:00 PM.

1.3 Call Regular Meeting to Order

Supervisor Bernard Johnson called the meeting to order at 8: 00 PM

1.4 Pledge of allegiance

Supervisor Bernard Johnson led the Pledge of Allegiance

- 1.5 Correspondence
 - Leslie Butler US Census re: Town Hall usage
 - Aaron McIntre
- 1.6 Payment of Bills

RESOLUTION # 87 - 2020

PAYMENT OF BILLS

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

ADOPTED 5 AYES 0 NAYS

RESOVED that the bill be paid as presented:

June 2020 Report

Fund Acct	Ck Acct Disburse	Voucher #'s
General	\$26,161.86	588-619
		584
Highway	\$80,804.85	655-673
		583
Water	\$7,738.37	620-623, 623a, 624-634
		585
Sewer	\$ 12,673.43	635-654
		586
Light Dist	\$410.15	587
TOTAL	\$127,788.66	-

2 DIVISION REPORTS - All report read aloud by Supervisor Bernard Johnson

- 2.1 Highway - Monthly Report June 2020 submitted by Donald Neiger
 - Used 1034.8 gal of diesel fuel 956.5 gal was for highway and 78.3 was non highway use.
 - Used 260.6 gal of gas 80.8 was highway and 179.8 was non highway use.
 - Patched holes on dirt and paved roads.
 - Stock piled stone for summer use.
 - Mowed right of ways along roads.
 - Paved parts of Schalk Rd.
 - Installed dog signs around town, no parking and road name signs.
 - Stock piled sand for next winter.
 - Prepared Gables Rd and Schalk Rd to be paved.

- Replaced pipes on Gables road
- Repaired sidewalks on Main Street and Bridge Street.

2.2 Water & Sewer-June 2020 Monthly Report

- Koberlein pumped out 6 septic tanks at the Campgrounds. Fixed 5 broken cleanouts.
- Built doors for the tractor shed at the sewer plant.
- Shoveled sludge from sand beds #4 and #2 and partially on bed #1.
- Installed water meters at three homes and turned-on water for one home.
- Replaced about 170' of landscape fabric between sand beds #3 and #4.
- Did complete tune up on Husqvarna.
- Repaired front brakes on F250.
- Installed new back up alarms on both trucks.
- Cleaned rocks and reinstalled them around the outside of the distribution boxes on sand bed #4.
- Inspected septic tanks on School St, fixing several cleanouts.
- Helped Koberlein replace a pump at the Kirk Rd pump station.
- Attended online maintenance course for Mueller hydrants and products.
- Used a torch and chlorine to control weeds in the sand beds.
- Uncovered water main valve on Oak St that was paved over.
- Installed risers for valves at 251 Bridge St for the Highway Dept who was replacing the sidewalk for us.
- Took two final water meter readings.
- Responded to 8 after hours alarms at Kirk Rd pump station caused by excessive heat.
- Fixed a broken curb valve on Bridge St.
- Installed new computer.
- Inspected septic tanks on Erie Ave and fixed three broken cleanouts.
- Inspected septic tanks on Grove St and fixed three cleanouts.
- Completed scheduled spring hydrant flushing.
- Uncovered and extended two valves for a pressurized sewer line on Bridge St for a pump station. Koberlein replaced a bad pump.
- Replaced barrel of caustic soda at the sewer plant two times.
- Took monthly water and wastewater samples.

Narrowsburg Water & Sewer Financial Report for May 2020

Water Metered Rent	\$570.68
Unmetered Water Sale	\$0.00
Service Charge	\$135.00
Water Penalty	\$26.75
Total Water Dept	\$732.43
Sewer Rent	\$1,825.60
Service Charge	\$0.00
Sewer Penalty	\$85.65
Total Sewer Dept	\$1,911.25
Grand Total	\$2,643.68

Kelly Agar,
Clerk

2.3 Building Department/ Code Enforcement - June 2020 Monthly Report

- Construction Inspections - 15
- Fire & Safety Inspections - 0
- Complaint/Violation Inspections - 0
- Certificate of Occupancy - 0
- Certificate of Compliance - 8
- Building Permits - 12
- New Homes - 0
- Accessory Building/Garage - 1
- Renovation/Alteration/ Addition - 2
- Camping - 0
- Chimney/Fuel - 2
- Accessory Building Commercial - 0
- New Commercial Construction - 0
- Renovation/Alteration - Commercial Construction - 1
- Deck - 1
- Demolition Permit - 0
- Driveway Permit - 1
- Electrical - 1
- Logging Permits - 0
- Mechanical - 0
- Permit Renewals - 0
- Pool - 0
- Roof Replacement - 2
- Roof Structure - 0

