

**TOWN OF NEVERSINK TOWN BOARD  
TOWN BOARD MEETING  
TENTATIVE AGENDA MAY 9, 2012**

**CALL TO ORDER**

The re-scheduled Regular Meeting of the Town of Neversink Town Board called to order at **7:30 p.m.** by Supervisor Mark McCarthy with the Pledge of Allegiance.

**ROLL CALL**

**TOWN BOARD MEMBERS**

Supervisor Mark McCarthy  
Councilman Bryan Delaney  
Councilman Chris Mathews  
Councilman Georgianna Lepke  
Councilman Richard Coombe, Jr.

**OTHER TOWN OFFICIALS**

Code Enforcement Officer Keith Stryker  
Highway Superintendent Preston Kelly  
Town Attorney Walter Garigliano

**GUESTS**

Charles Breiner  
Jamie Brooks

**MINUTES OF PREVIOUS MEETING (S)**

Regular Meeting – April 17, 2012

**SUPERVISOR'S RECEIPTS & DISBURSEMENT REPORT**

Month of April 2012

Revenue Report, Expense Report and Trial Balance for 4/1/2012-4/30/2012

**TOWN CLERK DECALS AND MONTHLY FEE REPORT**

Month of April 2012

**TOWN CLERK MONTHLY PETTY CASH REPORT**

Month of April 2012/May 2012

No expenditures made

**REPORTS AND MATTERS OF TOWN OFFICIALS**

**CODE ENFORCEMENT OFFICER**

Code Enforcement Officer Report for April 2012

- 238 Miles
- \$566.20 Receipts
- 8 Permits issued in April, 31 to date
- 9 Certificate of Occupancy/Certificate of Compliance issued in March, 36 to date
- Completed NYS CEO Training for 2012

**HIGHWAY SUPERINTENDENT**

Highway Superintendent Report  
Sand, Stone, Fuel Bids

**TOWN OF NEVERSINK TOWN BOARD  
TOWN BOARD MEETING  
TENTATIVE AGENDA MAY 9, 2012**

**PLANNING BOARD**

Minutes for April 4, 2012 Regular Meeting – Cancelled due to no quorum  
Agenda for May 2, 2012 Regular Meeting

**ZONING BOARD OF APPEALS**

Public Notice of Cancellation of May 15, 2012 Regular Meeting

**PARKS AND REC DEPARTMENT**

Recap of Westchester Broadway Dinner Theatre – Legally Blonde plus info on possible upcoming events  
Flyer for Defensive Driving Course for Saturday June 9, 2012

**FILINGS WITH TOWN CLERK**

1. From Sullivan County Clerk's Office:
  - Boundary Agreement Survey for Matusiak Family Trust
2. Annual Financial Report for the Neversink Fire District-Fiscal Year Ended 12/31/11
3. Copy of Resolution No. 153-12 – County's 2012 Cleanup Initiative
4. Time Warner Cable franchise agreement payment letter for 1/1/11 through 12/31/11

**SUPERVISOR**

1. Town Park events
2. Gray water hook-up at Fairgrounds
3. 2012 Cleanup Resolution received
4. Sam's Club
5. Land Acquisition Committee opening
6. Executive Session

**CORRESPONDENCE RECEIVED**

1. FOIL Request for SBL#'s 19.-1-1.1, 1.7 & 1.10 from Building Dept. & Assessor's Office

**PUBLICATIONS RECEIVED**

- 1.

**PAYMENT OF CLAIMS AND VOUCHERS**

• Vendor Payments	\$	0.00
• Abstract #5		<u>43,637.87</u>
Total	\$	43,637.87

**ADJOURN OR RECESS:**

**TOWN OF NEVERSINK TOWN BOARD  
REGULAR MEETING  
APRIL 17, 2012**

The regular meeting of the Town Board of the Town of Neversink was called to order at 7:30 pm by Supervisor Mark McCarthy with the pledge of allegiance.

**ROLL CALL**

**Board Members:**

Supervisor Mark McCarthy	PRESENT
Councilman Bryan Delaney	PRESENT
Councilman Chris Mathews	PRESENT
Councilman Georgianna Lepke	PRESENT
Councilman Richard Coombe Jr.	PRESENT

**Other Officials:**

Highway Superintendent Preston Kelly	PRESENT
Code Enforcement Officer Keith Stryker	PRESENT
Town Attorney Walter Garigliano	PRESENT

