

LUMBERLAND TOWN BOARD MEETING MINUTES
DECEMBER 12, 2012

The Lumberland Town Board held a monthly meeting on Wednesday, December 12, 2012, at 7 p.m., at the Town Hall in Glen Spey, N.Y. Supervisor Nadia Rajsz opened the meeting at 7 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 James Akt
Councilman Ron Thiele

Also present were Town Clerk Virginia Horn, Deputy Town Clerk Hedwig Brush, Chief Constable Patrick Cahill, David Leamon, Sullivan County Legislature Clerk AnnMarie Martin, Chris Halverson, Pamela Bucksbee, Irmgard & Richard Hotzler, Cathy Sterling, Susan Gregg, Deanna Rajsz, Sullivan County Legislator Kathy LaBuda, Sullivan County Manager David Fanslau, Herb Baxter, Sophia Martynec, Bookkeeper Susan Wade, Linda Shafer, George Fountain, Helga Rupnick, Highway Superintendent Don Hunt, Jr., Caroline Akt, Town Attorney Danielle Jose-Decker, ZBA Chair Lewis Powell, Bohdan Kandiuk, Mamakating Supervisor Harold Baird, Josh Santora & son, Kaitlin Haas from the Sullivan County Democrat, Kelsang Zangmo & Kelsang Lhachay from the Kadampa Meditation Center, and Jeff & Jennifer Clune.

Supervisor Rajsz reported that first on the Agenda was to have the County Officials present talk about the 2013 Tentative Budget. Supervisor Rajsz introduced Sullivan County Legislator Kathy LaBuda and Sullivan County Manager David Fanslau. Legislator LaBuda passed out information on the proposed 2013 County Budget and Fanslau went through the proposed Budget and it's process. Fanslau explained the different agencies and the different appropriations for each agency. Fanslau noted that they are still working on the Budget and trying to cut the proposed 13.77% increase that was recently posted. Fanslau stated that they are all impacted by the tax exempt properties. Supervisor Rajsz reported that there have been resolutions passed and this issue was addressed at the Association of Towns conference this last year. Supervisor Rajsz stated that the County needs to address this issue on the County level. Fanslau reported that tax exemption reform was passed in the Senate but not in the Assembly, noting they need to get both to pass it and for the Governor to sign the bill. Councilman Carr noted that 8 years ago there was a task force formed to address the tax exemption reform. Fanslau stated that each resident needs to send a letter to the Assembly and to the Senate requesting the reform. Fanslau reported on the State mandates that they have to adhere to which means they need to make cuts elsewhere.

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Fanslau stated that the property tax increase will not be the projected 13% and that they are trying to make further cuts to bring that increase down. Fanslau noted that their budget needs to be approved by midnight on December 20th.

Supervisor Rajsz reported that the Youth Program budget has been cut to \$208,000.00 and questioned how much of that goes to salaries? Fanslau reported that \$78,000 of that goes to salaries. Supervisor Rajsz stated she felt more funds were being appropriated to the Girls & Boys Clubs and felt funds should be evenly distributed among all the youth groups. Fanslau noted that most of the seniors programs are funded through grants. Supervisor Rajsz reported that there is the issue of college tuition charge backs with monies that should be going to Sullivan County Community College are going to other colleges. Fanslau noted more monies are going to Orange County.

Sophia Martynec questioned if there were any salary increases in the budget? Legislator LaBuda reported no.

Susan Wade stated she understands that Sullivan County has the 2nd largest welfare abuse recipients in the State. Legislator LaBuda reported that is not true and that they have hired an investigator to look into any welfare abuse. Fanslau reported on the County's responsibilities for managing the welfare system in the County and what they are doing to reduce costs. Susan Wade stated that recently someone tried to hire a person that stated he could not work because it would affect his welfare benefits. Wade stated something needs to be done. Supervisor Rajsz stated that they have been working on this issue for years and it falls on deaf ears in Albany, noting Sheldon Silver is the problem and that John Bonacic has been working on it.

Legislator LaBuda stated that they cannot cut anymore without losing jobs, noting they do not want to cut monies to the college or the nursing home. Legislator LaBuda stated they would like to provide services for everyone and if there is a property tax increase it is to promote services to our residents.

