

**TOWN OF NEVERSINK TOWN BOARD
REGULAR MEETING
MAY 10, 2023**

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
David Brittenham	Larry Bracken
Brian McPhillips	Andrew McCabe
Kristy Closs	McKenzie Closs

- **Cher Woehl**, Parks & Rec Director, is helping with the NRAMC with their plans for the Tractor Show in September. She helping them revamp the event into a one-day show.
- **Larry Bracken** informed the Board that the Bathrooms below the Barn are currently undergoing renovations.

MINUTES OF PREVIOUS MEETING(S)

Minutes of the Regular Meeting held on April 12, 2023 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 April 2023 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 April 2023 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.

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TOWN CLERK MONTHLY PETTY CASH REPORT

Month of April 2023/May 2023

No expenditures made.

CODE ENFORCEMENT OFFICER

Monthly Receipts Report and Mileage Log and Inspection Report for the month of April 2023 has been filed with the Town Clerk.

- 309 Miles
- \$1,117.33 Receipts
- 11 Building Permits, total 35 for year
- 0 Building Permit Renewal, total 0 for year
- 4 Certificate of Occupancy/Certificate of Compliance, total 30 for year
- 0 Complaint, total 0 for year
- 0 Violations, total 0 for year
- 8 Municipal Searches, total 17 for year
- 0 Fire Inspections, total 2 for year
- 0 Junk Yard Permit, total 0 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 0 for year
- 19 CEO Training Hours, total 26 for year
- 1 FOIL Request, total 1 for year
- 0 Fire Calls, total 2 for year

HIGHWAY SUPERINTENDENT

1. Highway Superintendent Preston Kelly reported that the **bids for Highway Products** were **opened on Monday, May 8, 2023 at 2:00 pm.** It is his recommendation to **award the bid for gasoline, diesel fuel, heating fuels, sand and stones to the lowest bidders to meet specs** with the exception of 1A stone which he would like to re-bid as only one bid was received. The following motion was made to accept the bids:

A motion was made by Councilperson Richard Coombe Jr., seconded by Councilperson Keith Zanetti, to take Highway Superintendent Preston Kelly's recommendation and award bids for gasoline, diesel fuel, heating fuels, sand and stones to the lowest bidders to meet spec as per the following with the exclusion of 1A stone: (Bid summaries to follow)

- The bid for **diesel fuel** was awarded to **County Petroleum**, lowest bidder to meet spec.
- The bid **gasoline** was awarded to **Mirabito**, lowest bidder to meet spec.
- The bids for **heating fuel** for Town Hall and Town Barn were awarded to **County Petroleum**, lowest bidder to meet spec.
- The bid for **sand** delivered was awarded to **209 Sand & Gravel** and **Woodbourne Lawn & Garden**, lowest bidders to meet spec.

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- The bid for **sand** picked up was awarded to **209 Sand & Gravel**, lowest bidder to meet spec.
- The bid for **#1 ½ Inch stone** delivered and picked up was awarded to **Callanan Industries**, lowest bidder to meet spec.
- The bid for **#1ST 3/8 Inch stone** delivered and picked up was awarded to **Callanan Industries**, lowest bidder to meet spec.
- The bid for **#2 stone** delivered and picked up was awarded to **Callanan Industries**, lowest bidder to meet spec.
- The bids for **surge stone Light and Surge Stone Medium** delivered and picked up were awarded to **Callanan Industries**, lowest bidder to meet spec.
- The bid for **fine dry screenings** delivered and picked up was awarded to **Callanan Industries**, lowest bidder to meet spec.
- The bid for **crusher run fine** delivered and picked up were awarded to **Callanan**, lowest bidder to meet spec.
- The bid for **crusher run course** delivered and picked up was awarded to **Callanan Industries**, lowest bidder to meet spec.

Put to a vote and UNANIMOUSLY CARRIED.

VOTE: AYES 5 NAYS 0.

TOWN OF NEVERSINK BID SUMMARY SHEET

ITEM: DIESEL FUEL

DATES ADVERTISED: Democrat April 18, 2023

BID OPENING: Monday, May 8, 2023 at 2:00 P.M.

