

**LUMBERLAND TOWN BOARD MEETING MINUTES**  
**MAY 9, 2012**

The Town Board of the Town of Lumberland held a regular monthly meeting on Wednesday, May 9, 2012, at 7 p.m., at the Town Hall in Glen Spey, N.Y. Supervisor Nadia Rajsz opened the meeting at 7:05 p.m., followed by the Pledge of Allegiance.

Roll Call was administered to those members present:

Supervisor Nadia Rajsz  
Councilman James Akt  
Councilman Ron Thiele  
Councilman Jay Shafer

Also present were Town Clerk Virginia Horn, Deputy Town Clerk Hedwig Brush, Code Enforcement Officer David Sparling, Sophia Martynec, Constable Steve Crum, Susan Morley, ZBA Chair Lewis Powell, Herb Baxter, Susan Gregg, Fire Dept. President Ann Steimle, Historian Frank Schwarz, Highway Superintendent Don Hunt, Jr., Peter Comstock, Bohdan Kanduik, Sandy Long from the River Reporter and Kaitlin Haas from the Sullivan County Democrat.

**MINUTES**

Councilman Carr made a motion to accept the Minutes of April 9, 2012 and April 11, 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
2. Comptroller's Newsletter
3. Delaware Highlands Conservancy
4. LEC Member Resignation – Schlosser
5. SC Fire Advisory Board Mtg. Minutes
6. ZBA Mtg. Minutes- March
7. Upper Delaware Scenic Byways Mtg. Agenda & Minutes – March & April
8. SC Legislative Chair Invitation –State of County Address
9. SC Resolution – Municipal Spring Cleanup
- 10.P.N. Alarm Co. Job Report – Highway Dept.
- 11.Grant Writer Updates

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- 12.Planning Board Mtg. Minutes- April
- 13.SC Health Dept. Notice – Free Rabies Clinic
14. Assessor’s Request Letter

Supervisor Rajsz requested Items #4, #8 and #14 be held for discussion. Supervisor Rajsz reported that Item #13 was a notification there will be a free rabies clinic held in the Town of Fallsburg on May 23<sup>rd</sup>. Supervisor Rajsz reported Item #4 was a resignation letter from a member of the LEC and questioned Susan Gregg as to how many members were on the LEC? Gregg noted there are 7 members at present. Supervisor Rajsz reported that Item #8 was notification of a Sullivan County State of Address that will be held May 18<sup>th</sup> at Bethel Woods at 7:30 p.m.. Supervisor Rajsz reported that the Legislature held a recent meeting at night to accommodate the working people so they could attend. Supervisor Rajsz reported that Item #14 was a request by the Assessor for additional hours for her Data Collector and Clerk because the office will now have to re-evaluate and code those parcels that are affected by the changes affected by the approved new zoning laws.

Councilman Carr made a motion to accept Correspondence #1 through #14, seconded by Councilman Thiele, all in favor, so carried.

### **PRE-FILED RESOLUTIONS**

- #78 – Youth Program Appts.
- #79 - Highway Capital Reserve Fund Withdrawal
- #80 - Approval Constables Vests Purchase
- #81 - Noise Permits – Mohican Lake Resort
- #82 - Employee Verification Hours for Retirement- Hunt
- #83 - Approve Amicus Curiaen – Municipal Home Rule
- #84 – Goosetown Communications Contract Approval (portable radios)
- #85 - Schedule Public Hearing – Repeal Alarm Law
- #86 - Court Case- Assessment Settlement
- #87 - Part-Time Maintenance Appointments – Tullys (Late File)
- #88 - Assessor Office Increased Hours Request ( Late File)
- #89 - Town Ball Field Maintenance Work Approval –(Late File)
- #90 - Generator Electrical Connection Bid Advertisement (Late File)

Supervisor Rajsz reported the Youth Program is busy getting their schedule together for the upcoming summer program.

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Grant Writer Frank Schwarz reported that with the grant for the Constables vests there is one stipulation, that being the Constables have to verify that they are in receipt of the vests and they are in good order before he can go online to submit the grant.

Supervisor Rajsz questioned if there were any issues with the request from the Mohican Lake Resort for Noise Permits? Constable Steve Crum reported that there have been no complaints regarding noise from the Mohican Lake Resort. Councilman Akt stated he thought they had discussed limiting the time to 10:30 p.m.? Councilman Thiele stated this request is only for 3 days. Susan Morley stated it should be the same as all the others that have been done. Councilman Shafer reported that the Mohican Lake Resort may be looking for more requests during the year and suggested approving the request and seeing how they make out with this one.

Supervisor Rajsz reported that it is mandatory to establish a standard workday for the Highway Superintendent. The Town Clerk reported that the paperwork verifying the Highway Superintendent's hours will be posted for 30 days, after which time she will verify the posting and the Supervisor's Office will send it to the Comptroller's Office.

