



Tusten Town Board

Regular Meeting Minutes

March 12, 2024

6:30PM

Tusten Town Community Hall & Zoom (890 1678 4280)

PRESENT

Supervisor Bernard Johnson
Councilwoman Cass Collins
Councilman Bruce Gettel
Councilman Kevin McDonough
Deputy Supervisor Jane Luchsinger

ABSENT

Councilman Greg Triggs

OTHERS PRESENT

Crystal Weston, Town Clerk; Leigh Delaney, Deputy Town Clerk; Ken Klein, Attorney to the town; Kelly Agar, Bookkeeper; Jocelyn Strumpfner, Code Clerk; Peg Harrison, Acting Assessor; Ken Baim, Clerk; Approximately 10 members from the public in person and 12 on Zoom.

1 OPENING ITEMS

1.1 Call Meeting to Order

Supervisor Johnson called the meeting to order at 6:40pm

1.2 Pledge of allegiance

Supervisor Johnson led the pledge

1.3 Presentation

Buck Moorhead, Architect & Remy Moorhead, project manager gave a presentation regarding the spatial needs of the Tusten Town Hall based off the Spatial Needs Assessment they recently completed.

"Conclusion

This Spatial Needs Assessment asserts that the existing Town Hall Building at 210 Bridge Street cannot reasonably serve the immediate needs of the Town of Tusten's Town Hall constituents, on a square footage basis - assuming that all Town Hall department programs are to be served by the same building. The 'Proposed Renovation' on P5 of this document, attempts to make best-use of the provided space available, but is ultimately insufficient from an Accessibility standpoint, does not meet program requirements for common areas, and does not provide for future expansion. The 'Proposed Expansion' presented on P6, explores an addition at the street-side of the building, which would better serve the project program, providing for increased Accessibility, more robust common areas, and provision for moderate department growth. Note that both of these options accommodate a minimum of 70 people for Town Hall meetings, and provide an on-site office for the Water Sewer department, which currently works off-site in hazardous conditions; but neither of these options adequately address the

equipment storage and workshop needs of the Water Sewer department, which requires outbuilding(s) that may or may not be possible to accommodate on the current property.”

EXISTING PLAN INADEQUACIES / OPPORTUNITIES

1. OVERSIZED COMMERCIAL KITCHEN; CONSIDER MORE EFFICIENT USE OF SPACE WITH CONVERSION TO NON-COMMERCIAL "KITCHENETTE".
2. COURT AND TOWN CLERK RECORDS ROOMS ARE UNDERSIZED AND AT SEVERE RISK OF WATER DAMAGE IN EXISTING LOCATION.
3. TOWN HALL MEETING AREA CAN BE REDUCED TO ACCOMMODATE 70 PEOPLE; MEETINGS THAT EXCEED 70 PEOPLE IN SIZE TO BE HELD OFF-SITE AT ALTERNATIVE LOCATION (I.E. UNION).
4. PRIVATE/SECURE ENTRANCE REQUIRED FOR COURT OFFICIALS AT GROUND FLOOR.
5. INADEQUATE PRIVACY, SOUND SEPARATION, AND STORAGE AT 1ST & 2ND FLOOR OFFICE SPACES.
6. ADA BATHROOM SHOULD BE PROVIDED AT 1ST FLOOR AND 2ND FLOOR.
7. ELEVATOR ACCESS NOT PROVIDED BETWEEN FLOORS.

PROPOSED PLAN PROVISIONS

1. TOWN HALL SEATS 80, AS SHOWN.
2. (1) ADDITIONAL BATHROOM AT GROUND FLR TO MEET # OF FIXTURES REQUIRED FOR 70-PERSON OCCUPANCY GROUP A-3 + BUSINESS GROUP OCCUPANCY <25 PPL.
3. SMALLER KITCHEN AT GROUND FLOOR
4. **COURT**
 - PRIVATE ENTRANCE
 - PRIVATE MEETING ROOM
 - INTERIOR RECORDS ROOM
 - SUPPLY CLOSET
 - PROXIMITY TO BUILDING DEPT
5. **BUILDING DEPT / ZONING / PLANNING**
 - REVIEW TABLE
 - SUPPLY CLOSET
6. COMMON CLOSET SPACE (INCL. A/V EQMT)
7. WAITING AREAS AT ALL FLOORS.
8. TOWN CLERK RECORDS ROOM RELOCATED.
9. BREAK ROOM AT 2ND FLOOR

