

LUMBERLAND TOWN BOARD MEETING MINUTES

MAY 8, 2013

The Lumberland Town Board held a regular monthly meeting on Wednesday, May 8, 2013, at 7 p.m., at the Town Hall in Glen Spey, N.Y. Supervisor Nadia Rajsz opened the meeting at 7:07 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 David Leamon

Also present were Town Clerk Virginia Horn, Deputy Town Clerk Hedwig Brush, Historian Frank Schwarz, Chief Constable Patrick Cahill, Town Attorney Danielle Jose-Decker, Natalie Rajsz, Guy Harriton from the River Reporter, Susan Morley, Cathy Sterling, Susan Gregg, Herb Baxter, Helga Rupnick, Sophia Martynec, Jenny Mellan, Fire Dept. President Ann Steimle, Bohdan Kandiuk, David Riley, Zangmo & Lhachog from the Kadampa Meditation Center, High School students Seiena Hudak, Kayla Kelly, Angela Sicina & Griffin Major, Joy Ryerson, Martha Tully, Caroline Akt, and Joan Rosenfelt.

MINUTES

Councilman Carr made a motion to accept Minutes of April 8, 2013, and April 10, 2013 as written, seconded by Councilman Akt, all in favor, so carried.

CORRESPONDENCE

1. Monthly Reports:
 - a. Supervisor
 - b. Town Clerk
 - c. Buildings
 - d. Highway Superintendent
 - e. Constables
2. UDC Newsletter
3. NECO Fire & Safety Inspection Report
4. Grant Writer Update
5. ZBA Mtg. Minutes- March
6. NYS Legislative Commission on Rural Resources Newsletter
7. BAR Certification Training Notification

Supervisor Rajsz reported that the UDC held a 25th Anniversary Awards ceremony that she received an award at for being a former Chair of the UDC. Supervisor Rajsz noted the UDC will be holding a 5K walk in September up towards Hancock

(2) May 8, 2013

Supervisor Rajsz reported our fire & safety inspection report was good. The Grant Writer reported the award from the DVAA was \$860.00, noting that most of the grants have been cut down. Supervisor Rajsz reported that Deanna Rajsz, Susan Gregg, and Cheri Bodnaruk had completed the Board of Assessment required training.

Supervisor Rajsz reported she received emails that came after the agenda was printed, noting she gets correspondence every day. Supervisor Rajsz reported she got notification that the \$25,000.00 community grant that has been submitted is being processed. Supervisor Rajsz reported she received notification of a donation of \$6,900 to the Town from the Kadampa Meditation Center, noting \$400 was for the Cultural Series, \$1,000 for the Constables, \$2,000 for the Highway Dept. and the remaining \$3,500 for the General Fund budget. Supervisor Rajsz reported this donation was in lieu taxes and Thanked Kadampa for their donation.

Supervisor Rajsz reported she received yet another lengthy email from Joan Rosenfelt regarding the feral cat issue. Supervisor Rajsz read the email which Rosenfelt stated that the Town should be responsible for the cost of a low cost spay/neuter program to address this problem. Supervisor Rajsz reported that Rosenfelt stated that other towns are doing it and we should be doing it too? Susan Morley questioned if Rosenfelt is in violation of code by having so many cats on her property that she claims to be taking care of? Supervisor Rajsz noted that there was a suggestion that Rosenfelt hold a fund raiser to raise monies for the spay/neutering. Jenny Mellan reported that Rock Hill has the ASPCA come in to spay/neuter the cats and they release them back into the area. Caroline Akt reported that Port Jervis is catching, spaying/neutering, and releasing cats on a pilot program which is funded through donations. Akt noted our DCO should know which areas have a problem with the feral cat issue.

