

**TOWN OF NEVERSINK TOWN BOARD  
REGULAR MEETING  
JANUARY 09, 2019**

**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.

**ROLL CALL**

**Board Members**

Supervisor Chris Mathews	PRESENT
Councilman Keith Zanetti	PRESENT
Councilman Michael Brooks	ABSENT
Councilman Scott Grey	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**

James Stangel	Brent Gotsch
Walt Zeitschel	Cher Woehl
Jamie Dymond-Brooks	Kim Lucak
Cassandra Jucha	Ted Jucha
Nick Jucha	Noah Jucha
Eugene Migliorini	

- **Nick Jucha** addressed the Board tonight on his **Eagle Scout Project**. Nick's project is to build 7 **wheelchair accessible picnic tables** for the Town's Parks. He will build 1 for the pool and 3 for each park. He showed the Board his plans for the tables.
- **Noah Jucha** is working on a **Scout Merit Badge** and had a question for the Town Board concerning the lack of local businesses in the Community. Board members, as well as other guests present, gave input on the topic.

**TOWN ATTORNEY**

***Claryville-Neversink Septic Maintenance District – Community Wastewater Management Program***

Town Attorney Walter Garigliano stated the Board had several things to do tonight with respect to the Septic Maintenance District.

1. **Adopt the Final Order** by means of the following resolution:

TOWN OF NEVERSINK  
RESOLUTION NO. 1 OF 2019  
IN THE MATTER OF THE  
ESTABLISHMENT OF THE CLARYVILLE-NEVERSINK SEPTIC  
MAINTENANCE DISTRICT IN THE TOWN OF NEVERSINK,  
COUNTY OF SULLIVAN, NEW YORK.

**TOWN OF NEVERSINK TOWN BOARD  
REGULAR MEETING  
JANUARY 09, 2019**

At a meeting of the Town Board (“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 9<sup>th</sup> day of January, 2019 at 7:30 p.m. prevailing time.

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

	PRESENT	ABSENT
Supervisor Christopher Mathews	x	
Councilman Keith Zanetti	x	
Councilman Michael Brooks		x
Councilman Scott Grey	x	
Councilman Richard Coombe Jr.	x	

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

A resolution having been duly adopted by the Town Board of the Town of Neversink, New York (the “Town”), on October 10, 2018, accepting and adopting the materials needed for the formation of the Claryville-Neversink Septic Maintenance District (“District”), including a description of the proposed District, reciting that the cost of the formation of the District will be fully subsidized by the City of New York and directing a copy of the Engineer’s Report and Plan, Service Area Map and a detailed explanation of the costs to each residential and non-residential landowner to be placed in the Town Clerk’s office and made available for public inspection, and specifying that the Town Board conduct a public hearing on the proposal to establish the District at 273 Main Street, Grahamsville, New York, on the 14th day of November, 2018 (“Public Hearing”), and the Public Hearing having been duly held as scheduled and it having been duly resolved and determined following such Public Hearing that the Notice of Public Hearing was published and posted as required by law and otherwise sufficient, that all the property owners within the proposed District were benefitted thereby, that all property owners benefitted were included within the limits of the proposed District, and that it was in public interest to establish the District, and it having been then and further duly resolved that the establishment of such District was approved, subject to permissive referendum in the manner provided in Town Law Article 7, and a certificate of the Town Clerk having been filed pursuant to Town Law § 209-e(4), certifying that no petition was filed requesting such a referendum, and the permission of the State Comptroller not being required pursuant to Town Law § 209-f, it is hereby

ORDERED, that a septic maintenance district be established in the Town to be designated as the Claryville-Neversink Septic Maintenance District encompassing the area described on Exhibit A, and it is further

ORDERED, that the Town Clerk is hereby authorized and directed to cause a certified copy of this order to be duly recorded in the office of the clerk of the County of Sullivan, within ten (10) days after the adoption of this order, and it is further

**TOWN OF NEVERSINK TOWN BOARD  
REGULAR MEETING  
JANUARY 09, 2019**

ORDERED, that the Town Clerk is hereby authorized and directed to file a certified copy of this order with the New York State Comptroller’s Office, within ten (10) days after the adoption of this order.

