



Town of Tusten Town Board Meeting

Regular Meeting Minutes

September 14, 2021

Zoom ID 890 1678 4280

6:30 PM

Meeting was held in person at the Tusten Town Community Hall & on Zoom

PRESENT: Supervisor Bernard Johnson
Deputy Supervisor Jane Luchsinger
Councilwoman Jill Padua
Councilman Bruce Gettel
Councilman Alfred Smith

OTHERS PRESENT: Crystal Weston, Town Clerk; Ken Klein, Attorney to the Town; approximately 8 members from the general public.

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 of allegiance.

1.3 Announcements

- Fall Clean Up Day Re-scheduled for Saturday September 25, 2021 9am-2pm NO TIRES WILL BE ACCEPTED
- The Water Department will be flushing fire hydrants October 18th and 19th from 6am-12pm.
- Cannabis / Marijuana Presentation with David Holland will be held at the Narrowsburg Union on Saturday October 9, 2021. The times are to be confirmed (4-6 or 5-7)

1.4 Correspondence – the following letters received by the Town Supervisor were read aloud:

- Hankins /Cackletown Rd signage
- Ten Mile River Rd – one way?

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1.5 Payment of Bills

*Bills were audited by Deputy Supervisor & Councilman Alfred Smith

RESOLUTION 115-2021

PAYMENT OF SEPTEMBER BILLS

On motion of Deputy Supervisor Jane Luchsinger, seconded by Councilman Alfred Smith, the following resolution was,

ADOPTED 5 AYES 0 NAYS

RESOLVED, that the following bills be paid as presented:

Fund Account	Amt.	Voucher #'s
General Fund	\$41,658.03	687-707 LATE BILLS: 623
Highway Fund	\$45,562.19	624-640
Water Fund	\$13,526.45	664-685 LATE BILLS: 623
Sewer Fund	\$29,671.41	641-664, 687
Lighting Fund	\$610.76	LATE BILLS: 623
TOTAL	\$131,028.84	

2 DIVISION REPORTS for the Month of August, all reports were read aloud.

2.1 Highway

- Used 998.2 gal of diesel fuel; 934.2 gal was for highway and 64 was non-highway use.
- Used 387.9 gal of gas 3 was highway and 2384.9 was non highway use.
- Patched holes on dirt and paved roads.
- Mowed right of way along roads.
- Cut trees Ackerman and Bear Run.
- Repaired wash out and grade Grassy, Perry Pond, Smith Hughes, Lackawaxen and Ten Mile River A.
- Replace drive ways pipes Lackawaxen.
- Ditched Cohecton Turnpike, Grassy, Lackawaxen.

2.2 Water & Sewer

- 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.

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- Did water meter readings every Wednesday in the month of August to track down possible leaks inside buildings, notified a few homeowners of possible leaks.
- 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.
- Craig Snedeker, Brad Skuse, and Chris Brown attended a 10-hour OSHA safety class provided by NYRWA.
- Koberlein pumped out sludge from dosing tanks and chlorine contact tanks at the sewer plant.
- Dug up 8 septic tanks for Koberlein to pump out.
- Repaired a broken water curb valve on Route-97.
- Installed new barrel of caustic soda at the sewer plant.
- Mowed grass at all Water and Sewer properties.
- Responded to 7 dig requests.
- Responded after hours 2 times for Kirks Rd pump station due to the panel overheating. The pumps have to be manually run and the panel reset.
- Installed 4 risers over the inlet side of septic tanks and 2 new risers over the center of the tank.
- Replaced 1 water meter bases and 2 new radio heads.
- Responded to call about sewer backup on Oak St, dug up inlet side of tank and did not find any issues in the tank. Contractors found broken pipe between the tank and the house.