PROPOSED PLAN INADEQUACIES

1. ADA BATHROOM NOT PROVIDED AT 1ST OR 2ND FLOOR
2. ELEVATOR NOT PROVIDED BETWEEN FLOORS
3. LITTLE-TO-NO ROOM FOR FUTURE DEPT GROWTH.
4. LOCKERS AND PROVISION OF LARGE TOOL/EQUIPMENT STORAGE NOT PROVIDED FOR WATER SEWER DEPT.
5. TOWN CLERK RECORDS ROOM REMAINS VULNERABLE TO WATER DAMAGE, IN PRESENT GROUND FLOOR LOCATION.

EXPANDED PLAN PROVISIONS

1. APPROX. 1,000 GSF EXPANSION (500 GSF @ 1ST FLR & 500 GSF @ 2ND FLR)
2. ADA BATHROOMS AT ALL FLOORS
3. ELEVATOR ACCESS BETWEEN ALL FLOORS (REQ'S SQUARE FOOTAGE FROM TUSTEN THEATER).
4. STORAGE CLOSETS PROVIDED FOR EACH DEPARTMENT
5. PRIVATE MEETING AREAS AND/OR SHARED CONFERENCE TABLES PROVIDED FOR ALL DEPARTMENTS
6. SHARED BREAK ROOM PROVIDED AT 2ND FL

EXPANDED PLAN INADEQUACIES

1. LARGE TOOL/EQUIPMENT STORAGE NOT PROVIDED FOR WATER SEWER DEPT; WILL REQUIRE OUTBUILDING, APPROX. 20' X 40'.
2. TOWN CLERK RECORDS ROOM REMAINS VULNERABLE TO WATER DAMAGE, IN PRESENT GROUND FLOOR LOCATION.
6. FUTURE EXPANSION NOT READILY AVAILABLE.

1.4 Payment of Bills

Tabled to the recessed meeting scheduled for Thursday March 15, 2024 at 11:15am

2 DIVISION REPORTS

2.1 Highway Dept. – Submitted by Highway Superintendent Don Neiger

- Used 763.2 gal of diesel fuel 755.2 gal was for highway and 8 was non highway use.

- Used 289.8 gal of gas 0 was highway and 289.8 was non highway use.
- Patched holes on dirt and paved roads.
- Removed trees in road way Brook, Swamp Pond, Camp rd and cut several on Hankins.
- Replaced pipe on Lake Ridge.
- Made sand salt mix for winter.
- Graded dirt on Mahl's Pond, Lake Ridge and Hankins Road.
- Out on snow removal several times in February
- Start to get summer equipment ready.

2.2 **Narrowsburg Water & Sewer District** - *Submitted by NWS Dept.*

February 2024

- Tested wells and sewer plant daily to ensure the drinking water and wastewater quality met federal and state standards. Made adjustments as needed.
- Completed monthly drinking water sampling, wastewater sampling, reporting for the DOH and DEC.
- Did water meter readings every Wednesday in the month of February and contacted home and building owners with unusually high water use to help them track leaking pipes or fixtures.
- Koberlein pumped-out and cleaned sludge from the dosing tanks at the sewer plant.
- Checked the entire water system for leaks (except areas with plastic lines) with help from New York Rural Water. Found a leak on Route 97 on a service line. When digging it up, the main was hit, due to a 45° elbow relocating the main away from where records show. Repaired main and service line with help from the Highway Dept. Put Route 97 and Cackletown on a boil water notice until 2 lab samples came back good. Boil water notice rescinded on the following Saturday.
- Replaced 3 bad radio head and one broken meter base.
- Flushed a dead-end hydrant after getting a call of discolored water. Got good chlorine at the hydrant.
- Cintas preformed the annual inspection on the fire extinguishers.
- Ordered and set up a backup pump for the sewer plant, in case the pumps or generator at the sewer plant stop working.
- Repaired potholes in the sewer plant driveway.
- Removed sludge from sand bed #3 and returned to service.
- Turned off sand bed #4 to start letting it drain so we can remove sludge.
- Turned off and removed sludge from sand bed #1.
- Submitted the annual DEC Water Withdraw report and DEC Flow Certification report.
- Looked into water and sewer lines/easement for a property on Route 97. Located water main.
- Finished the Annual Water Quality Report and e-mailed it to the Department of Health for review.
- Got both trucks serviced.
- Cleaned and organized the truck utility body, shop, and office.
- Looked into pricing on a new John Deere tractor and a mini excavator/trailer.
- We had Water Leak Dog Detectives, a new company in the area who specialize in finding water leaks with a dog, come check a few of the plastic lines. The dog found 3 possible areas that need further investigation.

