



Town of Tusten Town Board Meeting

Regular Meeting Minutes

January 16, 2024

6:30 PM

Zoom ID # 890 1678 4280

Venue: Tusten Town Hall, 210 Bridge Street, Narrowsburg, New York

PRESENT

Supervisor Bernard Johnson
Councilman Greg Triggs
Councilmen Kevin McDonough
Councilman Bruce Gettel
Councilwoman Cass Collins

OTHERS PRESENT

Town Clerk Crystal Weston

1 OPENING ITEMS

1.1 Call Meeting to Order

Supervisor Johnson called the meeting to order at 6:33pm

1.2 Pledge of Allegiance

Supervisor Johnson let the pledge

1.3 Payment of Bills

RESOLUTION #15-2024

PAYMENT OF BILLS

On motion of Councilman Bruce Gettel, seconded by Supervisor Johnson the following resolution was,

ADOPTED 5 AYES 0 NAYS

RESOLVED that the Town Board motion to approve the bills as presented:

Fund Acct	Ck Acct Disburse	Voucher #'s	Late Bills
General	\$173,655.74	2-11,27-44,56	1
Highway	\$109,596.50	12,13,45,46	
Water	\$21,160.13	14-18,47-52	
Sewer	\$22,321.43	19-26,53-55	
Lighting District			
Escrow Accts			
TOTAL	\$326,733.80		

Town of Tusten

Town Board Meeting

2 DIVISION REPORTS

Some reports have been sent to the board in advance of the meeting, therefore they are not read out loud at the meeting; copies of all reports may be obtained at the Town Clerks Office.

2.1 Highway Dept – Donald Neiger

- Used 411.3 gal of diesel fuel 358.3 gal was for highway and 53 was non highway use.
- Used 122.3 gal of gas 0 was highway 122.3 was non town.
- Patch holes on dirt and paved roads.
- Removed trees in road way from storms.
- Ditch Brook, Homestead and Ackerman Rd.
- Start to stock pile stone for next summer.
- Grade dirt roads.
- Repair equipment after storms.
- Out on slippery roads.

2.2 Narrowsburg Water & Sewer District

FINANCIAL REPORT FOR -	
Narrowsburg Water	
	\$ 127.00
Water Metered Rent	-
Service Charge	\$514.83
Water Penalty	\$ -
TOTAL RECEIVED \$ 641.83	
Narrowsburg Sewer	
Sewer Rent	\$ 415.00
Service Charge	\$
Sewer Penalty	\$ -
TOTAL RECEIVED \$ 415.00	
GRAND TOTAL \$ 1065.83	
Jocelyn Strumpfler	

Town of Tusten

Town Board Meeting

Water & Sewer Clerk

2.3 Building Department/ Code Enforcement

Construction Inspections – 18

Fire & Safety Inspections – 0

Complaint/Violation Inspections – 0

Certificate of Occupancy Issued – 3

Certificate of Compliance Issued – 7

Total Permits Issued – 4

New Homes – 0

Accessory Building/Garage – 0

Renovation/Alteration/Addition – 0

Camping - 0

Chimney/Fuel – 1

Acc Bldg Comm – 0

New Comm Const – 0

Ren/Alt – Comm Const - 0

Deck – 0

Commercial Deck - 0

Demolition Permit – 0

Driveway Permit – 0

Electrical – 2

Logging Permits – 0

Mechanical – 0

Plumbing – 0

Pool/Hot Tub – 0

Roof Replacement – 1

Roof Structure - 0

Septic Permits – 0

Sidewalk - 0

Sign Permit – 0

Solar Permit – 0

Well – 0

Permit Renewals - 0

Flood Plain Permit – 0

Abstracts/Violation Search – 2

Town of Tusten

Town Board Meeting

Dangerous and Unsafe Building – 0

Complaints Received – 0

Complaints Closed – 0

Violations Issued – 0

Violations Corrected – 0

Previous Violations Closed/Corrected – 0

Stop Work – 1

Monies collected by this office from December 1, 2023 to December 31, 2023 are \$500.00

