

**TOWN OF NEVERSINK TOWN BOARD
REGULAR MEETING
DECEMBER 13, 2017**

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. Mr. Mathews asked for a short moment of silence for Michael Mullen, our friend and colleague, who passed away this time last year.

ROLL CALL

Board Members

Supervisor Chris Mathews	PRESENT
Councilman Keith Zanetti	PRESENT
Councilman Michael Brooks	PRESENT
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

Lori Rotolo–Tobacco Free Parks	Steve Porter–Climate Action Pledge
Jim Stangel	Jamie Dymond-Brooks
Walt Zeitschel	Brent Gotsch

- **Lori Rotolo** addressed the Town Board about the Town of Neversink becoming a **Tobacco Free Action Community** (TFAC). TFAC is a program of the NYS Department of Health to help make parks and playgrounds smoke and tobacco free. The Town of Neversink Town Board agreed and the following resolution was adopted:

**TOWN TO NEVERSINK
RESOLUTION NO. 23 OF 2017
RESOLUTION TO LIMIT TOBACCO USE IN TOWN PARKS**

WHEREAS, the Town of Neversink Town Board recognizes that tobacco use on Town Property is a serious public health issue in New York State and throughout the United States; and

WHEREAS, New York state adopted legislation that bans the use of tobacco on grounds and facilities owned, leased, or controlled by the state; and

NOW THEREFORE BE IT RESOLVED, that the Town of Neversink Town Board hereby adopts a smoking policy that prohibits tobacco use of any kind, including cigarettes, e-cigarettes, cigars, pipes, or other devices that emit toxic smoke or vapors on all grounds and in all buildings and facilities owned or operated by the Town including Town Parks,

AND BE IT FURTHER RESOLVED that no smoking signs shall be placed on and around all areas frequented by children including playgrounds, ballfields, and swimming pools;

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AND BE IT FURTHER RESOLVED, that this policy applies to all employees, visitors, and vendors,

AND BE IT FURTHER RESOLVED, that this policy be effective as of December 13, 2017. Appropriate signage and public notifications shall be posted on the Town of Neversink property.

Moved by: Councilman Richard Coombe Jr.

Seconded by: Councilman Keith Zanetti

And Adopted on Motion: December 13, 2017

- **Steve Porter** spoke to the Board about the Town of Neversink taking the pledge to become a **Climate Smart Community**. The Board requested that Steve return with more information on the benefits to the Town.
- **Jamie Dymond-Brooks** brought the Board up to date on Parks and Recreation activities and how the signups are going for the 2018 events. Supervisor Mathews has received a proposed **new agreement** from **Tri-Valley Central School District** for their **contribution to youth programs**. The Board discussed the new agreement and Jamie was included because certain information needs to be gathered concerning the programming that is offered for youth.
- **Brent Gotsch**, ZBA Chairman, reported that there was a meeting last month for an area variance on Main Street for the proposed Music Hall. The Public Hearing is set for December 19th.
- **Jim Stangel** updated the Board on the December 6, 2017 meeting concerning Primax – Dollar General. Their application is incomplete. The Planning Board is still waiting for information from the DEP regarding the storm water management plan. No action will be taken by the Planning Board until the application is complete. The other application received by the Planning Board is for a two lot subdivision and will require the owners to go to before the ZBA for an area variance. Jim asked if the Board had made any decision on a person(s) to fill the vacant **Planning Board alternate positions**. The Board would like to **appoint Walter Zeitschel** to fill one of the openings. They will interview the remaining candidates after the holidays. Mr. Zeitschel had previously been interviewed.

A motion was made by Councilman Richard Coombe Jr., seconded by Councilman Michael Brooks to appoint Walter Zeitschel to fill the vacant Planning Board Alternate position, put to a vote and UNANIMOUSLY CARRIED.
VOTE: AYES 5 NAYS 0.

MINUTES OF PREVIOUS MEETING (S)

Minutes of the Regular Meeting held on November 8, 2017 and Special Meeting held on November 15, 2017 were ACCEPTED AS SUBMITTED; Minutes of the Public Hearing were accepted with the addition that Mr. McCarthy left the public hearing immediately after his comment, on motion by Councilman Keith Zanetti, seconded by Councilman Richard Coombe Jr., put to a vote and UNANIMOUSLY CARRIED.
VOTE: AYES 5 NAYS 0.