**GUESTS**

Steve Porter	Dick Riesling
Jim Stangel	Ken Walter
Janis Offringa	Tom Passero

- **Dick Riesling** from Sullivan County's **Office of Sustainable Energy** presented programs that are available to County residents. **Green Jobs-Green NY** provides FREE and reduced cost **home energy assessments** that will save money on utility bills and make homes healthier and safer. Climate Change: Planning for Climate Action involves renewable energy, Solar and Wind, and trying to reduce our carbon footprint. He would like to see the Town of Neversink get involved in trying to reduce our carbon footprint.
- **Steve Porter** is involved in the Green Jobs-Green NY and recommends homeowners take part in this useful program.
- **Ken Walter** inquired whether the Town Board knew when the cable recently installed by **Time Warner** on Pepacton Hollow Road will be connected to Route 55 and become active.
- **Jim Stangel** brought to the Board's attention that the current Town of Neversink Zoning Law does not address large wind or large scale solar. That would make it a non-permitted use under current zoning. The Town Board may want to look into this.

**MINUTES OF PREVIOUS MEETING (S):**

Minutes of the Regular Meeting held on March 14, 2012 and Recessed Meeting held on April 3, 2012 were ACCEPTED AS SUBMITTED on motion by Councilman Richard Coombe Jr., seconded by Councilman Bryan Delaney, put to a vote and UNANIMOUSLY CARRIED.

VOTE: AYES 5 NAYS 0.

**TOWN OF NEVERSINK TOWN BOARD  
REGULAR MEETING  
APRIL 17, 2012**

**SUPERVISOR'S RECEIPTS AND DISBURSEMENTS REPORT:**

The Supervisor's Report for the month of March 2012 was ACCEPTED AS RECEIVED and filed on motion by Councilman Richard Coombe Jr., seconded by Councilman Georgianna Lepke, put to a vote and UNANIMOUSLY CARRIED.

VOTE: AYES 5 NAYS 0.

**TOWN CLERK DECALS AND MONTHLY FEE REPORT:**

ACCEPTED AS SUBMITTED to be filed on motion by Councilman Richard Coombe Jr., seconded by Councilman Chris Mathews, put to a vote and UNANIMOUSLY CARRIED.

VOTE: AYES 5 NAYS 0.

**TOWN CLERK MONTHLY PETTY CASH REPORT:**

No expenditures made.

**PLANNING BOARD:**

Minutes for the March 7, 2012 Regular Meeting and Agenda for the April 4, 2012 Regular Meeting have been filed with the Town Clerk.

**ZONING BOARD OF APPEALS:**

Public Notice of Cancellation of the April 17, 2012 Regular Meeting has been filed with the Town Clerk.

**REPORTS AND MATTERS OF TOWN OFFICIALS:**

**HIGHWAY SUPERINTENDENT REPORT:**

1. Highway Superintendent Preston Kelly is still working with the **FEMA** representative on the **ballfield claim**. It is being broken down into 17 small projects. The State has announced that they are going to pick-up the other 12½%.
2. At the last meeting Preston indicated that the **air compressor** at the Town Barn needed to be replaced. He estimates the cost for a new one to be **under \$15,000**. Preston will be taking the **funds from his Machinery Capital Reserve Fund**. A previous motion was made at the March 14, 2012 meeting to set the Public Hearing for this evening, but was never advertised. A new **Public Hearing** will be set for **May 9, 2012 at 7:15 pm**.

A motion was made by Councilman Richard Coombe Jr., seconded by Councilman Bryan Delaney, to authorize the Town Clerk to advertise a Public Hearing on May 9, 2012 at 7:15 pm for the expenditure of Machinery Capital Reserve Funds in an amount not to exceed \$15,000.00 for the purpose of purchasing a new air compressor, put to a vote and UNANIMOUSLY CARRIED.

VOTE: AYES 5 NAYS 0.

**TOWN OF NEVERSINK TOWN BOARD  
REGULAR MEETING  
APRIL 17, 2012**

3. Town Attorney Walter Garigliano and Highway Superintendent Preston Kelly have met concerning the **road sign inventory**. Once all the state mandated replacement signs have been installed, a resolution will be done.

**CODE ENFORCEMENT OFFICER REPORT:**

Monthly Receipts Report for March 1, 2012 – March 31, 2012 filed with the Town Clerk.

Mileage log and Inspection Report for March 2012.