Respectfully,
Jim P Crowley, Building Inspector
JPC/js

2.4 Assessor – Ken Baim

- Ken attended the four-county assessor's holiday function and meeting in Middletown. Contact with other assessors and listening to their concerns and situations was very informative.
- The deeds, address changes and bank codes were updated for submission for the printing of the January tax bills. Peg has been busy setting up the desk in the updated office space. Files have been changed from side to side to a front to back format with the installation of different file racks. This allows space for about an additional 10 inches of files in each drawer and will ease the files being so tight that it was very difficult to remove a file or reinsert it into the drawer. Peg also completed the submission via email of the property record cards for the approximately 180 files being used in the Department of Taxation full value measurement. We reviewed all these files and made any pertinent comments on an excel spread sheet. We await word of the next step from the State.
- Peg completed another course, a zoom conference and the required ethics class. We are aligning the change over from Ken to Peg as the Sole Assessor for 2024. The computer and work space housing will be finalized in January as since COVID and the office construction problems all work was being done in Ken's home

2.5 Upper Delaware Council – Evan Padua

- The UDC full council met on January 4th 2023, there was a moment of Silence for the sudden passing of UDC board member from Fremont, Dennis Bernitt.
- A vote was cast for 2024 UDC officers, Virginia Dudko Chairperson, Jeff Dexter Vice Chairperson, Alan Henry Secretary/treasurer.
- There has been a temporary Natural Resource Biologist named Katelyn Jackson who has taken the retired Don Hamilton's position within the UPDE National Park Service.

Town of Tusten

Town Board Meeting

- UDC board member Nadia Rajs of Lumberland who has been a part of the Sullivan County legislature for years, was elected as Chairperson for the organization.
- Stephanie Driscoll was approved to permanent employee status within the UDC as an Administrative Support employee.
- There was a car that entered the Delaware river just south of Callicoon, the man driving it was able to self-rescue during the high-water event a few weeks ago, but the car remains in the river. It is projected to be removed by the NPS and partners as soon as possible. Hopefully by the end of this week.

2.6 Tusten Energy Committee

- In progress

2.7 Conservation Advisory Council

- In progress

2.8 Zoning Update

- In progress

2.9 Water & Sewer Committee – Kevin McDonough

- Sewer rates will be based on water usage

2.10 Building Committee

- In progress

2.11 Grants

- In Progress

3 PUBLIC COMMENT

The following from the public made comments:

1. Mike Farrell - Passing of Bernie Creamer
2. Star Hesse - Jan 2nd Meetings, lights, pavilion, public toilets
3. Anthony Lombardo - Friends of the Flats, Pavilion and Bathrooms, Response to “Residence of the Flats”

4 OLD BUSINESS

4.1 Assessors Office

RESOLUTION #16-2024

2024 RESIGNATION OF SOLE ASSESSOR

On motion of Supervisor Johnson, seconded by Kevin McDonough, the following resolution was,

ADOPTED 5 AYES 0 NAYS

RESOLVED to accept the resignation of Ken Baim from Sole Assessor effective December 31, 2023.

Town of Tusten

Town Board Meeting

RESOLUTION #17-2024

2024 APPOINT ACTING ASSESSOR FOR THE TOWN OF TUSTEN

On Motion of Councilman Bruce Gettel, seconded by Councilman Greg Triggs, the following resolution was,
ADOPTED AYES 5 NAYS 0

RESOLVED that Margaret (Peg) Harrison is accepted as the Acting Assessor for the Town Tusten effective January 1, 2024.

RESOLUTION #18-2024

2024 APPOINT PART TIME OFFICE CLERK TO THE ASSESSOR

On the motion of Councilman Kevin McDonough, seconded by Councilman Bruce Gettel, the following resolution was,

ADOPTED AYES 5 NAYS 0

RESOLVED that the Ken Baim is appointed as the Part Time Office Clerk to the Assessor at a rate of \$35/hour effective January 1, 2024.

5 NEW BUSINESS

5.1 Tusten Recreation Contract with Tusten Youth Commission

RESOLUTION #19-2024

2024 TUSTEN RECREATION PROGRAM CONTRACT WITH TUSTEN YOUTH COMMISSION

On motion of Councilman Bruce Gettel, seconded by Councilwoman, Cass Collins the following resolution was,

ADOPTED AYES 5 NAYS 0

RESOLVED that the attached agreement is signed as presented.