PRE-FILED RESOLUTIONS

- #73 - River Corridor Trash Pickup Approval
- #74 - 2013 Summer Youth Program Appointments
- #75 - Noise Permits- Mohican Lake Resort
- #76 - Amended Noise Permits – Camp Lokanda (Late File)
- #77 - Noise Permits- Brookwood Camp (Late File)
- #78 - Parks Committee members Appts. (Late File)
- #79 - Town Donation – Kadampa (Late File)

Councilman Leamon questioned if there were any funds available other than taxpayers monies to be spent for the river corridor trash pickup since the NPS no longer provides the funding? Councilman Leamon stated he knows it is important to pick up the trash along the river corridor but suggested finding other ways for the program to pay for itself? Supervisor Rajsz noted this could be done as a volunteer program similar to Litter Pluck. Supervisor Rajsz reported there is no place to recoup the monies from the State or NPS.

(3) May 8, 2013

Martha Tully reported the Town of Highland put an ad in the paper seeking bids for their river corridor trash pick up. Susan Morley noted that the canoe liveries also do a cleanup.

The Chief Constable reported that, in the past, neighbors in the Mohican Lake Resort area have complained about a couple of different problems with the Resort and recommended changing the time limit on their Noise Permit requests to 10:30 p.m. Councilman Carr noted the requests were for Memorial Day Weekend, suggesting keeping Saturday until 11:30 p.m. and changing Sunday to 10:30 p.m. Councilman Thiele noted that they have approved others for 3 nights until 11:30 p.m. and the Resort has only requested 2 nights. Councilman Leamon stated it was only one weekend. Supervisor Rajsz verified that they amended previous Noise Permits to allow 3 nights until 11:30 p.m., noting that if there is a problem someone can always call 911 to have the police respond. Supervisor Rajsz reported that Mark Picard, from Lakada Lake, did not have a problem with the camp near his residence having a time limit of 11:30 p.m. on 3 nights.

Supervisor Rajsz read Resolution #77, which was for Noise Permits for Brookwood Camp, noting that 6 nights are requested until midnight. Councilman Akt stated they should change those nights until 10:30 p.m. The Town Attorney noted that most of the activities listed would involve loud noise. Councilman Thiele recommended allowing 3 nights during the week until 11:30 p.m. Councilman Leamon suggested tabling this resolution until next month so they have time to contact the owner. The Board members agreed to approve the resolution this month, with July 12th & August 2nd being changed to 11:30 p.m. and letting the owner tell them what third day he would like to have until 11:30 p.m., with all other nights to be 10:30 p.m.

Supervisor Rajsz questioned who the Chair of the Parks Committee was? Councilman Akt reported Billy McKerrell is Chair.

REPORTS OF BOARD MEMBERS

Supervisor Rajsz reported that the maintenance man, John VanderMark, Thanked the Board for his new mower and Thanked the Highway Dept. for the work they did on the utility trailer.

Councilman Leamon reported he met with the Town Clerk to go through the codification of the local laws, noting this is the 1st phase and a lot of the references are related to the zoning law which is being reviewed. Supervisor Rajsz noted Councilman Leamon should keep in contact with the Code Enforcement Officer regarding the zoning law.

Councilman Akt reported the stairs to the generator are done and the furnace for the buildings has been checked out.

(4) May 8, 2013

Councilman Carr reported the letters have gone out for the 4th of July parade, noting anyone interested in being in the parade should contact the Town Clerk or Councilman Carr.

Supervisor Rajsz reported the Sullivan County Pride Awards were held on May 5th with Sandy Grech from the Millbrook Inn getting the Town of Lumberland award. Supervisor Rajsz reported the Sullivan County RSVP Awards will be held at the Villa Roma on Monday, May 13th and Sophia Martynec will be receiving the Town of Lumberland award. Supervisor Rajsz Thanked Martynec and all the retired senior volunteers for their work.

Supervisor Rajsz reported on the Pond Eddy Bridge replacement project, noting that they had met with Senator Bonacic and Assemblywoman Gunther previously regarding this issue. Supervisor Rajsz noted that the recent article in the paper revealing the approved new bridge that has been agreed upon and that the old Pond Eddy Bridge will be taken down. Supervisor Rajsz reported the project is slated to start next year, noting it may affect traffic along Rt. 97 and traffic on the Delaware River.

Supervisor Rajsz reported she is still involved on the transportation sub committee that is looking into providing transportation for our area. Supervisor Rajsz reported they are looking for volunteers to work on the Pond Eddy river access site.