Supervisor Rajsz reported that she was contacted by the Town of Ullysses to request that our town support the courts for upholding home rule.

Supervisor Rajsz reported that Goosetown Communications supplies our town with portable radios and had requested the town sign a 5 year contract, however, the Supervisor reported that she has requested a contract for 24 months to supply us with updated radios and service.

Supervisor Rajsz reported that the Resolution to schedule a Public Hearing for Local Law #2, 2012 to repeal the "Alarm" law was to address the issue that no one has been registering their alarms with the Town Clerk's office because their private alarm companies already monitor their systems. Councilman Shafer questioned Constable Crum if they have had any problem with the Alarm Law? Crum reported that the alarm systems are set up with 911, the Sheriff & State Police and that 80% of the calls are false alarms. Crum noted that the original law was set up because of the false alarms but no action has ever been taken as a result of responding to multiple false alarms.

Supervisor Rajsz reported Councilmen Akt and Shafer interviewed 4 people for the position of part time maintenance for the Town and, upon their recommendation, the Town is approving the appointments of Martha and Paul Tully for the position. Supervisor Rajsz

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stated that the ball field bathrooms are in a bad state. Councilman Thiele stated that the bathrooms are old but usable but they would like to get the lights back on for safety purposes. Supervisor Rajszyk noted the part time maintenance personnel will be cleaning the bathrooms.

Supervisor Rajszyk reported that there is a pre-bid conference with the Keystone Associates engineers set up to go over the specs for the generator electrical connection, noting that the date will be May 24<sup>th</sup>. Councilman Shafer questioned if there were any changes to the specs for the concrete pad? The Code Enforcement Officer reported there were no changes on the original specs for the pad, noting that the engineer is working with O&R for the electrical connection. The Code Enforcement Officer stated they had to go out to bid for the electrical connection because they have to pay prevailing wage. Supervisor Rajszyk verified that the Town Clerk has sent the email info over to Keystone Associates for the legal ads.

Councilman Shafer reported that our Chief Constable, Patrick Cahill, has gotten married and wished him well. Supervisor Rajszyk also wished Cahill well.

Councilman Carr reported that the July 4<sup>th</sup> parade letters have been sent out and the Youth Program has responded that they will participate. Councilman Carr reported he attended the Eagle Scout Awards and was amazed by how many Eagle Scouts our town troop has had over the years, noting there will be a couple of more in the next couple of years. Councilman Carr commended the troop leaders for just a good job.

Councilman Carr reported that Cathy Sterling will be the Town of Lumberland RSVP Senior of the Year and will be given an award at the RSVP luncheon next Monday. Supervisor Rajszyk reported that Marsha and Peter Comstock received the Pride Award for the Town of Lumberland this last Sunday at the Villa Roma.

Supervisor Rajszyk reported that the DEC will be accepting fire assistance grants, which are matching grants for such items as portable pumps, radios, portable hydrants, etc. Supervisor Rajszyk reported that the Upper Delaware Parks Dept. has reported that large portions of "rock snot" have been coming downstream and is very aggressive to the river. Supervisor Rajszyk reported that Dave Soete, who has been very active in the UDC for 23 years, will be retiring in Sept and wished him luck. Supervisor Rajszyk reported that Karen Smyth had received a Renaissance grant to continue her garden project at the school.

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Supervisor Rajszyk reported that on May 19<sup>th</sup> at 3 p.m. there will be a gathering to campaign to save the Pond Eddy bridge and she is planning on being there, noting that the existing bridge is slated to come down.

Supervisor Rajszyk reported the impact statement on the road usage agreement has been received and any comments can be sent to Mark Sweeney. Supervisor Rajszyk reported they have also received the comments from the last Public Hearing held at the Sullivan West school.

Supervisor Rajszyk reported there will be a training session with NYMIR on June 1<sup>st</sup> from 8 a.m. to 12 (noon), regarding violence in the workplace.

The Town Clerk thanked the Town Board for approving that she and her deputy attend training in Saratoga Springs, noting they both learned something from the schooling. The Town Clerk also thanked Sophia Martynec for taking care of the Presidential Primary election while she was away at her conference, noting she appreciated Martynec for all that she did to run the election smoothly. The Town Clerk reported that Spring Cleanup Day will be Saturday, May 19<sup>th</sup> from 9 a.m. to 12 (Noon) and passes are available in her office. The Town Clerk noted that she will be in her office on Saturday, May 12<sup>th</sup> from 9 a.m. to 12 (Noon) and on Saturday, May 19<sup>th</sup> from 8 a.m. to 11 a.m.

ZBA Chair Lewis Powell questioned if we had gotten confirmation that the State has received our new zoning? Supervisor Rajszyk confirmed it has been sent to the State but we have not received confirmation back from them yet. Supervisor Rajszyk noted the road usage agreement is posted on the website.

