

**TOWN OF NEVERSINK TOWN BOARD  
REGULAR MEETING  
JUNE 14, 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.

**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	Steven Wormuth
Mike Brooks	

- **Mike Brook**, Sullivan County Legislator, gave a **County update**. Items included broadband, free tuition for Sullivan County high school graduates, trades education program for Sullivan County Graduates and the airport rebuilding grant to help replace the terminal building and repave runways.
- **Cher Woehl**, Parks & Rec Director, gave an **update** on upcoming **Park and Recreation events**. She is helping with the Tractor Show and Vet Fest. Outdoor movies are due to start soon on June 30<sup>th</sup>.

**MINUTES OF PREVIOUS MEETING(S)**

Minutes of the Regular Meeting held on May 10, 2023 was ACCEPTED AS SUBMITTED on motion by Councilperson Keith Zanetti, seconded by Councilperson 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 May 2023 was ACCEPTED AS RECEIVED and filed on motion by Councilperson Richard Coombe Jr., seconded by Councilperson Scott Grey, put to a vote and UNANIMOUSLY CARRIED.  
VOTE: AYES 5 NAYS 0.

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**TOWN CLERK DECALS AND MONTHLY FEE REPORT**

ACCEPTED AS SUBMITTED for the month of May 2023 to be filed on motion by Councilperson Richard Coombe Jr., seconded by Councilperson Scott Grey, put to a vote and UNANIMOUSLY CARRIED.

VOTE: AYES 5 NAYS 0.

**TOWN CLERK MONTHLY PETTY CASH REPORT**

Month of May 2023/June 2023

ORDERED RESTORED TO \$200.00 by the amount of \$11.32 for postage on motion by Councilperson Richard Coombe Jr., seconded by Councilperson Nicole Gorr, put to a vote and UNANIMOUSLY CARRIED.

VOTE: AYES 5 NAYS 0.

**CODE ENFORCEMENT OFFICER**

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

- 158 Miles
- \$2,500.70 Receipts
- 20 Building Permits, total 55 for year
- 0 Building Permit Renewal, total 0 for year
- 3 Certificate of Occupancy/Certificate of Compliance, total 33 for year
- 0 Complaint, total 0 for year
- 0 Violations, total 0 for year
- 8 Municipal Searches, total 25 for year
- 1 Fire Inspections, total 3 for year
- 1 Junk Yard Permit, total 1 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
- 0 CEO Training Hours, total 26 for year
- 0 FOIL Request, total 1 for year
- 0 Fire Calls, total 2 for year

**HIGHWAY SUPERINTENDENT**

1. Highway Superintendent Preston Kelly presented an **Amended Agreement for Expenditure of Highway Funds, CHIPS**, that needs to be signed and filed for road maintenance for the Town of Neversink.

A motion was made by Councilperson Richard Coombe Jr., seconded by Councilperson Keith Zanetti, to accept the amended CHIPS agreement and to authorize the signing and filing of an Amended Agreement for Expenditure of Highway Money, put to a vote and UNANIMOUSLY CARRIED.

VOTE: AYES 5 NAYS 0.

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2. The two **new plow trucks** have arrived and are at the Town Barn. The plow equipment is supposed to arrive in August.
3. The **Bids for Stone 1A** were opened and it is Preston’s recommendation to **award the bid to Bruce G. Donohue Trucking**, lowest bidder to meet spec. The following motion was made:

A motion was made by Councilperson Richard Coombe Jr., seconded by Councilperson Keith Zanetti to award the Bid for Stone 1A to Bruce G. Donohue Trucking, lowest bidder to meet spec, put to a vote and UNANIMOUSLY CARRIED.  
VOTE: AYES 5 NAYS 0.

**TOWN OF NEVERSINK BID SUMMARY SHEET**

**ITEM: STONE 1A**

**DATES ADVERTISED: Democrat May 16, 2023**

**BID OPENING: Monday, June 12, 2023 at 2:00 P.M.**

<b>Bidder Name and Address</b>	<b>Date Received</b>	<b>ITEM All prices are per TON</b>	<b>Delivered Highway Barn</b>	<b>Picked Up</b>
<b>Bruce G. Donohue Trucking 18 Continental Rd. Napanoch, NY 12458</b>	<b>06/02/2023</b>	<b>1A ¼ Inch</b>	<b>\$32.25</b>	<b>NB</b>
PD Donohue Trucking LLC 202 Twinshaven Rd. Napanoch, NY 12458	06/08/2023	1A ¼ Inch	\$32.60	NB
JKN Trucking Inc. 86 Ridge Rd. Marlboro, NY 12542	06/01/2023	1A ¼ Inch	\$35.75	NB

4. The new **waterlines** have been completed at the **fairgrounds**. While they were digging an electrical line was broken that runs to the old trailer pad. The Neversink Ag Society would like the electric line to remain, the Town will repair the break.
5. The 2023 Ram 5500 utility truck that was ordered a year and a half ago is ready to be delivered. Preston is requesting permission to **list** the 2013 Ford F550 utility truck **for sale on Auctions International**. The following motion was made:

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A motion was made by Councilperson Richard Coombe Jr., seconded by Councilperson Keith Zanetti, giving permission to list the 2013 Ford F550 utility truck for sale on Auctions International, put to a vote and UNANIMOUSLY CARRIED.  
VOTE: AYES 5 NAYS 0.

