



Town of Tusten Town Board Meeting

Regular Meeting Agenda

October 12, 2021

6:20 PM

PUBLIC HEARING

1. OPENING ITEMS

1.1. Call Meeting to Order

1.2. Pledge of allegiance

1.3. Announcements

- Hydrant Flushing October 18th & 19th from 6:00 AM – 12:00 PM

1.4. Payment of Bills

September

<u>Fund Acct</u>	<u>Ck Acct Disburse</u>
GENERAL	\$32,933.33
HIGHWAY	\$35,182.05
WATER	\$ 8,872.71
SEWER	\$16,050.20
<u>LIGHTING Dist.</u>	<u>\$ 351.22</u>
TOTAL	\$93,389.51

1.5. DIVISION REPORTS

Highway

- Used 864.5 gal. of diesel fuel 821. gal was for highway and 6443.5 was nonhighway use.
- Used 147 gal. of gas 0 was highway and 147 was nonhighway use.
- Patched holes on dirt and paved roads.
- Mowed right of way along roads.
- Cut trees on Ryer, Trout Pound A, and Bear Run.
- Repaired wash out and graded Grassy, Trout Pound B, Bear Run, Hankins.
- Replace driveways pipes Lackawaxen.
- Ditch Cohecton Turnpike, Grassy, Lackawaxen, and Maple.
- Helped the Town of Delaware.

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Water & Sewer

- Completed water meter readings every Wednesday in the month of September to track down possible leaks inside buildings, notified a few homeowners of possible leaks.
- Made adjustments to the chlorinator at the sewer plant, as needed, to maintain Federal and State standards on the effluent wastewater.
- Continued maintenance on sand beds by removing weeds and sludge and replacing landscape fabric around edges.
- Continued checking septic tanks by digging up the inlet lid.
- Koberlein pumped out sludge from dousing tanks at the sewer plant.
- Mowed grass at all Water and Sewer properties.
- Installed new septic tank risers at multiple properties, 11 new risers total.
- Located bypass valves for dousing tanks at sewer plant.
- Repaired 1 sewer main cleanout.
- Koberlein pumped out 4 septic tanks.
- Inspected all sewer pump and grinder stations.
- Inspected 2 manholes.
- Located 2 septic tanks with decks built over them.
- Removed 2 water meters.
- Located 2 curb valves that were covered by dirt and asphalt.
- Operated Well #1 as needed to maintain pressure in water tower.
- Located 6 dig request locations.
- Located and marked water main for Well #3 due to new electric pole installation.
- Attended New York Rural Water Association apprenticeship class.

Building Department/ Code Enforcement

Construction Inspections – 11

Fire & Safety Inspections – 0

Complaint/Violation Inspections - 0

Certificate of Occupancy – 1

Certificate of Compliance – 7

Building Permits – 10

New Homes – 1

Accessory Building/Garage – 0

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Renovation/ Alteration/ Addition - 0

Camping - 0

Chimney/Fuel - 0

Accessory Building Commercial - 0

New Commercial Construction - 0

Renovation/ Alteration - Commercial Construction - 0

Deck - 3

Commercial Deck - 0

Demolition Permit - 0

Driveway Permit - 0

Electrical - 0

Logging Permits - 2

Mechanical - 1

Permit Renewals - 0

Plumbing - 0

Pool - 0

Roof Replacement -3

Roof Structure - 0

Septic Permits -

Sidewalk - 0

Sign Permit - 0

Solar Permit - 0

Well - 0

Flood Plain Permit - 0

C/O and violation search - 6

Dangerous and Unsafe Building - 0

Complaints Received - 0

Complaints Closed - 0

Violations Issued - 0

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Violations Corrected - 1

Previous Violations Closed/Corrected - 0

Stop Work - 0

Building Inspector and Clerk attended webinar training on September 17, 2021, on Prioritizing ECCNYS Enforcement for Commercial Bldgs Part 1 and Part 2 as well as Battery Energy Storage for First Responders

Monies collected by this office from September 1, 2021, to September 30, 2021, are \$3125.90

Respectfully,

Jim P Crowley, Building Inspector

JPC/js

Assessor

During the month of September, the normal calls from school tax bill mailing were amplified by the seemingly poor delivery of the bills. Personally, I only received two of my four bills and, to date, the others have never shown up. Many people called about this, and most likely even more now have late bills as they did not think about not receiving it. Deeds seem to be steadily coming in for property sales. I was not able to attend the Sullivan County Assessors' meeting for September.

