

**TOWN OF NEVERSINK TOWN BOARD
REGULAR MEETING
JANUARY 12, 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 Deputy Supervisor Richard Coombe Jr.

ROLL CALL

Board Members

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

Other Officials

Highway Superintendent Preston Kelly	PRESENT
Code Enforcement Officer Keith Stryker	PRESENT

GUESTS

Cher Woehl

Walt Zeitschel

- **Cher Woehl** gave an **ice rink** update. Due to the very cold temperatures, the ice rink has not been opened during some session times. Cher has received a donation of used hockey equipment. Since the Town does not offer hockey, Cher is going to offer the equipment to the Town of Thompson. Cher has 28 vendors who are interested in **Winterfest**. During the event Cher was planning on having above ground fire pits. She is checking to make sure the Board is okay with it. The Board approved having above ground fire pits during Winterfest. Due to the cost of offering busing, all parking will be done on the fairgrounds. Preston will make sure the areas to park are plowed.

MINUTES OF PREVIOUS MEETING(S)

Minutes of the Regular Meeting held on December 8, 2021, Recessed Meeting held on December 28, 2021 and Organizational Meeting held on January 5, 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 3 NAYS 0 ABSENT 2 (Mathews & Grey).

SUPERVISOR'S RECEIPTS AND DISBURSEMENTS REPORT

The Supervisor's Report for the month of December 2021 was ACCEPTED AS RECEIVED and filed on motion by Councilperson Keith Zanetti, seconded by Councilperson Nicole Gorr, put to a vote and UNANIMOUSLY CARRIED.

VOTE: AYES 3 NAYS 0 ABSENT 2 (Mathews & Grey).

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TOWN CLERK DECALS AND MONTHLY FEE REPORT

ACCEPTED AS SUBMITTED for the month of December 2021 to be filed on motion by Councilperson Keith Zanetti, seconded by Councilperson Nicole Gorr, put to a vote and UNANIMOUSLY CARRIED.

VOTE: AYES 3 NAYS 0 ABSENT 2 (Mathews & Grey).

TOWN CLERK MONTHLY PETTY CASH REPORT

Month of December 2021/January 2022

ORDERED RESTORED TO \$200.00 by the amount of \$58.00 for postage on motion by Councilperson Keith Zanetti, seconded by Councilperson Nicole Gorr, put to a vote and UNANIMOUSLY CARRIED.

VOTE: AYES 3 NAYS 0 ABSENT (Mathews & Grey).

CODE ENFORCEMENT OFFICER

Monthly Receipts Report and Mileage Log and Inspection Report for the month of December 2021 has been filed with the Town Clerk.

- 116 Miles
- \$490.09 Receipts
- 4 Building Permits, total 139 for year
- 0 Building Permit Renewal, total 2 for year
- 5 Certificate of Occupancy/Certificate of Compliance, total 139 for year
- 0 Complaint, total 9 for year
- 0 Violations, total 9 for year
- 4 Municipal Searches, total 98 for year
- 0 Fire Inspections, total 3 for year
- 0 Junk Yard Permit, total 1 for year
- 0 Mobile Home Park Permit Renewal, total 2 for year
- 0 Temporary Use Permit, 0 total for year
- 0 Special Use Permit, total 0 for year
- 0 Operating Permit, total 2 for year
- 0 CEO Training Hours, total 30 for year
- 0 FOIL Request, total 3 for year
- 2 Fire Calls, total 6 for year

2021 Year End Annual Report of Activity

- Building Permits Issued: Year – 139
- Building Permit Renewals: Year – 2
- Certificates of Occupancy / Compliance: Year – 139
- Complaints: Year – 9
- Violations: Year – 9
- Municipal Search: Year – 98
- Fire Inspections: Year – 3
- Junkyard Permit: Year – 1
- Mobile Home Park Permit: Year – 2
- Temporary Use Permit: Year – 0
- Special Use Permit: Year – 2

