

**TOWN OF NEVERSINK TOWN BOARD
REGULAR MEETING
APRIL 13, 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

Cher Woehl	Walt Zeitschel
Tony Siciliano	Frank Gocaj
Jen Thomas	Adele Barnard
Ed McCarthy	Andrew McCabe
Larry Bracken	

- **Tony Siciliano** and **Frank Gocaj** were present tonight ask about private street or shared driveways in the Town of Neversink. Frank is purchasing around of 100 acres in the Lake Paradise area and would like to build multiple houses for his family on the property. Because of the lot's location to the road and the lake, a **private streets or shared driveway** would be the easiest. Code Enforcement Officer shared with those present, Chapter 41 Subdivision of Land, Article IV Design Standards, §41-17 Street Specifications, from the Town of Neversink Code that shows that private streets shall be built to the same standards as those required for public streets unless different standards are approved by the Town Board. It is the Boards decision that it will not deviate from the specifications set forth for private streets.
- **Jen Thomas**, the new **Director** of the **Daniel Pierce Library**, came to introduce herself to the Town Board. She briefly reviewed the programs that are available at the library and thanked the Board for their support of the library.
- **Adele Barnard** gave a presentation on the proposed **playground structure** that she would like to see installed at the **Rt. 42 Community Park**. She would like to begin fundraising efforts but needs the Town to give its permission for the playground before she can start. The Board gave its approval and the following motion was made:

A motion was made by Councilperson Richard Coombe Jr., seconded by Councilperson Keith Zanetti to approve a playground structure at the Rt. 42

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Community Park and to appropriate \$10,000 plus \$5,000 in-kind services in the 2023 Town Budget towards the project, put to a vote and UNANIMOUSLY CARRIED.
VOTE: AYES 5 NAYS 0.

- **Ed McCarthy**, Chief of the Grahamsville Fire Department, addressed the Board about having a **training facility** in the Town of Neversink. He specifically asking about the land across the street from the Rt. 42 Community Park which is currently owned by the City of NY DEP. He believes that visibility could help with recruitment of new members. Councilperson Richard Coombe Jr. explained about the land swap idea with the NYC DEP and why he thinks that the parcel across from the Rt. 42 Park could possibly be part of a future land swap. The first step would be to get a letter(s) from those entities that are interested in the parcel and then the Town could approach the NYC DEP about swapping the unused parcel below the ballfields for the level piece across from the ballfields.

MINUTES OF PREVIOUS MEETING(S)

Minutes of the Regular Meeting held on March 9, 2022 was ACCEPTED AS SUBMITTED on motion by Councilperson Keith Zanetti, seconded by Councilperson Scott Grey, put to a vote and UNANIMOUSLY CARRIED.
VOTE: AYES 5 NAYS 0.

SUPERVISOR'S RECEIPTS AND DISBURSEMENTS REPORT

The Supervisor's Report for the month of March 2022 was ACCEPTED AS RECEIVED and filed on motion by Councilperson Richard Coombe Jr., seconded by Councilperson Nicole Gorr, 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 March 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 March 2022/April 2022
No expenditures

HIGHWAY SUPERINTENDENT

1. Highway Preston requested permission to attend the **2022 Highway School in Ithaca on June 5th to the 8th, 2022.**

A motion was made by Councilperson Richard Coombe Jr., seconded by Councilperson Keith Zanetti approving Highway Superintendent Preston Kelly's request to attend the 2022 NYS Highway Superintendent's Highway School in Ithaca, NY on June 5th – 8th, 2022, put to a vote and UNANIMOUSLY CARRIED.
VOTE: AYES 5 NAYS 0.

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2. Money was appropriated in the 2022 Budget to purchase a new John Deere Z930M ZTrak zero turn mower with bagger off state contract from Mullally's for \$14,128.73.

A motion was made by Councilperson Keith Zanetti, seconded by Councilperson Scott Grey to purchase a new John Deere Z930M zero turn mower with bagger from Mullally's off state contract for \$14,128.73 put to a vote and UNANIMOUSLY CARRIED.
VOTE: AYES 5 NAYS 0.

3. Preston is requesting permission to put the **old John Deere Tractor and Zero Turn Mower** for sale on **Auctions International**.

