

**LUMBERLAND TOWN BOARD 2011 REORGANIZATIONAL MEETING**  
**JANUARY 5, 2011**

The Town Board of the Town of Lumberland held a 2011 Re-Organizational Meeting on Wednesday, January 5, 2011, at 7 p.m., at the Town Hall in Glen Spey, N.Y. Supervisor Nadia Rajsz opened the meeting at 7:04 p.m., followed by the Pledge of Allegiance.

The Town Board met prior to the opening of the Re-Organizational Meeting in an emergency Executive Session at 6 p.m. to discuss pending litigation with Attorney Danielle Jose-Decker. The Town Board closed their emergency Executive Session at 6:40 p.m.

Roll Call was administered to those members present:

Supervisor Nadia Rajsz  
Councilman/Deputy Supervisor Joseph Carr  
Councilman Jay Shafer  
Councilman James Akt  
Councilman William J. McKerrell

Also present were Town Clerk Virginia Horn, Historian Frank Schwarz, Sophia Martynec, Lewis Powell, Martha Tully, Caroline Akt, Peter Comstock and Attorney Danielle Jose-Decker.

Supervisor Rajsz introduced Attorney Danielle Jose-Decker as the new Town Attorney. Jose-Decker noted that she, and her partner Jacqueline Ricciani will be representing the Town of Lumberland.

**PRE-FILED RESOLUTIONS**

- 1.- Appointments
- 2.- Salaries
- 3.- Attorney for the Town
- 4.- Depository
- 5.- Mileage
- 6.- Regular Monthly Meetings
- 7.- Supervisor - Fiscal Authority
- 8.- Investment Policy
- 9.- Procurement Policies & Procedures
- 10.- UDC Representative
- 11.- Planning Board Compensation
- 12.- Planning Board Attorney
- 13.- Zoning Board of Appeals Compensation
- 14.- Zoning Board of Appeals Attorney

- 15.- Official Radio Stations
- 16.- Official Town Newspapers
- 17.- Association of Towns 2010 Dues
- 18.- School - Assessor
- 19.- School - Code Enforcement
- 20.- School - Town Clerk
- 21.- School - Highway Superintendent
- 22.- Highway Superintendent Conference
- 23.- Mutual Aid Assistance – Constables
- 24.- Planning Board Member Appointment – Plunz
- 25.- Zoning Board of Appeals Member Re-Appointment – Powell
- 26.- Town Board Meeting Designee
- 27.- Association of Towns Delegates - 2011
- 28.- Supervisor Training School
- 29.- Planning Board Alternate Members Appts. –Tully & Grimm
- 30.- Establish Capital Reserve Fund – Fire Dept. Radios
- 31.- Feasibility Study Grant – Keystone Associates
- 32.- Byways River Corridor Signage

Supervisor Rajsz reported that our 2010 Town Attorney, John Kelly, will still be doing traffic court for the Town, along with his associate.

Supervisor Rajsz reported that under her appointments she has created an Advisory Board for gas drilling, with Peter Comstock as Chairman and Martha Tully as Secretary. Supervisor Rajsz noted the purpose of this board would be to work along with the Town of Highland's Advisory Board and make recommendations on gas drilling issues. Supervisor Rajsz reported that there is a meeting set in February with the attorney groups for gas drilling. Peter Comstock noted the meeting is set for February 19<sup>th</sup> and open to the Planning and Zoning Boards.

Supervisor Rajsz questioned if the ZBA still had an opening on their Board? ZBA Chairman Lewis Powell reported they have advertised for the position but have not had anyone respond.

Councilman Carr reported that Helen Godfrey who is the representative from the Senior Advisory Board with the nutrition site is temporarily in Arizona getting medical treatment. Councilman Shafer recommended keeping Godfrey for the appointment until the Town Board is told otherwise.

Supervisor Rajsz reported Resolution #3 for Town Attorney needed to be amended to include a \$200 an hour rate for the Attorney.

