

**TOWN OF NEVERSINK TOWN BOARD
REGULAR MEETING
DECEMBER 14, 2022**

CALL TO ORDER

The regular meeting of the Town Board of the Town of Neversink was called to order at 7:30 P.M. by Supervisor Chris Mathews with the pledge of allegiance.

ROLL CALL

Board Members

Supervisor Chris Mathews	PRESENT
Councilperson Keith Zanetti	PRESENT
Councilperson Nicole Gorr	PRESENT
Councilperson Scott Grey	PRESENT
Councilperson Richard Coombe Jr.	PRESENT

Other Officials

Highway Superintendent Preston Kelly	PRESENT
Code Enforcement Officer Keith Stryker	PRESENT

GUESTS

Adele Barnard	Walt Zeitschel
Stacie Howell	Larry Watson
Andrew McCabe	Hovey Brock
Margaret Seiler	

- **Stacie Howell**, Rondout & Neversink Stream Management Program Coordinator, introduced herself and gave a presentation on the **Chestnut Creek Local Flood Analysis** that was prepared by SLR. She is looking for the Town to **adopt a resolution** accepting the local flood analysis recommendations and for Supervisor Mathews to **sign the Memorandum of Understanding** for the Implementation of the Rondout Creek, Neversink River and Chestnut Creek Stream Management Plans and Local Flood Hazard Mitigation.
- **Adele Barnard** gave a Rt. 42 Community Park **playground update**. Adequate funds have been raised and an installation date is planned for April 2023.
- **Larry Watson**, a Blue Hill Road resident, addressed the Board about his concerns regarding the safety of Hunter and Blue Hill Roads and the Resolution before the Board tonight requesting a speed limit on Blue Hill Road. He and the Board also discussed the roads that are currently being built at the proposed Kerilands development.

MINUTES OF PREVIOUS MEETING(S)

Minutes of the Public Hearing and Regular Meeting held on November 9, 2022 were ACCEPTED AS SUBMITTED on motion by Councilperson Keith Zanetti, seconded by Councilperson Nicole Gorr, put to a vote and UNANIMOUSLY CARRIED.

VOTE: AYES 5 NAYS 0.

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SUPERVISOR’S RECEIPTS AND DISBURSEMENTS REPORT

The Supervisor’s Report for the month of November 2022 was ACCEPTED AS RECEIVED and filed on motion by Councilperson Richard Coombe Jr., seconded by Councilperson Keith Zanetti, put to a vote and UNANIMOUSLY CARRIED.
VOTE: AYES 5 NAYS 0.

TOWN CLERK DECALS AND MONTHLY FEE REPORT

ACCEPTED AS SUBMITTED for the month of November 2022 to be filed on motion by Councilperson Richard Coombe Jr., seconded by Councilperson Keith Zanetti, put to a vote and UNANIMOUSLY CARRIED.
VOTE: AYES 5 NAYS 0.

TOWN CLERK MONTHLY PETTY CASH REPORT

Month of November 2022/December 2022
No expenditures made.

CODE ENFORCEMENT OFFICER

Monthly Receipts Report and Mileage Log and Inspection Report for the month of November 2022 has been filed with the Town Clerk.

- 152 Miles
- \$655.00 Receipts
- 8 Building Permits, total 121 for year
- 0 Building Permit Renewal, total 0 for year
- 12 Certificate of Occupancy/Certificate of Compliance, total 116 for year
- 0 Complaint, total 1 for year
- 0 Violations, total 3 for year
- 2 Municipal Searches, total 82 for year
- 5 Fire Inspections, total 12 for year
- 0 Junk Yard Permit, total 1 for year
- 0 Mobile Home Park Permit Renewal, total 2 for year
- 0 Operating Permit, total 0 for year
- 0 Special Use Permit, total 0 for year
- 0 Fireworks Permit, total 1 for year
- 0 CEO Training Hours, total 25 for year
- 2 FOIL Request, total 6 for year
- 2 Fire Call, total 6 for year

HIGHWAY SUPERINTENDENT

1. The Resolution to **amend** the **highway inventory** of the Town of Neversink with respect to **Grants Road and Bradley Road** was presented for the Board’s consideration.