A motion was made by Councilperson Keith Zanetti, seconded by Councilperson Nicole Gorr to put for sale the old John Deere Tractor and Zero Turn Mower on Auctions International, put to a vote and UNANIMOUSLY CARRIED.
VOTE: AYES 5 NAYS 0.

4. Preston would like to **go to bid for gasoline, diesel fuel, heating fuel for both the Town Barns and Town Hall, ice control sand, low abrasion crushed stones (1A, 1ST, #1 & #2), surge stone (light & Medium), fine dry screenings and crusher run (fine & course).**

A motion was made by Councilperson Richard Coombe Jr., seconded by Councilperson Keith Zanetti to authorize the Town Clerk to advertise a request for bids for gasoline, diesel fuel, heating fuel for both the Town Barns and Town Hall, ice control sand, low abrasion crushed stones (1A, 1ST, #1 & #2), surge stone (light & Medium), fine dry screenings and crusher run (fine & course). Bids will be required to be back in the hands of the Town Clerk by 2:00 pm on Monday, May 9, 2022. The Town Board reserves the right to reject any and all bids, put to a vote and UNANIMOUSLY CARRIED.
VOTE: AYES 5 NAYS 0.

5. Preston explained about an issue with a **road name address situation** in Bradley involving **Bradley Road and Grants Road**. The current state road inventory and the 911 map put in place in 1999/2000 do not match. The current road inventory needs to be changed to match the 911 map so that residents can be located for emergency services. Road mileage in the Town will not change.

A motion was made by Councilperson Richard Coombe Jr., seconded by Councilperson Scott Grey to direct the Town Attorney to create a resolution depicting Bradley Road as the continuous road from Aden Road to the Town line as depicted on the Highway Map provided by Highway Superintendent Preston Kelly, put to a vote and UNANIMOUSLY CARRIED.
VOTE: AYES 5 NAYS 0.

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6. The **pine trees** located on the lot next to the Town Hall should be removed. Preston and Supervisor Mathews agree that **bids for the removal** should be requested. The following motion was made:

A motion was made by Councilperson Keith Zanetti, seconded by Councilperson Nicole Gorr to request bids for the removal of the pine trees on the lot next to the Town Hall, formally known as the Sherman property, put to a vote and UNANIMOUSLY CARRIED.

VOTE: AYES 5 NAYS 0.

7. Preston would like to **advertise for 2 seasonal temporary workers**. The following motion was made:

A motion was made by Councilperson Scott Grey, seconded by Councilperson Keith Zanetti to authorize the advertising for two seasonal temporary workers in the Highway Department as laborers for the period between May 1st and September 30th, with a minimum age requirement of 18 years old, at wage rate of \$15.00 per hour with no benefits, must have a valid driver's license, working 40 hours per week put to a vote and UNANIMOUSLY CARRIED.

VOTE: AYES 5 NAYS 0.

8. The process for bids/quotes for **Tennis court sealing and lining** needs to begin.
9. Preston and the Board previously discussed the **replacement of two plow trucks**. Preston has looked into what is available off of state contracts. He would like to purchase (2) 2024 Mack Granite 4 X 4 off Sourcewell contract #060920-MAK for \$194,391.81 each, this does not include plow equipment.

A motion was made by Councilperson Richard Coombe Jr., seconded by Councilperson Scott Grey to purchase (2) 2024 Mack Granite 4 X 4 off Sourcewell contract #060920-MAK for \$194,391.81 each put to a vote and UNANIMOUSLY CARRIED.

VOTE: AYES 5 NAYS 0.

10. Preston would like to **replace the one-ton dump truck** off of Onondaga County's #ONGOV-106-19 Statewide Contract Bid for 2023 Ram 5500/4 wheel drive Crew Cab dump truck for \$102,091.10. The following motion was made:

A motion was made by Councilperson Scott Grey, seconded by Councilperson Keith Zanetti to purchase the 2023 Ram 5500/4 wheel drive Crew Cab dump truck off of Onondaga County's #ONGOV-106-19 Statewide Contract Bid for \$102,091.10, put to a vote and UNANIMOUSLY CARRIED.

VOTE: AYES 5 NAYS 0.