The Code Enforcement Officer Keith Stryker:

1. Logged 415 miles and took in \$2,538.90
2. Issued 10 Building Permits, 23 to date
3. Issued 9 Certificate of Occupancy/Certificate of Compliance, 27 to date
4. Completed 21 hours of NYS CEO training
5. Attended the CWC Disaster Training Seminar in Margaretville

**TOWN CLERK:**

**FILINGS AND CORRESPONDANCE FILED WITH TOWN CLERK:**

1. From Sullivan County Clerk's Office a Lot Improvement for C. Chernowski
2. From Sullivan County Clerk's Office a Subdivision for Craig & Donna Steele
3. From Sullivan County Clerk's Office a Survey Map for Costa & Ekberg
4. 2011 Annual Financial Report for the Grahamsville Fire District
5. From Selective Insurance schedule of coverage for the addition of the Kyocera Mita Copier
6. Copy of Petroleum Bulk Storage Application for Highway with DEC
7. Copy of 2011 Government Insurance Disclosure Statement filed with the NYS Insurance Dept., Licensing Services Bureau
8. From SC Real Property Tax Coordinator the Board of Assessment Review Members Update form
9. From SC Board of Election the dates of 2012 Primaries and General Election

Items were ORDERED LOGGED and FILED on motion by Councilman Georgianna Lepke, seconded by Councilman Richard Coombe Jr., put to a vote and UNANIMOUSLY CARRIED.

VOTE: AYES 5 NAYS 0.

**SUPERVISOR:**

1. Supervisor McCarthy presented the following Budget Amendment for the Board's consideration. Town Attorney Walter Garigliano indicated that the aerial photos have been taken.

**TOWN OF NEVERSINK  
RESOLUTION NO. 10 OF 2012  
BUDGET AMENDMENT**

**Whereas**, on April 3, 2012 the Town of Neversink Town Board approved to have

**TOWN OF NEVERSINK TOWN BOARD  
REGULAR MEETING  
APRIL 17, 2012**

\$ 4,000.00 transferred from A1990.4 Contingency account to A1420.4 Attorney, Contractual expense for the cost of Aerial Photography to be done,

**Now, therefore be it resolved** that the Town Board authorizes the Supervisor to transfer \$ 4,000.00 from A1990.4 Contingency account, to A1420.4 Attorney, Contractual expenses, and that the following budget amendment be made,

A960 Appropriation -	\$4,000.00	
A1990.4 Contingency-	4,000.00	
A960 Appropriation -	4,000.00	
A1420.4 Attorney, Cont.-	4,000.00	

**Moved by:** Councilman Georgianna Lepke

**Seconded by:** Councilman Chris Mathews

**And Adopted on Motion:** April 17, 2012

- Supervisor McCarthy introduced the following Resolution to appoint a Part-time Assessor.

**TOWN OF NEVERSINK  
RESOLUTION NO. 11 OF 2012  
Appoint Part-time Assessor**

**Whereas,** Gene Froehlich, Full-time Assessor for the Town of Neversink retired effective March 31, 2012, and,

**Now, therefore be it resolved** that, the Town of Neversink Town Board hereby appoints Gene Froehlich as Part-time Assessor effective April 4, 2012, at the amount of \$25,000.00 annually, paid on a bi-weekly basis (\$961.54 per pay period).

**Moved by:** Councilman Georgianna Lepke

**Seconded by:** Councilman Richard Coombe Jr.

**And Adopted on Motion:** April 17, 2012

The above Resolution was rescinded by Councilman Georgianna Lepke and replaced with the following corrected Resolution.

**TOWN OF NEVERSINK  
RESOLUTION NO. 12 OF 2012  
Appoint Part-time Assessor**

**Whereas,** Gene Froehlich, appointed Full-time Sole Assessor for the Town of Neversink, with a term ending 9/30/2013, retired effective March 31, 2012, and,

**TOWN OF NEVERSINK TOWN BOARD  
REGULAR MEETING  
APRIL 17, 2012**

**Whereas**, Mr. Froehlich's retirement created a vacancy for the position of appointed Sole Assessor with a term to end on 9/30/2013, and

**Now, therefore be it resolved** that, the Town of Neversink Town Board hereby appoints Gene Froehlich to fill the vacant position of Sole Assessor on a Part-time basis effective April 4, 2012, at the amount of \$25,000.00 annually, paid on a bi-weekly basis (\$961.54 per pay period) with a term ending 9/30/2013.