THIS AGREEMENT, between the Town of Tusten and the Tusten Youth Commission as of January 1, 2024

WHEREAS, the Town of Tusten wishes to facilitate the funding of the Tusten Youth Commission for the benefit of the **Tusten Recreation Program** of the Town of Tusten.

WHEREAS, the Tusten Youth Commission wishes to institute activities for the benefit of the youth of the Town of Tusten.

IT IS THEREFORE AGREED by and between the parties:

1. That the Town of Tusten shall fund the Tusten Youth Commission to the extent of **Twenty-Two Thousand (\$22,000.00) Dollars**.
2. That the above **Twenty-Two Thousand (\$22,000.00) Dollars** or part there of stated shall be paid to the Tusten Youth Commission as reimbursements are received from the State of New York through the Sullivan County Youth Services; and,
3. That the Tusten Youth Commission will use those funds disbursed to them by the Town of Tusten for the use and benefit of the youth in the Town of Tusten.

5.1 Tusten Youth Club Contract with Tusten Youth Commission

RESOLUTION #20-2024

2024 TUSTEN YOUTH CLUB CONTRACT WITH TUSTEN YOUTH COMMISSION

On motion of Councilman Bruce Gettel, seconded by Councilman Kevin McDonough the following resolution was

ADOPTED AYES 5 NAYS 0

RESOLVED that the attached agreement is signed as presented.

Town of Tusten

Town Board Meeting

THIS AGREEMENT, between the Town of Tusten and the Tusten Youth Commission as of January 1, 2024
WHEREAS, the Town of Tusten wishes to facilitate the funding of the Tusten Youth Commission for the benefit of the **Tusten Youth Club** of the Town of Tusten.

WHEREAS, the Tusten Youth Commission wishes to institute activities for the benefit of the youth of the Town of Tusten.

IT IS THEREFORE AGREED by and between the parties:

1. That the Town of Tusten shall fund the Tusten Youth Commission to the extent of **Two Thousand (\$2,000.00) Dollars.**
2. That the above **Two Thousand (\$2,000.00) Dollars** or part there of stated shall be paid to the Tusten Youth Commission as reimbursements are received from the State of New York through the Sullivan County Youth Services; and,
3. That the Tusten Youth Commission will use those funds disbursed to them by the Town of Tusten for the use and benefit of the youth in the Town of Tusten.

5.2 Ambulance Protection

RESOLUTION #21-2024

2024 CONTRACT FOR AMBULANCE PROTECTION

On the motion of Councilman Kevin McDonough, seconded by Councilman Bruce Gettel the following resolution was, below agreement between the Town of Tusten and Tusten Ambulance Corp.

ADOPTED AYES 5 NAYS 0

RESOLVED that the below contract for Ambulance Protection between the Town of Tusten and Tusten Ambulance Corp. has been accepted as presented:

CONTRACT FOR AMBULANCE PROTECTION

THIS AGREEMENT MADE AS OF January 1, 2024 by and between the **TOWN BOARD OF THE TOWN OF TUSTEN**, a municipality located in the Town of Tusten, County of Sullivan and State of New York, hereinafter referred to as "Town" and **Tusten Ambulance Corp.**, a non-profit membership corporation located at Narrowsburg, Sullivan County, New York, hereinafter referred to as "Ambulance Corps".

WITNESSETH:

WHEREAS, there has been established in the Town of Tusten the Ambulance Corps which has been and is providing necessary and appropriate ambulance and emergency service within the Town of Tusten and surrounding territory under the plan of ambulance service adopted by the Ambulance Corps, and

The Town duly authorized a contract with the Ambulance Corps for ambulance service when and if required to the Town of Tusten upon the terms and provisions herein set forth, and

WHEREAS, this contract has also been authorized by the authorized and delegated representatives of the Ambulance Corps,

NOW, THEREFORE, IT IS MUTUALLY AGREED AS FOLLOWS;

1. The Town does hereby engage the services of the Ambulance Corps to furnish ambulance service within the Town of Tusten and the Ambulance Corps agrees to furnish said ambulance service in the manner following, to wit:

