

LUMBERLAND TOWN BOARD MEETING MINUTES
APRIL 11, 2012

The Town Board of the Town of Lumberland held a regular monthly meeting on Wednesday, April 11, 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
Councilman Jay Shafer

Also present were Town Clerk Virginia Horn, Deputy Town Clerk Hattie Brush, Historian Frank Schwarz, Joy Ryerson, Susan Morley, Herb Baxter, Ken & Scott Fiedler from Brookwood Camp, LEC Co-Chair Cheri Bodnariuk, Greg Bodnariuk, Susan Gregg, Cathy Sterling, Billy McKerrell, Richard Hotzler, Chief Constable Patrick Cahill, Fire Dept. President Ann Steimle, Highway Superintendent Don Hunt, Jr., Kaitlin Haas from the Sullivan County Democrat, Helga Rupnick, Kelsang Zangmo & Kelsang Lhachog from the Kadampa Meditation Center, Bohdan Kanduik, Sandy Long from the River Reporter, Marie Liu, David Riley, ZBA Chair Lewis Powell, Town Attorney Danielle Jose-Decker, Caroline Akt, Christine Smetaniuk, and Planning Board Chair Jess Gluckler.

MINUTES

Councilman Carr made a motion to accept the Minutes of March 12, 2012 and March 14, 2012 as written, seconded by Councilman Shafer, all in favor, so carried.

CORRESPONDENCE

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

2. Historical Newsletter
3. Comptroller's Newsletters
4. SASD Newsletters

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5. ZBA Mtg. Minutes – Feb.
6. Upper Delaware Scenic Byways Mtg. Agenda – Mar.
7. NECO Fire & Safety Inspection Report
8. Code Enforcement Letter
9. Sullivan County Fire Advisory Board Mtg. Min. –Jan
10. Sullivan County Health Dept. – Rabies Clinics
11. Ithaca College Concert Review
12. NYS Ag & Markets DCO Inspection Report
13. Congressman Hinchey letter- Pond Eddy Bridge
14. NYS Dept. of Health Food Service Inspection Report
15. Brookwood Camp Letter
16. UDC Newsletter
17. Planning Board Meeting Minutes – March

Councilman Shafer made a motion to accept Correspondence #1 through #17, holding #8 & #10 for discussion, seconded by Councilman Thiele, all in favor, so carried.

Supervisor Rajsz noted that representatives from Brookwood Camp were present at tonight's meeting and the Resolution for their Noise Permits request will be discussed.

Supervisor Rajsz reported that Item #8 was a letter from the Building Dept. requesting changing the times allowable for permits, notably from 1 year to 2 years for completion time. Supervisor Rajsz stated that Local Law #1, 2012 will need to be amended and the Town Board will take this request under advisement.

Supervisor Rajsz reported that Item #10 was a letter from the Sullivan County Health Dept. notifying the Town of Lumberland that they would not be holding a Free Rabies Clinic in our town and suggested we partner with a town organization to hold the clinic and the Health Dept. will supply the vaccine. Supervisor Rajsz noted the town would have to contact a veterinarian to administer the vaccine. Supervisor Rajsz questioned if the Fire Dept. would be interested? Ann Steimle stated that the problem with the program is getting the vet to do the shots. Supervisor Rajsz stated it would be beneficial to the community and Steimle stated she would look into it.

Supervisor Rajsz reported that the recent Cultural Series Concert with the Ithaca College Choir was phenomenal and everyone enjoyed it.

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PRE-FILED RESOLUTIONS

- #59 – Bid Award – Old Office Equipment
- #60 - Bid Award – Stone & Gravel
- #61 - Bid Award – Highway Truck
- #62 - Bid Award - Secure Unsafe Bldg.
- #63 - Bid Award- Concrete Generator Pad
- #64 - Attendance at Town Finance Training
- #65 - Attendance at Planning Federation Training
- #66 - Eldred Little League – Use of Town Ball Field
- #67 - Parks Expenditure Approval
- #68 - Noise Permits- Camp Lokanda
- #69 - Donation to Town – Kadampa
- #70 - Spring Cleanup Day
- #71 - Courtroom Air Conditioning/Heating Unit Purchase
- #72 - Adoption Community Pledge – Climate Smart
- #73 - Parks Committee Appts.
- #74 - Noise Permits – Brookwood
- #75 - Senior Center Door Locking System Purchase
- #76 - Negative Environmental Impact Approval
- #77 - Adoption Local Law #1, 2012 = Zoning

Supervisor Rajsz questioned what will happen to the rest of the surplus old office equipment that was not bid on? The Town Clerk reported that they will be able to have the maintenance man get rid of it.