CODE ENFORCEMENT OFFICER

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

- 196 Miles
- \$1,099.60 Receipts
- 8 Building Permits, total 20 for year
- 0 Building Permit Renewal, total 0 for year
- 5 Certificate of Occupancy/Certificate of Compliance, total 24 for year
- 0 Complaint, total 0 for year
- 0 Violations, total 1 for year
- 6 Municipal Searches, total 36 for year
- 1 Fire Inspections, total 5 for year
- 1 Junk Yard Permit, total 1 for year
- 0 Mobile Home Park Permit Renewal, total 0 for year
- 0 Operating Permit, total 0 for year
- 0 Special Use Permit, total 0 for year
- 0 CEO Training Hours, total 0 for year
- 0 FOIL Request, total 2 for year
- 0 Fire Calls, total 1 for year

PLANNING BOARD

Meeting Minutes *draft* for March 2, 2022, Meeting Agenda for April 6, 2022, Public Notice of Public Hearing for April 6, 2022, Public Hearing Minutes for November 3, 2021, Meeting Minutes for November 3, 2021 and Meeting Minutes for December 1, 2021 were filed with the Town Clerk.

ZONING BOARD

Public Notice of Cancellation of April 19, 2022 meeting, Public Notice of Cancellation of March 15, 2022 meeting, Meeting Minutes for January 18, 2022, Public Hearing Minutes *draft* for February 15, 2022 and Meeting Minutes *draft* for February 15, 2022 were filed with the Town Clerk.

FILINGS AND CORRESPONDENCE FILED WITH TOWN CLERK

- FOIL:
 - Open the Books – Vendor payee for 2021
 - SmartProcure – PO/Vendor info
- 2021 Government Insurance Disclosure Statements filed with the NYS Insurance Dept. Licensing Services Bureaus per Reg. 87 of NYS Law
- Tentative Assessment Legal Notice
- TON 12/31/2021 Financial Statements from Cooper Arias, LLP
- Special Franchise Assessment Appeal from Tim Warner of Mid-Hudson
- From Sullivan County Clerk’s Office:
 - Final Subdivision of Land for Lands of Mushyn
- Certificate of Training for Jim Wells – 1.5 Hours

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.

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VOTE: AYES 5 NAYS 0.

TOWN CLERK

1. Tax Collector – 90.90% collected (2021 90.95%)
 - a. Ck #1455 to Supervisor – Bank Int., Misc., Penalties, 2nd Notices collected \$4,210.43

SUPERVISOR

1. The following Resolutions were present to the Board:

**TOWN OF NEVERSINK
RESOLUTION NO. 8 OF 2022
ADOPT SULLIVAN COUNTY MITIGATION PLAN**

WHEREAS, the Town of Neversink, with the assistance from the University of Albany at the Albany Visualization and Informatics Labs (AVAIL), has gathered information and prepared the plan for the County of Sullivan; and

WHEREAS, the Sullivan County Hazard Mitigation Plan has been prepared in accordance with the Disaster Mitigation Act of 2000; and

WHEREAS, the Town of Neversink is a local unit of government that has afforded the citizens an opportunity to comment and provide input to the Plan and the actions in the Plan; and

WHEREAS, the Town of Neversink has reviewed the Plan and affirms that the plan will be updated no less than every five years;

NOW, THEREFORE, BE IT RESOLVED, by the Town of Neversink Town Board that the Town of Neversink adopts the Sullivan County Hazard Mitigation Plan as this jurisdiction's Natural Hazard Mitigation Plan, and resolves to execute the actions in the Plan.

Moved by: Councilperson Scott Grey

Seconded by: Councilperson Keith Zanetti

And Adopted on Motion: April 13, 2022

**TOWN OF NEVERSINK
RESOLUTION NO. 9 OF 2022
CLEANUP INITIATIVE
“SPRING CLEANUP 2022”**

WHEREAS, the Sullivan County Legislature adopted the Sullivan County Cleanup Initiative 2022 Program; and

WHEREAS, the Town Board of the Town of Neversink hereby authorizes the Supervisor, Chris Mathews, to sign the municipal agreement with the County of Sullivan to cooperate in conducting a municipal cleanup; and

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NOW THEREFORE, BE IT RESOLVED, that the Town of Neversink anticipates holding the municipal cleanup program on April 23, 27 and 30 and May 4, 2022

Moved by: Councilperson Richard Coombe Jr.