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SUPERVISOR'S RECEIPTS AND DISBURSEMENTS REPORT

The Supervisor's Report for the month of November 2017 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 to be filed on motion by Councilman Richard Coombe Jr., seconded by Councilman Keith Zanetti, put to a vote and UNANIMOUSLY CARRIED.
VOTE: AYES 5 NAYS 0.

TOWN CLERK MONTHLY PETTY CASH REPORT

Month of November 2017/December 2017
ORDERED RESTORED TO \$200.00 by the amount of \$5.30 for tolls by Highway on motion by Councilman Richard Coombe Jr., seconded by Councilman Keith Zanetti, 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 November 2017 has been filed with the Town Clerk.

Code Enforcement Officer Keith Stryker:

- Logged 294 Miles and took in \$1,532.50
- 6 Building Permits, 86 for the year
- 0 Building Permit Renewal, 2 for the year
- 8 Cert of Occupancy/Compliance for the month, 69 for the year
- 0 Complaints, 0 for the year
- 1 Violations, 2 for the year
- 5 Municipal Searches, 73 for the year
- 0 Fire Inspections, 27 for the year
- 0 Junk Yard Permit, 1 for year
- 0 Mobile Home Park Permit Renewals, 0 for the year
- 0 Temporary Use Permit, 0 for the year
- 0 Operating Permit, 0 for the year
- 7 hours CEO training for the month, 42 for the year

HIGHWAY SUPERINTENDENT

1. The bidding closed on **Auctions International** for the **2009 Ford F350** SD XL Pickup with Plow. The high bid was \$7,600. Preston is recommending the Board accept the bid.

A motion was made by Councilman Richard Coombe Jr., seconded by Councilman Keith Zanetti to accept the bid of \$7,600.00 for the 2009 Ford F350 pickup with plow through Auctions International, put to a vote and UNANIMOUSLY CARRIED.
VOTE: AYES 5 NAYS 0.

2. Preston also placed on **Auctions International**, an Allison Automatic **Transmission – Model 3060**. The bidding closed at \$670. The Town no longer

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has the truck that used this transmission. Preston is recommending the Board accept the bid.

A motion was made by Councilman Richard Coombe Jr., seconded by Councilman Keith Zanetti to accept the bid of \$670.00 for the Model 3060 Allison Automatic Transmission through Auctions International, put to a vote and UNANIMOUSLY CARRIED.

VOTE: AYES 5 NAYS 0.

3. A list of **road work** that was **completed in 2017** was presented to the Board.
4. A majority of the grey dirt has been put down at the **Route 42 Community Park** fields.

ZONING BOARD OF APPEALS

Approved Meeting Minutes for April 18, 2017, Draft Meeting Minutes for November 21, 2017, Public Notice for Public Hearing on December 19, 2017 and Agenda for December 19, 2017 were filed with the Town Clerk.

FILINGS AND CORRESPONDENCE FILED WITH TOWN CLERK

1. Quarterly Statement of Bingo Operations for the Daniel Pierce Library
2. Certificate of Completion for Barbara Garigliano in the Continuing Judicial Education Program.
3. Auctions International paperwork for the Loader sale
4. SmartProcure FOIL request fulfilled
5. Just Court Update for NYS Comptroller's Office

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 5 NAYS 0.

SUPERVISOR

1. Supervisor Mathews received a letter from the **DEC** concerning the Town's **inactive landfill** located on **Van Wagner Road**. The DEC is going to be conducting an environmental site investigation and is seeking access to the area. Keys will be provided.
2. The **lease** on the **B&W copier** is up for renewal. Due to the age of the color copier in the media room, it was suggested that we get a quote for a leased copier that does both color and B&W.
3. **2017-2018 Snow and Ice Resolution:**

**TOWN OF NEVERSINK
RESOLUTION NO. 24 OF 2017
AUTHORIZING THE PAYMENT RATE FOR THE
SNOW AND ICE CONTRACT FOR 2017-2018**

At a regular meeting of the Town Board of the Town of Neversink, Sullivan County, New York, held at the Town of Neversink Town Hall, 273 Main Street, Grahamsville, New York 12740, in said town, on the 13th day of December, 2017 at 7:30 p.m. prevailing time.