Supervisor Rajsz noted the bids for the Stone & Gravel award were attached to the Resolution, noting the Highway Superintendent has recommended awarding all bids. The Highway Superintendent reported that the condition of the stone will warrant what bid he will use for each project.

Supervisor Rajsz reported that Resolution #61 for the bid award to purchase a new highway truck will need to be discussed to determine how the purchase will be financed. Supervisor Rajsz reported the Highway Superintendent is recommending paying for the cab and chasis out of the Highway Capital Reserve Fund, and the cost of the dump body with plow and wing out of the Highway savings fund balance. The Town Clerk reported the Board will need to do a Resolution at the May meeting to withdraw funds from the Capital Reserve Fund. Councilman Akt questioned if anyone had looked into buying a

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used truck, whereas, the Highway Superintendent confirmed he had. The Highway Superintendent stated that there was nothing worth looking into.

Councilman Akt stated he would like to have a discussion regarding the bid award for the concrete pad for the generator, noting that he has not reviewed the bids. The Town Clerk gave Councilman Akt the bids to review. The Board members agreed to award the bid to Sauschuck Maintenance & Backhoe. The Town Clerk noted a third bid was received but did not contain a non-collusion form and the bid was not considered valid.

Supervisor Rajsz reported the training for the bookkeeper is very valuable.

Billy McKerrell reported that the Little League also wanted to use the Pond Eddy Park for their practices and games.

Richard Hotzler questioned the total of the parks expenditures request. Supervisor Rajsz noted the total was \$1,700.00.

Supervisor Rajsz reported that Resolution #68 was for resubmitted Noise Permits for Camp Lokanda, noting most of the requests were changed to 10 p.m. and there was a reduction of days needed. Supervisor Rajsz reported that she had received communications from the La Kada Taxpayers Association requesting that the activities at the area camps be limited to Monday through Thursday, but noted that the kids are still there on the weekends. Councilman Thiele stated the camps are still using amplified sound and requested a letter be sent stating they should be turning their amplifiers away from the lake. Councilman Shafer stated that if a complaint call comes into the Constables they need to respond because the Noise Law states no amplification of sound.

Supervisor Rajsz Thanked the Kadampa Meditation Center for their donation to the town.

The Town Clerk verified that Resolution #70 for approval to have a Spring Cleanup Day was a preapproval and that the County would be voting on approval at their meeting scheduled for April 26th.

The Town Attorney noted there is a correction to Resolution #71, noting the total should read \$850.

Supervisor Rajsz reported that Carol Roig gave a Climate Control Agreement that she would like all the towns to adopt. Councilman Shafer stated, that after reading through the agreement it is not cost effective. Supervisor Rajsz stated that it is a Pledge and is not

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binding us to any mandates. The Town Attorney stated that it is a Pledge and we are promising to do everything possible and it does commit the town to have a task force. Supervisor Rajsz reported there are people in town that are working on sustainable energy to make us more environmentally sound. Councilmen Shafer and Thiele voted against approving the Pledge. The Board members agreed to table this Resolution for more discussion and to get more information. Susan Gregg stated she will take this back to Carol Roig.

Supervisor Rajsz questioned who was the Chair of the Parks Committee. Billy McKerrell reported he is the Chair.

The Board members discussed Resolution #73 regarding the Noise Permit Applications from Brookwood Camp. Supervisor Rajsz noted that all of the requests were from 7:30 p.m. to 12 a.m. (Midnight). Supervisor Rajsz noted that Ken Fiedler and Scott Fiedler from Brookwood Camp were present at tonight's meeting. Supervisor Rajsz read a letter from Scott Fiedler stated that he would submit his noise permits as usual this year because he has only one complaint in the last 25 years. Councilman Shafer reported that Camp Lokanda has complied with the Town Board's request to change their time limit to 10 p.m. Fiedler reported that amplified use is for mainly inside use and most of their events are done by 10:30 p.m, noting that he applied for 12 a.m. to protect against a hefty fine. Supervisor Rajsz questioned if Brookwood would compromise on there time and resubmit their request for 10:30 p.m. Fiedler noted there may be a few nights that the events will go a little later than that. Supervisor Rajsz reported that they have received letters from taxpayers complaining about the noise from the camps. Fiedler stated that the taxpayers have 45 other weeks of the year for when the camp is not operating to enjoy their peace and quiet, noting he has talked to Mark Picard from the LaKata Taxpayers Assoc. and they had reached an agreement. Fiedler stated there were probably only 6 nights that they would be later than 10:30 p.m, noting he is fine with amending his requests until 10:30 p.m. with the exception of 6 nights. The majority of the Board members agreed to approve the noise permits with the revision of the time being changed to 10:30 p.m. with the exception of 6 nights. Councilman Thiele and Carr voted against the approval.