Bidder Name and Address	Date Received	Ultra Low JOC Price	Sulfur Fixed Mark-up	Diesel Delivered Price	Ultra Low JOC Price	Sulfur Fixed Mark-up	Kero Delivered Price
County Petroleum Box 247 36 Station Hill Rd. Ferndale, NY 12734	5/2/2023	2.7485	.22	2.9685	3.0945	.22	3.3145
Mirabito Energy PO Box 5306 Binghamton, NY 13902	5/8/2023	2.7485	.2450	2.9935	3.0945	.08	3.1745
Resnick Energy PO Box 10 Monticello, NY 12701	5/5/2023	2.7485	.249	2.9975	NB	NB	NB

TOWN OF NEVERSINK BID SUMMARY SHEET

ITEM: GASOLINE – 87 OCTANE - BRANDED

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**DATES ADVERTISED: Democrat April 18, 2023
BID OPENING: Monday, May 8, 2023 at 2:00 P.M.**

Bidder Name and Address	Date Received	Gasoline JOC Price	Fixed Mark-up	Total Delivered Price
County Petroleum Prod Box 247 36 Station Hill Rd. Ferndale, NY 12734	05/02/2023	2.6739	.27	2.9439
Mirabito Energy Prod PO Box 5306 Binghamton, NY 13902	05/08/2023	2.6739	.2490	2.9229
Resnick Energy PO Box 10 Monticello, NY 12701	05/05/2023	2.6739	.279	2.9529

TOWN OF NEVERSINK BID SUMMARY SHEET

ITEM: HEATING FUEL – HIGHWAY GARAGE (Town Barn)

**DATES ADVERTISED: Democrat April 18, 2023
BID OPENING: Monday, May 8, 2023 at 2:00 P.M.**

Bidder Name and Address	Date Received	Heating JOC Price	Fuel Fixed Mark-up	Oil #2 Total Delivered Price	Heating JOC Price	Kero Fixed Mark-up	Oil Total Delivered Price
County Petroleum Box 247 36 Station Hill Rd Ferndale, NY 12734	05/02/2023	2.5157	.24	2.7557	3.0945	.54	3.6345
Mirabito Energy PO Box 5306 Binghamton, NY 13902	05/08/2023	2.5156	.2950	2.8106	3.0945	.1950	3.2895
Resnick Energy PO Box 11 Monticello, NY	05/05/2023	2.5157	.28	2.7957	3.0945	.35	3.4445

TOWN OF NEVERSINK BID SUMMARY SHEET

ITEM: HEATING FUEL – TOWN HALL

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DATES ADVERTISED: Democrat April 18, 2023
BID OPENING: Monday, May 08, 2023 at 2:00 P.M.

Bidder Name and Address	Date Received	Heating #2 Oil JOC Price	Fixed Mark-up	Total Delivered Price
County Petroleum Prod. Box 247 36 Station Hill Rd. Ferndale, NY 12734	05/02/2023	2.5157	.24	2.7537
Mirabito Energy Prod. PO Box 5306 Binghamton, NY 13902	05/08/2023	2.5156	.2950	2.8106
Resnick Energy PO Box 10 Monticello, NY 12701	05/05/2023	2.5157	.28	2.7957

TOWN OF NEVERSINK BID SUMMARY SHEET

ITEM: ICE CONTROL MATERIAL - SAND
DATES ADVERTISED: Democrat April 18, 2023
BID OPENING: Monday, May 08, 2023 at 2:00 P.M.

Bidder Name and Address	Date Received	Delivered All prices are per TON	Picked Up All prices are per TON
209 Sand & Gravel LLC PO Box 37 Woodbourne, NY 12788	04/24/2023	13.50	7.93
Woodbourne Lawn & Garden PO Box 27 Woodbourne, NY 12788	04/24/2023	13.50	9.90
Callanan Industries, Inc. PO Box 15097 Albany, NY 12212	05/08/2023	20.90	12.00

TOWN OF NEVERSINK BID SUMMARY SHEET

ITEM: STONE & CRUSHER RUN
DATES ADVERTISED: Democrat April 18, 2023

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BID OPENING: Monday, May 8, 2023 at 2:00 P.M.

Bidder Name and Address	Date Received	ITEM All prices are per TON	Delivered Highway Barn	Picked Up
Woodbourne Lawn & Garden PO Box 27 Woodbourne, NY 12788	04/26/2023	1A ¼ Inch	NB	NB
		#1 ½ Inch	NB	NB
		1 ST 3/8 Inch	34.00	22.75
		#2	29.00	19.75
		Surge Stone – Light Stone Fill up to 16 inches	NB	NB
		Surge Stone – Medium Stone Fill up to 600 pounds	NB	NB
		Fine Dry Screenings	NB	NB
		Crusher Run Fine	23.00	16.75
		Crusher Run Course	22.00	16.75
209 Sand & Gravel PO Box 27 Woodbourne, NY 12788	04/26/2023	1A ¼ Inch	NB	NB
		#1 ½ Inch	NB	NB
		1 ST 3/8 Inch	34.00	22.75
		#2	29.00	19.75
		Surge Stone – Light Stone Fill up to 16 inches	NB	NB
		Surge Stone – Medium Stone Fill up to 600 pounds	NB	NB
		Fine Dry Screenings	NB	NB
		Crusher Run Fine	23.00	20.00
		Crusher Run Course	22.00	NB