Upper Delaware Council

Presentation: Heather Jacksey updated the Council on the improvement of the Highland River Access via the LWRP grant program.

UDC and UDC Committees

Project Review: Approved Tusten's revised TAG grant application for \$4,700, moving it to the full Council for approval, which was granted at this monthly meeting. The approval is contingent on NPS approval, but the Town can take its next appropriate actions without further delays.

Water Use/Resource Mgmt (WURM):

Evan Padua has reported on the dangerous condition of the Railroad culvert in Hancock area, which contributed to previous derailment, and

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the Railroad has been unresponsive. There is also concern about creosote treated railroad ties accumulation as new ties are put in. Efforts to get a response will continue and Evan can answer questions you may have .

Roundup Spraying by DPW. Towns can opt-out. Does Tusten allow RoundUp Spraying along highways?

I expressed our Town's gratitude for NPS removal of extensive debris piled up against the Tusten Stone Arch Bridge.

Operations Committee and Misc.

The UDC is very sad to lose Shannon Cilento, our Land Use/Resource specialist. She has accepted a position with Sullivan Renaissance, and will continue to be working with Tusten as a member of that organization. Until our outreach efforts gets results, the Council approved using Tom Shepstone to review projects.

The UDC continues to pursue funding from PA and NY, and there have been positive developments. At Dec 2 UDC meeting, the consultant we were able to hire to create a business plan for the UDC will present his findings.

Broadband Access in NY State; " Gov. Hochul announces launch of mapping survey, examining quality and availability of Broadband across the state." According to recently published data, only 1% of Sullivan County lacks access. We know this is inaccurate, and look forward a public comment . To follow this google the above quote and get the press release.

Delaware Watershed Conservation Fund announces that via US Fish and Wildlife Service 32 new or continuing conservation and restoration grants totaling \$9.52 million were awarded. A list of these grants are available from UDC. They are generally matching grants.

Skidders Falls/Milanville Bridge status; PennDot's consultant AECOM held its second meeting on September 23, 2021 via Zoom. This meeting was not open to the public. Public Comments to the consultant, and/or to PennDot are still being accepted. I can send a more complete update with links to comment. Just email me suesul1941@gmail.com.

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Energy Committee

Tusten Energy Committee Report October 2021

HORSE

Soft Plastic collection is now at 11,000 pounds! The Tusten Library has received its 2nd bench to be used in The Beth Peck Memorial Garden in the spring.

LED Streetlights

Brandi emailed NYPA to get the status of completing the install on Main St with pendant light fixtures, in the bank parking lot, and around town. They say that within a month they will all be installed.

In addition, there was an issue with the Smart Nodes causing them to go out at night. That was corrected and now all are working fine.

Brandi Merolla
Chair TEC
Oct. 11, 2021

Grants

2. PUBLIC COMMENT

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

3. OLD BUSINESS

3.1. Cannabis

“A local law adopted pursuant to Cannabis Law Section 131 opting out of licensing and establishing retail cannabis dispensaries and on-site cannabis consumption establishments within the Town of Tusten”

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WHEREAS, Introductory Local Law No. 1 of the Year 2021 entitled “A local law adopted pursuant to Cannabis Law Section 131 opting out of licensing and establishing retail cannabis dispensaries and on-site cannabis consumption establishments within the Town of Tusten, Sullivan County, New York” was introduced before the Town Board of the Town of Tusten, County of Sullivan, State of New York, on September 14, 2021; and

WHEREAS, a public hearing was held at the Town of Tusten Town Hall, 210 Bridge Street, Narrowsburg, New York at 6:15 p.m., prevailing time, on Tuesday, October 12, 2021; and

WHEREAS, the Town Clerk of the Town of Tusten published or caused to be published a public notice in River Reporter of such public hearing at least five (5) days prior thereto.