Signed this 9<sup>th</sup> day of January, 2019.  
Lisa Garigliano, Town Clerk  
By Order of the Town Board of the  
Town of Neversink

2. Consider the following resolution. The **resolution** is the **Introductory Local Law** for the consideration of the **repeal of the Town of Neversink Sewer Use Law and adoption of an updated Sewer Use Law in its place and stead and schedule a Public Hearing for such.**

TOWN OF NEVERSINK  
RESOLUTION NO. 2 OF 2019  
INTRODUCTORY RESOLUTION  
FOR CONSIDERATION OF THE REPEAL OF  
THE TOWN OF NEVERSINK SEWER USE LAW AND  
ADOPTION OF A SEWER USE LAW IN ITS PLACE AND STEAD  
AND SCHEDULING A PUBLIC HEARING

At a meeting of the Town Board (“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 9<sup>th</sup> day of January, 2019 at 7:30 p.m. prevailing time.

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

	PRESENT	ABSENT
Supervisor Christopher Mathews	x	
Councilman Keith Zanetti	x	
Councilman Michael Brooks		x
Councilman Scott Grey	x	
Councilman Richard Coombe Jr.	x	

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

WHEREAS, New York City (“NYC”) provided funding for the Community Wastewater Management Program (“CWMP”), to be administered by the Catskill Watershed Corporation (“CWC”), which is intended to fund the planning, design and construction of community septic systems and the creation of septic maintenance districts in the NYC Watershed West of the Hudson River; and

**TOWN OF NEVERSINK TOWN BOARD  
REGULAR MEETING  
JANUARY 09, 2019**

WHEREAS, the Hamlet of Claryville in the Town is one of twenty-two (22) communities identified in the Memorandum of Agreement as lacking community wide wastewater treatment; and

WHEREAS, the Town entered into the Participating Community Agreement with CWC for the study, planning, design and construction of a sewage collection system and the creation of a septic maintenance district in the Hamlet of Claryville in the Town; and

WHEREAS, the Town established the proposed Claryville-Neversink Septic Maintenance District (“Septic Maintenance District”) by Resolution duly adopted on November 14, 2018 and the Town desires to repeal its current Sewer Use Law and adopt a Sewer Use Law in its place and stead to regulate the use of individual septic systems in the Septic Maintenance District; and

NOW THEREFORE, BE IT RESOLVED, that the proposed Sewer Use Law is ready for consideration by the Town Board; and

BE IT FURTHER RESOLVED, that the Town Board hold a Public Hearing for consideration of the proposed repeal of the current Sewer Use Law and adoption of a Sewer Use Law in its place and stead, at the Town of Neversink Town Hall, 273 Main Street, Grahamsville, New York at 7:30 p.m., prevailing time, on January 23, 2019; and

BE IT FURTHER RESOLVED, that the Town Clerk of the Town publish or cause to be published a public notice in the *Ye Old Tri Valley Townsman*, of said public hearing at least five (5) days prior to such hearing.

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

		AYE	NAY	ABSENT
Supervisor Christopher Mathews	Voting	x		
Councilman Keith Zanetti	Voting	x		
Councilman Michael Brooks	Voting			x
Councilman Scott Grey	Voting	x		
Councilman Richard Coombe Jr.	Voting	x		

The resolution was thereupon declared duly adopted.

Dated: January 9, 2019  
Town of Neversink  
Grahamsville, New York

- **Jamie Dymond-Brooks**, Parks and Recreation Director, gave an update on completed and upcoming events. She is also asking that the **Holiday Tree Lighting** be **changed to December 15<sup>th</sup>**. The Board gave the go ahead with the date change.

**TOWN OF NEVERSINK TOWN BOARD  
REGULAR MEETING  
JANUARY 09, 2019**

- **Eugene Migliorini** was present tonight because he is unhappy with a recent Zoning Board of Appeals decision. Mr. Migliorini was given five minutes to speak.
- **James Stangel**, Planning Board Chairman, reported on the last Planning Board Meeting and upcoming Public Hearings. Jim also asked about updating the Town's Master Plan.
- **Brent Gotsch**, ZBA Chairman, reported on the activities of the last ZBA meeting and upcoming topics. Poor attendance of members of both the Planning Board and ZBA was discussed.