**Moved by:** Councilman Georgianna Lepke

**Seconded by:** Councilman Richard Coombe Jr.

**And Adopted on Motion:** April 17, 2012

3. Supervisor McCarthy and the Board discussed **Spring Cleanup**. The Sullivan County Legislature is slated to vote on this at their April 26, 2012 4:30 pm meeting. The Board picked the following dates, **May 12, 16 & 19, 2012**, in anticipation of the Legislature's upcoming vote and the following Resolution was presented:

**TOWN OF NEVERSINK  
RESOLUTION NO. 13 OF 2012  
CLEANUP INITIATIVE  
"SPRING CLEANUP 2012"**

**WHEREAS**, we anticipate the Sullivan County Legislature will adopt the Sullivan County Cleanup Initiative 2012 Program; and

**WHEREAS**, the Town of Neversink anticipates being allocated 76.50 tons;

**NOW, THEREFORE, BE IT RESOLVED** that the Town Board of the Town of Neversink hereby authorizes the Supervisor, Mark McCarthy, to sign the anticipated municipal agreement with the County of Sullivan to cooperate in conducting a municipal cleanup; and

**BE IT FURTHER RESOLVED**, that the Town of Neversink anticipates holding the municipal cleanup program on May 12, 16 & 19, 2012.

**Moved by:** Councilman Bryan Delaney

**Seconded by:** Councilman Georgianna Lepke

**Adopted UNANIMOUSLY by VOTE:** AYES 5 NAYS 0.

4. Supervisor McCarthy brought up the condition of the **dugouts** on the playing field at the **fairgrounds**. Mark received a quote from Grey's Woodworks for portable 6 X 20 dugouts at the cost of \$2,795.00 each. A discussion followed with the Board deciding to repair what is there.
5. Supervisor McCarthy was contacted by the Neversink Agricultural Society about the condition of the **roof** on the **Chestnut Creek Covered Bridge**.

**TOWN OF NEVERSINK TOWN BOARD  
REGULAR MEETING  
APRIL 17, 2012**

The Ag Society has funds of \$1,000.00 for roof replacement. The previous Board did not budget for bridge repair and the current Board did not make any decisions on the matter.

6. Sullivan County received a request for a parcel of land located on County Route 19 near Hunter Road to be included in the **Agricultural District**. The County is looking for a representative of the Town to be in attendance at the Public Hearing. Supervisor McCarthy will attend.
7. The **Department of Health** contacted Supervisor McCarthy concerning **gray water disposal** from the campers during the fair at the **fairgrounds**. Mr. McCarthy will contact the City of New York DEP to see if something can be done to alleviate this problem.

**EXECUTIVE SESSION**

The Board entered into Executive Session at 9:12 pm on motion made by Councilman Bryan Delaney, seconded by Councilman Chris Mathews, to **discuss the potential acquisition of land and personnel regarding retirement**, put to a vote and UNANIMOUSLY CARRIED.

VOTE: AYE 5 NAYS 0.

The Board returned from Executive Session at 11:20 pm on motion made by Councilman Bryan Delaney, seconded by Councilman Georgianna Lepke, put to a vote and UNANIMOUSLY CARRIED.

VOTE: AYE 5 NAYS 0.

**PAYMENTS OF CLAIMS AND VOUCHERS**

- Vendor Payments           \$ 2,726.24
- Abstract #3                   80,015.55

Total \$ 82,741.79

Vouchers and Claims were reviewed by the Board and authorized to be paid on motion by Councilman Georgianna Lepke, seconded by Councilman Richard Coombe Jr., put to a vote and UNANIMOUSLY CARRIED.

VOTE: AYES 5 NAYS 0.

**ADJOURN OR RECESS**

On motion by Councilman Bryan Delaney, seconded by Councilman Richard Coombe Jr., the meeting was adjourned at 11:42 pm, put to a vote and UNANIMOUSLY CARRIED.

Respectfully submitted,

---

Lisa Garigliano, Town Clerk

**TOWN OF NEVERSINK TOWN BOARD  
PUBLIC HEARING  
AUTHORIZING THE EXPENDITURE OF HIGHWAY MACHINERY  
CAPITAL RESERVE FUNDS FOR THE PURCHASE OF AN  
AIR COMPRESSOR  
(SUBJECT TO PERMISSIVE REFERENDUM)  
TENTATIVE AGENDA/ORDER OF BUSINESS  
MAY 9, 2012**

**PUBLIC HEARING**

**CALL TO ORDER – 7:15 PM with Pledge of Allegiance**

**ROLL CALL:**

**Town Board Members**

Supervisor Mark McCarthy

Councilman Bryan Delaney

Councilwoman Chris Mathews

Councilman Georgianna Lepke

Councilman Richard Coombe Jr.

**OTHER TOWN OFFICIALS**

Town Attorney Walter Garigliano

Highway Superintendent Preston Kelly

Code Enforcement Officer Keith Stryker

**PUBLIC NOTICE READ AS POSTED BY TOWN CLERK**

**QUESTIONS AND COMMENTS FROM THOSE PRESENT**

**PUBLIC PARTICIPATION**

Name

Address

Comment

**ADJOURN OR RECESS**