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PRESENT: Supervisor Chris Mathews	[X] Yes [] No
Councilman Keith Zanetti	[X] Yes [] No
Councilman Michael Brooks	[X] Yes [] No
Councilman Scott Grey	[X] Yes [] No
Councilman Richard Coombe, Jr.	[X] Yes [] No

The following resolution was introduced by Councilman Michael Brooks who moved for its adoption, and seconded by Councilman Keith Zanetti, to wit:

WHEREAS, the County of Sullivan and the Town of Neversink entered into contract for Snow and Ice control on County Roads from July 1, 2015 through June 30, 2018;

WHEREAS, the contract states the Town will be paid the amount Sullivan County received from the State of New York for snow and ice control on state highways the previous snow and ice season; and

WHEREAS, the County of Sullivan was paid the rate of \$5,684.32 per centerline mile for the 2016-2017 contract year; and

WHEREAS, said section of the Highway Law of the State of New York requires the approval by resolution of each of the legislative bodies of such County, Towns;

NOW, THEREFORE, BE IT RESOLVED, that the County of Sullivan pay the amount of \$5,684.32 per centerline mile for two lane highways and \$8,526.48 for three lane highways to the Town for the contract year July 1, 2017 – June 30, 2018.

The resolution was duly put to a roll call vote, resulting as follows:

Supervisor Chris Mathews	Voting	[X] Yes [] No
Councilman Keith Zanetti	Voting	[X] Yes [] No
Councilman Michael Brooks	Voting	[X] Yes [] No
Councilman Scott Grey	Voting	[X] Yes [] No
Councilman Richard Coombe, Jr.	Voting	[X] Yes [] No

The resolution was thereupon declared duly adopted.

Dated: December 13, 2017
Town of Neversink
Grahamsville, New York

4. The following three **Budget Amendments** were presented for the Board's consideration:

**TOWN OF NEVERSINK
RESOLUTION NO. 25 OF 2017
BUDGET AMENDMENT**

Whereas, the Daniel Pierce Library Renaissance Fund is making an additional donation to the Town of Neversink in the amount of \$ 1.40, and

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Whereas, the Town of Neversink employed a part time seasonal person to assist in the 2017 Renaissance Program and there is going to be a final cost of \$ 1.40 ,

Now Therefore Be It Resolved that the Town Board authorizes the Supervisor to appropriate \$ 1.40 to A7110.1 Parks, Personal Services, received from the Renaissance Fund, and that the following budget amendment be made;

A510 Estimated Revenue - \$	1.40	
A2089 Other Culture & Recreation Income –	1.40	
A960 Appropriations -		1.40
A7110.1 Park, Personal Services -		1.40

Moved by: Councilman Keith Zanetti
Seconded by: Councilman Scott Grey
And Adopted on Motion: December 13, 2017

**TOWN OF NEVERSINK
RESOLUTION NO. 26 OF 2017
BUDGET AMENDMENT**

Whereas, at November 8,2017 Board Meeting the approval was made to transfer \$165,000.00 to come from Highway Fund Balance,

Whereas, the Highway Superintendent has received authorization to purchase a new Roller, at estimated cost of \$129,000.00, and a new 2018 3500 Ram Pickup with Plow, with 36,000.00 coming from Fund Balance,

Now, therefore be it resolved that the Town Board authorizes the Supervisor to transfer \$ 165,000.00 from Fund Balance, to DA5130.2 Machinery, Equipment, and that the following budget amendment be made;

DA599 Appropriated Fund Balance-	\$	165,000.00
DA960 Appropriation –		165,000.00
DA5130.2 Machinery, Equip. –		165,000.00

Moved by: Councilman Richard Coombe Jr.
Seconded by: Councilman Keith Zanetti
And Approved on Motion: December 13, 2017