**TOWN OF NEVERSINK
RESOLUTION NO. 23 OF 2022**

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“A resolution to amend the highway inventory of the Town of Neversink with respect to Grants Road (Town Road No. 23) and Bradley Road (Town Road No. 4).”

At a regular meeting of the Town Board of the Town of Neversink, Sullivan County, New York, held at the Town Hall, 273 Main Street, Grahamsville, New York, in said Town, on the 14 day of December, 2022, at 7:30 p.m., prevailing time.

The meeting was called to order by Supervisor Mathews and upon roll being called, the following were:

PRESENT: Supervisor Chris Mathews
Councilperson Keith Zanetti
Councilperson Nicole Gorr
Councilperson Scott Grey
Councilperson Richard Coombe Jr.

ABSENT:

The following resolution was introduced by Councilperson Richard Coombe Jr., who moved its adoption, and seconded by Councilperson Keith Zanetti, to wit:

WHEREAS, the official inventory of town highways in the Town of Neversink reflects Bradley Road (Town Road No. 4) as beginning at its intersection with Aden A Road (Town Road No. 3A) and ending at its intersection with Grants Road (Town Road No. 23) for a distance of 0.38 miles; and

WHEREAS, the official inventory of town highways in the Town of Neversink reflects Grants Road (Town Road No. 23) as beginning at its intersection with State Route 55 (County Road No. 16) near the boundary line between the Town of Neversink and the Town of Fallsburg and ending at the boundary line between the Town of Neversink and the Town of Liberty for a distance of 0.77 miles; and

WHEREAS, the official Sullivan County E911 inventory of town highways in the Town of Neversink reflects Bradley Road (Town Road No. 4) as beginning at its intersection with Aden A Road (Town Road No. 3A) and ending at the boundary line between the Town of Neversink and the Town of Liberty for a distance of 0.77 miles; and

WHEREAS, the official Sullivan County E911 inventory of town highways in the Town of Neversink reflects Grants Road (Town Road No. 23) as beginning at its intersection State Route 55 (County Road No. 16) near the boundary line between the Town of Neversink and the Town of Fallsburg and ending at its intersection with Bradley Road (Town Road No. 4) for a distance of 0.38 miles; and

WHEREAS, it is in the best interest of the Town of Neversink, all emergency service providers, all of those who reside along Bradley Road (Town Road No. 4) and Grants Road

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(Town Road No. 23), and the general public, that the official inventory of town highways of the Town of Neversink and the official Sullivan County E911 inventory of town highways each designate and define Grants Road (Town Road No. 23) and Bradley Road (Town Road No. 4) in like manner.

NOW, THEREFORE, BE IT RESOLVED, that Bradley Road (Town Road No. 4) and Grants Road (Town Road No. 23) are hereby redesignated such that the official inventory of town highways of the Town of Neversink shall conform with the official Sullivan County E911 inventory of town highways in the Town of Neversink, to wit:

(a) Bradley Road (Town Road No. 4) shall begin at its intersection with Aden A Road (Town Road No. 3A) and end at the boundary line between the Town of Neversink and the Town of Liberty for a distance of 0.77 miles; and

(b) Grants Road (Town Road No. 23) shall begin at its intersection State Route 55 (County Road No. 16) near the boundary line between the Town of Neversink and the Town of Fallsburg and end at its intersection with Bradley Road (Town Road No. 4) for a distance of 0.38 miles.

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

Supervisor Christopher Mathews	voting	AYE
Councilperson Keith Zanetti	voting	AYE
Councilperson Nicole Gorr	voting	AYE
Councilperson Scott Grey	voting	AYE
Councilperson Richard Coombe, Jr.	voting	AYE

The resolution was thereupon declared duly adopted.

2. Preston would like to **go to bid** for the **plow equipment** for the **2 new 2024 plow trucks** that are scheduled to arrive mid to late February 2023. The following motion was made:

A motion was made by Councilperson Scott Grey, seconded by Councilperson Keith Zanetti to go to bid for the plow equipment for the 2 new 2024 plow trucks, put to a vote and UNANIMOUSLY CARRIED.

