

LUMBERLAND TOWN BOARD
PRE-APPROVED MEETING MINUTES
APRIL 13, 2011

The Town Board of the Town of Lumberland held a regular monthly meeting on Wednesday, April 13, 2011, at 7 p.m., at the Town Hall in Glen Spey, N.Y. Supervisor Nadia Rajsz opened the meeting at 7:02 p.m., followed by the Pledge of Allegiance.

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 was Absent

Supervisor Rajsz noted Councilman McKerrell was on vacation.

Also present were Town Clerk Virginia Horn, Tax Collector Phyllis Knapp, Melissa Worzel, Historian Frank Schwarz, Sophia Martynec, Susan & Mack Morley, Cathy Sterling, Sue Gregg, Chief Administrative Constable Patrick Cahill, Peter Comstock, LEC CoChairs Cheri Bodnaruik and Ann Danuff, Bohdan Kandiuk, Kaitlin Haas from the Sullivan County Democrat, David Leamon, ZBA Chair Lewis Powell, Joe & Susan Smith, Susan Weber, Helga Rupnick, Abbey Schlosser, Wayne King, Ana Colon, Terry Ward from the Sullivan County Chamber of Commerce, Sandy Long from the River Reporter, Caroline Akt, Town Attorney Danielle Jose-Decker, 2 representatives from the Kadampa Meditation Center and 2 unnamed residents.

Supervisor Rajsz reported she would like to turn the floor over to Terry Ward, President & CEO of the Sullivan County Chamber of Commerce to award Susan and Mack Morley their Pride Award from last year for their service to their community. Ward presented the Morleys with a plaque and several certificates from various officials. Ward noted she would like to recognize all the recipients from Sullivan County.

MINUTES

Councilman Carr made a motion to accept the Minutes of March 7, 2011 and the Minutes of March 9, 2011 as written, seconded by Councilman Akt, all in favor, so carried.

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CORRESPONDENCE

1. Monthly Reports:
 - a. Supervisor
 - b. Town Clerk
 - c. Buildings
 - d. Highway Superintendent
 - e. Constables
2. Sullivan County Historical Society Newsletter
3. UDC Correspondence
4. Comptroller's Newsletters
5. Sorensen bulletin
6. Grant Writer Updates
7. NPS Upper Delaware River Flood Report
8. New York Water Environment News
9. Sullivan County Advisory Board Mtg. Min. –Jan
10. Planning Board Mtg. Min. – Feb. & Mar.
11. ZBA Mtg. Min. –Feb.
12. Pattern for Progress Update
13. Sullivan County Legislature Resolution – Municipal Cleanup agreement
14. Upper Delaware Scenic Byways Mtg. Minutes & Agenda
15. DCO Annual Inspection Report results
16. Resignation letters-Board of Assessment Review
17. NYS Dept. of Health Inspection Report
18. Cultural Series Board Agenda

Supervisor Rajsz questioned Item #13 which was the resolution from the County for the municipal cleanup day? The Town Clerk verified that the Sullivan County Legislative resolution was the initial approval to hold a Spring Cleanup Day in the municipalities.

Supervisor Rajsz reported they had received a 3rd resignation letter from the Board of Assessment Review, noting that Martha Tully, Janice Toretta and Debbie Jennings have resigned from the BAR. Supervisor Rajsz noted that they now have 3 applicants for the 3 vacant positions.

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PRE-FILED RESOLUTIONS

- #56 – Assessor Certiorari Settlement – Wilsensky
- #57 - Assessor Certiorari Settlement – Levine & Skolnick
- #58 - 2011 Stone & Gravel Bid Advertisement
- #59 - Supervisor’s File Cabinet Purchase Approval
- #60 - Surplus Old Office Equipment
- #61 - Office Carpet Purchase Post –Approval
- #62 - Public Hearing Advertisement – Fire Dept. Contract
- #63 - Authorize Display of Town POW/MIA Flag
- #64 - Board of Assessment Review- Appt.
- #65 - Noise Permits – Brookwood Camp
- #66 - Town Cleanup Day
- #67 - Highway Equipment Purchase Approval – Chipper
- #68 - Cemetery Committee Appts.
- #69 - Support For NYS Main Street Grant Application

Supervisor Rajsz reported that the two Certiorari cases had been agreed upon and this was the final approval. The Town Clerk read the letter from the Attorney stating what the settlement amounts were.