**MINUTES OF PREVIOUS MEETING (S)**

Minutes of the Regular Meeting held on December 12, 2018 and Recessed Meeting held on December 28, 2018 were ACCEPTED AS SUBMITTED on motion by Councilman Keith Zanetti, seconded by Councilman Scott Grey, put to a vote and UNANIMOUSLY CARRIED.

VOTE: AYES 4 NAYS 0 ABSENT 1 (Brooks).

**SUPERVISOR'S RECEIPTS AND DISBURSEMENTS REPORT**

The Supervisor's Report for the month of December 2018 was ACCEPTED AS RECEIVED and filed on motion by Councilman Richard Coombe Jr., seconded by Councilman Keith Zanetti, put to a vote and UNANIMOUSLY CARRIED.

VOTE: AYES 4 NAYS 0 ABSENT 1 (Brooks).

**TOWN CLERK DECALS AND MONTHLY FEE REPORT**

ACCEPTED AS SUBMITTED for the month of December 2018 to be filed on motion by Councilman Richard Coombe Jr., seconded by Councilman Scott Grey, put to a vote and UNANIMOUSLY CARRIED.

VOTE: AYES 4 NAYS 0 ABSENT 1 (Brooks).

**TOWN CLERK MONTHLY PETTY CASH REPORT**

Month of December 2018/January 2019

No expenditures

**HIGHWAY SUPERINTENDENT**

1. Highway Superintendent Preston Kelly presented the Annual **Agreement for the Expenditures of Highway Moneys** for **2019** for signatures and filing.

A motion was made by Councilman Richard Coombe Jr. seconded by Councilman Keith Zanetti to authorize the signing and filing of the 2019 Annual Agreement for Expenditures of Highway Money, put to a vote and UNANIMOUSLY CARRIED.

VOTE: AYES 4 NAYS 0 ABSENT 1 (Brooks).

2. The **sander** sold for \$2,650.00 on Auctions International. The following motion was made to accept the bid:

**TOWN OF NEVERSINK TOWN BOARD  
REGULAR MEETING  
JANUARY 09, 2019**

A motion was made by Councilman Keith Zanetti, seconded by Councilman Richard Coombe Jr., to accept the bid of \$2,650.00 from Auctions International for the sander, put to a vote and UNANIMOUSLY CARRIED.  
VOTE: AYES 4 NAYS 0 ABSENT 1 (Brooks).

3. Preston asked the Board if they were interested in **replacing the Fleet Vehicle - 2014 Ford Escape** while it still has a good resale value. A 2019 Ford Escape is available on State Bid for \$23,197.49. He also questioned why the vehicle is on his inventory when it is not used by Highway. He spoke with Teri and there are funds in unexpended fund balance available. The following motion was made:

A motion was made by Councilman Richard Coombe Jr., seconded by Councilman Keith Zanetti to replace the 2014 Ford Escape with a 2019 Ford Escape for the price of \$23,197.49 from State Bid, with the funds to come out of Unexpended Fund Balance, put to a vote and UNANIMOUSLY CARRIED.  
VOTE: AYES 4 NAYS 0 ABSENT 1 (Brooks).

**CODE ENFORCEMENT OFFICER REPORT**

Monthly Receipts Report and Mileage Log and Inspection Report for the month of December 2018 has been filed with the Town Clerk.

Code Enforcement Officer Keith Stryker:

- Logged 80 Miles and took in \$584.00
- 7 Building Permits, 111 for the year
- 0 Building Permit Renewal, 3 for the year
- 8 Cert of Occupancy/Compliance for the month, 111 for the year
- 0 Complaints, 0 for the year
- 0 Violations, 7 for the year
- 3 Municipal Searches, 84 for the year
- 0 Fire Inspections, 28 for the year
- 0 Junk Yard Permit, 1 for year
- 0 Mobile Home Park Permit Renewals, 2 for the year
- 0 Temporary Use Permit, 0 for the year
- 0 Special Use Permit, total 1 for year
- 0 CEO Training Hours, total 31 for year