FINANCIAL REPORT FOR		
February 2024		
Narrowsburg Water		
	\$	
Water Metered Rent	17,412.90	
	\$	
Service Charge	811.88	
	\$	
Water Penalty	410.23	
	TOTAL RECEIVED	\$ 18,635.01
Narrowsburg Sewer		
	\$	
Sewer Rent	119.90	
	\$	
Service Charge	50.00	
	\$	
Sewer Penalty	-	
	TOTAL RECEIVED	\$ 169.90
	GRAND TOTAL	\$ 18,804.91

2.3 Building Department/ Code Enforcement - Submitted by Building Dept.

Town of Tusten Building Inspector's Report
FEBRUARY 2024 Monthly Report

Construction Inspections – 12	Complaint/Violation Inspections – 0
Fire & Safety Inspections – 0	Certificate of Compliance Issued – 7
Certificate of Occupancy Issued – 1	

Total Permits Issued – 12	
New Homes – 0	Accessory Building/Garage – 0
Renovation/Alteration/Addition – 2	Camping - 0
Chimney/Fuel – 0	
Acc Bldg Comm – 0	New Comm Const – 0
Ren/Alt/Addition – Comm Const – 3	
Deck – 0	Commercial Deck - 0
Demolition Permit – 1	Driveway Permit – 0
Electrical – 3	Logging Permits – 0
Mechanical – 0	
Plumbing – 0	Pool/Hot Tub – 0
Roof Replacement – 1	Roof Structure - 0
Septic Permits – 1	Sidewalk - 0
Sign Permit – 0	Solar Permit – 0
Well – 1	

Permit Renewals - 0	
Flood Plain Permit – 0	

Abstracts/Violation Search – 9

Dangerous and Unsafe Building – 0

Complaints Received – 0

Violations Issued – 0

Previous Violations Closed/Corrected – 0

Complaints Closed – 0

Violations Corrected – 0

Stop Work – 0

Monies collected by this office from February 1, 2024 to February 29, 2024 are \$4,128.00
Filed NYS 1203 Report with Dept. of State; Filed US Census Report

2.4 **Assessor Submitted** - *by Acting Assessor Peg Harrison*

Assessor's report for March 2024

Ken and I attended the Sullivan County Assessor's meeting held in Jeffersonville. Contact with other assessors and listening to their concerns and situations was very informative.

The deeds, address changes and bank codes were updated for months January and February.

Approximately 180 files are being used in the Department of Taxation full value measurement and we have received the report which is still being discussed. We are asking for a valuation to be increased by 5% in an effort to retain the equalization rate above 27%.

I completed another course, a zoom conference on "Back to Basics."

We have received the renewals on the Forest, Agric, Non-Profit and Enhanced Senior Star exemptions.

It remains the practice of this office to print out prior year reports on these exemptions and to follow up with those owners who may not have submitted near the deadline of March 1st. This ensures, especially for the Seniors, the exemptions remain in place if for any reason the renewals were overlooked by the individuals.

We received two new exemptions, one for forest and one for Enhanced Senior Star.