Susan Gregg questioned what is the County Legislature doing to increase revenues? Fanslau stated they are trying to promote economic development that would mean more businesses and more jobs and increase our sales within the County and generate more sales tax. Fanslau stated they are focusing on trying to help the individual towns.

Mamakating Supervisor Harold Baird questioned the garbage tax that is uneven among the apartment buildings and mobile homes which he felt should be addressed evenly and make

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it fair to all the people. Baird noted that those who rent pay a reduced rate which is unfair. Fanslau stated the fee is controversial and is being looked at, noting this fee is to promote better recycling.

George Fountain questioned if the airport is costing more than it is bringing in? Fanslau stated that they are looking into the airport cost.

Richard Hotzler stated that the little Mom & Pop stores are given a tax break when they first open up but wondered if after 20 years someone else can get an additional 20 year tax break? Fanslau reported that the tax break is only for the initial 20 years and stops after that time.

Helga Rupnick questioned why do we have to pay for \$2 or \$4 for each individual bag of garbage at the transfer station when you can go to Port Jervis and pay 50 cents for each bag if you are a senior citizen, noting there is no discount here? Fanslau stated they do have a discount for seniors. Councilman Carr stated that if there is a discount for seniors it should be posted at the transfer station. Fanslau reported that the fee on our tax bills is a fee to use the facility. Cathy Sterling stated that there was monies spent on studies to keep the landfill open and those monies would have been better spent on paying off the debt that would have kept the landfill open. Legislator LaBuda stated she was one of the Legislators that was in favor of keeping the landfill open, however, too many residents complained about the smell coming from the landfill and they had to shut it down.

Legislator LaBuda introduced her Clerk, AnnMarie Martin and Wished everyone a Healthy and Happy Holiday. Supervisor Rajsz reported that the Town of Lumberland 2013 Budget was 2.2% less than last year's budget.

MINUTES

Councilman Carr made a motion to accept the Workshop Meeting Minutes of November 12, 2012, and the Town Board regular meeting minutes of November 14, 2012 as written, seconded by Councilman Thiele, all in favor, so carried.

CORRESPONDENCE

1. Monthly Reports:
 - a. Supervisor
 - b. Town Clerk
 - c. Buildings
 - d. Highway Superintendent
 - e. Constables

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2. Delaware Highlands Conservancy newsletter
3. Water & Land Newsletter
4. Eldred High School District notification
5. ZBA Mtg. Minutes – October
6. Sullivan County Fire Advisory Board Mtg. Minutes- Sept.
7. Comptroller's Newsletters
8. Upper Delaware Scenic Byways Mtg. Agenda – Nov.
9. 2013 DMV Mobil Unit Schedule
10. Sullivan County Bagel Resolution
11. NYS Legislative Update
12. UDC 2012 Fiscal Annual Report
13. Planning Board Mtg. Min – Nov.
14. Cultural Series 2012 Financial Report
15. Town Engineer letter- handicap ramp

Supervisor Rajsz reported that the mobile DMV unit will begin coming back to town which was made possible by the town switching over to dsl system so the DMV could hook into our system. Supervisor Rajsz noted the DMV will be in the offices every other month starting in May, 2013.

Councilman Shafer made a motion to accept Correspondence #1 through #15, seconded by Councilman Thiele, all in favor, so carried.

PRE-FILED RESOLUTIONS

- #149 – Highway Dept. Contract Approval
- #150 - Donation to Town = Sullivan First
- #151 - Town Hall Bell Tower Repair Approval
- #152 - Maintenance Mower Purchase Approval

Supervisor Rajsz stated she appreciated the donation from Sullivan First to Circle Park. Councilman Carr stated that the donation was made possible through Helga Rupnick, Cathy Sterling and Rose Carr who all belong to Sullivan First.

Supervisor Rajsz reported the Town Hall Bell Tower needs to be repairs from damage during the recent storm.

Supervisor Rajsz reported that Resolution #152 needed to be done quickly because the quote for the new maintenance mower would be increasing after January. Supervisor Rajsz

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Thanked Councilman Thiele for finding the quote for the mower and Councilman Thiele reported that the State bid for the mower would be going up considerably if we were to wait to purchase it.

REPORTS OF BOARD MEMBERS

Councilman Thiele noted we are purchasing a new mower for maintenance.