Supervisor Rajsz reported that the Town Board had discussed purchasing carpet for the offices during budget time, noting that the flooring in the offices needed to be updated and enhanced. Supervisor Rajsz reported that the maintenance man had recommended putting carpet in the offices. Supervisor Rajsz stated that they had allocated \$50,000 from the Capital Reserve Funds to cover the cost of carpeting and addressing the issue of new roofs on the buildings. Supervisor Rajsz reported that the Museum room remodel has been completed.

Supervisor Rajsz reported that the contract with the Fire Dept. had been previously approved, however, some of the language needed to be amended and the Town Attorney had recommended holding a Public Hearing for the approval of the amended contract.

Supervisor Rajsz reported she was approached by a veteran from the VFW who wanted to include the Town of Lumberland in the VFW Post and requested we fly the POW/MIA flags at our facilities. Supervisor Rajsz noted we have a life scout that is working on an Eagle Scout project which will be to work on the memorial across from the Town Hall which will include the flags. Frank Schwarz noted he has the protocol on flag flying.

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Supervisor Rajsz requested that the Resolution for the BAR appointment be amended to read they received 3 resignations and have 3 appointments.

Supervisor Rajsz reported that Brookwood Camp has submitted their Noise Permits for their summer season for various times and activities. Councilman Carr reported that they have never had any problem with Brookwood Camp. Supervisor Rajsz noted that they do not have a problem with the camps that apply for Noise Permits, only those that do not apply.

Supervisor Rajsz reported she met with Sullivan County Planning Commissioner Luz Aragon and the other Townships regarding a grant that is available for anyone that would like to update their properties in the hamlets along the river corridor and receive 75% of the cost back. Supervisor Rajsz stated the County Planning Commissioner would apply for the grant monies to be available for anyone, including businesses, to apply for. Supervisor Rajsz noted that there is Street Scapes money available for lights and benching, noting that the Parks Committee is working on a project in Pond Eddy. Supervisor Rajsz read a letter of support she will be sending with the approved Resolution.

REPORTS OF BOARD MEMBERS

Councilman Shafer reported the MMTF will be meeting tomorrow night, noting that the lawyer working with the force had moved to Florida. Councilman Shafer noted they are working on phase 3.

Councilman Akt reported that the carpet in the Town Clerk's office is done. Councilman Akt Thanked the Constables and the Fire Dept. for their help at the gas drilling forum held at the MountainView Resort. Councilman Akt also Thanked Susan Webber and Joe Smith for their help with the Pond Eddy Park.

Supervisor Rajsz reported the UDC awards will be this coming Sunday and as Vice-Chair of the UDC she will be presiding over the ceremony. Supervisor Rajsz reported that Frank Schwarz will be receiving an award for the 25 years of providing world entertainment to the Town through the Cultural Series program, and that Lumberland Fire Dept. firefighters Ann Steimle and Bosco Hunt will be getting an award for their river rescue. Supervisor Rajsz noted that the gentleman they rescued on the river will be at the awards.

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Supervisor Rajsz reported that Joe & Rose Carr will be getting this year's Pride Award for all they have done for their community on May 1st in Hortonville, and that on May 9th there will be the RSVP Awards, where Nancy Murray from Lumberland will get an award for her service to the community.

Supervisor Rajsz reported that Ken Gay, from Keystones Associates, was present at the Monday night Workshop Meeting to present their concepts for the feasibility study for enlarging the Town Municipal offices. Supervisor Rajsz stated that this is just a study and nobody is building anything, it is just a concept as to what is possible, noting that the feasibility study was done through a grant.