The Town Clerk noted that Resolutions #76 & #77 will need have the 5 day ruled waived.

Councilman Carr Thanked Lew Powell for chairing the Zoning Rewrite Committee and all the members of the Committee for all their hard work. Supervisor Rajsz Thanked everyone that worked on the Zoning Rewrite.

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PROCLAMATIONS

The Town Board approved two Proclamations for Eagle Scout Awards for both present scouts and previous scouts from 2010. Supervisor Rajsz Thanked the Boy Scouts for staying on track. Supervisor Rajsz noted there will be an Eagle Scout awards ceremony on Sunday, April 22nd at Camp Champion, noting that Councilman Carr will representing the town to present the Proclamations at the ceremony. Supervisor Rajsz noted that the UDC Awards are the same day and as Chair of the UDC she needs to be present at that.

REPORTS OF BOARD MEMBERS

Councilman Carr Thanked the Fire Dept. for coming to get him when he was ill and went to the hospital, noting they took very good care of him.

Supervisor Rajsz reported that the Kadampa Meditation Center will be holding an event April 27th, 28th, 29th & 30th, noting they have resolved their parking issues with using various locations. Supervisor Rajsz reported the Comstocks from the Homestead School will be receiving the Pride Award this year. Supervisor Rajsz reported the recipient of the RSVP award has not been decided on yet.

Supervisor Rajsz reported the alarm system has been installed in the Highway Garage and the update to the municipal building and town hall has not been completed. Supervisor Rajsz reported we are in a high fire alert due to the lack of rain and high winds so cautioned everyone to be careful.

Supervisor Rajsz reported that Congresswoman Hayward will be the guest speaker at the UDC Awards on the 22nd. Supervisor Rajsz reported she will be getting information on a bear alert that needs to be distributed in the town. Supervisor Rajsz reported they have still not received the no smoking signs for the parks.

Supervisor Rajsz reported on the Pond Eddy Bridge project, noting the existing bridge is slated to come down and the new proposed bigger bridge replacement could take up to 2 years to complete. Supervisor Rajsz reported that the Pennsylvania Highway Commission wants to take down the old bridge and build a bridge to nowhere, noting that the old bridge could be bought for \$25. Supervisor Rajsz noted that building the new bridge may obstruct river traffic during the 2 years it will take to build.

Supervisor Rajsz reported the final GEIS for the MMTF road agreement has not been received yet. Supervisor Rajsz reported that Eagle Creek will be holding a functional exercise for their hydro plant at 8 a.m. on June 14th at the Hampton Inn in Matamoras.

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Supervisor Rajsz reported that there will be a SLAC meeting on April 27th at 10 a.m. in Monticello with Assemblywoman Gunther as the speaker.

Supervisor Rajsz reported she received a letter from the Department of the Interior regarding Indian gaming casino coming to the Town of Thompson. Supervisor Rajsz noted the problem is that the land will be taken off the tax rolls and requested the Town Attorney look over the paperwork.

The Town Clerk reported her office is busy.

ZBA Chair Lewis Powell reported they have been quiet but it may get busier after the new zoning is passed. Powell thanked Councilman Shafer, Greg Bodnauik, Terri Fountain, Heather Jacksey and everyone else for their work on the zoning rewrite committee, noting they put in many hours. Supervisor Rajsz noted those were volunteer hours, noting that nobody was paid for being on the rewrite committee. Powell reported they met twice a month and more times towards the end of the rewrite.

Planning Board member Greg Bodnauik reported they have several subdivisions before the Planning Board, noting that the Chapin Estates subdivision is under review. Supervisor Rajsz reported this subdivision is a potential big development, noting that backside of this property is in the Town of Lumberland. Town of Highland Supervisor, Andy Boyar, reported it will be a positive for the school district.

Cultural Series Director Frank Schwarz reported the Ithaca College Choir Concert was awesome, noting you can go on their website and download the program that was performed here. Schwarz reported he put a collage together of the concert, noting it was a community project with the help of the Supervisor, Town Board, church ladies from St. Volodymyr's, the Cultural Series Board, Christine Smetanuik, Ann Steimle from the Fire Dept., the Eldred School and the school custodians, the Senior Citizens, Susan Morley and the Kadampa Meditation Center. Schwarz stated this concert would not have happened without the help from everyone and Kadampa for supplying the housing for the choir, noting the concert got rave reviews and will lead to bigger and better things for the Town. Schwarz stated that he is very appreciative of all the volunteers, of Kadampa and it's staff were wonderful, the weather was beautiful and unfortunately he had to turn away about 20 people because there was no more room in the Town Hall but those people stayed out in the parking lot and listened to the music. Schwarz noted this was the last part of the choir's tour and the director was one he had at the college.