At least for the two months of 2024, having office hours from 6-8p on the first Thursday evening of the month seems to be convenient for most local property owners. My routine has been to be in the office every Thursday from 4p on, allowing me to volunteer at the food pantry when needed.

March begins the review of the assessed values on all construction projects that have begun, in-process or finished since last March.

Respectfully submitted,
Peg Harrison
Acting Assessor

2.5 **Upper Delaware Council** -*by Submitted by Evan Padua*

- The Delaware River Basin Commission will be holding a public meeting in Tusten on June 5th. This meeting will be open to the public, with more details to come.
- Next month's UDC April 4th meeting presenter will be a local Wayne County resident who is now the President of the Pennsylvania Fish and Boat Commission, Public welcome.
- UDC's recommendation of Substantial Conformance for the Pavilion on the flats, will be sent to the NPS for final determination.
- Town of Tusten can apply for the UDC's 2024 shoreline Clean up Grants program, this is separate from the Litter sweep.

2.6 Tusten Energy Committee

- Continue to work with NYPA re: Street light updates/outings and any additional issues that come up

2.7 Conservation Advisory Council

- On hold

2.8 Water & Sewer Committee -Submitted by Kevin McDonough

Letters explaining rate increases to Sewer Only customers would be mailed on Monday March 11.

Dave gave us Delaware Engineering's (DE) plans for the Water Tower and explained that the lack of an easement would require running a line up School Street, an unanticipated undertaking.

Despite DE's best efforts to move things forward, the plans are currently with the State Dept. of Transportation for approval before being sent to the Department of Health. The process is not as far along as we had believed. It was suggested that should we find ourself in April and matters still seemed stalled that a phone call and or letter to Assemblywoman Gunther might expedite things.

Craig had expressed interest in a new tractor. At the last meeting it was suggested that he look into an excavator. Quotes for that came in high and its use would require both the additional expense of a trailer and a new level of licensing for the driver. And the department's truck is not big enough to tow it. So Craig will pursue formal quotes on a tractor.

Dave has not received quotes for a pole barn to replace dilapidated structure on the flats. He will pursue the less expensive option of obtaining a shipping container that can be painted to blend in with the environment.

Two items were discussed that might impact the budget.

Forever Chemicals in YR 2026 with an est. annual cost of \$6000

Need to change the next regularly scheduled meeting from April 1 to April 8, 20224 at 9 AM

2.9 Building Committee

- In progress, no updates

2.10 Grants – submitted by Deputy Supervisor Jane Luchsinger

- Sullivan 180 Technical Assistance Grant is complete - Buck Moorehead Architect, Town of Tusten Spatial needs Assessment
- Little Lake Erie Culvert Complete
- National Fish & Wildlife Grant – mgm engineers we never received any contract so we may need to put out a new RFP, an extension may be needed and NFWLG is aware of that.
- Water Tower – Del Eng.
- UDC mid term report has been submitted.

2.11 Tusten Youth Commission - Submitted by TYC & presented by Kelly Agar TYC Treasurer

- Submitted for 6 program grants through the Sullivan County Youth Bureau
 1. Tusten Recreation
 2. Unplugged
 3. Summer Art & Garden Club
 4. Winter Fun
 5. Holiday Celebrations
 6. Museum / History & Cultural Experiences

- Upcoming Easter Egg Hunt on Sunday March 24, 2024 from 1 – 3 pm at the playground
- Continuing the Youth Club on Mondays & Tuesdays in partnership with Tusten Social & The Tusten Branch of the Western Sullivan Library
- Trex Plastic in partnership with Tusten Social, lead by Greta Knutzen with assistance from former Councilwoman Jill Padua