- Septic Permits - 1
- Sidewalk - 0
- Sign Permit - 0
- Solar Permit - 0
- Well - 0
- Flood Plain Permit - 0
- C/O and violation search - 8
- Dangerous and Unsafe Building - 0
- Complaints Received - 0
- 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, 2020 to June 30, 2020 are \$2,693.00.

Building Inspector and Clerk attended webinar on June 16, 2020 on 2020 Fire Code of New York State - Electrical Energy Storage Systems.

Respectfully,

Jim P Crowley, Building Inspector

JPC/js

2.4 **Assessor**-Monthly report for June 2020 submitted by Sole Assessor Ken Baim

In June the Grievance Board of Assessment Review finished their adjudication of the cases presented on Grievance Day. There were no reductions granted. As we had grievance complaints from a tax reduction service this year, Small Claims Assessment Reviews are expected to be received during July. An assessment of \$1 ,000 was requested on these complaints which was denied. The SCAR hearing is the next step that normally will be taken. Preparation for these hearings will take many hours of work to be prepared for the hearing.

I did not attend the Sullivan County Assessor's Association meeting in June nor the luncheon for Ed Homenick's retirement as Director of Real Property. From the Sullivan County Democrat article, it appears that Real Property Tax department will be blended into the Sullivan County Treasurer's office. Many of the Real Property employees are furloughed at this time and the Deputy Treasurer is spending time in the real property tax office. So far those left seem to be doing a good job of keeping the office running.

Normal office calls have been directed to my home phone number and seem to be somewhat elevated during later June. Deed processing is gaining momentum as some closings have recently occurred.

2.5 Upper Delaware Council- Monthly Report -submitted by Tusten UDC Representative Susan Sullivan

National Park Service

Darren Boch attended the meeting. He is the Acting Superintendent and will be overseeing the River Corridor until October of this year. Jennifer Claster, NPS Land Use specialist is moving on to another position. It is unlikely her position will be filled before Darren's tour here is over.

Upper Delaware Council

The Council has been fortunate to fill our vacant position for Resource and Land Use Specialist, with an excellent candidate who has accepted the job, and will, therefore, overlap and be able to meet with Jennifer before she leaves. Look for a press release on who we were lucky enough to have join us.

Tom Dent is now the Representative from the Town of Delaware. and Harold Roeder is the Alternate Rep.

Ongoing topics

Grants TAG grants Project completions for 2020 deadline is 8/28/2020, and the same date is when applications for 2021 TAG grants are due.

Proposed **Amendment to LWUG to add Utility Scale Solar...**Responses received so far include Town of Delaware, who passed a resolution in favor of the addition of this land use to the LWUG, and the Town of Fremont, also in favor. Town of Fremont favors the proposal made by Tom Shepstone, as the means of making this addition. Responses were requested by 8/3. Again, this a non-binding straw poll.

Ten Mile River Access Launch Designation

Andy Boyar articulated the many reasons why the NPS unilateral decision to prohibit trailer boat launching from this access was inappropriate. the WURM committee will continue to pursue this topic. My hope is that they will issue a letter to NPS making Andy's statement official. Possibly Evan has more information on this issue.

Upcoming events and cancellations

UDC's Annual Awards Banquet has been canceled There was discussion of an online event, and it is hoped there will be a live event in April, 2021 where this group of honorees will be recognized.

UDC's Five Year Strategic Planning Retreat is now being planned for late September or early October. Buck Moorehead is still the facilitator. Outdoor locations are being looked at. I suggested the Narrowsburg Union, because it has large spaces, great internet, etc.

UDC meeting 8/6 Monthly meeting will begin with a presentation on **Japanese Knotweed Study** by NPS

2.6 Energy Committee - report submitted by Councilwoman Brandi Merolla

Tusten Energy Committee Report July 2020

July 1, 2020 meeting

Attendees: Star Hesse, Naomi Holoch, Coryanne Mansell, Brandi Merolla, Jennifer Porter, Scott Porter

Project Title:

Town of Tusten HORSE Microdigester, Model AD25 and Food Rescue Program

TIMELINE/REPORTING

Hopeful to have ribbon cutting in mid-September 2020; still waiting on final HORSE delivery date.

