

**TOWN OF NEVERSINK TOWN BOARD
REGULAR MEETING
JANUARY 13, 2021**

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
Councilwoman Nicole Gorr	PRESENT
Councilman Scott Grey	PRESENT
Councilman Richard Coombe Jr.	PRESENT

Other Officials

Highway Superintendent Preston Kelly	PRESENT
Code Enforcement Officer Keith Stryker	PRESENT
Attorney Walter Garigliano	PRESENT

GUESTS

Walt Zeitschel	Cher Woehl
Tom McKenna	Andrew McCabe

- **Tom McKenna** was here tonight to inquire about the **contents** of the **Sherman house**. He would like to do a walk through and make an offer. Supervisor Mathews explained that the Town has a plan to go through the house and remove the contents. Cher Wohl explained the plan that she and Town Historian Carol Smythe have developed to remove and catalog all items from the house.
- **Cher Wohl**, Parks and Recreation Director, updated the Board on the **Skating Rink**. The porta potty for the skating rink has been delivered. The letter to Central Hudson concerning the lighting in the pavilion was sent and a representative from Central Hudson has already come and looked at the current lighting. Cher is expecting to receive a letter with their recommendations to improve the lighting. The Parks and Recreation Advisory Board is going to be having their first meeting of the 2021. They are planning to work on revamping the Bi-laws and will present them to the Town Board for review.

ATTORNEY

Attorney Walter Garigliano was contacted by Assessor Brian Delaney and has done research on the Governor's Executive Order No. 202.83 which authorizes the dispensation of all provisions of the real property tax law that deal with Senior Exemptions. The following Resolutions was presented for the Board's consideration:

**TOWN OF NEVERSINK
RESOLUTION NO. 1 OF 2021**

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**RESOLUTION DIRECTING THE ASSESSOR TO GRANT
CERTAIN EXEMPTIONS FOR THE 2021 ASSESSMENT ROLL
PURSUANT TO EXECUTIVE ORDER NO. 202.83**

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 13th day of January, 2021 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	
Councilwoman Nicole Gorr	X	
Councilman Scott Grey	X	
Councilman Richard Coombe, Jr.	X	

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

WHEREAS, on March 7, 2020, Andrew M. Cuomo, Governor of the State of New York (“Governor Cuomo”) issued Executive Order Number 202, declaring a State disaster emergency for the entire State of New York; and

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 Cuomo, 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 Cuomo issued Executive Order No. 202.83, dated December 18, 2020, 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 2021 assessment roll to all property owners who received such exemption on the 2020 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

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WHEREAS, in the event such renewal applications were mailed prior to the Executive Order dated December 18, 2020, the property owners are hereby relieved from the task of completing and returning such renewal applications; and

WHEREAS, Executive Order No. 202.83, dated December 18, 2020, 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 2020 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 202.83, dated December 18, 2020, 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 2021 assessment roll to all property owners who received the exemption on the 2020 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 2020 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; 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 202.83, dated December 18, 2020, 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		
Councilman Keith Zanetti	Voting	X		
Councilwoman Nicole Gorr	Voting	X		
Councilman Scott Grey	Voting	X		
Councilman Richard Coombe, Jr.	Voting	X		

The resolution was thereupon declared duly adopted.

Dated: January 13, 2021
Town of Neversink
Grahamsville, New York

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MINUTES OF PREVIOUS MEETING (S)

Minutes of the Regular Meeting held on December 9, 2020, Recessed Meeting held on December 29, 2020 and Organizational Meeting held on January 6, 2021 were ACCEPTED AS SUBMITTED on motion by Councilman Keith Zanetti, seconded by Councilwoman Nicole Gorr, 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 December 2020 was ACCEPTED AS RECEIVED and filed on motion by Councilman Richard Coombe Jr., seconded by Councilman Scott Grey, 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 December 2020 to be filed on motion by Councilman Richard Coombe Jr., seconded by Councilman Scott Grey, put to a vote and UNANIMOUSLY CARRIED.

VOTE: AYES 5 NAYS 0.

TOWN CLERK MONTHLY PETTY CASH REPORT

Month of December 2020/January 2021

ORDERED RESTORED TO \$200.00 by the amount of \$1.75 for Tolls on motion by Councilman Richard Coombe Jr., seconded by Councilman Scott Grey, put to a vote and UNANIMOUSLY CARRIED.

VOTE: AYES 5 NAYS 0.

CODE ENFORCEMENT OFFICER REPORT

Monthly Receipts Report and Mileage Log and Inspection Report for the month of December 2020 has been filed with the Town Clerk.