6. The **Freightliner's engine** needs to be rebuilt/replaced. There are a few options that Preston went over. One is a rebuild kit including miscellaneous parts and labor would be around \$23,000, a long block it including miscellaneous parts and labor for around \$24,000 or a new engine from CAT for \$31,616.44. Preston is recommending that a new motor be purchased from CAT. The following motion was made:

A motion was made by Councilperson Scott Grey, seconded by Councilperson Keith Zanetti to purchase the new engine from CAT for \$31,616.44, with the funds to come from fund balance put to a vote and UNANIMOUSLY CARRIED.  
VOTE: AYES 5 NAYS 0.

**PLANNING BOARD**

Public Notice of Cancellation of June 7, 2023 meeting, Meeting Minutes *accepted* for March 1, 2023, Public Hearing Minutes (2) *accepted* for March 1, 2023 and Meeting Minutes *draft* for May 3, 2023 have all been filed with the Town Clerk.

**ZONING BOARD OF APPEALS**

Public Notice of Cancellation of May 16, 2023 Meeting was filed with the Town Clerk.

**FILINGS AND CORRESPONDENCE FILED WITH TOWN CLERK**

- NYS DOH Permit to Operate a Swimming Pool
- NYS DOH Permit to Operate Neversink Agricultural Society Fairgrounds
- Notice of Public Hearing on June 1, 2023 at 10:15 am for Ag District
- Fully executed copy of the Agreement for Inspection Services for the Septic Maintenance District
- From the Sullivan County Clerk's Office:
  - Lot Improvement at Lands of Keriland Inc. and Rinkydink Sportsman Club
  - Final Survey map of the Stratton Subdivision
  - Final Subdivision Map for Ackerley Subdivision
- 2023 Sullivan County Tax Abstract of Settlement
- 2023-24 NYS DOT Highway Work Permit
- FOIL from SmartProcure for purchasing records 2/2/23 to current

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.

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**SUPERVISOR**

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

**TOWN OF NEVERSINK  
RESOLUTION NO. 13 OF 2023  
BUDGET AMENDMENT**

**WHEREAS**, Town of Neversink Highway Superintendent has been notified that Consolidated Highway Improvement Program CHIPS, PAVE NY, EXTREME WINTER RECOVERY, and PAVE OUR POTHOLES funding from NYSDOT for 2023 has been approved for \$ 571,501.81, and a Rollover from 2022 balance of \$ 1,822.52 making the total to be received \$ 573,324.33 as of 5/2/2023, and

**WHEREAS**, the 2023 budget has appropriated \$250,000.00, so an additional \$323,324.33 needs to be appropriated in the 2023 Budget,

**NOW, therefore be it resolved** that the Town Board authorizes the Supervisor to increase Estimated Revenue, State Aid CHIPS DA3501 and Appropriation, Improvements of Roads, CHIPS DA5112.2 for \$323,324.33, and that the following budget amendment be made;

DA510 Estimated Revenue - \$ 323,324.33  
DA3501 State Aid CHIPS – 323,324.33  
DA960 Appropriation – 323,324.33  
DA5112.2 Improvements, CHIPS- 323,324.33

**Moved by:** Councilperson Keith Zanetti  
**Seconded by:** Councilperson Nicole Gorr  
**And Adopted on Motion:** June 14, 2023

2. The **Resolution for the Spectrum Cable Franchise Agreement** was introduced by Councilperson Richard Coombe Jr., seconded by Councilperson Nicole Gorr and UNANIMOUSLY ADOPTED by motion:

**STATE OF NEW YORK  
Town of Neversink  
County of Sullivan**

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In the Matter of the Granting of a Cable Television Franchise Held by **Spectrum Northeast, LLC** in the **Town of Neversink, County of Sullivan, New York**

**TOWN OF NEVERSINK  
RESOLUTION NO. 14 of 2023  
CABLE FRANCHISE AGREEMENT**

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An application has been duly made to the Board of the **Town of Neversink, County of Sullivan**, New York, by **Spectrum Northeast, LLC**, an indirect subsidiary of Charter Communications, Inc. ("Charter"), a limited liability company organized and existing in good standing under the laws of State of Delaware doing business at 2604 Seneca Avenue, Niagara Falls, NY 14305, for the approval of a renewal agreement for Charter's cable television franchise for fifteen (15) years commencing with the date of approval by the Public Service Commission.