Financial Report for August 2021		
		Submitted By Jocelyn Strumpfler
Water Metered Rent	\$ 6,115.80	
Service Charge	\$ 861.72	
Water Penalty	\$236.55	
TOTAL Received Water Department		\$ 7,214.07
Sewer Rent	\$ 16,669.97	
Service Charge	\$ 24.00	
Sewer Penalty	\$ 1793.16	
TOTAL Received Sewer Department		\$ 24,701.20
GRAND TOTAL		\$ 43,491.29

2.3 Building Department/ Code Enforcement

Construction Inspections – 20

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Fire & Safety Inspections – 1
Complaint/Violation Inspections - 3
Certificate of Occupancy – 2
Certificate of Compliance – 12

Building Permits – 15
New Homes – 3
Accessory Building/Garage – 1
Renovation/Alteration/Addition – 0
Camping - 3
Chimney/Fuel – 0
Accessory Building Commercial - 0
New Commercial Construction – 0
Renovation/Alteration – Commercial Construction - 0
Deck – 0
Commercial Deck - 0
Demolition Permit - 0
Driveway Permit – 1
Electrical – 2
Logging Permits – 0
Mechanical - 1
Permit Renewals – 0
Plumbing - 0
Pool – 1
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 – 12

Dangerous and Unsafe Building – 0
Complaints Received – 2
Complaints Closed – 0
Violations Issued – 2
Violations Corrected – 2
Previous Violations Closed/Corrected - 0
Stop Work – 0

Monies collected by this office from August 1, 2021 to August 31, 2021 are \$4,782.00

Respectfully,

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Jim P Crowley, Building Inspector
JPC/js

6:24 PM Deputy Supervisor Jane Luchsinger left the Town Board Meeting to attend the UDC Meeting regarding the TAG Application.

2.4 Assessor

Assessor's Report for August 2021

During the month of August, I attended the Sullivan County Assessor's meeting and took an on-line seminar on Solar Valuation which is going to be done according to regulations being developed by the Department of Taxation. This will require each assessor with commercial solar arrays to plug certain values pertaining to the individual array into a formula which will then self-populate certain other fields and arrive at a value for the array. This calculation will be done annually for each tentative roll. Quite honestly, I feel that this method opens the door to variation in values as it is being done by individuals who use it once annually. If it was centrally done it could be with greater accuracy and consistency and would not be as open to litigation of the variables. August was the deadline for submitting the information for the printing of the school tax bills. Before sending in the information an update had to be completed to all the computers in every municipality. When starting this update, I took the computer to the Town Office, as the internet is much stronger than I have at home, and found that I was not able to move the cursor on the screen. Jeff Chorba got it going again and the update was installed. However, when I shut the computer down again the same problem persisted. In summation the computer was unusable for 10 days or so. The problem seems to be in the wireless mouse and is ok now that a wired mouse is used. Jeff was unsure if the computer is developing a disk problem and may be reaching the end of its days. So, by the time the computer was up and running again there was a small backlog of keying to be done which was all finished by the deadline and the roll was submitted.

August is also the month for the quarterly sales report to be submitted. Upon running the report, I found it was stored in a different location due to the new program update. When trying to attach it to the email to department of taxation I was unable to do so. With help from Department of Taxation the report was attached, but as soon as the remote session ended the report also went away. After several failed attempts Department of Taxation again got involved and the method to attached the report was clarified by my doing it while they watched remotely. So, August was just another month in the office. Everything eventually got done when it was supposed to.

2.5 Upper Delaware Council

UDC

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Tag Grant application from Tusten, being reviewed as of now. Jane will let you know results. Evan Padua is attending the Project Review Special meeting tonight in my place.

As you read this, many of you attended the UDC's annual Banquet where Ed Jackson received the Volunteer Award. It was well attended and as always staff did a great job.

NY DEC

The DEC has been approached by Boy Scouts TMR regarding a DEC purchase of land which would include conservation of the property and produce revenue for them. Boy Scouts say they plan to continue with a summer scouting program.

There are also new Deer/Bear Hunting regs so those interested can go to DEC website.

Miscellaneous;

It is rumored that NPS removed the accumulated trees and debris upstream of the Stone Arch Bridge at TMR. So much thanks because after Hurricane IDA it was truly needed to protect the Bridge. Gratitude to all involved.

Friends of Upper Delaware are hosting their Water, Water, everywhere conference October 12 - 14. There will be report on Knotweed Mitigation program. \$25.00 per person and reserve by October 4. I believe it is virtual, but call them if you are interested.