Code Enforcement Officer Keith Stryker:

- Logged 154 Miles and took in \$3,610.40
- 17 Building Permits, total 138 for year
- 0 Building Permit Renewal, total 0 for year
- 6 Cert of Occupancy/Compliance for the month, total 86 for year
- 0 Complaints, total 27 for year
- 5 Violations, total 21 for year
- 23 Municipal Searches, total 118 for year
- 1 Fire Inspections, total 10 for year
- 0 Junk Yard Permit, total 1 for year
- 0 Mobile Home Park Permit Renewals, total 2 for year
- 0 Temporary Use Permit, 0 total for year
- 1 Special Use Permit, total 2 for year (self-storage)
- 0 Operating Permit, total 1 for year (fireworks)
- 1 CEO Training Hours, total 26 for year
- 1 hour 30 minutes ABI Training, Total 1 hour 30 minutes for year
- 0 FOIL Requests, total 3 for year

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2020 Year End

- Building Permits Issued: Year – 138
- Building Permit Renewals: Year – 0
- Certificates of Occupancy / Compliance: Year – 86
- Complaints: Year – 27
- Violations: Year – 21
- Municipal Search: Year – 118
- Fire Inspections: Year – 10
- Junkyard Permit: Year – 1
- Mobile Home Park Permit: Year – 2
- Temporary Use Permit: Year – 0
- Special Use Permit: Year – 2
- CEO Training Hours: Year – 26 hours
- ABI Training Hours: Year – 1 hour 30 minutes
- Town Car Mileage: 2,952
- Office Receipts: \$17,631.82
- Value of all Permits: \$3,649,661.00
- Active Building Permits: 147
- New Single Family Homes Total: 5
 - Conventional: 3
 - Modular: 2
 - Manufactured: 0
- Replacement SF Homes: 1
 - Conventional: 0
 - Modular: 0
 - Manufactured: 1
- 2020 D.E.P. Sewer Activity
 - 5 Incidents – 25 CEO hours
- 2020 Septic District Activity
 - 2 Incidents – 6 CEO hours

HIGHWAY SUPERINTENDENT

1. Highway Superintendent Preston Kelly presented the Annual **Agreement for the Expenditures of Highway Moneys** for **2021** for signatures and filing.

A motion was made by Councilman Scott Grey seconded by Councilman Keith Zanetti to authorize the signing and filing of the 2021 Annual Agreement for Expenditures of Highway Money, put to a vote and UNANIMOUSLY CARRIED.
VOTE: AYES 5 NAYS 0.

2. Preston asked the Board for an **increase** in the **credit limit on the Highway Superintendent's Town Credit Card**. He would like to increase the amount from \$1,000 to \$2,500. They have been able to find better prices on truck parts online and the current limit does not cover what might be purchased during the month. The following motion was made:

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A motion was made by Councilman Scott Grey, seconded by Councilwoman Nicole Gorr to increase the credit limit on the Highway Superintendent's Town Credit Card to \$2,500 put to a vote and UNANIMOUSLY CARRIED.
VOTE: AYES 5 NAYS 0.

3. Preston reported that the **check** has been received for the **2020 CHIPS reimbursement**.

PLANNING BOARD

Agenda for January 6, 2021 Meeting, Public Hearing Minutes *draft* for December 2, 2020, Meeting Minutes *draft* for December 2, 2020, Public Hearing Minutes for November 4, 2020 and Meeting Minutes fir November 4, 2020.

ZONING BOARD OF APPEALS

Agenda for December 15, 2020 Meeting and Regular Meeting Minutes *draft* for September 15, 2020.

TOWN CLERK

1. 2020 Year End Reports filed for Town Clerk and Decals
2. The Boy Scout would like to do a drive thru fish and chips dinner at the fairgrounds in May. The Board has no problem with the event.

FILINGS AND CORRESPONDENCE FILED WITH TOWN CLERK

1. From Sullivan County Clerk's Office:
 - Survey Map – Beliaowsky
 - Subdivision – George & Maria Smith
2. FOIL request from Chazen Companies for 28.-1-3.2
3. Election results from Claryville Fire District
4. 2021 Solid Waste Hauler License/Commercial User Permit
5. Oath of Offices:
 - Scott Raymond – Secretary GFD
 - Courtney Ansbro – Treasurer GFD
 - Scott Raymond – Commissioner GFD
 - Michael Garigliano – Commissioner GFD
 - Walt Zeitschel – Planning Board
 - Phillip Coombe III – Planning Board Chairman
 - Desiree Jimenez – CFD Secretary
 - Jim Tisch – CFD Treasurer
 - Andrew Kremer – CFD Commissioner
 - Daniel B. Furger Jr. – CFD Commissioner
 - David G. White – CFD Commissioner

Items were ORDERED LOGGED and FILED on motion by Councilman Richard Coombe Jr., seconded by Councilwoman Nicole Gorr, put to a vote and UNANIMOUSLY CARRIED.
VOTE: AYES 5 NAYS 0.