Councilman Shafer reported they finally got the findings for the MMFT. Supervisor Rajsz Thanked Councilman Shafer for all his work on the Town Board, noting Councilman Shafer was instrumental when they were working on the road usage agreement. Supervisor Rajsz reported she is forming another committee to further review the agreement and Shafer has agreed to be on the committee even though he will no longer be a Councilman. Councilman Shafer Thanked the Town Board for his appointment to the Board this last year.

Councilman Carr Thanked Councilman Shafer for his service to the community and wished everyone a Merry Christmas and Happy New Year.

Supervisor Rajsz reported they have been working on the projects they approved out of the 2012 Fund Balance, noting that most of the projects are done. Councilman Carr reported the new Town sign will be coming but there was a delay due to the hurricane. Supervisor Rajsz noted that the projects were done under the projected total cost.

Supervisor Rajsz reported that FEMA visited us and guided us with filling out paperwork. Supervisor Rajsz noted they are compiling a list of time spent during the emergency and the cost of the emergency generator hookup to apply for reimbursement. Supervisor Rajsz stated FEMA has been extremely helpful. Councilman Carr reported FEMA came to his house to assess the damage done and they were not helpful.

Supervisor Rajsz reported the Comptroller's Office was going around to the various towns to see if we were staying within the 2% tax cap on our budgets, noting our 2013 budget is under the 2% cap.

Supervisor Rajsz reported that the Town has openings on the Zoning Board of Appeals and the Board of Assessment Review because David Leamon has been elected to the Town Board. Supervisor Rajsz reported that the offices will be shutting down at noon on December 19th for our Christmas party. Supervisor Rajsz wished everyone Happy Holidays.

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The Town Clerk and Deputy Town Clerk wished everyone a Merry Christmas and Happy New Year.

The Town Attorney reported that they are on track with the codification of the local laws. The Town Attorney stated she appreciated working with Councilman Shafer while he was on the Town Board.

The Chief Constable reported on his monthly activity, noting the Town of Highland has had 20 burglaries and the Town of Lumberland has had 3. The Chief Constable Thanked Councilman Shafer for his service to the town.

The Highway Superintendent reported they have been busy and that the new truck should be here next week.

Supervisor Rajsz reported she has the LOSAP paperwork from PenFlex that she needs to get with Ann Steimle to go over the paperwork. Supervisor Rajsz Thanked the Youth Program for decorating the Town Hall. Supervisor Rajsz noted that the Santa Express came to town on Saturday night. Councilman Carr reported that Christine Smetanuik was responsible for most of the decorating in the Town Hall. Don Hunt, Jr. reported the Fire Dept. put up the outside lights on the buildings.

OPEN FLOOR TO PUBLIC

Sophia Martynec reported that with tax season upon us she is letting seniors know that they can get their tax paperwork done for free by trained people. Martynec noted that they can contact her or the Library and they will be doing the work in Monticello and Liberty.

Caroline Akt noted it was discussed previously that someone was working on a spreadsheet for the Fire Dept. expenses and questioned if that had been done yet? Supervisor Rajsz reported that with the LOSAP program in place the Fire Dept. books will need to be audited and eventually those books will be open to the public.

Supervisor Rajsz read the Special Announcements, noting that the Democratic Club meeting scheduled for this month has been canceled.

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ABSTRACTS

Councilman Carr made a motion to approve General Fund & Highway #12, 2012 General Fund Claims # 802 through #972, in the amount of \$69,145.11 , General Prepaid Fund Claims in the amount of \$6,112.00 , Highway Fund Claims #503 through #548, in the amount of \$83,399.68 , with a total of Abstract #12, 2012 of \$ 158,656.79, seconded by Councilman Thiele, all in favor, so carried.

Councilman Carr made a motion to recess the regular meeting at 8:21 p.m., seconded by Councilman Thiele, all in favor, so carried.

EXECUTIVE SESSION

Councilman Carr made a motion to go into Executive Session at 8:21 p.m. to discuss personnel regarding a particular person, seconded by Councilman Thiele, all in favor, so carried.

Councilman Carr made a motion to close the Executive Session and reopen the regular meeting at 8:55 p.m., seconded by Supervisor Rajs, all in favor, so carried.

Councilman Carr made a motion to adjourn at 8:55 p.m., seconded by Councilman Thiele, all in favor, so carried.

Respectfully Submitted,

Virginia V. Horn
Town Clerk