First reimbursement from DEC should be in soon.

Submitting Second Quarter Reporting Requirements by July 4th to DEC.

Need to issue first payment to CET for reimbursement.

OPERATIONS

Going with simplified operations plan based on Hudson, NY HORSE experience; will set HORSE on railroad ties in the designated gravel area at Town Barn, no concrete pad, no exterior structure.

Requesting possible additional insulation from Seattle manufacturer Impact Bio-energy.

Town will get quotes for the minor electrical work that needs to be done.

OUTREACH

CET to start outreach to restaurants and food donation organizations the week of July 20th to schedule Virtual Q&A and/or site visits, if needed, for early-mid August.

CET will plan for secondary site visits (or follow up conversations) shortly after the launch of the program as well.

Local project team will support drop off of buckets with stickers and flyers.

FARMERS MARKET

Spot at market secured, and team has finalized and ordered residential and business flyers as well as a banner.

Project team will support staffing of the weekly booth 10am-1pm starting in mid-August to generate interest with collection of resident materials at the market only once the HORSE is operational (estimated late September).

PROBIOTIC PLANT FOOD

Project team continues to develop markets for probiotic plant food

Dan assisting with the research proposal at Cornell Cooperative Extension.

Project team is following up with farms potentially interested.

Soft Plastic collection to date 4,131 pounds. Weis Market resumes recycling program for TREX.

LED Streetlights update

On July 10 Brandi spoke with NYPA rep Chuck Hermann about time leading up to LED installation.

NYPA now finishing up the contract with Tusten.

They sign it, our town lawyer reviews it, Ben signs it. We then get in a Sullivan County queue.

NYPA schedules a construction kick-off meeting to confirm all specific features for Tusten's LED streetlights.

NYPA then orders our materials. In 8-12 weeks materials are delivered from Philips. Then installation will take 1 week with 1 installer.

Brandi Merolla

Town Chairwoman/Chair TEC

July 7, 2020

2.7 Zoning Re-Write Committee

No report submitted

2.8 Grants – report given by Deputy Supervisor Jane Luchsinger

Finalization of TAG which will complete Part 1 of the Comprehensive Plan by August 2020

Culvert Project – in progress of gaining permission for land use – putting in temp bridge.

Sullivan Renaissance Impact Grant extended; application has been re-submitted. 2 options:

(1) Work with library to make 3 tier structure/ building

a. Parking

b. Community hall

c. Library extension

(2) Completely renovate current community hall

In process of submitting application for another TAG to cover part 2 of the Comprehensive Plan.

3 PUBLIC COMMENT

Star Hesse re: Water/ Sewer Water Testing

Ed Krause – How many people are working for NWS? NWS System has been poorly maintained.

Stephen Stuart re: NWS system

4 MEETING BUSINESS

- 4.1 Local Law no 1 of 2020 to amend Chapter 255 of the Town Code (Vehicles and Traffic) by prohibiting parking on Bridge Street in the hamlet of Narrowsburg.

RESOLUTION # 88

LOCAL LAW #1 - 2020 ENTITLED A LOCAL LAW TO AMEND CHAPTER 225 BY PROHIBITING PARKING ON BRIDGE STREET

On motion of Supervisor Bernard Johnson, seconded Councilwoman Jill Padua, the following resolution was

ADOPTED 5 AYES 0 NAYS

WHEREAS, a resolution was duly adopted by the Town Board of the Town of Tusten for a public hearing to be held on July 14, 2020, by ZOOM, meeting ID: 885 7528 0026, at 6:30p.m., on July 14, 2020, to hear all interested parties on said proposed Local Law 1 of 2020 which would prohibit parking on Bridge Street in Narrowsburg, New York; and

WHEREAS, notice of said public hearing was duly advertised in the Sullivan County Democrat and the River Reporter, the official newspapers of said Town; and

WHEREAS, said public hearing was duly held on July 14, 2020, by ZOOM, meeting ID: 885 7528 0026, at 6:30p.m., and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, or any part thereof, and

WHEREAS, the Sullivan County Division of Planning & Environmental Management had determined that the proposed adoption of the local law is a matter for local determination; and

WHEREAS the proposed law is a Type II action under the New York State Environmental Quality Review Act (SEQRA), which requires no further environmental review; and