Grant Writer Frank Schwarz reported he has all the info on the cemetery brochure and will be finalizing it for next month's Town Board meeting. Schwarz also reported he received info on a grant for broadband and has talked to the Supervisor and Heather Jacksey regarding this grant because the deadline is June 12<sup>th</sup>.

Historian Frank Schwarz reported they had a great time on Heritage Day, with about 50 people attending. Schwarz reported they had photos of the estates and hamlets, noting they do not have a Heritage Day every year. Schwarz thanked everyone for coming and supporting the Museum.

Historian Frank Schwarz reported there will be a Memorial Day observance on Memorial Day at 10 a.m.

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Supervisor Rajszyk reported that she has put in a call to DOT regarding the scenic byways sign that needs to be put up, noting she went with the Highway Superintendent to see what location they could put the sign in. Supervisor Rajszyk noted that the sign can be temporarily placed at the end of Ct.Rt. 31 until a location is approved by the DOT. Grant Writer Frank Schwarz reported they cannot order the directional sign for the Town until the Scenic Byways approves the site.

Susan Gregg reported she has been out of town recently and has not talked to Carol Roig regarding the Community Pledge. Gregg reported that Litter Pluck Day resulted in a full truck load of garbage being taken to the transfer station.

Susan Gregg reported she received an email regarding a video of the proposed bridge project for Pond Eddy. Supervisor Rajszyk reported that the Interstate Bridge Commission Pennsylvania branch oversees the bridges on the lower end of the Delaware River and the New York State Commission oversees the bridges upstate. Susan Gregg noted that a decision on the bridge was put off due to the possibility of gas drilling in Pa. Supervisor Rajszyk reported she told Pa. that they should put a road in for emergency usage.

The Highway Superintendent reported everything was going well, noting they are working on Taras Schevenko Road. Supervisor Rajszyk reported she was told by a Mohican Lake resident that the trails need work.

Fire Dept. President Ann Steimle reported they dealt with a couple of spectacular crashes this last month and noted that they have new members which include young firefighters. Steimle reported they will be participating in the High School drill tomorrow which is being put on before prom weekend. Steimle reported that Monday nights is drill night for anyone that wants to stop by to see what they are about. Steimle questioned if the Town Board is still looking into having the LOSAP representative coming back in to discuss the Fire Dept. retirement program? Supervisor Rajszyk reported they are working on it.

Code Enforcement Officer, David Sparling, reported he has looked at the ball field bathrooms and they do need to be cleaned, noting they should be opened up for the kids. Sparling also noted that the bathrooms need to be made handicap accessible.

Constable Steve Crum reported that they have started the NPS River Corridor contract to patrol along the river. Crum reported this week is National Police Week and Constable Maas is in Washington D.C. participating in events there.

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Susan Morley reported the school budget will be going up a little. Sophia Martynec reported the school budget is actually going down a bit but will be up in tax dollars. Councilman Shafer noted that was because they had used surplus funds the year before to offset the budget which they are not doing this year.

Susan Morley reported she has participated for several years in the teen parent program, noting that each year they hold a baby shower for those that are in need of items. Morley reported that the Highland Seniors have participated in the program whereas the Lumberland Seniors did not want to continue to support the program. Morley reported the baby shower will take place on May 15<sup>th</sup> at the Highland Senior Center, noting that even the young men are starting to participate in the program along with the teen mothers. Morley noted that some of the teens are as young as 12 years old and most do not get any help from their families. Morley reported they are always collecting all the time, and they do accept gently used items such as toys and books. Morley noted the Highland Seniors and the Lions Club donate monies. Councilman Carr reported the RSVP program also donates a lot too and noted that Sue Morley does a great job for the program.

River Reporter Sandy Long reported there is info on the Eldred School District website on the school budget.

Peter Comstock reported he was not able to attend meetings in April but noted that he was appreciative of the Zoning Rewrite Committee and the Town Board for holding out during the meetings regarding the zoning rewrite. Comstock Thanked the Town Board for passing the new zoning and Article 10.

Susan Gregg reported the State of Vermont recently banned fracking, noting people are waking up and seeing the whole picture.

Supervisor Rajsz read the Special Announcements. The Town Clerk noted that the Republican Club will not be having their breakfast originally scheduled for May 27<sup>th</sup>.

### **ABSTRACTS**

Councilman Carr made a motion to accept Abstract #5, 2012, with General Fund Claims #319 through #403, in the amount of \$112,737.21, General Fund Prepaid Claims in the amount of \$40.00, and Highway Fund Claims #191 through #252, in the amount of \$53,308.81, with the total of Abstract #5, 2012 of \$166,086.02, seconded by Councilman Thiele, all in favor, so carried.

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Councilman Thiele made a motion to adjourn at 8:12 p.m., seconded by Councilman Carr, all in favor, so carried.

Respectfully Submitted,

Virginia V. Horn  
Town Clerk