**TOWN OF NEVERSINK
RESOLUTION NO. 27 OF 2017
BUDGET AMENDMENT**

Whereas, Debris needed to be cleaned up at 7911 State Route 55, the cleanup was done by the Highway Department at a cost of \$ 1,289.02,

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Whereas, an Appropriation of \$ 1,290.00 needs to be put in account A3989.4 Other Public Safety, Contractual Expense to cover the cost,

Now, therefore be it resolved that the Town Board authorizes the Supervisor to transfer \$ 1,290.00 from A1990.4 Contingent account to A3989.4 Other Public Safety, Contractual Expense, and that the following budget amendment be made;

A960 Appropriation- \$1,290.00
A1990.4 Contingent- 1,290.00
A960 Appropriation - 1,290.00
A3989.4 Other Public Safety, Cont. Exp - 1,290.00

Moved by: Councilman Keith Zanetti
Seconded by: Councilman Michael Brooks
And Adopted on Motion: December 13, 2017

5. Tonight meeting will be **recessed** until December 28, 2017 at 5:30 pm to pay additional claims for 2017. The 2018 **Organizational Meeting** will be on January 3, 2018 at 7:30 pm.
6. There will be an upcoming **vacancy** on the **Ethics Committee**. The Board would like the members this committee to be listed on the Website. Town Clerk will add this and any other committees that are not presently on the website.
7. The new **plaque** for the **Transfer Station** has been received. The Board discussed its placement. No decision was made.
8. A possible new Freon remover was discussed.

TOWN ATTORNEY

Town Attorney Walter Garigliano presented Introductory Local Law 1 of 2017, a local law to amend Local Law No. 2 of 2008, Cold War Veterans' Real Property Tax Exemption, for the Board's consideration. The following resolution was introduced and a public hearing was set for January 10, 2018 at 7:15 pm:

**TOWN OF NEVERSINK
RESOLUTION NO. 28 OF 2017
INTRODUCTORY RESOLUTION FOR
INTRODUCTORY LOCAL LAW NO. 1 OF THE YEAR 2017
TO AMEND LOCAL LAW NO. 2 OF 2008,
COLD WAR VETERANS' REAL PROPERTY TAX EXEMPTION
(Chapter 43, Article I of the Neversink Code)**

At a meeting of the Town Board of the Town of Neversink ("Town Board"), Sullivan County, New York, held at the Town of Neversink Town Hall, 273 Main Street, Grahamsville, New York 12740, in said town, on the 13th day of December, 2017 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

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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 Councilman Richard Coombe Jr., who moved for its adoption, and seconded by Councilman Keith Zanetti, to wit:

BE IT RESOLVED, that Introductory Local Law No. 1 of 2017 entitled “A Local Law to Amend Local Law No. 2 of 2008, Cold War Veterans’ Real Property Tax Exemption” is hereby introduced before the Town Board of the Town of Neversink; and

BE IT FURTHER RESOLVED, that copies of the aforesaid Introductory Local Law have been laid upon the desk of each member of the Town Board of the Town of Neversink; and

BE IT FURTHER RESOLVED, that the Town Board hold a public hearing on said Local Law at the Town of Neversink Town Hall, 273 Main Street, Grahamsville, New York at 7:15 p.m., prevailing time, on January 10, 2018; and

BE IT FURTHER RESOLVED, that the Town Clerk of the Town of Neversink 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: December 14, 2017
Town of Neversink
Grahamsville, New York

PAYMENTS OF CLAIMS AND VOUCHERS

• Abstract #12	\$	87,261.58
• Vendor Payments		<u>2,496.70</u>
	Total \$	89,758.28

Vouchers and 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.

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VOTE: AYES 5 NAYS 0.

- A voucher for \$1,289.02 was also signed by all Board Member for a journal entry for the Highway Department's labor and equipment use for the cleanup that was done at 7911 State Route 55 to remove the contents of the house that was dumped on the front lawn.

ADJOURN OR RECESS

On motion by Councilman Scott Grey, seconded by Councilman Keith Zanetti, the meeting was recessed at 9:58 pm, to reconvene on December 28, 2017 at 5:30 pm, put to a vote and UNANIMOUSLY CARRIED.

Respectfully submitted,

Lisa Garigliano, Town Clerk