NOW, THEREFORE, it is hereby

RESOLVED, that the Town Board of the Town of Tusten hereby adopts Local Law No. 1 of the Year 2020 entitled AA Local Law to Amend Chapter 255 by

Prohibiting Parking on Bridge Street, a copy of which is attached hereto and made part of this Resolution; and be it further

RESOLVED, that the Town Clerk is directed to enter said Local Law in the minutes of this meeting and in the Local Law Book for the Town of Tusten and to give due notice of the adoption of said Local Law to the Secretary of the State of New York and General Code Services; and be it further

BY ORDER OF THE TOWN BOARD OF THE TOWN OF TUSTEN, NY.

- 4.2 Short EAF part 2 for Local Law no 2 of 2020 to amend Chapter 115 of the Town Code (Animals) by providing enforcement remedies and for payment of shelter fees.

RESOLUTION # 89

**LOCAL LAW #2 - 2020 AMEND CHAPTER 115 OF TOWN CODE AND
DECLARING A NEGATIVE DELARATION**

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

ADOPTED 5 AYES 0 NAYS

WHEREAS, a resolution was duly adopted by the Town Board of the Town of Tusten for a public hearing to be held on July 14, 2020, by ZOOM, meeting ID: 885 7528 0026, at 6:30p.m., on July 14, 2020, to hear all interested parties on said proposed Local Law 2 of 2020 entitled "A Local Law to Amend Chapter 115 of the Town Code Entitled Animals"; and

WHEREAS, notice of said public hearing was duly advertised in the Sullivan County Democrat and the River Reporter, the official newspapers of said Town; and

WHEREAS, said public hearing was duly held on July 14, 2020, by ZOOM, meeting ID: 885 7528 0026, at 6:30p.m., and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, or any part thereof, and

WHEREAS, the Sullivan County Division of Planning & Environmental Management had determined that the County's input under GML §239m, et seq., is not required; and

WHEREAS, the contemplated action appears to be an unlisted action requiring review pursuant to the State Environmental Quality Review Act ("SEQRA"); and

WHEREAS, on June 23, 2020, after reviewing part one (1) of a short Environmental Assessment Form (SEAF), the Town Board of the Town of Tusten identified no other involved agencies and assumed lead agency status; and

WHEREAS, after having completed parts two (2) and three (3) of the SEAF, it has been determined that the proposed action would not have a significant effect upon the environment; and

WHEREAS, the Town Board of the Town of Tusten, after due deliberation, finds it in the best interest of said Town to adopt said Local Law 2 of 2020.

NOW, THEREFORE, BE IT RESOLVED, that the proposed local law would not have a significant negative effect upon the environment; and be it further

RESOLVED, that the Town Board of the Town of Tusten hereby adopts said Local Law No. 2 of 2020 which shall be effective upon filing with the Secretary of State; and be it further

RESOLVED, that the Town Clerk be and she hereby is directed to enter said Local Law in the minutes of this meeting and to give due notice of the adoption of said Local Law to the Secretary of State of New York.

BY ORDER OF THE TOWN BOARD OF THE TOWN OF TUSTEN

4.3 Authorize Supervisor to contract with Glenn Smith Engineers

RESOLUTION #90

AUTHORIZATION TO SIGN CONTRACT WITH GLENN SMITH ENGINEERS

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

ADOPTED 5 AYES 0 NAYS

RESOLVED that the Supervisor is hereby authorized & directed to sign the contract with Glenn Smith Engineers.

4.4 BRIEF DISCUSSION RE: Evergreen Lane

4.5 Authorize Water & Sewer Interim Superintendent to purchase land fabric

RESOLUTION #91

AUTHORIZATION TO PURCHASE LAND FABRIC

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

ADOPTED 5 AYES 0 NAYS

RESOLVED that David Bunce, NWS Interim Superintendent is hereby authorized to purchase land fabric from Northern in the Amount of \$11.99 for 8 Rolls

- 4.6 Authorize Water & Sewer Interim Superintendent to purchase control panel for Heron pump station Main St.