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- CEO Training Hours: Year – 30
- Town Car Mileage: 2,657
- Office Receipts: \$17,030.63
- Value of all Permits: \$4,326,661.42
- Active Building Permits: 147
- New Single Family Homes Total: 5
 - Modular: 2
- Replacement SF Homes: 1
 - Manufactured: 1
- 2021 D.E.P. Sewer Activity
 - 5 Incidents – 19 CEO hours
- 2021 Septic District Activity
 - 5 Incidents – 37 CEO hours

HIGHWAY SUPERINTENDENT

1. Highway Superintendent Preston Kelly asked if the Board wanted to continue with the **3-year rotation pickup replacement plan**. The Board is in favor of continuing the 3-year replacement plan. Preston indicated that the State Contract is currently open. The current price is around \$44,000 for a pickup with plow. The following motion was made:

A motion was made by Councilperson Keith Zanetti, seconded by Councilperson Nicole Gorr authorizing Highway Superintendent Preston Kelly to purchase a pickup with plow off of the State Contract, not to exceed \$45,000.00, put to a vote and UNANIMOUSLY CARRIED.

VOTE: AYES 3 NAYS 0 ABSENT 2 (Mathews & Grey).

PLANNING BOARD

Meeting Agenda for January 5, 2022 and Meeting Minutes *Draft* for December 1, 2021 were filed with the Town Clerk.

ZONING BOARD OF APPEALS

Public Notice of Cancellation of the December 21, 2021 Regular Meeting, Agenda for January 18, 2022 Meeting, Public Hearing Minutes *Draft* for September 21, 2021 and Meeting Minutes *Draft* for September 21, 2021 were filed with the Town Clerk.

TOWN CLERK

1. Town Clerk made the announcement about the **2022 Training School & Annual Meeting of the Association of Towns**. The event is now being held virtually.

FILINGS AND CORRESPONDENCE FILED WITH TOWN CLERK

- FOIL Requests:
 - Residential Properties damaged by fire in December 2021 - fulfilled
 - CSEA Various Employee Records - fulfilled
 - SmartProcure Employee/staff contact information – fulfilled

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- David Wilson Copies of Form RS6221 for retirees 1/1/2020 to 12/31/2020 - fulfilled
- CES Building Permit for Nov & Dec – directed to website
- 2021 update of Local Highway Inventory for the Town of Neversink
- Election results from:
 - Claryville Fire District
 - Grahamsville Fire District
 - Neversink Fire District
- 2022 Solid Waste Hauler License/Commercial User Permit
- Oath of Offices:
 - Scott Raymond – Secretary GFD
 - Courtney Ansbro – Treasurer GFD
 - Jeff Huggler – Commissioner GFD
 - Anne Marie Kremer – Secretary CFD
 - Paul Metzger – Treasurer CFD
 - Daniel Forger – Commissioner CFD
 - Patricia Mullen – Commissioner NFD
 - Eileen Delaney – Treasurer NFD
 - Lawrence Jones – Ethics Committee
 - Clayton Brooks – Ethics Committee
 - Kate Kelly – Committee for the Disabled
 - Kelsi Luczynski – Committee for the Disabled
 - Lisa Garigliano – Town Clerk, Tax Collector, Registrar
 - Chris Mathews - Supervisor
 - Preston Kelly – Highway Superintendent
 - Danita Kristoff – Dog Control Officer
 - Ben Monell – Deputy Superintendent of Highways
 - Michael Scagnelli – Town Justice (2)
 - Scott Grey – Councilman
 - Richard Coombe Jr. – Councilman & Deputy Supervisor
 - Ken Klein – Town Attorney, Attorney PB/ZBA, Special Prosecutor
 - James Wells – ZBA
 - Andrew Schwartz – Planning Board
 - Brenda Devore – Account Clerk
 - Geraldine Gorton – Sr. Acct. Clerk, Deputy Dog Control Officer
 - Keith Stryker – CEO. Septic District Administrator
 - Cher Woehl – Park & Rec Director
 - Teri Lockhart – Budget Officer, Bookkeeper to Supervisor
 - Janis Offringa – Deputy Town Clerk, Deputy Registrar, Clerk to BAR
 - Deborah Shaver – Court Clerk
 - Julie Starner – Health Officer
- Certificate of Completion for Bench Basic Certification Course – M. Scagnelli
- Department of Transportation notice of culvert replacement Rt.55 in 2023
- From Sullivan County Clerk’s Office:
 - Subdivision Steinhauer/Shaver

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

VOTE: AYES 3 NAYS 0 ABSENT 2 (Mathews & Grey).

