



Town of Tusten Town Board Meeting

Public Hearing & Regular Meeting Agenda

April 13, 2021

Zoom ID: 890 1678 4280

6:30 PM

1 PUBLIC HEARING

- AT this time Public Members have been invited to submit comment to the Town Board of the Town of Tusten Comprehensive Plan

2 OPENING ITEMS

2.1 Call Meeting to Order

2.2 Pledge of allegiance

2.3 Announcements

- Spring Clean & Lions Club E-Waste Recycling on MAY 1, 2021, 9am – 2pm, at the Highway Barn. PLEASE SEE THE FLYER for further details or call the Town Clerk.
- Litter Pluck Saturday April 17, 2021 from 10 am – 2pm Meet at the Municipal Parking Lot (198 Bridge St)

2.4 Correspondence

- Ed Krause re: Purchase of 198 Main Street

2.5 Payment of Bills

March 2021

Fund Account	Amt.
General Fund	\$ 87,271.58
Highway Fund	\$ 55,272.40
Water Fund	\$ 15,226.84
Sewer Fund	\$ 18,953.86
Lightning Fund	\$ 1056.37
TOTAL	\$ 177,781.05

3 DIVISION REPORTS

Some reports have been sent to the board in advance of the meeting, therefore they are not read out loud in their entirety at the meeting; copies of all reports may be obtained at the Town Clerks Offices as well as in the minutes of said meeting.

3.1 Highway

- Used 508.5 gal of diesel fuel 411.3 gal was for highway and 97.2 was non highway use.
- Used 177.7 gal of gas 0 was highway and 177.7 was non highway use.
- Patch holes on dirt and paved roads.
- Start to remove snow removal equipment from some trucks.

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- Cut trees on Brook Rd and Cochection Turnpike
- Cut brush along right of ways with boom mower.
- Repaired wash outs on a Grassy and Lake Ridge.
- Started to broom roads.
- Started to get roads ready for paving.

3.2 **Water & Sewer-** Submitted by NWS Dept. & Billing by Jocelyn Strumpfler, Temp NWS Clerk

- The Narrowsburg Water Department will be flushing fire hydrants on the 26th and 27th of April between 6am and 2pm.
- 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.
- Repaired a caustic soda addition pipe at the sewer plant.
- Repaired a broken sewer pipe in the Hickory Lane easement that caused a partial plug.
- Dye tested the Hickory Lane sewer easement.
- Removed sludge from sand bed #1 at the sewer plant.
- Had Koberlein jet a partially blocked sewer line under the railroad between Delmauro Lane and Kirk Road.
- Finished the Annual Water Quality Report for 2020, which is available to read at the town hall, post office, library, and online.
- Located a sewer cleanout to get an estimated location of sewer line on Oak St for contractors building a house.
- Installed two new water meters and turned water on to two buildings.
- Did water meter read every other Wednesday in the month of March.

NWS Financial Report			
Water Metered Rent	\$961.77		
Service Charge	\$369.11		
Water Penalty	\$45.83		
TOTAL RECEIVED WATER DEPT.		\$1,376.71	
Sewer Rent	\$1,026.90		
Service Charge	\$0.00		
Sewer Penalty	\$57.08		
TOTAL RECEIVED SEWER DEPT.		\$1,083.98	
GRAND TOTAL		\$2,460.69	

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Building Department/ Code Enforcement

- Construction Inspections - 22
- Fire & Safety Inspections - 0
- Complaint/Violation Inspections - 0
- Certificate of Occupancy - 1
- Certificate of Compliance - 2
- Building Permits - 20
- New Homes - 1
- Accessory Building/Garage - 0
- Renovation/Alteration/Addition - 3
- Camping - 0
- Chimney/Fuel - 2
- Accessory Building Commercial - 1
- New Commercial Construction - 0
- Renovation/Alteration - Commercial Construction - 0
- Deck - 0
- Demolition Permit - 0
- Driveway Permit - 1
- Electrical - 3
- Logging Permits - 0
- Mechanical - 1
- Permit Renewals - 1
- Plumbing - 1
- Pool - 3
- Roof Replacement - 0
- Roof Structure - 0
- Septic Permits - 0
- Sidewalk - 0
- Sign Permit - 0
- Solar Permit - 1
- Well - 1
- Flood Plain Permit - 1
- C/O and violation search - 18
- 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

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Building Inspector and Clerk attended training on 3/12/21 1 hr- Inspection, Testing & Maintenance Records – Alarms, Smoke Movement & Life Safety; 1 hr – Fire Protection Water Supplies; 1 hr Exterior Requirements of the PMCNYS and FCNYS; 1 hr Inspection, Testing & Maintenance Records – Fire Extinguishing Systems & Equipment.