Bidder Name and Address	Date Received	ITEM All prices are per TON	Delivered Highway Barn	Picked Up
Callanan Industries, Inc. PO Box 15097 Albany, NY 12212	05/08/2023	1A ¼ Inch*	35.90*	27.00*
		#1 ½ Inch	24.40	15.50
		1 ST 3/8 Inch	29.70	20.80
		#2	23.65	14.75

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Bridgeville Plant	Surge Stone – Light Stone Fill up to 16 inches	24.50	15.60
	Surge Stone – Medium Stone Fill up to 600 pounds	35.25	23.00
	Fine Dry Screenings	16.90	8.00
	Crusher Run Fine	20.70	11.80
	Crusher Run Course	19.25	10.35

***This item is being rebid.**

The following motion was made to **re-bid 1A Stone for sealing**:

A motion was made by Councilperson Richard Coombe Jr., seconded by Councilperson Nicole Gorr to authorize the Town Clerk to re-advertise a request for bids for low abrasion crushed stones 1A. Bids will be required to be back in the hands of the Town Clerk by 2:00 pm on Monday, June 12, 2023. The Town Board reserves the right to reject any and all bids, put to a vote and UNANIMOUSLY CARRIED.

VOTE: AYES 5 NAYS 0.

2. Preston reported the following **State funding amounts**:

- | | | |
|------------|--------------------|----------------|
| a. CHIPS | \$359,891.16 | up \$64,105.94 |
| b. Pave NY | \$83,968.39 | down \$47.93 |
| c. EWR | \$71,743.22 | same |
| d. POP | <u>\$55,946.97</u> | down \$31.96 |
| | \$571,549.74 | |

3. Preston would like to **re-advertise** for a **seasonal temporary worker** who would work from May to September. The following motion was made:

A motion was made by Councilperson Nicole Gorr, seconded by Councilperson Keith Zanetti to authorize the re-advertising for a seasonal temporary worker in the Highway Department as laborers with a minimum age requirement of 18 years old, at wage rate of \$15.56 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.

PLANNING BOARD

Meeting Agenda for May 3, 2023 was filed with the Town Clerk.

ZONING BOARD OF APPEALS

Public Hearing Minutes *draft* for April 18, 2023, Meeting Minutes *draft* for April 18, 2023, Meeting Minutes *accepted* for March 21, 2023 were filed with the Town Clerk.

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FILINGS AND CORRESPONDENCE FILED WITH TOWN CLERK

- Oath of Office:
 - Nicole Grey for P&R Advisory Board Alternate
 - Tanya Huggler for P&R Advisory Board
 - Danielle Hartman for P&R Advisory Board Alternate
- Insurance Policy for Town of Neversink 3/3/2023 to 3/2/2024
- 2023 NYS DOH Permit to Operate a Food Est. at Rt. 42 Community Park
- COVID Relief Funds SLFRF Compliance Report (American Rescue Plan Act)
- Sullivan County Agricultural District 4 Review
- From Sullivan County IDA Deviation from Uniform Tax Exemption Policy
- Standardized Notice Form providing 30-day advance notice to local municipality for liquor, wine, beer and cider permit for FSH Lodge at Neversink LLC
- From Sullivan County Clerk's Office Lot Improvement Survey Map for Vogler
- Town of Neversink ZBA Decision for Janis Offringa
- Signed Inter-Municipal Agreement with Sullivan County Sheriff's Department
- DOT Notice of proposed bridge replacement in Woodbourne in late 2024

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 **resolutions** were presented for the Board's consideration:

**TOWN OF NEVERSINK
RESOLUTION NO. 11 OF 2023
TO AUTHORIZE THE DISPOSITION OF CERTAIN RECORDS**

WHEREAS, The State of New York Education Department Records Retention and Disposition Schedule LGS-01 provides the retention years for various records,

WHEREAS, the Records Retention Officer (Town Clerk) has reviewed the records held in the records storage area in the Town Hall,

WHEREAS, the Records Retention Officer has according to the Records Retention Disposition Schedule LGS-01 marked records for disposal,

NOW, THEREFORE BE IT RESOLVED that the Records Retention Officer (Town Clerk) is hereby authorized to destroy those records marked for disposal.