VOTE: AYES 5 NAYS 0.

PLANNING BOARD

Meeting Agenda for 12-07-2022, Meeting Minutes *draft* for 11-02-2022, Public Hearing Minutes *draft* for 11-2-2022, Meeting Minutes *accepted* for 10-05-2022 and Meeting minutes *accepted* for 07-06-2022 were filed with the Town Clerk.

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ZONING BOARD OF APPEALS

Meeting Agenda for 11-15-2022, Meeting Minutes *draft* for 11-15-2022, Meeting Minutes *accepted* for 2-15-2022 and Public Hearing Minutes *accepted* for 2-15-2022 were filed with the Town Clerk.

FILINGS AND CORRESPONDENCE FILED WITH TOWN CLERK

- FOILS received:
 - Megan King for property located at 26, 28 & 30 Willowemoc Rd – fulfilled
 - Toohar & Barone, LLP Kerilands – fulfilled
- Notice of Annual Election received from:
 - Grahamsville Fire District
 - Neversink Fire District
 - Claryville Fire District
- From Sullivan County Clerk’s Office:
 - Final Sub-division of Land for Lands of Curry
 - Survey Map of Lot Improvement for Lands of Gregory & Donna Carr
 - Survey Map of Lot Improvement for Lands of Guiseppa & Kristina Carraccia
- Certificate of Results of 12/13/2022 Fire Districts Commissioner Elections:
 - Neversink Fire District
 - Grahamsville Fire District
- Oath of Office for NFD Secretary Stephanie O’Neill
- NFD Resolution to Dispose of Surplus Equipment
- From NYC DEP notice of property land acquisition, ID#9829
- Letter/e-mail received in reference to Kerilands:
 - Felicity Brock Kelcourse

Items were ORDERED LOGGED and FILED on motion by Councilperson Richard Coombe Jr., seconded by Councilperson Keith Zanetti, put to a vote and UNANIMOUSLY CARRIED.

VOTE: AYES 5 NAYS 0.

SUPERVISOR

1. The following resolution was presented for the Board’s consideration:

**TOWN OF NEVERSINK
RESOLUTION NO. 24 OF 2022
ACCEPTING THE GRAHAMSVILLE LOCAL
FLOOD ANALYSIS RECOMMENDATIONS**

At a meeting of the Town Board of the Town of Neversink (“Town”), Sullivan County, New York held at the Town of Neversink Town Hall, 273 Main Street, Grahamsville, New York 12740, in said Town, on the 14th day of December, 2022 at 7:30 p.m., prevailing time.

The meeting was called to order by Supervisor Chris Mathews and upon roll being called the following were:

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	PRESENT	ABSENT
Supervisor Chris Mathews	X	
Councilperson Keith Zanetti	X	
Councilperson Nicole Gorr	X	
Councilperson Scott Grey	X	
Councilperson Richard Coombe, Jr.	X	

The following resolution was introduced by Councilperson Scott Grey who moved for its adoption, and seconded by Councilperson Keith Zanetti, to wit:

WHEREAS, the Sullivan County Soil & Water Conservation District (“SCSWCD”) and the Town recognize that the Chestnut Creek and its tributaries are a key element of the identity of the Town, and provides many environmental and economic benefits to the residents and businesses of Neversink; and

WHEREAS, the SCSWCD and the Town have worked cooperatively on-stream management issues relevant to both public and private interests for many years; and

WHEREAS, the SCSWCD, in partnership with the NYCDEP Stream Management Program have worked cooperatively since 2006 to develop a comprehensive Stream Management Plan (“SMP”) for the Neversink River; and

WHEREAS, the SCSWCD and NYCDEP have worked closely with the Neversink Local Flood Analysis Committee, the Town and other watershed stakeholders to develop the Grahamsville Local Flood Analysis (LFA) which takes a science based, long-term management approach to the stream; and

WHEREAS, the Grahamsville LFA provides guidance on protecting the safety and welfare of the citizens of Neversink and the public investment in Town infrastructure; and

WHEREAS, the SCSWCD and the Town desire to work cooperatively to implement the Grahamsville LFA for the common benefit of both parties, protection of the natural resources and the interests of the broader watershed stakeholders.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Neversink recognizes and accepts the Grahamsville LFA to assist the Town and its landowners with addressing long term management of the Chestnut Creek and its tributaries in a manner that is consistent with the protection of public and private property, the protection of natural resources, and in a way that will provide the Town, its landowners and visitors with multiple benefits.