Skinnners Falls Milanville Bridge; The River Reporter has done a great job keeping the community informed about this issue. The Interstate Bridge Commissions Project Advisory Committee meetings on 9/23/21 to share the results of their Linkage/traffic study. Laurie Ramie is a member of that committee and will be attending.

2.6 Energy Committee

HORSE Operations

- In the last few weeks, Impact Bioenergy in Seattle, maker of the HORSE, sent replacement parts which Scott Porter installed and tested over many hours. A final step was an issue with function of the metering valve. After troubleshooting and testing over the last week, Scott reports as of end of day Monday 8/30, all is working as designed!
- The Botanist is the 1st Tusten restaurant to our feed HORSE. The Heron begins contributing next week. Then we will feed the Tusten HORSE with food scraps from Pete's Markets, The Blue Fox, The Laundrette and 2

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Queens. Look out for the “Participating Tusten food merchants” sticker at their locations throughout town.

- We have a SUNY Sullivan contact for partnership on operations/training who Jennifer Porter will talk to soon. We are building our volunteer operating team.

RIT Research

- A Rochester Institute of Technology (RIT) student/professor team is interested in 2021-2022 graduate case study research about the Tusten HORSE with the goal to understand the social, environmental and financial drivers of a distributed model for food waste processing and energy production.

Soft Plastic collection in Tusten is now over 11,000 pounds which has been recycled by TREX creating durable decking and benches. To date, the TEC has yielded 5 free benches from TREX in just over 2 years for our tremendous efforts. Thank you to all who are committed to protecting the environment, wildlife, fish, the river, our community and planet with this recycling recovery program.

2.7 Zoning Update Committee

Has not begun to meet.

2.8 Grants – *submitted by Deputy Supervisor Jane Luchsinger*

- Tonight, Jane will be addressing the UDC Board to defend our grant application for
- Zoning Update and parking lot plans.
- Little Lake Erie Culvert – Waiting to receive Right of Way approval from one resident.
- Water infrastructure project – Ben and Jane met with Aileen Gunther to request State funding for the water infrastructure project. She assigned a staff member to research opportunities.
- William Pomeroy Foundation – Our letter of Intent to place a historical marker at the old Lava School House has been accepted. The formal application is due by early October.
- Completed the annual Federal registration update of the SAM system (Systems Award Management).

3 OLD BUSINESS

3.1 Municipal Clean-Up Day

RESOLUTION 116-2021

MUNICIPAL CLEAN UP DAY DATE CHANGE

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

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

RESOLVED that Tusten's Municipal Clean Up Day shall be Saturday, September 25, 2021 9:00am - 2:00pm.

*No Tires

3.2 Cannabis

RESOLUTION 117-2021

INTRODUCTION OF LOCAL LAW NO. 1 OF 2021 "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"

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

ADOPTED 4 AYES 0 NAYS

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" 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 hold a public hearing on the aforesaid local law at the Town of Tusten Town Hall, 210 Bridge Street, Narrowsburg, New York, at 6:15 p.m., prevailing time, on October 12, 2021; 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.

4 PUBLIC COMMENT

Comments were heard from the following members of the public, for further details see the transcript or the recording filed with the Town Clerk.

- Star Hesse
- Michael Farrell re: Cannabis Law
- Robert Olman re: Cannabis Law
- Main Street Property Owner re: Need for public bathrooms on main street
- Jacob Kelly re: Cannabis Law
- Star Hesse re: Cannabis Law
- Kevin

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- Lisa D'Andrea re: Wood Oak solar farms
- Anthony Ritter re: Little Lake Erie Culvert
- Brandi Merolla
- Iris Helfeld re: Porta Bathrooms

5 NEW BUSINESS

5.1 Parking Committee

RESOLUTION 118-2021

CREATION OF PARKING COMMITTEE

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

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

BE IT RESOLVED that the following individuals are hereby appointed as members to the Parking Committee:

- Jill Pauda
- Bruce Gettel
- Donald Neiger, Highway Superintendent
- Laura Santana

Purpose of the Parking Committee:

- To investigate and determine parking needs and improvements needed within the hamlet.

5.2 Fall Beautification Plant Swap

RESOLUTION 119-2021

AUTHORIZATION TO HOLD PLANT SWAP

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

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

BE IT RESOLVED to authorize Beautification Committee to hold their annual Fall Plant Swap on Saturday October 2, 2021, in the Town Parking lot located at 210 Bridge Street, Narrowsburg.