Monies collected by this office from March 1, 2021 to March 31, 2021 are \$4,179.43

Respectfully,
Jim P Crowley, Building Inspector
JPC/js

3.3 **Assessor-** Submitted by Ken Biam, Sole Assessor

During the month of March, I was busy with the finalization of forest and agriculture exemptions. Combination and parcel splits were entered into the computer and valuation changes made. Many address changes from the January tax bill mailing were updated. What folders were not previously gathered were readied for the field work inspection process. Physical inspection and measurement of properties were done on several days near the end of the month which in turn generated a few calls from security camera owners about “people measuring my building and who were they?”

The Sullivan County Assessors’ Association was cancelled as the meeting was about to begin due to some unforeseen circumstances with ZOOM and assessor illnesses. Deeds and other data from Real Property were processed as they were received. Volume of deeds is still slightly higher than most years for March. While I did not do a whole lot of different things during March, the quantity of each item kept me hustling.

3.4 **Upper Delaware Council** – Submitted by Susan Sullivan

Water Use/Resource Management

TMR Boat Launch NPS is in process of getting the ban on trailered boat launch lifted. Meanwhile, it will not be enforced and its “business as usual” at that location Litter Sweep; Wanda Gangel from our Beautification Group, and Evan Padua UDC Alternate are coordinating and there’s been a good response to this annual trash clean up. If any in the audience wants to join in, go to the Upper Delaware Council website or FB page for details. UDC’s First Annual Litter sweep takes place from April 17 through April 25. And, yes, there is a T shirt ...available at UDC office on Bridge Street. Tusten has participated in Sullivan Co-sponsored Litter pluck since its beginning, and what better way to volunteer to beautify our Town?

Project Review

Tusten’s Comp Plan is being reviewed by NPS. Usually takes two or three weeks.

NPS

Supt Salvatore advised that he has completed renewal of NPS lease with Boy Scouts of America for TMR Access

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Supt Salvatore also announced the hiring of Jessica Weinman as Chief of Facilities. Jessica served as acting Superintendent from Feb/May 2020. She is great to work with.

Other UDC News:

Yesterday, there was very good turnout for Representative Antonio Delgado's press conference at Callicoon Creek Park. State Senator Martucci was there as well. The event was sponsored by Friends of the Upper Delaware, and the overall focus was on directing more federal dollars to the Upper Delaware River.

UDC Representative Nadia Razj was able to talk to Senator Schumer when he came to the area, about UDC concerns, especially rural broadband Also see UDC website/FB

UDC is Seeking to have a presentation on the status of Rural Broadband, date to be announced

Skidders Falls/Milanville Bridge; as you may have read in the River Reporter, the UDC voted unanimously for the Rehab option (three options given were 1. tearing down the historic existing bridge which is on Historic Register) and build a two lane 40-ton capacity bridge, or 1. rehabilitate the existing bridge, which could operate as a one lane bridge, and have a ten-ton capacity, or 3. tear down and not replace the bridge. No one favors #3.

I spoke in favor of #2 because the roads on the PA side have a ten-ton limit and are often just over one lane, among many other reasons. Note that ambulances and EMS vehicles can travel a one lane bridge. Fire trucks cannot. There is a public comment period which ends on April 30. If anyone wishes to speak up for the Skidders Falls Bridge, please contact the UDC office, or website/FB or email me suesul1941@gmail.com

Also, I will be away from April 20 through April 28, so any UDC questions can be directed to Evan Padua, or the UDC staff.

3.5 Energy Committee – Submitted by TEC Chair Brandi Merolla

TEC meetings were held on 3/15/21, 3/29/21, 4/12/21. H.O.R.S.E. discussions.