Supervisor Rajsz reported she received a letter from MJS Engineering Firm notifying the Town that they would be willing to provide free training to Planning and Zoning Board members. The Town Board agreed to approve that 2 hours of any Planning and Zoning Board members that attended the joint gas drilling forum held in the Town of Highland would count towards the mandatory 4 hours training needed each year.

Supervisor Rajsz reported she received an email regarding the repair work being done to the Rio Dam bridge, noting that they will not close the road, however, only one lane would be open which may cause some delays. Supervisor Rajsz noted that this notice of the work will be posted in the Times/Herald Record newspaper. Supervisor Rajsz also reported she had been contacted about possible work that is needed to be done to Powerhouse Road.

Wayne King questioned when the Hawk's Nest road was going to be repaired? Supervisor Rajsz reported they will be working on it during the summer.

Supervisor Rajsz reported she received a letter from the State regarding CHIPS money that is used for road repairs, noting that according to the printout the monies the Town of Lumberland will receive will be increased by \$12 over last year's amount.

The Town Clerk Thanked the Town Board members for their approval on the new carpet in her office and the purchase of her new desks. The Town Clerk reported that the passes for Spring Cleanup Day would be available in her office starting tomorrow.

The Town Attorney reported she has been looking into the codification of Town Laws and that everything else is ongoing.

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Peter Comstock, Chairman of the Lumberland Advisory Committee for gas drilling issues and a member of the Lumberland Concerned Citizens Thanked the Constables for their work at the MountainView event for gas drilling issues, noting that the Fire Dept. personnel did the parking at the event. Comstock reported the Town of Highland passed a moratorium on gas drilling at their Town Board meeting last night to buy time so they can do a zoning rewrite. Comstock reported that the Town of Lumberland Zoning Rewrite Committee met with the attorneys regarding gas drilling issues last Friday and Saturday. Comstock praised the Zoning Rewrite Committee for all their hard work. Supervisor Rajsz reported that the community residents that have come together to protect the community is phenomenal, and Thanked Comstock and the Zoning Rewrite Committee for their work. Comstock noted that a recent rally against gas drilling in Albany was not as attended as they had hoped.

Zoning Rewrite Committee Chair Lewis Powell reported they still have a bit to do and hoped that, at the next Town Board meeting, that they will have a draft ready for a Public Hearing. Supervisor Rajsz requested they send the draft to the Town Attorney when it is available. Powell noted they have reviewed the liability to the Town.

Cemetery Committee Chair Lewis Powell requested the Town Attorney meet with him to discuss issues regarding the cemeteries.

ZBA Chair Lewis Powell reported the ZBA has been quiet.

Grant Writer Frank Schwarz reported they received grant monies in the amount of \$3,000 plus for the restoration of the pavilion posts. Schwarz reported he has submitted a grant for the parks. Schwarz reported they have received a grant for signage along the Scenic Byways on Rt. 97, noting the signs would be placed in Pond Eddy directing people to where the points of interest are in the Town of Lumberland. Schwarz noted that he has spoken to Susan Webber and the Code Enforcement Officer regarding the placement of such signage, noting they are also going to be placing a plaque at the picnic area on Rt. 97. Schwarz reported he hopes to have a resolution drawn up for approval of the project for the May Town Board meeting.

Historian/Museum Director Frank Schwarz reported that he got new draperies in the Museum, noting that Linda McKerrell made the drapes and he has written a Thank You for her work. Schwarz reported there will be a Heritage Day on May 1st with an open house for the Museum, with exhibits from 1:30 p.m. to 3:30 p.m., with a free piano concert at 4 p.m.

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followed by refreshments. Supervisor Rajszyk reported they will be getting a Renaissance grant tomorrow for \$9,000 for a feasibility study for potential businesses in the Town.

LEC Co-Chair Ann Danuff reported April 17th is Earth Day all day at the pavilion, noting they have several events planned. Danuff reported there will be a LEC Litter Pluck on April 30th from 9 a.m. to 1 p.m. which will be based at the Town pavilion. Danuff noted there will be an electronic recycling day on June 3rd for businesses and June 4th for everyone else, noting the cost is \$15 per carload. Danuff noted their water testing is being done.