Seconded by: Councilperson Nicole Gorr

Adopted UNANIMOUSLY by VOTE: 5 AYES 0 NAYS

**TOWN OF NEVERSINK
RESOLUTION NO. 10 OF 2022
BUDGET AMENDMENT**

Whereas, The Town Board approved of the purchase of a 350 Dodge Pickup with Plow off of the State Contract, not to exceed \$55,000.00 to come from Highway Fund Balance,

Now, Therefore be it Resolved that the Town Board authorizes the Supervisor to make the budget transfer of \$ 55,000.00 from DA599 Appropriated Fund Balance to DA5130.2 Machinery, Equipment, and that the following budget amendment be made;

DA599 Appropriated Fund Balance -	\$ 55,000.00
DA960- Appropriations –	55,000.00
DA5130.2 Machinery, Equip -	55,000.00

Moved by: Councilperson Keith Zanetti

Seconded by: Councilperson Scott Grey

And Adopted on Motion: April 13, 2022

**TOWN OF NEVERSINK
RESOLUTION NO. 11 OF 2022
BUDGET AMENDMENT**

Whereas, The Town Board approved of the purchase of a roll-off Container for the Transfer Station, and said funds to be transferred from the Contingent Account A1990.4,

Now, Therefore be it Resolved that the Town Board authorizes the Supervisor to make the budget transfer of \$9,900.00 from A1990.4 Contingent Account to A8160.2 Refuse & Garbage, Equipment, and that the following budget amendment be made;

A960- Appropriations-	\$ 9,900.00
A1990.4 Contingent-	9,900.00
A960- Appropriations –	9,900.00
A8160.2 Refuse & Garbage, Equip-	9,900.00

Moved by: Councilperson Keith Zanetti

Seconded by: Councilperson Nicole Gorr

And Adopted on Motion: April 13, 2022

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**TOWN OF NEVERSINK
RESOLUTION NO. 12 OF 2022
BUDGET AMENDMENT**

Whereas, \$34,000.00 was appropriated in the 2021 Budget under A8666.2 Clearance, Demo & Rehabilitation, Capital Outlay for the Sherman House \$33,300.00 was not used and it needs to be reappropriated in the 2022 Budget for the completion of the cleanup,

Now, Therefore be it Resolved that the Town Board authorizes the Supervisor to make the budget transfer of \$33,300.00 from General Fund Balance to A8666.2 Clearance, Demo & Rehabilitation, Capital Outlay and that the following budget amendment be made;

A599- Appropriated Fund Balance- \$ 33,300.00
A960- Appropriations - 33,300.00
A8666.2 Clearance, Demo & Rehab, Capital Outlay- 33,300.00

Moved by: Councilperson Scott Grey
Seconded by: Councilperson Richard Coombe Jr.
And Adopted on Motion: April 13, 2022

**TOWN OF NEVERSINK
RESOLUTION NO. 13 OF 2022
OPPOSING THE POTENTIAL BAN ON WOOD BURNING IN NEW YORK
AS PROPOSED BY THE CLIMATE ACTION COUNCIL**

WHEREAS on July 18, 2019, the Climate Leadership and Community Protection Act (Climate Act) was signed into law in New York State, and is considered among the most ambitious climate laws in the world and requires New York to reduce economy-wide greenhouse gas emissions 40% by 2030 and no less than 85% by 2050 from 1990 levels, and

WHEREAS Senate bill S6599 and Assembly Bill A8429, "An act to amend the environmental conservation law, the public service law, the public authorities law, the labor law, and the community risk and resilience act, in relation to establishing the New York State climate leadership and community protection act" was passed by the Senate and Assembly and signed by the Governor, and

WHEREAS, The Climate Action Council is researching ways to limit greenhouse gas emissions and achieve the goals of The Climate Act, and in a draft plan members of the advisory panel to the Climate Action Council describe scenarios where wood consumption decreases within that time frame, and this could mean a potential future ban on wood-burning stoves, and in an additional reduction effort, the possible elimination of natural gas hookups, and

WHEREAS, winters in Upstate New York are long and cold, and many people in the Town of Neversink and other rural communities rely on wood-burning stoves for heat, and taking away an affordable heating source could be detrimental to many families who depend on burning wood as the sole source of heat in their homes, and

WHEREAS, a ban on wood burning would have a major impact on many Town of Neversink households who rely on wood burning stoves for cooking, and cost-effective energy for heat and hot water,