April 22, 2021 is Earth Day. The TEC will present a live ribbon-cutting event on the Tusten Energy Committee Facebook page at noon.

3.6 Grants – Submitted by Jane Luchsinger

1. Little Lake Erie Culvert – in last stages of obtaining temporary Right of Way for temporary bridge. If all property owners agree with terms, construction is scheduled for this summer to be completed this fall.
2. Sullivan Renaissance – have applied for a Silver Feather Community Impact Grant to install a gate and pave a roadway and pedestrian sidewalk at Veterans Park so that emergency vehicles

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will have access to rear of Main Street buildings. This project will serve as a beginning of a Riverwalk.

3. Water Infrastructure Upgrade- Contacted Congressman Delgado and received information on the latest available funding. Applying for a State and Tribal Assistance Grant (STAG). It's not likely we will receive this grant, but you just never know unless you apply.
4. Upper Delaware Council – Working on last stages of the Comprehensive Plan. This grant is on target for completion.
5. USDA- No word from USDA feasibility study for at this time.

4 OLD BUSINESS

4.1 Comprehensive Plan

Motion to...

RESOLUTION TO ADOPT A NEGATIVE DECLARATION

PROPOSED TOWN COMPREHENSIVE PLAN

WHEREAS, the Town of Tusten intends to adopt a new Comprehensive Plan pursuant to section §272-a of the Town Law to serve as a guide for the future of the town, addressing numerous topics of import and setting forth a series of actions to advance objectives in the best interests of the community;

WHEREAS, pursuant to 6 NYCRR § 617.4 (b)(1) of the regulations of the State Environmental Quality Review Act (“SEQRA”) the adoption of a municipality’s comprehensive plan is a Type 1 action; and

WHEREAS, a Full Environmental Assessment Form (“FEAF”) Part 1 in connection with the proposed adoption of Town Comprehensive Plan (the “action”) was prepared, dated March 9, 2021, classified the action as a Type 1, and was accepted by the Town Board at its March 9, 2021 meeting; and

WHEREAS, on March 9, 2021, the Town Board initiated the Notice of Intent to be Lead Agency in accordance with 6 NYCRR 617.6 and said Notice was received by Involved and Interested Agencies on March 12, 2021; 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

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NOW THEREFORE BE IT RESOLVED, in accordance with 6 NYCRR 617.6, the Town Board declares itself to be Lead Agency to undertake the action of completing SEQR requirements and adopting the comprehensive plan; and

BE IT FURTHER RESOLVED, that for the reasons set forth in Parts 1, 2 and 3 of the EAF and the attached Notice of Determination of Significance, the Town Board hereby adopts a negative declaration, finding that the project as proposed will not result in any significant adverse environmental impacts and that a Draft Environmental Impact Statement will not be prepared.

BE IT FURTHER RESOLVED that the Town Board hereby directs the Town Clerk to send the attached Notice of Determination of Significance to the Environmental Notice Bulletin for publication and to make all other required filings.

Vote:

Supervisor Bernard Johnson _____

Deputy Supervisor Jane Luchsinger _____

Councilwoman Jill Padua _____

Councilman Bruce Gettel _____

Councilman Alfred Smith _____

4.2 Award Highway Stone & Sand Bid

Motion to accept the Stone & Sand Bids as presented in the summary below; Be it that upon recommendation of the Highway Superintendent, Donald Neiger the bid for 2021 Stone & Sand are hereby awarded to Deckelman LLC in the amounts provided:

COMPANY	Non- Collusion Bidding Cert.	MATERIAL NEEDED -SAND-		Date Rcvd	Date Opened
		Brown	Grey		
Deckelman LLC	YES	14.90	16.85	4/5/2021	4/6/2021
R & H Gorr	YES	14.97	14.50	4/5/2021	4/6/2021
Bedrock Quarries	YES	No Bid	No Bid	4/5/2021	4/6/2021