RESOLUTION #92

AUTHORIZATION TO PURCHASE CONTROL PANEL FOR HERON PUMP STATION ON MAIN ST

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

ADOPTED 5 AYES 0 NAYS

RESOLVED that David Bunce, NWS Interim Superintendent is hereby authorized to make the emergency purchase for a control panel for Heron Pump Station on Main Street in the amount on \$1,704.00

- 4.7 Re-activate Conservation Advisory Council - Tabled
4.8 TAG for theatre

RESOLUTION #93

FEASIBILITY STUDY FOR THEATRE

On motion of by Councilwoman Jill Padua, seconded by Councilwoman Brandi Merolla the following resolution was

ADOPTED 5 AYES 0 NAYS

RESOLVED that authorization is hereby granted to ho have a feasibility study with TAG completed.

- 4.9 Narrowsburg Water District Improvement Project – Supervisor Bernard Jonson read loud:
a. Commence SEQRA
b. Seek & retain bond council
c. Review & accept map, plan & report from Delaware Engineering

- 5.0 Declaration of Lead Agency

RESOLUTION # 94

DECLARING LEAD AGENCY UNDER THE STATE ENVIRONMENTAL QUALITY REVIEW ACT, REGARDING NARROWSBURG WATER DISTRICT IMPROVEMENT PROJECT

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

ADOPTED 5 AYES 0 NAYS

WHEREAS, the Town Board of the Town of Tusten (Town), duly convened in a regular session on July 14, 2020, is considering an improvement project for the Narrowsburg Water District and desires to seek funding to allow for said improvements. Key components of the project would include:

- Replacement of the aging water storage tank
- Installation of a new booster pump station to improve system pressure
- Various improvements to the existing well facilities
- Installation of new permanent automatic flushing stations
- Installation of new water mains to eliminate dead-end lines
- Replacement of existing hydrants
- Replacement of existing water valves
- Replacement of existing water mains that are aging, undersized, or buried unusually deep; and

WHEREAS, it is estimated that an improvement project with a budget of \$7.5 million would be able to address the majority of the identified project components; and

WHEREAS, the Town has worked with Delaware Engineering, D.P.C., and Candice Balmer of RCAP Solutions (Rural Community Assistance Partnership Solutions) to explore funding options and determine the most feasible alternatives, and it was determined that funding through NYSEFC (NYS Environmental Facilities Corporation) programs would be best for this project due to the availability of low or 0% interest loans and up to 60% grants; and

WHEREAS, the Town Board has reviewed the attached proposed Part 1 Full Environmental Assessment Form (FEAF), Map, Plan and Report prepared by Delaware Engineering, D.P.C.

NOW THEREFORE BE IT RESOLVED as follows:

1. Pursuant to, and in accordance with, the provisions of the New York State Environmental Quality Review Act (SEQRA), the Town Board of the Town of Tusten (Town Board) hereby makes the following determinations and classifications with respect to the proposed Narrowsburg Water District Improvement Project:

- a. The Town Board hereby determines that the action is subject to SEQRA.
- b. The Town Board hereby makes a preliminary classification of the action as an Unlisted Action.
- c. The Town Board hereby determines that it is and will be the lead agency with respect to the consideration, coordinated

environmental review and proposed implementation of the above-described Narrowsburg Water District Improvement Project; and

2 The lead agency declaration, subject to agreement of the agencies involved, shall become effective 30 calendar days from the date hereof (failure to object is deemed acquiescence and/or agreement); and

3 In the event no objection is received from the aforementioned agencies within 30 calendar days, the Town Board of the Town of Tusten will assume the role of lead agency; and

4 The Town Board hereby accepts the Map, Plan and Report prepared by Delaware Engineering, D.P.C.; and

5 The Town Board hereby accepts Part I of the FEAF (as presented) or (with changes noted); and

6 The Town Supervisor is hereby authorized to endorse the signature page of the FEAF in his official capacity; and

7 A copy of the accepted Map, Plan and Report, Part 1 of the Full Environmental Assessment Form and a copy of this Resolution shall be sent to all involved and interested agencies by Delaware Engineering, D.P.C., on July 15, 2020, for comment and consideration of the Town of Tusten's declaration of lead agency.

5 PUBLIC COMMENT

Ed Krause
Stephen Stuart re: TAG
Iris Helfeld
Colin Peters
Joe
Iris Helfeld

6 CLOSING ITEMS

6.1 Board Comment

Brandi Merolla
Jill Padua

6.2 Adjournment

Supervisor Bernard Johnson made a motion to recess the meeting until July 23, 2021, at 6:30 PM seconded by Deputy Supervisor. All in favor.