Supervisor Rajszyk reported that the Town Board Workshop Meeting scheduled for Monday, January 10<sup>th</sup> has been canceled and the Town Board will hold an Open Meeting on Tuesday, January 11<sup>th</sup> with the Planning and Zoning Boards to discuss gas drilling issues. The Town Clerk questioned if the Planning and Zoning Board members had been notified of the meeting? Lewis Powell reported the clerk for both Boards either emailed or called all the members of both Boards.

Supervisor Rajszyk reported she amended the Procurement Policies and Procedures Resolution. The Board members reviewed the changes and agreed to table this Resolution until they could further review the changes. Supervisor Rajszyk noted she made the changes as per the Comptroller's Office recommendations, noting she added emergency and professional purchases to the resolution.

Supervisor Rajszyk reported that the UDC is funded by the Parks Service and the Towns are reimbursed for their attendance at the monthly meetings.

Supervisor Rajszyk questioned if the Planning Board was only meeting once a month? Councilman Shafer explained that the Planning Board meets the first Tuesday of each month and if they need a second meeting they would meet again the second Tuesday.

Supervisor Rajszyk reported that the new New York State Governor's speech today emphasized the consolidation of services, noting there is a push on consolidating the Constables and the Highway Depts. Councilman Akt noted that the Town of Highland has been approached before and they did not want to consider it.

Supervisor Rajszyk reported she had a number of Resolutions that the Association of Towns will be voting on in February at their annual meeting, noting anyone wishing a copy of these resolutions should contact her.

Supervisor Rajszyk introduced Martha Tully who is a paralegal and will be the new alternate member of the Planning Board.

Lewis Powell questioned if it was legal to put money aside for the Fire Dept, since they are in contract with the Town? The Town Attorney reported she would have to look at the contract. Supervisor Rajszyk stated that the radio situation with the Fire Dept. is dire. Powell stated he would like to know if it is legal to set aside the money and questioned why the public can't get a copy of the Fire Dept.'s budget to show the people what funds they raise and what they spend their money on. The Town Attorney suggested tabling the Resolution establishing a Reserve Fund for the Fire Dept. radios until she can review the paperwork. Supervisor Rajszyk verified that the funds would be coming from the fund balance from 2010.

## **OPEN FLOOR TO PUBLIC**

Peter Comstock reported the Town of Highland put their Advisory Board for gas drilling in place last night, noting they will set up a meeting with the Town of Lumberland and the Town of Highland Advisory Boards to set goals and the purpose of the Advisory Boards. Supervisor Rajszt stated we need to be more proactive about the gas drilling process. Supervisor Rajszt also suggested that someone from the emergency services be on the Advisory Board. Comstock noted that Public Health was not considered. Comstock also noted that Governor Cuomo is appointing a new head of the DEC and has picked someone that has had experience with drilling. Comstock noted it is a good choice and we will be in good hands.

Frank Schwarz reported that with the approval of Resolution #31 the company doing the feasibility study should be aware that they need to do an interim report in February.

Frank Schwarz stated it will be hard to decide where to put the signage the Upper Delaware Scenic Byways wants to give the Town. Supervisor Rajszt noted the Town will choose where to put the sign.

Sophia Martynec reported that, with the new tax bills, everyone is questioning why the waste disposal fee went up, especially for the senior citizens. Martynec questioned if there was anything the Town or the Supervisor could do? Supervisor Rajszt reported there is a disconnect with the County and that the County is not doing anything and not communicating even amongst themselves. Supervisor Rajszt noted the legislators did not listen to the recommendations given them. Supervisor Rajszt reported she called the County Manager about the \$850 bill the Town got for the user fee and was told he would look into it. Martynec questioned if the committee to look into alternative county government was still active? Supervisor Rajszt noted they have not been active lately but are still out there. Supervisor Rajszt noted they had been looking into going back to a Board of Supervisors instead of the legislators.

The Town Clerk reported the Town Board needs to schedule their 2010 Departmental Book Auditing. The Board agreed to have the book audits from 6 p.m. to 7 p.m. on Tuesday, January 11<sup>th</sup> before their scheduled Open Meeting.

Councilman Carr made a motion to adjourn at 8:05 p.m., seconded by Councilman Akt, all in favor, so carried.

Respectfully Submitted,

Virginia V. Horn  
Town Clerk