Supervisor Rajsz reported she made Charles Fallon the Safety Officer for the buildings, noting that they are looking into a security system for all the town buildings including the highway garage. Supervisor Rajsz reported Fallon is suggesting an inner door to the offices that will be locked and you would gain entrance by being buzzed in, noting this is for the safety and security of the office staff.

Cemetery Committee member, Frank Schwarz, reported they have been working on taking over Knight Cemetery, noting the Town Attorney has been working on finding out who the existing relatives are.

Supervisor Rajsz reported she received an invitation to the State of the County address which will be held Thursday, May 23rd, at 6 p.m., at the Government Center in Monticello.

The Town Clerk Thanked the Town Board for letting her and the Deputy Town Clerk attend their conference recently in Buffalo, noting they did learn new information for the town. The Town Clerk noted they have a new service they may be able to offer the residents and has requested the Town Attorney review the paperwork before requesting approval from the Town Board to proceed. The Town Clerk noted that the outdoor burning ban is still in effect through May 15th. The Town Clerk reported that the Spring Cleanup Passes are available in her office, noting you can call for one and our office will send them out.

(5) May 8, 2013

The Town Attorney reported she has been working on finding information on the Knight Cemetery, noting this issue has been going on for 13 years and she is waiting for a search of the deed. The Town Attorney reported she is hopeful they will be able to transfer the deed to the town, noting they only have one relative's name so far. The Town Attorney reported if they get no reply to their request from any relative they may be able to use eminent domain to take over ownership of the cemetery.

Supervisor Rajszyk reported the Highway Dept. has been cleaning up the area of the old salt shed at the Glen Spey Cemetery in preparation of moving the shed to that area. Supervisor Rajszyk reported there are still Renaissance monies in the amount of \$1,500.00 available to beautify around the shed once it is moved. Supervisor Rajszyk reported the Cemetery Committee has discussed making the area where the shed is presently a seating area.

Historian/Cultural Series Director, Frank Schwarz, reported there will be a Memorial Day Observance held on the 27th at 10 a.m. at the Town Hall. Schwarz also reported there will be a Cultural Series Concert held on June 9th, at 3 p.m., at the Town Hall, with two well known cabaret singers. Schwarz also noted the next Cultural Series Concert will be held in September.

Susan Gregg reported on the Litter Pluck Day held recently, noting they got about ½ of the stuff that they did last year. Gregg reported Leers Road needs to be picked up and will see if she can do that. Supervisor Rajszyk stated they should be checking into the listing of those people that have adopted roads to find out if they are maintaining their roads. Jenny Mellan reported that the Highway Superintendent should have a listing of what roads have been adopted and who is responsible for their cleanup. Councilman Carr reported that Kadampa is always out there cleaning up along the road. Helga Rupnick reported that Sullivan First had adopted Ct. Rt. 31 but there are only 3 members left and it is hard to do.

Fire Dept. President Ann Steimle reported they have been busy, noting they had a major structure fire off the Leers Road and it was an excellent stop by our Fire Dept. Steimle reported on their monthly activity. Steimle reported that their main siren is in complete disrepair and the cost to repair outweighs the cost to buy a new one which would be between \$13,000 and \$15,000. Steimle noted they had paid for the replacement of the roof on the firehouse in Pond Eddy and she will be talking to the Town Board at their next workshop meeting regarding funding for the cost of a new siren. Councilman Akt noted Steimle had previously mentioned they were looking at a used siren from the Pine Island Fire Dept. and questioned what the status on that was? Steimle reported they are still looking into it. Steimle also reported that Charlie Fallon has contacted Grant Writer Frank Schwarz about the possibility of writing a grant for a new ambulance. Schwarz reported he has not seen any grant for monies for a siren. Supervisor Rajszyk noted to check Senator Schumer's website for grants. Steimle reported that the siren is important because their pagers do not always work in all areas.

(6) May 8, 2013

Susan Morley reported the Town Attorney was a great help at the recent Public Hearing at the Planning Board for the project in Hillside and the Planning Board has scheduled a Public Hearing for the Glen View project.