SUPERVISOR

1. The following Resolutions were presented for the Board's consideration:

**TOWN OF NEVERSINK
RESOLUTION NO. 1 OF 2022
OFFICIAL UNDERTAKING OF MUNICIPAL OFFICERS**

Motion by Councilperson Keith Zanetti seconded by Councilperson Nicole Gorr to adopt the following resolution as written.

**RESOLUTION OF THE TOWN BOARD
TOWN OF NEVERSINK,
SULLIVAN COUNTY, NEW YORK
APPROVING THE FORM OF OFFICIAL
UNDERTAKING OF MUNICIPAL OFFICERS OF
THE TOWN AND THE MANNER OF EXECUTION
AND THE SUFFICIENCY OF THE TOWN'S INSURANCE
COMPANY SURETY**

RESOLVED, that the Town Board of the Town of Neversink, Sullivan County, New York, herein and hereby approves the attached form of official undertaking of municipal officers of the Town as well as the manner of execution and sufficiency of the Town's insurance company as surety under same

A roll call vote was taken with the following results:

Supervisor Chris Mathews voting	Absent	
Councilperson Keith Zanetti voting	Yes	
Councilperson Nicole Gorr voting	Yes	
Councilperson Scott Grey voting	Absent	
Councilperson Richard Coombe Jr. voting	Yes	Carried 3 – 2(Absent)

**TOWN OF NEVERSINK,
SULLIVAN COUNTY, NEW YORK
OFFICIAL UNDERTAKING OF MUNICIPAL OFFICERS**

WHEREAS, Chris Mathews of the Town of Neversink, County of Sullivan, New York, has been elected to the office of Supervisor of the Town of Neversink; and

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WHEREAS, Lisa Garigliano, of the Town of Neversink, County of Sullivan, New York, has been elected to the office of Town Clerk/Tax Collector of the Town of Neversink; and

WHEREAS, Brent Gotsch, of the Town of Neversink, County of Sullivan, New York, has been elected to the office of Town Justice of the Town of Neversink; and

WHEREAS, Michael Scagnelli, of the Town of Neversink, County of Sullivan, New York, has been elected to the office of Town Justice of the Town of Neversink; and

WHEREAS, Richard Coombe Jr. of the Town of Neversink, County of Sullivan, New York, has been appointed to the office of Deputy Supervisor of the Town of Neversink; and

WHEREAS, Teri Lockhart of the Town of Neversink, County of Sullivan, New York, has been appointed to the office of Bookkeeper/Budget Officer of the Town of Neversink; and

WHEREAS, Deborah Shaver of the Town of Neversink, County of Sullivan, New York, has been appointed to the office of Court Clerk of the Town of Neversink; and

NOW THEREFORE, we as respective officers above, do hereby undertake with the Town of Neversink that we will faithfully perform and discharge the duties of our office, and will promptly account for and pay over all moneys or property received as a Town Officer, in accordance with the law; and

This undertaking of the Town Supervisor is further conditioned upon that he will well and truly keep, pay over and account for all moneys and property, including any special district funds, belonging to the Town and coming into his hands as such Supervisor; and

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This undertaking of the Town Clerk/Tax Collector is further conditioned that she will well and truly keep, pay over and account for all moneys and property coming into her hands as such Town Clerk/Tax Collector; and

The Town does and shall maintain insurance coverage, presently with Selective Insurance in the sum of \$100,000.00 plus an additional \$750,000.00 for the Town Clerk/Tax Collector, \$750,000.00 for the Town Supervisor, \$750,000.00 for the Deputy Supervisor, \$750,000.00 for the Bookkeeper/Budget Officer and \$100,000.00 for each Town Justice and Court Clerk to indemnify against losses through the failure of the officers, clerks and employees covered thereunder faithfully to perform their duties or to account properly for all monies or property received by virtue of their positions or employment, and through fraudulent or dishonest acts committed by the officers, clerks and employees covered thereunder.