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SUPERVISOR

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

**TOWN OF NEVERSINK
RESOLUTION NO. 2 OF 2021
BUDGET TRANSFERS TO 2020 BUDGET**

Whereas, two accounts in the 2020 Budget in General Fund need to be increased, \$3,600.00 to be transferred to A1620.2 Buildings, Equipment, because of the Town needing to upgrade to have the ability to have Zoom meetings due to Covid-19, and 1,600.00 to be transferred to A1620.4 Building, Contractual Expense. The Town Hall had some new flooring put down. \$5,200.00 to be transferred from A1910.1 Unallocated Insurance to cover above accounts.

Now, therefore be it resolved that the Town Board authorizes the Supervisor to do the above transfers and that the following 2020 budget amendments be made;

A960 Appropriations-	\$ 5,200.00
A1910.1 Unallocated Ins.-	5,200.00
A960 Appropriations-	5,200.00
A1620.2 Buildings, Equip.-	3,600.00
A1620.4 Building, Cont Exp-	1,600.00

Moved by: Councilman Richard Coombe Jr.

Seconded by: Councilman Keith Zanetti

And Adopted on Motion: January 13, 2021

2. There is a vacancy on the **Ethics Committee** and James Stangel has agreed to serve on that committee. The following motion was made:

A motion was made by Councilman Scott Grey, seconded by Councilman Richard Coombe Jr. to appoint James Stangel to the Ethics Committee with the term to end 12/31/2021, put to a vote and UNANIMOUSLY CARRIED.

VOTE: AYES 5 NAYS 0.

3. The Board has asked that the Town Clerk **re-advertise for the vacancy on the Planning and or Zoning Board**. Letters of interest are to be back by January 29, 2021.
4. Supervisor Mathews gave an update on the **Sherman House**. Chris would like a motion authorizing him to **sign the agreement** with the County for the **RUSSt Program** for the removal of the unsafe structure.

A motion was made by Councilman Keith Zanetti, seconded by Councilman Scott Grey authorizing Supervisor Chris Mathews to sign the RUSSt agreement with

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Sullivan County for the removal of the unsafe structure, referred to as the Sherman House, put to a vote and UNANIMOUSLY CARRIED.

VOTE: AYES 5 NAYS 0.

5. There is a need to **correct the pay rate for Pool Maintenance – Opening to \$20.10**. The following motion was made:

A motion was made by Councilman Scott Grey, seconded by Councilman Keith Zanetti to correct the pay rate for Pool Maintenance – Opening to \$20.10, put to a vote and UNANIMOUSLY CARRIED.

VOTE: AYES 5 NAYS 0.

6. A tax bill was received for the Sherman House and is included in tonight’s Abstract. Supervisor Mathews spoke to Assessor Brian Delaney and it was decided that the Town should not pay it. The amount of \$825.56 will be deducted from Abstract #1 and is reflected the total of Payments of Claims and Vouchers.

7. The Board discussed and made the following motions:

A motion was made by Councilman Richard Coombe Jr., seconded by Councilman Scott Grey authorizing Supervisor Chris Mathews to sign the engagement letter with Whiteman, Osterman & Hanna LLP to provide Legal Services related to environmental, planning and zoning matters in the Town of Neversink including assisting the Town Board, Town Planning Board and Zoning Board of Appeals on an ad-hoc and as needed basis, put to a vote and UNANIMOUSLY CARRIED.

VOTE: AYES 5 NAYS 0.

A motion was made by Councilman Richard Coombe Jr., seconded by Councilman Keith Zanetti authorizing Supervisor Chris Mathews to sign the engagement letter with Kimley-Horn of New York, PC to provide professional planning, environmental, traffic and civil engineering services regarding the technical review of possible developmental project(s) in the Town of Neversink, put to a vote and UNANIMOUSLY CARRIED.

VOTE: AYES 5 NAYS 0.

PAYMENTS OF CLAIMS AND VOUCHERS

• Abstract #1A 2020	\$ 45,231.82
• Abstract #1 2021	<u>19,637.32</u>
• Total	\$ 64,869.14

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

VOTE: AYES 5 NAYS 0.

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ADJOURN OR RECESS

On motion by Councilman Scott Grey, seconded by Councilman Keith Zanetti, the meeting was adjourned at 8:32 pm, put to a vote and UNANIMOUSLY CARRIED.

Respectfully submitted,

Lisa Garigliano, Town Clerk