Moved by: Councilperson Richard Coombe Jr.

Seconded by: Councilperson Keith Zanetti

And Adopted on Motion: May 10, 2023

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**TOWN OF NEVERSINK
RESOLUTION NO. 12 OF 2023
BUDGET AMENDMENT**

Whereas, the Town of Neversink Town Board approved \$5,000.00 on April 13, 2022 to go toward 2023 expenses for in-kind services toward the Playground Project at the New Park on Route 42,

Whereas, due to cost increases for materials and supplies there needs to be an additional \$ 3,000.00 increase of funds, totaling the amount to \$8,000.00 toward the project,

Whereas, appropriations need to be increased in, A7140.2 (New Park), Playground and Rec Center, Equipment for \$ 8,000.00, to be transferred from A1990.4 Contingency Account,

Now, therefore be it resolved that the Town Board authorizes the Supervisor to do the above transfer and that the following budget amendment be made;

A960 Appropriations- \$ 8,000.00
 A1990.4 Contingency- 8,000.00
 A960 Appropriations- 8,000.00
 A7140.2 Playground & Rec Center, Equip.- 8,000.00

Moved by: Councilperson Keith Zanetti
Seconded by: Councilperson Richard Coombe Jr.
And Adopted on Motion: May 10, 2023

2. **Water building equipment and materials bids were opened** on 5/10/2023 at 2:00 pm. Only one bid was received from Schmidt’s Wholesale with a total of \$31,061.07. The following motion was made:

A motion was made by Councilperson Scott Grey, seconded by Councilperson Keith Zanetti, to accept the bid for \$31,061.07 from Schmidt’s Wholesale for the equipment and materials for the Water building, put to a vote and UNANIMOUSLY CARRIED.

VOTE: AYES 5 NAYS 0.

3. A motion is needed to **go to bid for the electrical work at the water building**. Bids are to be returned by Monday, June 12th at 2:00 pm.

A motion was made by Councilperson Nicole Gorr, seconded by Councilperson Keith Zanetti to go to bid for proposals for the installation of new electrical service, equipment, lighting, and materials to serve the new waterworks building at the fairgrounds. Bids are to be returned to the Town Clerk by Monday,

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June 12th at 2:00 pm at which time they will be opened and read, put to a vote and UNANIMOUSLY CARRIED.

VOTE: AYES 5 NAYS 0.

4. Councilperson Nicole Gorr reviewed with the Board the **Cable Television Franchise renewal with Spectrum Northeast, LLC**. The following motion was made to set the date for the public hearing for Wednesday, June 14th at 7:15 pm:

A motion was made by Councilperson Nicole Gorr, seconded by Councilperson Scott Grey to set the Public Hearing for Wednesday, June 14, 2023 at 7:15 pm for the renewal of the Cable Television Franchise with Spectrum Northeast, LLC, put to a vote and UNANIMOUSLY CARRIED.

VOTE: AYES 5 NAYS 0.

5. The **ballfield maintenance** schedule was discussed. It was decided that the results of the soil samples need to be looked at and if lime is needed that it should be applied first before anything else is done with fertilizing and/or seeding. If the results of the samples that were previously taken cannot be found, new ones will be taken.
6. Supervisor Mathews and the Board discussed the parking problem up at the Route 42 Park. The field across from the ballpark was used during the grand opening but cannot be used on regular basis. Parking along Route 42 is not allowed. The Town is in the process of trying to get the parcel across from the Park through a **land swap** with the City. Councilperson Richard Coombe Jr. would like a letter from the Town to CWT asking for their help in moving the land swap along. The following motion was made:

A motion was made by Councilperson Scott Grey, seconded by Councilperson Nicole Gorr for the Town of Neversink to send a letter to Coalition of Watershed Towns asking them to pursue the land swap on behalf of the Town of Neversink, put to a vote and UNANIMOUSLY CARRIED.

VOTE: AYES 5 NAYS 0.

PAYMENTS OF CLAIMS AND VOUCHERS

• Vendor Payments	\$ 1,827.81
• Abstract #5	<u>173,849.54</u>
• Total	\$175,677.35

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.

The Board also approved and signed a voucher for a journal entry to refund Highway for labor at the Rt. 42 Park for the playground.

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ADJOURN OR RECESS

On motion by Councilperson Richard Coombe Jr., seconded by Councilperson Scott Grey, the meeting was adjourned at 8:13 pm, put to a vote and UNANIMOUSLY CARRIED.

Respectfully submitted,

Lisa Garigliano, Town Clerk