(a) The Ambulance Corps shall, at all times during the period of this agreement, be subject to call for attendance upon any emergency, accident, illness, and/or occurrence in said Town and when notified by alarm or telephone call from any person within the Town of an accident situation, and/or occurrence,

Town of Tusten

Town Board Meeting

where the services of an ambulance is required, shall respond and attend at the place or places where required, without delay, with one or more ambulances with appropriate emergency medical equipment and trained members of the Ambulance Corps. Upon arriving at the scene where the services of the Ambulance Corps are required, the members of the crew of the Ambulance Corps so attending shall proceed diligently and, in every way, reasonably necessary and suggest in order to effect the appropriate emergency treatment and/or transportation to the nearest or most convenient hospital or other medical facility with the purpose and intention of saving the life and/or preserving the health of the individual or individuals involved.

2. In consideration of furnishing the ambulance services as here in above provided, including the equipment, medical supplies, and trained ambulance crew as aforesaid, the Ambulance Corps shall receive the sum of **thirty thousand dollars (\$30,000.00)** per annum and the Town covenants and agrees to pay the same to the Ambulance Corps annually.

3. All monies to be paid under any provision of this agreement shall be a charge upon the Town of Tusten to be assessed and levied upon the taxable property within the Town of Tusten and collected with the Town taxes.

4. This agreement shall continue for a period of one (1) year and shall be deemed to commence from **January 1, 2024 to December 31, 2024**, inclusive. This agreement may be renewed and extended by mutual consent annually upon the same terms and conditions for a period not to exceed four (4) additional years. Any notice required or provided for in this agreement shall be served in the same manner as required for the service of a summons in the Supreme Court.

5.3 Upper Delaware Scenic Byway Contribution

RESOLUTION #22-2024

MAKE A VOLUNTARY CONTRIBUTION TOWARD THE 2024 OPERATIONAL EXPENSES TO THE UPPER DELAWARE SCENIC BYWAY

On motion of Supervisor Ben Johnson, seconded by Councilman Greg Triggs the following resolution was, **ADOPTED AYES 5 NAYS 0**

RESOLVED that a voluntary contribution of \$1,000.00 toward the 2024 operational expenses to the Upper Delaware Scenic Byway.

5.4 Conservation Advisory Council

RESOLUTION #23-2024

REAPPOINT JANE LUCHSINGER TO THE CONSERVATION ADVISORY COUNCIL

On the motion of Councilman Kevin McDonough, seconded by Councilwoman Cass Collins the following resolution was,

ADOPTED AYES 5 NAYS 0

RESOLVED that Jane Luchsinger is reappointed as a member of the Conservation Council with an unexpired term ending 2028.

5.5 Fire Department Sewer Rate

RESOLUTION #24-2024

SET A FIXED QUARTERLY SEWER RATE FOR THE FIRE DEPARTMENT

On motion of Councilman Kevin McDonough, seconded by Councilman Greg Triggs the following was,

ADOPTED AYES 5 NAYS 0

RESOLVED to set a fixed rate of \$125.50 per quarter for the Fire Department.

Town of Tusten

Town Board Meeting

5.6 Dog Control

RESOLUTION #25-2024

APPOINT 1st and 2nd DEPUTY ANIMAL CONTROL OFFICERS

On motion of Councilman Bruce Gettel, seconded by Supervisor Ben Johnson, the following resolution was,

ADOPTED AYES 5 NAYS 0

RESOLVED to Appoint Tammy Cutler as 1st Deputy ACO and Crystal Weston as 2nd Deputy ACO effective January 1, 2024.

6 PUBLIC COMMENT

The following from the public made comments:

1. Jill Fruchter - Friends of the Flats
2. Councilman Kevin McDonough - "Friends of the Flats"
3. Councilwoman Cass Collins had questions regarding who could be a member of "Friends of the Flats"

7 CLOSING ITEMS

7.1 Board Comment

Councilman Kevin McDonough re: Bernie Creamer

Councilwoman Cass Collins re: acknowledge Bernie Craemer, founding member of Ambulance Corp.

7.2 Adjournment

With no further business to be had, the meeting recessed at 7:15pm on motion of Councilman Kevin McDonough seconded by Councilman Bruce Gettel

Respectfully Submitted,

Crystal Weston, Town Clerk

Leigh Delaney, Deputy Town Clerk