NOW, THEREFORE, BE IT RESOLVED, that introductory Local Law No. 1 of the Year 2021 entitled “A local law adopted pursuant to Cannabis Law Section 131 opting out of licensing and establishing retail cannabis dispensaries and on-site cannabis consumption establishments within the Town of Tusten, Sullivan County, New York” be and the same hereby is enacted as Local Law No. 1 of the Year 2021 in the form annexed hereto; and be it further

RESOLVED, that the enactment of introductory Local Law No. 1 of the Year 2021 entitled “A local law adopted pursuant to Cannabis Law Section 131 opting out of licensing and establishing retail cannabis dispensaries and on-site cannabis consumption establishments within the Town of Tusten, Sullivan County, New York” as aforesaid is subject to permissive referendum in accordance with Section 24 of the New York State Municipal Home Rule Law; and be it further

RESOLVED, that within ten (10) days after the adoption of this resolution, the Town Clerk shall post on the Town sign board and publish in the River Reporter, the official newspaper of the Town, a notice in conformance with the requirements of Section 90 of the Town Law of the State of New York.

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The question of the adoption of the foregoing resolution was duly put to a vote on roll call, resulting as follows:

3.2. Narrowsburg Water Improvement Project

Board Resolution Authorizing Submission of the New York State Environmental Facilities Corporation's *Water Infrastructure Improvement Grant Funding Application*

WHEREAS, Town of Tusten, Sullivan County, New York (hereinafter the "Town") has established the public benefit to Town residents in the hamlet of Narrowsburg for the **Narrowsburg Water System Improvements Project** (hereinafter the "Project"); and

WHEREAS, the Town, on behalf of the Narrowsburg Water District (WD050), will undertake the Project that will upgrade aging, undersized and/or obsolete buildings, equipment and systems; and

WHEREAS, the Project has been determined to be necessary and prudent to ensure continued regulatory compliance, to improve system reliability and safety, and to protect public health; and

WHEREAS, the Town has approved a bond resolution in the amount of \$7,500,000 to fund the design and construction of the water system improvements; and

WHEREAS, the Town has submitted a financing application to the NYS Environmental Facilities Corporation (NYSEFC) to secure both short and long-term loans through the *Drinking Water State Revolving Fund* (DWSRF) program; and

WHEREAS, grant funding for the Project may be available through the New York State *Water Infrastructure Improvement Act* grant program that could provide additional grant funding of up to 60% of the non-grant funded portion of the project; and

WHEREAS, the Town, on behalf of the Narrowsburg Water District, is prepared to contribute matching funds, the balance of the Project cost not provided by the DWSRF funding and/or WIIA grants; and

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WHEREAS, the Town, on behalf of the Narrowsburg Water District, will be submitting an application to the NYSEFC for the *Water Infrastructure Improvement Act* (WIIA) grant program as a possible means to lower the rate impact to system users.

THEREFORE, BE IT RESOLVED THAT

1. The Town Supervisor of the Town of Tusten, is authorized to sign the WIIA grant application, as well as any NYSEFC funding agreements and associated documents for the Project; and
2. Delaware Engineering D.P.C., on behalf of the Town, is authorized to submit the WIIA grant application for the Project; and
3. The Town agrees to contribute local matching funds for the balance of the Project cost not provided by the grants, through bonding or other means, with potential short-term and/or long-term loan financing for the balance through the DWSRF program.

4. NEW BUSINESS

4.1. Septic Tank Bid Notice

Motion, that David Bunce, Narrowsburg Water & Sewer Interim Superintendent, is hereby authorized to Advertise for the 2022 Septic Pumping Bids to be received 12, noon on December 3, 2021. Bids will be opened on Tuesday, December 14, 2021 at the Regular Town Board Meeting.

4.2. Halloween Curfew

Motion, that a Halloween curfew is hereby in effect from 9:00 p.m. on October 30, 2021, thru 6:00 a.m. on October 31st; 9:00 pm October 31st, 2021 thru November 1, 2021, at 6:00 am. This is in effect for minors, under 18 years of age unaccompanied by an adult.

4.3. 2021 Halloween Road Closure

Motion that Tusten Youth Commission is hereby authorized & directed by the Town Board to close 2nd Ave from the intersection of 2nd Av & 3rd street around through the intersection at 2nd Ave & 4th Ave to end at the intersection of 4th Ave & 3rd St on October 31, 2021, for a Halloween Trunk or Treat from 4:00 PM – 7:00 PM

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4.4. Winter Restrictions

Motion to approve the Winter Restrictions Posting stating that there will be No Overnight Parking on Main Street from 11 pm to 6 am from November 15, 2021, through April 25, 2022, to facilitate snow removal. The following roads will be closed for temporary discontinuance of snow plowing, sanding and ice removal in accordance with Highway Law 205, between December 1, 2021, and April 1, 2022; Irishtown Rd: End of blacktop to bottom of Smith-Hughes. Deep Hollow Rd: from Lackawaxen Rd. and Cohecton Turnpike to second house near County Rd. 22. Cohecton Turnpike: from Mahls Pond Rd to St. Hwy 97 to Ten Mile River Rd #10. Tusten Road: from St. Hwy 97 to Stone Arch Bridge to railroad tracks. Blind Pond Road: From Whippoorwill Hunting Club to the town line.