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Museum Director, Frank Schwarz, reported the Town of Lumberland museum has one tangible collection with the only know oil painting from the original Glen Spey school. Schwarz reported he had Marie Liu restore the painting and introduced Liu who explained the process of the restoration. Schwarz Thanked Liu for her work and reported the painting will be on exhibit for Heritage Day on May 6th from 1-4 p.m.

LEC CoChair, Cheri Bodnariuk, reported they have two main projects for April, noting April 22nd is Earth Day from 11 a.m. to 3 p.m. at the pavilion and Town Hall with various events such as Delaware Valley Raptors doing a bird show, water testing info, rock painting, SASD Carol Roig & Dick Reisling representatives will be doing something with the sustainable energy issue, Eldred High School kids will be doing a solar house project, the schools environ group will be demonstrating composting and gardening, there will be wind turbine projects, AYSO soccer signups, the 4H Club will be teaching how to dye wool with koolaid and there will be refreshments available from the Fire Dept. Bodnariuk reported the second project will be Litter Pluck on April 28th – May 6th, with the Lumberland LEC Litter Pluck on May 5th, noting that if you participate during the week you can take the clear bags to the transfer station free of charge. Bodnariuk also reported that they will be conducting the “Fill My Truck” contest, noting that Susan Wade won that last year and Kadampa Center won the most recyclables collected.

Fire Dept. President, Ann Steimle, reported there is a red flag warning regarding no burning. Steimle reported they have gotten two new members, and averaged 20 calls in the last month. Steimle reported the ambulance is running well, and noted that they hope to have a future Eagle Scout project of redoing their sign in front of the firehouse and some landscaping. Steimle Thanked the Town Board for their support.

Highway Superintendent, Don Hunt, Jr. Thanked the Town Board for approving his stone & gravel bid and the purchase of a new truck.

Parks Committee Chair Billy McKerrell reported they submitted their Renaissance project for a grant., noting it was for a sitting area and garden, but will not know if they will get the award until the first week of August. Supervisor Rajsz reported she has talked about having a community garden, with a composting area. McKerrell reported they will start working in the park this weekend.

Chief Constable Patrick Cahill noted his monthly report.

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Code Enforcement Officer David Sparling reported that when the bidders are notified they should supply a Certificate of Insurance. Sparling commended the Zoning Rewrite Committee and the Town Board on the zoning rewrite.

Susan Gregg reported she has been out of town but noted that SASD has many projects in Sullivan County. Gregg noted she will get the points of the Climate Smart Pledge clarified because it is important to educate people on sustainable energy.

Supervisor Rajsz noted there is a Conservation Subdivision Workshop scheduled for April 30th which is hosted by the Delaware Highlands Conservancy.

Supervisor Rajsz reported she got another anonymous letter regarding a meeting that she had with a developer interested in putting in a subdivision in Chapin Estates on Town of Lumberland property. Supervisor Rajsz reported that the developer contacted her and requested he meet with her to go over his proposed plans because it affects the Town of Lumberland. Supervisor Rajsz reported that Councilman Carr, 2 Planning Board members, a Zoning Rewrite Committee member, Code Enforcement Officer, Highway Superintendent and a Town Engineer also attended the meeting. Supervisor Rajsz stated that she is willing to meet with anyone that is bring business into the Town, noting this was an informational meeting and no decisions were made. Supervisor Rajsz read the letter she received that stated the Town of Lumberland held an improper meeting regarding the Chapin Estates proposed subdivision and that minutes were taken at this meeting, noting that this letter was sent to the Town of Bethel's Town Board and residents of their town. Supervisor Rajsz stated that it was not an improper meeting and no minutes were taken. Supervisor Rajsz reported that the Town of Bethel Supervisor has stated that there is strong opposition to this proposed project. Supervisor Rajsz noted that the land in question is in the Town of Lumberland and land locked with no access from the Town of Lumberland, noting there would be an impact to the Town of Bethel's road that would be used for access to the subdivision. Supervisor Rajsz noted that anyone can attend the Planning Board session, which is open to the public,

Supervisor Rajsz read the Special Announcements, noting the Boy Scouts will have a breakfast on May 6th in the Senior Center.

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ABSTRACTS

Councilman Shafer made a motion to accept General Fund & Highway Abstract #4, 2012, with General Fund Claims #243 through #318, in the amount of \$23,732.17, General Fund Prepaid Claims in the amount of \$424,555.56, and Highway Fund Claims #140 through #190, in the amount of \$45,588.54, with the total of Abstract #4, 2012 in the amount of \$493,876.27, seconded by Councilman Thiele, all in favor, so carried.

Respectfully Submitted,

Virginia V. Horn
Town Clerk