2.12 Parks & Public Spaces – Submitted by Greg Triggs & presented via zoom

*Meetings are the First Monday of the Month at 5pm

- Status of pavilion – bids due by May meeting, June latest, depending on publication date in papers.
 - size, 24X30, 720 sq feet
 - located near swing area if the pavilion moves forward
- First draft of maintenance & booking policies
 - Committee to review & provide feedback next meeting.
- Mowing plan status - status update from Ben, in time for the April meeting
- Dedication of the basketball area, says online it was originally planned as a tribute to Bruce Denny - discussion.
 - July 8, 1951 to January 21, 1973
 - His full name was Arthur Bruce Denny
 - He was a senior at Gettysburg College
 - 1969 (based on his birthday) graduate of the town HS
 - His parents were Helen F. Fordham Denny, passed in 2005 and John Denny, passed in 1976
 - They owned the Chevy dealership where the fire department building now sits
 - They lived on Irish Hill
 - The dedication was discussed before any of the current board was elected
 - It appears that his HS class donated the money that paid for the original asphalt
 - Jane will research via Historical Society and report back next meeting
 - Mike suggests stenciling for dedication. Current trend in arenas, facilities.
- Basketball court, rules of conduct - should something be posted
 - First Draft for the next meeting. To be written by Greg.
- MG Park Signage, needs to be updated
 - Inventory next meeting. To be written by Greg.
- Committee name – discussion
 - Parks & Public Spaces
- Public Comment
 - Anthony, regarding cost of bathrooms, currently not designed. Why?

- Naomi, hoping pavilion is not approved without knowing the cost of the bathrooms. Would bathrooms being closed for the winter mean the pavilion would also have to close seasonally? Please include recycling containers in the MG Park trash can plan as it moves forward.
- Mike, discussion of soccer pitch, asked how many pavilions are in Tusten.
- Anthony & Mike raised concerns about staffing the maintenance plan.
- Crystal, volleyball grant will not move forward due to bid timing. Also, park rules & regs should take bicycles, scooters and skateboards into consideration
- Board Comment/Updates
 - Design did go out to bid last year. No bids were received.
 - Beautification Representative will be invited to next meeting.
 - Ben to talk with highway department about reseeding and leveling out trenches near the new mound and removed workout equipment and garden area.
- Adjourn
 - NEXT MEETING – Monday, April 1, 5pm

3 **PUBLIC COMMENT**

Members of the public were offered the opportunity to be heard, all comments are to be directed at the Town Board. Video & audio of the meeting in its entirety is available at the town website.

- Star Hesse re: Previous meeting questions, NYSEG street lights, NYPA contract, public bathroom needs on/near main street.
- Mike Farrel re: Park Meeting went well and gave a list of to do's; Public Space issues.

4 **OLD BUSINESS**

4.1 **Park Pavilion**

- Code has reviewed the plans and has a few questions and adjustments that are needed prior to putting it out.
- Request for bids should be out prior to the next regular meeting.
- A Floodplain cert (Certificate of elevation) is needed.

5 **NEW BUSINESS**

5.1 **Litter Pluck Opportunities**

- **Litter Pluck April 1 thru Oct 31.** Litter plucked from Sullivan County Roads and Public Trails accepted **"FREE"** at County operated Transfer Stations **with Coupon Tickets** which are available at your Town Clerks Office! *More info on our website!
- Litter Pluck April **20, 2024** with the Narrowsburg Beautification

Litter Leader 2024: Brandon Kent

RESOLUTION # 39-2024

LITTER PLUCK 2024

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

ADOPTED 4 AYES 0 NAYS 1 ABSENT

RESOLVED the Town Board motion to authorize the Narrowsburg Beautification Group to host a Litter Pluck on Saturday April 20, 2024 sponsored by the Upper Delaware Council from 10:00 am – 2:00 pm. The Town of Tusten hereby agrees to supply a truck for the litter.

5.2 Spring Clean Up

Tusten has been allocated 25 tons. Spring Clean up needs to be set April 15 – May 15 and Fall Clean up Sept 15 – Oct 15

RESOLUTION # 40-2024

SPRING CLEAN UP

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

ADOPTED 4 AYES 0 NAYS 1 ABSENT

RESOLVED the Town Board authorized the Supervisor to sign the Municipal Cleanup Agreement with Sullivan County Dept of Solid Water and Recycling for the Spring & Fall Cleanup on behalf of the Tusten Town Board.