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

	Voting	AYE	NAY
Supervisor Chris Mathews	X	X	

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Councilperson Keith Zanetti	Voting	X
Councilperson Nicole Gorr	Voting	X
Councilperson Scott Grey	Voting	X
Councilperson Richard Coombe, Jr.	Voting	X

The resolution was thereupon declared duly adopted.

Dated: December 14, 2022
Town of Neversink
Grahamsville, New York

The following **motion** was made **authorizing Supervisor Mathews to sign the MOU**:

A motion was made by Councilperson Richard Coombe Jr., seconded by Councilperson Nicole Gorr authorizing Supervisor Chris Mathews to sign the Memorandum of Understanding for the Implementation of the Rondout Creek, Neversink River and Chestnut Creek Stream Management Plans and Local Flood Hazard Mitigation, put to a vote and UNANIMOUSLY CARRIED.
VOTE: AYES 5 NAYS 0.

2. The following resolution was presented for the Board’s consideration:

**TOWN OF NEVERSINK
RESOLUTION NO. 25 OF 2022
REQUESTING THE COUNTY AND STATE CONSIDER AND INVESTIGATE
ESTABLISHING A SPEED LIMIT ON TOWN ROAD NO. 40 ‘BLUE HILL ROAD’**

WHEREAS, a property owner in the Town of Neversink (“Town”) is requesting the reduction of the current unposted speed zone to a 35 mph speed zone along the entire length of Blue Road; and

WHEREAS, the Town Board, after due consideration, requests that the County of Sullivan (“County”) and the New York State Department of Transportation (“State DOT”) investigate and consider reducing the current unposted speed zone to a 35 mph speed zone at which vehicles may proceed along from the intersection of Hunter Road and CR No. 157 for a distance of 3.65 miles. Said 3.65 miles broken up as follows: From the intersection of Hunter Road 2.51 miles turns to a seasonal road for 1.00 mile and then turns back for .14 miles to the intersection of CR No. 157.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby requests that the County and the State DOT investigate and consider reducing the current unposted speed zone to a 35 mph speed zone at which vehicles may proceed along from; the intersection of Hunter Road and CR No. 157 for a distance of 3.65 miles and, be it further

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RESOLVED, that the Town Supervisor be and hereby is authorized, empowered and directed, on behalf of the Town, to execute and deliver any and all documents, instruments, agreements and certificates necessary to request the County and State DOT accomplish the foregoing; and, be it further

RESOLVED, that the Town Clerk be and hereby is authorized, empowered and directed, on behalf of the Town, to do all things necessary including forwarding a certified original of this resolution and those documents, instruments, agreements and certificates, if any, executed by the Town Supervisor in accordance with the foregoing, to the County and State DOT.

Moved by: Councilperson Keith Zanetti
Seconded by: Councilperson Nicole Gorr
And Adopted by vote on: December 14, 2022
AYE: 5 **NAY:** 0

3. The following resolution was presented for the Board's consideration:

**TOWN OF NEVERSINK
RESOLUTION NO. 26 OF 2022
AUTHORIZING INTERMUNICIPAL AGREEMENT WITH COUNTY
FOR SHERIFF TO PROVIDE TOWN COURT SECURITY SERVICES**

WHEREAS, it is in the interest of public health, safety and welfare, as well as the safety and wellbeing of the Town of Neversink Town Justices and court personnel that there be security in the Town courtroom when the Town Justice Court is in session; and

WHEREAS, the County of Sullivan and the Sheriff of the County of Sullivan are willing to provide security services to the Town Justice Court upon terms and conditions set forth in an intermunicipal agreement to be entered into between the County and the Town, which agreement has been provided to the Town Board for its consideration and approval.