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E.R. Linde Construction	YES	No Bid	No Bid	4/5/2021	4/6/2021		
COMPANY	Non-Collusion Bidding Cert.	MATERIAL NEEDED -STONE-				Date Rcv'd	Date Opened
		Crusher Run	Gabions (R-3, R-4)	6-S	AASHTO #57		
Deckelman LLC	YES	\$11.00	\$17.75	18.00	\$13.95	4/5/2021	4/6/2021
R & H Gorr	YES	\$13.50	\$19.50	\$20.00	\$19.50	4/5/2021	4/6/2021
Rutlege	YES	\$13.25	\$19.95	No Bid	\$15.75	4/5/2021	4/6/2021
E.R. Linde	YES	\$21.50	No Bid	No Bid	No Bid	4/5/2021	4/6/2021

4.3 Password Policy

Motion to adopt the proposed Password Policy as presented:

Town of Tusten Password Policy

1.0 Overview

Passwords are an important aspect of computer security. They are the front line of protection for user accounts. A poorly chosen password may result in a compromise of the Town of Tusten's entire network. As such, all Town of Tusten employees (including contractors and vendors with access to the Town of Tusten systems) are responsible for taking the appropriate steps, as outlined below, to select and secure their password.

2.0 Purpose

The purpose of this policy is to establish a standard for the creation of strong passwords, the protection of those passwords, and the frequency of change.

3.0 Scope

The scope of this policy includes all personnel who have or are responsible for an account (or any form of access that supports or requires a password) on any system that resides at any Town of Tusten facility or has access to the Town of Tusten network.

4.0 Policy

4.1 General

- All systems-level passwords (e.g., root, enable, network administrator, application administration accounts, etc.) must be changed at least every 90 days.
- All user-level passwords (e.g., email, web, desktop computer, etc.) must be changed at least every 90 days and cannot be reused the past 10 passwords.
- Passwords must not be inserted into email messages or other forms of electronic communication.

4.2 Guidelines

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Password Construction Requirements

- i. Be a minimum length of eight (8) characters on all systems.
- ii. Not be a dictionary word or proper name.
- iii. Not be the same as the User ID.
- iv. Not be identical to the previous ten (10) passwords.
- v. Not be transmitted in the clear or plaintext outside the secure location.
- vi. Not be displayed when entered.

4.3 Password Deletion

All passwords that are no longer needed must be deleted or disabled immediately. This includes, but is not limited to, the following:

- When a user retires, quits, is reassigned, released, dismissed, etc.
- Default passwords shall be changed immediately on all equipment.
- Contractor accounts, when no longer needed to perform their duties.
- Contractor should inform his or her point-of-contact (POC).
- Tusten's POC will then delete the user's password and delete or suspend the user's account.

4.4 Password Protection Standards

Do not use your User ID as your password. Do not share Town of Tusten passwords with anyone, including administrative assistants or secretaries. All passwords are to be treated as sensitive, Confidential Town of Tusten information.

4.5 Remote Access Users

Access to the Town of Tusten networks via remote access is to be controlled by using either a Virtual

Private Network (in which a password and user id are required) or a form of advanced authentication (i.e., Biometrics, Tokens, Public Key Infrastructure (PKI), Certificates, etc.).

4.4 Pandemic Policy

Motion to Accept the Town of Tusten as presented.

Whereas this plan has been developed in accordance with the amended New York State Labor Law section 27-c and New York State Education Law paragraphs k and l of subdivision 2 of section 2801-a (as amended by section 1 of part B of chapter 56 of the laws of 2016), as applicable.

Whereas this plan has been developed with the input of CSEA Local 1000 and IBEW Local 363, as required by the amended New York State Labor Law.

Whereas No content of this plan is intended to impede, infringe, diminish, or impair the rights of us or our valued employees under any law, rule, regulation, or collectively negotiated agreement, or the rights and benefits which accrue to employees through collective bargaining agreements, or otherwise diminish the integrity of the existing collective bargaining relationship.

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Whereas this plan has been approved in accordance with requirements applicable to the agency, jurisdiction, authority, or district, as represented by the signature of the authorized individual below.

Therefore, be it resolved as the authorized official of The Town of Tusten, I hereby attest that this plan has been developed, approved, and placed in full effect in accordance with S8617B/A10832 which amends New York State Labor Law section 27-c and New York State Education Law paragraphs k and l of subdivision 2 of section 2801-a (as amended by section 1 of part B of chapter 56 of the laws of 2016), as applicable, to address public health emergency planning requirements.