Board of Assessment Review Chair Ann Danuff reported she is happy to see they will have new members on the Board for Grievance Day.

LEC Co-Chair Cheri Bodnaruk reported that on Earth Day there will be several local people and groups in attendance, with the NPS, Kadampa Meditation Center, the 4Hers, elementary school students, and Bill Cutler from Sullivan County who will discuss recycling. Bodnaruk noted there will be a table about solar energy if anyone is interested and the Fire Dept. will also be present. Bodnaruk reported that the Litter Pluck on April 30th will have the "Fill My Pickup" contest again this year, with plaques given out as awards. Bodnaruk reported they have worked on the brochure for the Japanese Knotweed invasive plant and there will be a seminar held on April 30th from 4-5 p.m. and from 7 – 8:30 p.m. at the Tusten Town Hall in Narrowsburg with a panel of 5 for questions and answers. Bodnaruk noted they will have water testing kits for anyone to view at Earth Day and that the LEC is continuing their Environmental Education Series.

LEC Co-Chair Cheri Bodnaruk reported that there will be an E-Scrap Day which is a good way for people to get rid of their electronics safely, noting that the 4H gets some of the monies collected. Bodnaruk noted the 4H made \$1,200 last year.

Susan Webber reported that the Waterfront Revitalization Program is the same as what they have done in Newburg, N.Y., noting that the funding is 50/50. Webber reported that the group formed is in the planning stage of what to do along the river corridor, noting they are looking at signage first. Webber reported the program is to see what you want the river corridor to look like in 20 years, noting this is from Port Jervis to Hancock. Supervisor Rajszyk reported that she, along with Webber, are on the steering committee for the program. Supervisor Rajszyk stated she would like to see the corner of Rt.97 and Ct. Rt. 31 spruced up because it is the entrance to Sullivan County.

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Chief Constable Patrick Cahill reported on his monthly activity and on the Dog Control Officer's monthly report.

Tax Collector Phyllis Knapp Thanked her Deputy, Heather Worzel, for finishing up the tax season paperwork while Knapp was in the hospital.

OPEN FLOOR TO PUBLIC

Susan Morley reported there will be an AARP Defensive Driving course held, noting that anyone can call her and she will notify Chester Sparling from the Senior Club.

Susan Gregg questioned if the Mohican Lake Road was going to be repaved? The Town Clerk reported that it is one of the roads slated for work this year. Gregg stated that the second trail in Mohican Lake needs work too.

A representative from Kadampa Meditation Center reported they have been recognized by New York State as a tourist attraction and they will need permission to put signs up directing people to their location, noting they are waiting for permission from Port Jervis to put signs there.

Anna Colon requested the Board let the Highway Superintendent know that Decker Road is falling off. Susan Morley stated that Minisink and Deer Trail also needs work.

Supervisor Rajsz noted the Special Announcements.

Supervisor Rajsz reported she has received two resignations from members of the Parks Committee, noting if anyone is interested in being on the committee please send your letter to the Town Clerk.

ABSTRACTS

Councilman Carr made a motion to accept Abstract #4, 2011, with General Fund Claims A11 #161 through #226, in the amount of \$27,661.23, and General Fund Prepaid Claims in the amount of \$184,662.22, and Highway Fund Claims #H11 #162 through #235, in the amount of \$54,316.08, with the total of Abstract #4, 2011 of \$226,639.53, seconded by Councilman Shafer, all in favor, so carried.

(9) April 13, 2011

EXECUTIVE SESSION

Councilman Akt made a motion to close the meeting and go into Executive Session to discuss pending litigation and personnel with the Town Attorney, at 8:31 p.m., seconded by Councilman Carr, all in favor, so carried.

Councilman Akt made a motion to close the Executive Session and reopen the regular meeting at 9:18 p.m., seconded by Councilman Carr, all in favor, so carried.

Councilman Akt made a motion to adjourn at 9:18 p.m., seconded by Councilman Shafer, all in favor, so carried.

Respectfully Submitted,

Virginia V. Horn
Town Clerk