NOW, THEREFORE, BE IT RESOLVED, that the Intermunicipal Agreement prepared by the County of Sullivan and presented to the Town Board of the Town of Neversink, pursuant to which security services shall be provided to the Town of Neversink Justice Court by the Sullivan County Sheriff's Department, be and the same hereby is approved; and be it further

RESOLVED, that the Town of Neversink shall appropriate and hereby authorizes the expenditure of the funds required to fulfill its obligations pursuant to the aforesaid Intermunicipal Agreement; and be it further

RESOLVED, that the Supervisor of the Town of Neversink be and hereby is authorized, empowered and directed to execute the aforesaid Intermunicipal Agreement on behalf of and in the name of the Town of Neversink; and be it further

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RESOLVED, that the Supervisor of the Town of Neversink be and hereby is authorized, empowered and directed, on behalf of the Town, to execute and deliver any and all other documents, instruments, agreements and certificates, and take such other actions as may be necessary to give effect to implement the aforesaid Intermunicipal Agreement.

Moved by: Councilperson Scott Grey

Seconded by: Councilperson Nicole Gorr

And adopted by vote on: December 14, 2022

AYE: 5 **NAY:** 0

4. The following Resolution was presented for the Board's consideration:

**TOWN OF NEVERSINK
RESOLUTION NO. 27 OF 2022
BUDGET TRANSFERS**

Whereas, appropriations need to be increased in some General Fund accounts,

Whereas, \$6,565.00 needs to be transferred to A7310.2 Youth Programs Equipment, 465.00 to A1910.1 Unallocated Insurance, 2,100.00 to A8020.1 Planning, Personal Services, and

Whereas, \$6,565.00 to be moved from A7310.4 Youth Programs, Contractual Expense, 2,565.00 to be moved from A1990.4 Contingent Account,

Now, therefore be it Resolved that the Town Board authorizes the Supervisor to do the above transfers and that the following budget amendments be made;

A960 Appropriations-	\$ 9,130.00	
A7310.4 Youth Programs, Cont. Exp -	6,565.00	
A1990.4 Contingent Account -	2,565.00	
A960 Appropriations-	\$ 9,130.00	
A1910.1 Unallocated Insurance -		465.00
A7310.2 Youth Programs, Equipmnt -		6,565.00
A8020.1 Planning, Personal Services -		2,100.00

Moved by: Councilman Richard Coombe Jr.

Seconded by: Councilman Scott Grey

And Adopted on Motion: December 14, 2022

5. The following Resolution was presented for the Board's consideration:

**TOWN OF NEVERSINK
RESOLUTION NO. 28 OF 2022
NYCLASS MUNICIPAL COOPERATION AGREEMENT**

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WHEREAS, New York General Municipal Law, Article 5-G, Section 119-o (Section 119-o) empowers municipal corporations [defined in Article 5-G, Section 119-n to include school districts, boards of cooperative educational services, counties, cities, towns and villages, and districts] to enter into, amend, cancel, and terminate agreements for the performance among themselves (or one for the other) of their respective functions, powers, and duties on a cooperative or contract basis;

WHEREAS, the Town of Neversink wishes to invest portions of its available investment funds in cooperation with other corporations and/or districts pursuant to the NYCLASS Municipal Cooperation Agreement Amended and Restated as of March 28, 2019;

WHEREAS, the Town of Neversink wishes to satisfy the safety and liquidity needs of their funds;

NOW, THEREFORE, it is hereby resolved as follows:

That Teri Lockhart, Finance Officer of the Town of Neversink is hereby authorized to participate in the NYCLASS program under the terms of the NYCLASS Municipal Cooperation Agreement Amended and Restated as of March 28, 2019.

Moved by: Councilperson Scott Grey

Seconded by: Councilperson Nicole Gorr

And Adopted on Motion: December 14, 2022

6. Supervisor Mathews gave a **fairgrounds water building update.**
7. The following motions were made to **appoint Valerie Brown** to fill the **Parks & Recreation Advisory Board Alternate** vacancy and **Larry Bracken** to the **Transfer Station Attendant PT Temp** vacancy:

A motion was made by Councilperson Richard Coombe Jr., seconded by Councilperson Keith Zanetti to appoint Valerie Brown as Parks & Recreation Advisory Board Alternate with term to expire 12/31/2022, put to a vote and UNANIMOUSLY CARRIED.