LAKE ERIE RESTRICTIONS During the winter months from November 1, 2021, through April 1, 2022, motorized vehicles, i.e. Snowmobiles, all-terrain vehicles, and cars will not be allowed access to Little Lake Erie. **WINTER WEIGHT RESTRICTIONS** Seasonal weight restrictions on certain roads (stated below) shall be in effect: Whereas, the Highway Superintendent of the Town of Tusten has made known to the town board of the Town of Tusten that the following roads are in danger of sustaining damage due to the present condition of the traveled roads and weather conditions as a result of trucks in excess of ten (10) tons: Ackerman, Blind Pond, Brook Rd, Buddenhagen, Cohecton Turnpike, Crawford, Daub, Dexheimer, Evergreen, Francis Drive, Grassy Swamp, Hoffman, Humphrey, Lackawaxen, Irishtown, Mahl's Pond, New Weiden, Parker, Perry Pond, Ryer, Schalck, Swamp Pond, Trout Pond A&B, and Wood Oak and it being the opinion of the Town Board that such town highways would be materially injured by the Town of Tusten Town Board Meeting Town Board Regular Meeting 10/12/2021, operation of any such vehicle thereon during the months of November through April inclusive and pursuant to authority contained and set forth in Vehicle and Traffic Law Section 1660 (11),

NOW THEREFORE BE IT RESOLVED, and determined that the Town exclude from heretofore mentioned roads any vehicle with a combined weight of truck and its load in excess of 10 tons during the months of February through April inclusive, each year, and exceptions being necessary deliveries to residents as well as school buses. The exclusion shall remain in effect until the removal of signs as directed by the Town Board.

4.5. Municipal Clean-Up Agreement

Motion that the Town Board hereby authorize the Town Supervisor to sign the Agreement titled "Acknowledgment of Permit Conditions" with Sullivan

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County Solid Waste Management Guidelines For Commercial Users & Haulers.

4.6. Municode Meeting Software

\$1,000 / year Searchable Portal (keywords, dates, board type)

\$1,600/ year Searchable Portal + Email Subscription Management

Motion to authorize the Municode Purchase Approval for \$1,600/year for the Portal+ Email Subscription Management

4.7. Town Clerk has appointed Evelyn Dexter as Deputy Town Clerk,

Motion to set a pay rate of \$17.00/ hr for up to 10 hours per week.

4.8. Motion to authorize the following budget modifications:

Budget Modification Oct-21

General Fund

Increase			
A6989.7	NYS Energy Research (grant funded from 2018)	\$4,802.64	
Decrease			
A9901	General Reserves Interfund Transfer		\$4,802.64
Increase			
A1410.4	Town Clerk Contractual	\$2,100.00	
Decrease			
A1010.4	Town Board Contractual		\$2,100.00

4.9. 2022 Budget

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Budget Workshop

Motion to set a Special Meeting of the Town Board for the 2022 Budget Workshop is hereby set for Wednesday, October 20, 2021, at 4:00 PM, to be held at the Tusten Town Community Hall located at 210 Bridge Street, Narrowsburg, NY 12764 and,

BE IT FURTHER RESOLVED that the Town Board shall hold a Public Hearing for the 2022 Preliminary Budget, set for Tuesday, November 9, 2021, at ____PM, to be held at the Tusten Town Community Hall located at 210 Bridge Street, Narrowsburg, NY 12764 and via Zoom.

BE IT FURTHER RESOLVED, that the Town Board Special Meeting Agenda Workshop scheduled for Tuesday, November 2, 2021, is hereby canceled due to in-person elections.

4.10. Executive Session

Motion to Enter into Executive Session to discuss the possible acquisition of Property.

5. PUBLIC COMMENT

10 minutes will be given for public comment.

6. CLOSING ITEMS

6.1. Board Comment

6.2. Meeting reminder

6.3. Adjournment