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NOW, THEREFORE, BE IT RESOLVED that the Town of Neversink Town Board opposes the potential ban on wood burning in New York State as proposed by the Climate Action Council, and

BE IT FURTHER RESOLVED the Climate Actions Council will hold a 120 day public comment period, beginning January 1st, 2022, and will hold at least six (6) public hearings across the State, both in-person and virtual, and the Town of Neversink Town Board encourages Neversink citizens to voice their concerns at

www.nyserda.seamlessdocs.com/f/DraftScopingComments

or email scopingplan@nyserda.ny.gov

or by mail to: Draft Scoping Plan Comments, NYSEDA, 17 Columbia Circle, Albany, New York 12203-6399, and

BE IT FURTHER RESOLVED that certified copies of this Resolution be forwarded to New York State Climate Action Council Co-Chairs, DEC Commissioner Basil Seggos and NYSEDA President and CEO Doreen M. Harris; Governor Kathy Hochul, Senator Michael Martucci, and Assemblyman Brian Miller.

Moved by: Councilperson Keith Zanetti

Seconded by: Councilperson Scott Grey

And Adopted on Motion: April 13, 2022

2. A quote was received from CWC Technical Staff to **inspect 16 septic systems** that are to be pumped out in 2022 in the **Neversink Septic Maintenance District**. The total for two staff at 26 hours each and \$40 per hour is \$2,080.00. Supervisor Mathews and Code Enforcement Officer Keith Stryker were both please with their work done on last years inspections and would like to go forward with them for this year. The following motion was made:

A motion was made by Councilperson Keith Zanetti, seconded by Councilperson Nicole Gorr to contract with CWC Technical Staff in the amount of \$2,080.00 for the inspection of 16 septic systems in the Neversink Septic Maintenance District to be pumped out in 2022, put to a vote and UNANIMOUSLY CARRIED.

VOTE: AYES 5 NAYS 0.

3. Supervisor Mathews shared with the Board an updated **Shared Services Contract** between the **Town of Neversink and the Town of Denning**. This is the same contract has been signed previously. The effective dates of the new contract are **1/1/2022 to 12/31/2023**. The following motion was made:

A motion was made by Councilperson Richard Coombe Jr., seconded by Councilperson Keith Zanetti authorizing Supervisor Mathews to sign the Shared Services Contract between the Town of Neversink and the Town of Denning for the period of 1/1/2022 to 12/31/2023 put to a vote and UNANIMOUSLY CARRIED.

VOTE: AYES 5 NAYS 0.

4. The revised plan for the **Grahamsville Fairgrounds Water Supply System Upgrade** was shared. There are still items that need to be addressed. If

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anyone has any additional comments please get them to Chris and he will get them to Glenn Smith.

5. Supervisor Mathews met with representatives from TEAM Enterprises at the fairgrounds concerning the use of the park on July 10th for a pit stop for a **car rally**. Chris feels that after meeting with them and seeing the park that they are not interested anymore.
6. The Board is calling for a **Special Meeting** on April 27th at 7:00 pm for the purpose of hearing a presentation by Keriland Inc. concerning the proposed Keriland Project. It was decided to hold the meeting at the Neversink Fire House to allow more seating space. The following motion was made:

A motion was made by Councilperson Nicole Gorr, seconded by Councilperson Keith Zanetti to hold a Special Meeting on Wednesday, April 27th at 7:00 pm to hear a presentation by Keriland Inc. at the Neversink Fire House*, put to a vote and UNANIMOUSLY CARRIED.

VOTE: AYES 5 NAYS 0.

**Please Note: On Thursday 4/7/2022 a meeting location change was necessary. The meeting will be held at the Town of Neversink Town Hall because of the need to ZOOM the meeting.*

PAYMENTS OF CLAIMS AND VOUCHERS

• Vendor Payments	\$ 3,640.32
• Abstract #4	<u>294,775.78</u>
• Total	\$298,416.10

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

VOTE: AYES 5 NAYS 0.

ADJOURN OR RECESS

On motion by Councilperson Scott Grey, seconded by Councilperson Keith Zanetti, the meeting was adjourned at 9:53 pm, put to a vote and UNANIMOUSLY CARRIED.

Respectfully submitted,

Lisa Garigliano, Town Clerk