5.3 Narrowsburg Water Sewer District Water Tower

RESOLUTION 120-2021

NARROWSBURG WATER SEWER PURCHASE APPROVAL

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

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

BE IT RESOLVED that the NWS Interim Superintendent is hereby authorized to purchase a Water Tower Transducer and to Obtain an electrical hookup for the Water Tower, with respect to the Town of Tusten's Procurement Policy, the NWS Supervisor is responsible for obtaining all permits and certificates as require by code.

5.4 2022 Budget

Set a Budget Workshop in the month of October

Town Board has set two 2022 Budget Workshops to be held at the Special meeting on Tuesday October 5, 2021 and Tuesday October 19, 2021 beginning at 6:30 PM. This will be in person only. Meetings are held at the Tusten Community Hall, located at 210 Bridge Street in Narrowsburg.

5.5 Budget Modifications

RESOLUTION 121-2021

AUTHORIZE BUDGET MODIFICATIONS

On motion of Supervisor Bernard Johnson, seconded by Councilman Alfred Smith, the following resolution was,

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

BE IT REOSLVED that the following budget modifications are hereby authorized as presented:

General Fund

Increase

A7710.1	Park Maint.-personal	\$3,000.00
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Decrease

A7710.4	Parks contractual	\$3,000.00
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Increase

A1620.2	Bldg. Maint.-personal	\$1,200.00
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Decrease

A1620.4	Building Expense	\$1,200.00
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Increase

A1910.4	Unallocated Ins.	\$706.19
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Decrease

Building Expense	\$706.19
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Increase

A1430.4	Bookkeeper Contr	\$100.00
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Decrease

A1430.2	Bookkeeper Equip	\$100.00
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Increase

A1110.13	Court Officer Personal	\$1,700.00
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Decrease

A1620.4	Building Expense	\$1,700.00
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Increase

A1355.4	Assessor Contr	\$200.00
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Decrease

A1440.4	Engineering contr	\$200.00
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5.6 Planning Board Meeting

Future Planning Board Meetings will be held the 4th Tuesday of every month at 7:30 PM beginning with Tuesday September 28, 2021, unless otherwise noted.

7:32 PM Deputy Supervisor Jane Luchsinger re- enters the Town Board Meeting.

5.7 Ten Mile River Rd

The Town Board has unanimously agreed there is no need to further explore the concept on changing it to a one-way road.

5.8 Request for Temporary Art Exhibit

RESOLUTION 122-2021

AUTHORIZATION FOR TEMPORARY ART EXHIBIT ON TOWN PROPERTY

On motion of Councilman Alfred Smith, seconded by Councilwoman Jill Padua, the following resolution was,

ADOPTED 5 AYES 0 NAYS

BE IT RESOLVED that the request from Narrowsburg Beautification to place a temporary (11 weeks) art exhibit on Town Property at the entrance of the community garden on

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kirks road is hereby granted pending the proper insurance is filed with the Town Clerks office with the Town of Tusten being additionally insured.

5.9 UDC TAG Updates

UDC said that the Zoning update and a parking lot is not related to the River Management

6 PUBLIC COMMENT

Comments were heard from the following members of the public, for further details see the transcript or the recording filed with the Town Clerk.

- Steve re: suggest boat launch for UDC TAG; Clarification on parking committee; Traffic issues in town, possibly install speed bumps or traffic cameras
- Lisa D'Andrea re: is there a project in the works for Rasmussen old building?
- Vicky Olman re: town should not allocate monies towards bathrooms on main street
- Star Hesse re: bathrooms needed on main street

7 CLOSING ITEMS

7.1 Board Comment

7.2 Meeting reminder

Town Board Special Meeting: Agenda Workshops will be held in person only & held in the Tusten Community Hall

Town Board Regular Meetings will be Hybrid, in person as well as zoom

Zoom ID will be 890 1678 4280

7.3 Adjournment

On motion of Deputy Supervisor Jane Luchsinger, and seconded by Councilwoman Jill Padua, the Town Board meeting was closed at 7:37 PM