The Chief Constable reported the constables are currently in firearms qualifications, noting the Town will only get a bill for ammo being used. The Chief Constable reported they have started their 25th river corridor patrol. Supervisor Rajsz reported the NPS has also cut funding for the river patrol. Supervisor Rajsz reported they have been reviewing the Constables' manual and are requesting the Town Board consider amending two of the sections, noting one would be updating the procurement limit amount from \$200 to \$500, and the second section would be under Section 2 regarding hiring requirements. Supervisor Rajsz suggested that they add an additional point to the hiring requirements that the applicant must have prior training by an accredited police academy, with proof of graduation. The Town Attorney drafted a verbal resolution and read the proposed resolution which was approved by the Town Board.

Supervisor Rajsz reported they are reviewing the Code of Ethics which is a shortened version of the original. Supervisor Rajsz requested the Board members read through it so they can discuss it at the next Town Board meeting.

Supervisor Rajsz reported she has recommended having two regular Town Board meetings each month and eliminating the Workshop Meeting, noting the meetings could be held the 2nd and 4th Wednesdays. Supervisor Rajsz noted that they could meet at 7 p.m. to review the agenda and open the regular meetings at 7:30 p.m. The Town Clerk reminded the Town Board that they will not have a Workshop Meeting in June because she and the Deputy Town Clerk will be away at a Records Management School.

OPEN FLOOR TO PUBLIC

Joan Rosenfelt questioned if there was a drawing of the new proposed Pond Eddy Bridge? Supervisor Rajsz reported she has a drawing if anyone would like to see it. Joan Rosenfelt questioned if the new roof on the Pond Eddy Firehouse is complete? Ann Steimle reported they are painting the exterior of the building and still working on the roof. Joan Rosenfelt Thanked the Supervisor for putting an article in the Town newsletter regarding feral cats but stated it should have been noted where people can get the cats fixed. Rosenfelt stated people need to be aware of the cat problem. Supervisor Rajsz reported they discussed this issue at the Monday night Workshop Meeting and a suggestion was made that Rosenfelt could start a foundation to raise money to take care of the problem. Rosenfelt stated she would need the willingness of the Town to advertise and promote such a foundation. Supervisor Rajsz noted there are steps that need to be taken to start a foundation and Jenny Mellan reported she will contact a similar foundation set up in Rock Hill for information to set one up. Caroline Akt noted that if the program in Port Jervis works for accepting donations to spay/neuter stray cats it may extend into our area.

(7) May 8, 2013

Caroline Akt reported a new restaurant/bar should be opening soon on Rt. 97, noting the owner, Rich Codichini, is hoping to open in a couple of weeks.

Martha Tully reported that they are in the process of organizing a community market to be held every Sunday starting Memorial Day weekend to Labor Day weekend. Tully noted they have met with the seniors and that it will not just be a farmer's market but open to all vendors. Tully reported they will be open from 10 a.m. to 2 p.m. and that it will be held by the pavilion unless the pavilion is being used and in that case will be held in the senior center parking lot. Tully noted anyone interested in participating can contact her or Caroline Akt. Tully stated they hope to continue through the coming years and that they hope to reach people outside the Lumberland area.

Susan Morley reported there will be a baby shower held for teen Moms in the Town of Highland Senior Center, noting that it used to be held at the government center but the County has since dropped the program. Morley reported that anyone can donate items or monies for the program and that they are trying to get the teen fathers involved also. Morley reported they have some area groups that have already donated towards the program. Supervisor Rajsz stated they could put that information in the Town newsletter.

Supervisor Rajsz noted the Special Announcements.

ABSTRACTS

Councilman Carr made a motion to accept Audit and Approval of General Fund & Highway Abstract #5, 2013, with General Fund Prepaid Claims in the amount of \$100.00, General Fund Claims G2-#272 through #348, in the amount of \$ 41,915.02, Highway Fund Claims #H2- #244 through #288, in the amount of \$19,471.33, with a total of Abstract #5, 2013 of \$ 61,486.35, seconded by Councilman Thiele, all in favor, so carried.

Councilman Leamon made a motion to adjourn at 8:33 p.m., seconded by Councilman Thiele, all in favor, so carried.

Respectfully Submitted,

Virginia V. Horn
Town Clerk