VOTE: AYES 5 NAYS 0.

A motion was made by Councilperson Richard Coombe Jr., seconded by Councilperson Keith Zanetti to appoint Larry Bracken as Transfer Station Attendant PT Temp at the rate of \$16.24 per hr-bi-weekly, put to a vote and UNANIMOUSLY CARRIED.

VOTE: AYES 5 NAYS 0.

8. The Board discussed setting the date to **recess tonight meeting** to for the purpose of paying 2022 vouchers. It was decided to recess **to 12/29/2022** at 7:00 pm.
9. Supervisor Mathews reviewed a recent meeting with the **Land Acquisition Committee** on a **property located** above the school on **Moore Hill Rd.** They recommended that the property be opened for bow hunting, hiking and fishing only.

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10. Town Clerk Lisa Garigliano and the Board discussed the **Town's website** provider issue. Our current provider is making changes and Lisa believes it is in the best interest of the Town to change providers. She has gotten a quote from Zelacom but would like to get more quotes before a decision is made. The Board also discussed townofneversink.com and the Board was in favor of having both .com and .org.
11. The Board discussed the **rate increase** of \$10.00 per ton by the County on disposal the of both **C&D and SW** at the Transfer Station. The following motion was made:

A motion was made by Councilperson Richard Coombe Jr., seconded by Councilperson Keith Zanetti to increase the fees in January for C & D and miscellaneous bulky items by approximately 10 percent, put to a vote and UNANIMOUSLY CARRIED.
VOTE: AYES 5 NAYS 0.

12. A **voucher to reimburse Highway Funds** for the **work in setting up the ice rink** for Parks and Recreation in the amount of \$4,008.51 was submitted by Bookkeeper Teri Lockhart for the Board's signatures. The following motion was made:

A motion was made by Councilperson Richard Coombe Jr., seconded by Councilperson Keith Zanetti authorizing the signing of the voucher to reimburse Highway Funds for the work in setting up the ice rink for Parks and Recreation in the amount of \$4,008.51, put to a vote and UNANIMOUSLY CARRIED.
VOTE: AYES 5 NAYS 0.

OTHER

1. The following motion was made to **sign an escrow agreement with Kerilands:**

A motion was made by Councilperson Richard Coombe Jr., seconded by Councilperson Nicole Gorr authorizing Supervisor Chris Mathews to sign an escrow agreement with Kerilands that is acceptable to the Town's Attorney and the Planning Board Chairman, put to a vote and UNANIMOUSLY CARRIED.
VOTE: AYES 5 NAYS 0.

2. The following motion was made to **engage Whiteman, Osterman & Hanna LLP and AKRF:**

A motion was made by Councilperson Richard Coombe Jr., seconded by Councilperson Nicole Gorr to engage Whiteman, Osterman & Hanna LLP and AKRF as consultants to the Planning Boards to handle the Kerilands development project, put to a vote and UNANIMOUSLY CARRIED.
VOTE: AYES 5 NAYS 0.

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3. Councilperson Richard Coombe Jr. asked that fillable forms be included on the Towns website for the various departments.
4. Supervisor Mathews and Councilperson Richard Coombe Jr. gave a land swap update.

PAYMENTS OF CLAIMS AND VOUCHERS

• Vendor Payments	\$ 1,661.40
• Abstract #12	<u>86,534.94</u>
• Total	\$ 88,196.34

Vouchers, Claims were reviewed by the Board and authorized to be paid on motion by Councilperson Scott Grey, seconded by Councilperson Nicole Gorr, put to a vote and UNANIMOUSLY CARRIED.

VOTE: AYES 5 NAYS 0.

ADJOURN OR RECESS

On motion by Councilperson Keith Zanetti, seconded by Councilperson Nicole Gorr, the meeting was recessed at 9:32 pm to reconvene on December 29, 2022 at 7:00 pm, put to a vote and UNANIMOUSLY CARRIED.

Respectfully submitted,

Lisa Garigliano, Town Clerk