RESOLUTION # 41-2024

SPRING CLEAN UP 2024

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

ADOPTED 4 AYES 0 NAYS 1 ABSENT

RESOLVED that the Town Board set Spring Clean Up for Saturday April 20, 2024 9AM-2PM

5.3 Highway

- Excavator

RESOLUTION # 42-2024

PURCHASE HIGHWAY KUBOTA EXCAVATOR

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

ADOPTED 4 AYES 0 NAYS 1 ABSENT

RESLOVED that the Town Board authorize the purchase of a Kubota Excavator in the amount of \$116,000.00 from Marshal Machinery

*Kubota is on a State Bid

- Sand & Stone

RESOLUTION # 43-2024

ADVERTISE FOR HIGHWAY SAND & STONE

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

ADOPTED 4 AYES 0 NAYS 1 ABSENT

RESOLVED that the Town board advertise request for bids for Highway Sand & Stone

Anti-Skid Sand Bid

Notice is hereby given that the Town of Tusten will receive **SEALED** bids on **anti-skid sand**. Specifications for stone bids are available at the Town Clerk's office on Monday thru Friday 9:00AM to 3:00 PM. Said bids shall be **RECEIVED** by the Office of the Town Clerk, 210 Bridge Street, P.O. Box 195, Narrowsburg NY 12764 clearly marked "**ANTI-SKID SAND BID**" no later than 3:00 PM on Tuesday, April 9, 2024. Bids will be publicly opened and read aloud on Tuesday at the Regular scheduled Town of Tusten Board Meeting on Tuesday, April 9, 2024 at 6:30 PM or soon thereafter. The Town Board and Superintendent of Highways reserve the right to reject any and all bids and to waive any irregularities in the bidding and to re-advertise for new bids. Assurance of Equal Opportunity and Non-Collusion certificates required.

Stone Bid

Notice is hereby given that the Town of Tusten will receive **SEALED** bids on **stone**. Specifications for stone bids are available at the Town Clerk's office on Monday thru Friday 9:00AM to 3:00 PM. Said bids shall be **RECEIVED** by the Office of the Town Clerk, 210 Bridge Street, P.O. Box 195, Narrowsburg NY 12764 clearly marked "**STONE BID**" no later than 3:00 PM on Tuesday, April 9, 2024. Bids will be publicly opened and read aloud on Tuesday at the Town Board Regular scheduled Town of Tusten Board Meeting on Tuesday, April 9, 2024 at 6:30 PM or soon thereafter. The Town Board and Superintendent of Highways reserve the right to reject any and all bids and to waive any irregularities in the bidding and to re-advertise for new bids. Assurance of Equal Opportunity and Non-Collusion certificates required.

5.4 Recessed Meeting

Discussion to recess for payment of bills

5.5 NWS Committee Meeting

Committee Meeting for the Month of April will be held April 8, 2024

5.6 Board of Assessment Review

RESOLUTION # 44-2024

BAR APPOINTMENT

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

ADOPTED 4 AYES 0 NAYS 1 ABSENT

RESOLVED the Town Board appoint Kenneth Baim to the Board of Assessment review to replace Karen Valenti with an unexpired term ending September 2027

5.7 UDC

RESOLUTION # 45-2024

UDC ALTERNATE APPOINTMENT

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

ADOPTED 4 AYES 0 NAYS 1 ABSENT

RESOLVED that Cathleen Breen be hereby appointed to as the Tusten UDC Alternate Representative effective immediately

5.8 **EDDM**

RESOLUTION # 46-2024

EDDM SPRING FLYER

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

ADOPTED 4 AYES 0 NAYS 1 ABSENT

RESOLVED that the Town Board authorize and direct the Town Clerk to prepare and send out the Spring Flyer EDDM to include Clean up day

With no further business / comments to be had the Town Board passed the following resolution

RESOLUTION # 47-2024

SET RECESSED MEETING

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

ADOPTED 4 AYES 0 NAYS 1 ABSENT

RESOLVED that the Town Board hereby recess the meeting to Thursday April 15, 2024 at 11:15 am for the purpose of paying bills.

Respectively Submitted,
Crystal Weston, Town Clerk