**TOWN OF NEVERSINK
RESOLUTION NO. 2 OF 2022
RESOLUTION DIRECTING THE ASSESSOR TO GRANT
CERTAIN EXEMPTIONS FOR THE 2022 ASSESSMENT ROLL
PURSUANT TO EXECUTIVE ORDER NO. 11.1**

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, on the 12th day of January, 2022 at 7:30 p.m. prevailing time.

The meeting was called to order by Deputy Supervisor Richard Coombe Jr. and upon roll being called the following were:

	PRESENT	ABSENT
Supervisor Christopher 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 Nicole Gorr who moved for its adoption, and seconded by Councilperson Keith Zanetti, to wit:

WHEREAS, on December 26, 2021, Kathy Hochul, Governor of the State of New York (“Governor Hochul”) issued Executive Order Number 11, declaring a State disaster emergency for the entire State of New York; and

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WHEREAS, both travel-related cases and community contact transmission of COVID-19 have been documented in New York State and are expected to continue; and

WHEREAS, Governor Hochul, pursuant to Section 29-a of Article 2-B of the Executive Law, was given the authority to temporarily suspend or modify any statute, local law, ordinance, order, rule or regulation, or parts thereof, of any agency during a State disaster emergency, if compliance with such statute, local law, ordinance, order, rule or regulation would prevent, hinder or delay action necessary to cope with the disaster emergency or, if necessary, to assist or aid in coping with such disaster; and

WHEREAS, pursuant to the aforesaid authority, Governor Hochul issued Executive Order No. 11.1, dated December 26, 2021, temporarily suspending the provisions of subdivisions 7, 7-a and 8 of 459-c of the Real Property Tax Law and subdivisions 5, 5-a, 5-b, 5-c and 6 of Section 467 of the Real Property Tax Law, to the extent necessary to permit the governing body of an assessing unit to adopt a resolution directing the assessor to grant such exemptions on the 2022 assessment roll to all property owners who received such exemption on the 2021 roll, thereby dispensing with the need for renewal applications from such persons who are either disabled with limited incomes or are over the age of sixty-five (65), and further dispensing with the requirement for assessors to mail renewal applications to such persons; and

WHEREAS, in the event such renewal applications were mailed prior to the Executive Order dated December 26, 2021, the property owners are hereby relieved from the task of completing and returning such renewal applications; and

WHEREAS, Executive Order No. 11.1, dated December 26, 2021, also provides that the governing body may, at its option, include in such resolution those procedures by which the assessor may require a renewal application to be filed when he has reason to believe that an owner who qualified for the exemption on the 2021 assessment roll may have since changed his or her primary residence, added another owner to the deed, transferred the property to a new owner, or died.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town hereby adopts the following procedures authorized by Executive Order 11.1, dated December 26, 2021, and hereby directs the Assessor, as an alternative to the suspended provisions of subdivisions 7, 7-a and 8 of Section 459-c of the Real Property Tax Law and subdivisions 5, 5-a, 5-b, 5-c and 6 of Section 467 of the Real Property Tax Law, to grant exemptions pursuant to such sections on the 2022 assessment roll to all property owners who received the exemption on the 2021 roll, as either disabled persons with limited income or persons over the age of sixty-five (65), without the renewal applications required in previous years according to the Real Property Tax Law provisions; and, be it further

RESOLVED, that the Assessor may require a renewal application to be filed when he has reason to believe that the owner who qualified for the exemption on the 2021 assessment roll

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may have since changed his or her primary residence, added another owner to the deed, transferred the property to a new owner, or died; and, be it further

RESOLVED, that those renewal applications, limited to the aforementioned applicable exemptions, which were mailed to property owners prior to Executive Order 11.1, dated December 26, 2021, need not be completed and returned to the Assessor.