The franchise renewal agreement would bring the franchise into conformity with certain provisions of the Federal Cable Communications Policy Act of 1984, as amended, and certain court rulings.

A public hearing was held in the Town of Neversink, New York on June, 14 at 7:15 P.M. and notice of the hearing was published in the Democrat on May 30, 2023.

**NOW, THEREFORE**, the Board of the Town of Neversink finds that:

1. Spectrum Northeast, LLC has substantially complied with the material terms and conditions of its existing franchise and with applicable law; and
2. Spectrum Northeast, LLC has the financial, legal and technical ability to provide these services, facilities and equipment as set forth in its proposal attached; and
3. Spectrum Northeast, LLC can reasonably meet the future cable-related community needs and interests, taking into account the cost of meeting such needs and interests.

**BE IT FURTHER RESOLVED** that the Board of the **Town of Neversink** hereby grants the cable television franchise of Spectrum Northeast, LLC and the **Town of Neversink** for fifteen (15) years commencing with the date of approval by the Public Service Commission and expiring fifteen (15) years hence.

**BE IT FURTHER RESOLVED** that the Board of the **Town of Neversink** hereby confirms acceptance of this franchise renewal agreement.

**Moved by:** Councilperson Richard Coombe Jr.

**Seconded by:** Councilperson Nicole Gorr

Ayes: 5 Noes: 0 Absent: 0

**And Adopted on Motion:** June 14, 2023

3. The **Water Building** at the fairgrounds is 98% done. Town Engineer Glenn Smith has made two inspections of the work. The Town Board has asked for an inspection report from Glenn to document his findings as to the performance of the work. The **equipment bid for the electrical work** was open on 6/12/2023. Three bid packets were picked up but only one was received back. The following motion was made to accept that bid:

A motion was made by Councilperson Scott Grey, seconded by Councilperson Keith Zanetti to accept the bid received from Electro Electric in the amount of

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\$42,200.00 for the installation of the electrical services in the water supply building at the fairgrounds, put to a vote and UNANIMOUSLY CARRIED.

VOTE: AYES 5 NAYS 0.

4. **Town Historian** Carol Smythe has informed the Board of her intentions to **retire** and the **end of 2023** as Town Historian. The Board would like the Town Clerk to **advertise for the position**. The following motion was made:

A motion was made by Councilperson Keith Zanetti, seconded by Councilperson Nicole Gorr to authorize the Town Clerk to advertise for the position of Historian, put to a vote and UNANIMOUSLY CARRIED.

VOTE: AYES 5 NAYS 0.

5. The following motion was made for the annual **ad** in **Giant Pumpkin Party Booklet** at the cost of \$250.00:

A motion was made by Councilperson Keith Zanetti, seconded by Councilperson Nicole Gorr for the ad in the Giant Pumpkin Party Booklet at the cost of \$250.00, put to a vote and UNANIMOUSLY CARRIED.

VOTE: AYES 5 NAYS 0.

6. Due to the low water level in the streams, the **pool** will not be drained and refilled this year. The painting of the lap lines in the bottom of the pool will be rescheduled for this fall at the end of the pool season.
7. The Board discussed the **soil sample results from the Route 42 Park**. It was agreed that the turf on the fields need to be addressed. The main problem is finding the time in the calendar when the fields are not being used. One suggestion was to do it one field at a time. It was suggested to contact Tri-Valley and ask about safety procedures when adding nutrients to the fields. Chris will contact AYSO about not using field 4 this fall.
8. Supervisor Mathews reported to the Board on his meeting with NYS DOT concerning the **parking problem at the Route 42 Park**. After looking at all the possibilities and taking into consideration the line of site, it was DOT's recommendation that the Town continues to pursue the land swap with NYC DEP for the property across from the Park and putting in a crossway.

**EXECUTIVE SESSION**

The Board **entered Executive Session** at 8:45 pm on motion made by Supervisor Chris Mathews, seconded by Councilperson Scott Grey, **to discuss a personnel issue**, put to a vote and UNANIMOUSLY CARRIED.

VOTE: AYES 5 NAYS 0.

The Board **returned** from **Executive Session** at 9:13 pm on motion made by Councilperson Richard Coombe Jr., seconded by Councilperson Scott Grey, put to a vote and UNANIMOUSLY CARRIED.

VOTE: AYES 5 NAYS 0.

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**PAYMENTS OF CLAIMS AND VOUCHERS**

• Vendor Payments	\$ 3,569.33
• Abstract #6	<u>332,341.25</u>
• Total	\$335,910.58

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

VOTE: AYES 5 NAYS 0.

**ADJOURN OR RECESS**

On motion by Councilperson Keith Zanetti, seconded by Councilperson Scott Grey, the meeting was adjourned at 9:16 pm, put to a vote and UNANIMOUSLY CARRIED.

Respectfully submitted,

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Lisa Garigliano, Town Clerk