2018 Year End

- 2018 CEO In-service Training: 31 Hours
- Building Dept. Town Car Miles: 2,701
- Building Dept. Receipts: \$16,461.73
- Value of all permits: \$3,640,869.29
- Active Building Permits: 93
- Mew Single Family Homes Total: 6
  - Double Wide: 2
  - Single Wide: 1
  - Modular: 3

2018 D.E.P. Sewer Activity

**TOWN OF NEVERSINK TOWN BOARD  
REGULAR MEETING  
JANUARY 09, 2019**

- Total 2 Projects – 25 CEO Hours
  - Rt. 55 Extension–Lateral Connection for Dollar General Store–22 Hours
  - Rt. 55 Extension at Wagner Rd.-Goldstein 3 Lot Subdivision-3 Hours

**PLANNING BOARD**

Meeting Minutes for November 7, 2018, Meeting Minutes (Draft) for December 5, 2018, Public Hearing Minutes (Draft) for December 5, 2018 and Agenda for January 2, 2019 were filed with the Town Clerk.

**TOWN CLERK**

1. 2018 Year End Reports filed for Town Clerk, Decals and Tax Collector
2. Reading of Notice for the 2019 Association of Towns Training School

**FILINGS AND CORRESPONDENCE FILED WITH TOWN CLERK**

1. From Sullivan County Clerk’s Office:
  - a. Subdivision Map for David Goldstein
2. 2019 Solid Waste Hauler License User Permit for Sullivan County Landfill
3. Claryville Fire District Certification for Fire District Commissioner Elections
4. Fulfilled Foil Request for SmartProcure

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

VOTE: AYES 4 NAYS 0 ABSENT 1 (Brooks).

**SUPERVISOR**

1. Following resolution for a 2018 Budget Transfer was presented for the Board’s consideration:

**TOWN OF NEVERSINK  
RESOLUTION NO. 3 OF 2019  
2018 Budget Transfer**

**Whereas**, Appropriations need to be increased in the 2018 Budget in Highway Fund in DA5142.4 Snow Removal, Contractual Expense for \$ 22,000.00, and to decrease DA9060.8 Medical Ins for 22,000.00,

**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;

DA960 Appropriations - \$	22,000.00	
DA9060.8 Medical Ins -	22,000.00	
DA960 Appropriations -	22,000.00	
DA5142.4 Snow Removal, Cont Exp-	22,000.00	

**Moved by:** Councilman Keith Zanetti

**TOWN OF NEVERSINK TOWN BOARD  
REGULAR MEETING  
JANUARY 09, 2019**

**Seconded by:** Councilman Scott Grey

**And Adopted on Motion:** January 9, 2019

2. **Liquor License Application for Grahamsville Deli** – request for **waiver of the Towns rights to the 30 day hold and consents** to the processing and issuance of the aforementioned license. The following motion was made:

A motion was made by Councilman Richard Coombe Jr., seconded by Councilman Keith Zanetti to waive the Towns rights to the 30 day hold and consents to the processing and issuance of the aforementioned license, put to a vote and UNANIMOUSLY CARRIED.

VOTE: AYES 4 NAYS 0 ABSENT 1 (Brooks).

3. Supervisor Mathews updated the Board on his search for a **pool resurfacing** company for the Town pool. Councilman Richard Coombe Jr. asked for references on the companies being considered.
4. 2019 **Municipal Clean-up Program** will run from April 15 to May 15, 2019

**PAYMENTS OF CLAIMS AND VOUCHERS**

- |                     |                  |
|---------------------|------------------|
| • Abstract #1A 2018 | \$ 47,617.56     |
| • Abstract #1       | <u>10,641.56</u> |
| • Total             | \$ 58,259.12     |

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

VOTE: AYES 4 NAYS 0 ABSENT 1 (Brooks).

- A voucher for \$1,493.31 was also signed by Board Members present for a journal entry for the 2018 mileage reimbursement to the Highway Department for the use of the Fleet Vehicle.

**ADJOURN OR RECESS**

On motion by Councilman Richard Coombe Jr., seconded by Councilman Keith Zanetti, the meeting was recessed at 9:53 pm, to reconvene on January 23, 2019 at 7:35 pm, put to a vote and UNANIMOUSLY CARRIED.

Respectfully submitted,

---

Lisa Garigliano, Town Clerk