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
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: January 12, 2022
Town of Neversink
Grahamsville, New York

**TOWN OF NEVERSINK
RESOLUTION NO. 3 OF 2022
BUDGET TRANSFERS**

Whereas, Cher Woehl, the Town Park & Recreation Director on Nov 10, 2021 asked and had approved by the Town Board the purchase of a second Ice Chiller. \$10,000.00 was paid in 2021 to Iron Sleek, Inc. A second installment of \$ 6,253.99 is due as the 2022 payment from A7310.2 Youth Programs, Equipment.

Whereas, \$2,000.00 is in A7310.2 Youth Programs, Equipment, so \$ 4,254.00 needs to be transferred from A7310.4 Youth Programs, Contractual Expense,

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-	\$ 4,254.00
A7310.4 Youth Prog., Cont. Exp-	4,254.00
A960 Appropriations-	4,254.00
A7310.2 Youth Prog., Equip.-	4,254.00

Moved by: Councilperson Keith Zanetti
Seconded by: Councilperson Nicole Gorr

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And Adopted on Motion: January 12, 2022

2. Deputy Supervisor Richard Coombe Jr. and the Board discussed the **Planning Board and ZBA Clerk** search. Mr. Coombe indicated that this will be re-visited at next months meeting when more members are present.
3. Deputy Supervisor Coombe brought the Board up to date on the **search** for a new **Engineering firm**.
4. Town Attorney Ken Klein reported back that the **Townsmen** does not meet the definition set forth in Section 60 of the New York State Construction Law. The key relevant criteria are that it be a paper of general circulation which is printed and which has been entered at the United States post-office as a second-class matter. The following motion was made to **remove** the **Townsmen** as one of the **official newspapers** of the Town:

A motion was made by Councilperson Keith Zanetti, seconded by Councilperson Nicole Gorr to rescind the motion made at the January 5, 2022 Organizational meeting designating the Tri-Valley Townsman, now referred to as "Ye Olde Tri-Valley Townsman" and the Sullivan County Democrat as the Official Newspapers for the Town, put to a vote and UNANIMOUSLY CARRIED.
VOTE: AYES 3 NAYS 0 ABSENT 2 (Mathews & Grey).

The following motion was made to **designate** the **Sullivan County Democrat** as the **Official Newspaper** for the Town:

A motion was made by Councilperson Keith Zanetti, seconded by Councilperson Nicole Gorr designating the Sullivan County Democrat as the Official Newspaper for the Town, put to a vote and UNANIMOUSLY CARRIED.
VOTE: AYES 3 NAYS 0 ABSENT 2 (Mathews & Grey).

5. Tara Berescik contacted the Board that the **FFA** is willing to do the Town's **hanging baskets** for this year. The cost of each basket is \$28 to \$30 per basket. In addition to the Town's baskets, they will also do the Library's and the Fire Department's with each of those entities paying for their own. Deputy Supervisor Coombe suggested the price of **\$30 per basket**. The following motion was made:

A motion was made by Councilperson Nicole Gorr, seconded by Councilperson Keith Zanetti, to approve FFA to grow 36 flowering baskets for the Town of Neversink at a cost of \$30 per basket, put to a vote and UNANIMOUSLY CARRIED.
VOTE: AYES 3 NAYS 0 ABSENT 2 (Mathews & Grey).

PAYMENTS OF CLAIMS AND VOUCHERS

• Abstract #1A 2021	\$ 57,541.28
• Abstract #1 2022	<u>17,734.02</u>
• Total	\$ 75,275.30

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

VOTE: AYES 3 NAYS 0 ABSENT 2 (Mathews & Grey).

ADJOURN OR RECESS

On motion by Councilperson Keith Zanetti, seconded by Councilperson Nicole Gorr, the meeting was adjourned at 8:13 pm, put to a vote and UNANIMOUSLY CARRIED.

Respectfully submitted,

Lisa Garigliano, Town Clerk