4.5 Amend the 2021 Compensation Schedule

Motion to amend Resolution # 2 of 2021 entitled “2021 Compensation Schedule” upon the recommendation of Cooper Arais, accountants to the Town of Tusten; to reflect the hourly rate of pay as reflected in the 2021 Adopted Budget;

Court Clerk P/T	\$19.00 per hour (13.5 hr. work week)
Bookkeeper/ Conf Secretary	\$19.00 per hour (35 hr. work week)
Code Enforcement P/T	\$23.68 per hour (23 hr. work week)
Code Clerk P/T	\$19.00 per hour (10 hr. work week)
4 HMEO Highway Workers	\$25.15 per hour (40 hr. work week)
	\$37.73 per hour (Over Time)
1 Deputy Highway Super	\$26.90 per hour (40 hr. work week)
	\$40.35 per hour (Over Time)
3 W/S Operator	\$20.41 per hour (40 hr. work week)
	\$30.62 per hour (Over Time)

4.6 Court Officer Pay Rate

Motion to retroactively set the pay rate for the hire of the Court Officers from the NYS Unified Court System for the Tusten Justice Court to be as follows effective upon date of hire in the year 2020 for: James Agar Jr., Crystal Gadson, and Scott Schoonmaker to be;

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Court Officers P/T

\$45.00/hr. with two-hour minimum appearance, or any portion thereof., then \$45/hr. for each additional hr. pro-rated

5 **PUBLIC COMMENT**

10 minutes will be given for public comment. Please keep your comments directed to the board, comments should pertain to agenda items only. All other comments or questions may be taken up with individual board members after the meeting or at another time.

6 **NEW BUSINESS**

6.1 **Road Closure- Honey Bee Festival**

Approval to Close Main Street from the Interstate Bridge to the Post Office on September 25, 2021, from 3:00 PM - 8:30 PM for the Honey Bee Festival being held from 4:00 PM-8:00 PM. Event coordinator(s) must follow all NYS Dept. of Health guidelines & notify all Local Emergency Services.

6.2 **Road Closure- Friday on Main**

Approve closure of Main Street for 'Friday on Main' to be held on Friday May 28, 2021 from 6 pm - 9 pm Event coordinator(s) must follow all NYS Dept. of Health guidelines & notify all Local Emergency Services.

6.3 **Lions Club E-waste Recycling**

Approval for the Lions Club to collect E-waste at the Tusten Highway Barn, 6067 State Rt 97, Narrowsburg, during the Municipal Spring Cleanup on Saturday, May 1, 2021, from 9 am - 2 pm.

6.4 **Custodial Fund**

Approval to create 'Custodial Fund' and remove 'Trust & Agency Fund' as requested by the NYS Comptroller.

6.5 **Narrowsburg Water Tower**

Discussion

6.6 **NWS Rates**

NEW RATES:

Residential- Base \$85/quarter (up from \$35.60)

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.013/gal overage

Commercial- Base \$127.50/quarter (up from \$35.50)

.026/gal overage

6.7 Bank Bonding

6.8 Lawn Mower Bids

No bids received.

6.9 Road Closure Riverfest

Motion to Approve the request by Ariel Shamberg, Executive Director of the DVAA to close Main Street between Bridge Street & Fifth Street on Sunday, July 12, 2021, from 7 am - 6:30 pm for the 31st Annual Riverfest to be held from 10 am - 4 pm. Event coordinator(s) must follow all NYS Dept. of Health guidelines & notify all Local Emergency Services.

6.10 Bookkeeper

Motion to continue Bookkeeper/ NWS Clerk Temp.

6.11 Shumaker Engineering

Motion to give authorization for Shumacher Engineering to set survey markers for the Little Lake Erie Culvert Replacement Project on the Stuart Parcel 4, Map 4, at a cost of \$2,010.00

7 PUBLIC COMMENT

10 minutes will be given for public comment.

8 New Business Cont'd

8.1 Executive Session

Motion to Enter into Executive Session for the purpose of discussing potential sale of real property.

9 CLOSING ITEMS

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9.1 Board Comment

9.2 Meeting reminder

May 4, 2021 Town Board Special Meeting: Agenda Workshop In person & Live Streaming

May 11, 2021 Town Board Regular Meeting In person & Live Streaming

9.3 Adjournment