

LUMBERLAND TOWN BOARD MEETING MINUTES
JUNE 13, 2012

The Town Board of the Town of Lumberland held a monthly meeting on Wednesday, June 13, 2012, at 7 p.m., at the Town Hall in Glen Spey, N.Y. Supervisor Nadia Rajsz opened the meeting at 7:04 p.m., followed by the Pledge of Allegiance.

Supervisor Rajsz requested everyone stay standing to observe a Moment of Silence in memory of Gregory Bodnaruik who passed away very suddenly in May. Supervisor Rajsz noted Bodnaruik was very active in the Town and will be greatly missed.

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, Susan Morley, Herb Baxter, Sophia Martynec, Cathy Sterling, ZBA Chair Lewis Powell, Aaron Fidler, Ed Gavalla, Town Attorney Danielle Jose-Decker, Susan Cabot, Susan Wade, Richard Hotzler, Fire Dept. Chief Eric Robles, Sandy Long from the River Reporter, David Riley, Bodhan Kandiuk, Kaitlin Haas from the Sullivan County Democrat, Planning Board Chair Jess Gluckler, 2 representatives from Kadampa Meditation Center and Christine Smetanuik.

MINUTES

Councilman Carr made a motion to accept the Minutes of May 7, 2012 and May 9, 2012 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. Comptroller's Newsletters
3. Pattern for Progress Seminar Notification
4. Grants Writer Update
5. Sullivan County Fire Advisory Board Mtg. Minutes- April
6. Historical Society Newsletter

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7. Cultural Series Performance Contract Form
8. ZBA Mtg. Minutes – April
9. SASD Newsletter
10. Catskill Mountaineer Press Release –Barnfest
11. Mid-Hudson Regional sustainability Plan Info
12. Upper Delaware News Release – National Parks
13. Census Bureau News Release
14. Planning Board Mtg. Min. – May
15. Planning Board Members letter & Resignations –Plunz, Tully & Akt

Councilman Carr made a motion to accept Correspondence #1 through #15, seconded by Councilman Thiele, all in favor, so carried. Supervisor Rajsz requested Items #12 & #15 be held for discussion. Supervisor Rajsz noted that Item #12 was a Thank You to those serving in the armed services with free passes to the National Parks. Supervisor Rajsz reported that she received Item #15 today, which was a letter from Planning Board member Richard Plunz and Alternate members Martha Tully and Caroline Akt tendering their resignations from the Planning Board. Supervisor Rajsz Thanked them for their service to the Town.

PRE-FILED RESOLUTIONS

- #91 – Speed Reduction Request – Forestburgh Road
- #92 - Local Law #2, 2012 – Repeal Alarm Law Approval
- #93 - Bid Award – Generator Electrical Connection
- #94 - Cemetery Brochure Expenditure Approval
- #95 – Noise Permit- Hunt
- #96 - Noise Permit – Mohican Lake Resort
- #97 - Schedule Public Hearing- Local Law #3, 2012- Planning Board Waiver
- #98 - Retirement Reporting Resolution – Former Supervisor LiGreci
- #99 - MMFT – Final FEIGS Completion Approval (Late File)
- #100 – Youth Program Aide Appt. & Budget Modification –Bodnaruik (Late File)
- #101 - Codification of Town Laws (Late File)
- #102 –Noise Permit – Thiele (Late File)

Supervisor Rajsz reported that Resolution #91 was a request by several residents of Forestburgh Road to extend the reduced speed on their road, noting the request goes to the County for approval who then sends it on to the State for approval.

Supervisor Rajsz reported that Resolution #93 was the award for the electrical connection for the Town generator, noting we received only one bid for \$36,000. Supervisor Rajsz

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noted that the bid specs stated the contractor needed to put 5% down as a bid security which the contractor did not do but he has been contacted and it has been worked out. Councilman Shafer stated that O&R Utilities has to approve the contractor's work. Code Enforcement Officer Dave Sparling reported that would have to be discussed with Keystone Engineering Associates, noting that there was a pre-bid conference with Keystone and the contractor that put the bid in was present. Sparling stated he would call Keystone to verify what needs to be done. Councilman Shafer stated that if O&R doesn't approve the electrical hookup to their pole the work will have to be delayed. The Town Attorney reported there can be a contingency clause built into the agreement. Councilman Shafer reported it takes 8 to 10 weeks to order the materials needed for the job and the bid specs state the work must be done by September 1st.

Grant Writer Frank Schwarz gave a presentation on the proposed cemetery brochure, noting that 10 months ago we were awarded a grant from the UDC for the project. Schwarz reported that, with the help of Christine Smetanuik and proofed by Sophia Martynec, they have gotten this far with the project. Smetanuik explained the information on the proposed brochure. Schwarz reported that there are still corrections that have just been made and they are waiting for the final proof. Schwarz Thanked the Town Board for the approval of this project.

The Board members reviewed the requested Noise Permits. Councilman Shafer suggested dropping the time limit to 11 p.m. from the 11:30 p.m. on the request from the Mohican Lake Inn. Councilman Akt reported that Constable Crum has stated previously that they have not had any problems with the Inn. Supervisor Rajsz made a motion to amend the times on the requested Noise Permits for the Mohican Lake Inn to 11 p.m. from 11:30 p.m., seconded by Councilman Shafer, all in favor, so carried.

The Town Attorney reported that Resolution #97 was to schedule a Public Hearing for Local Law #3, 2012 regarding an amendment to the new zoning law to give the Planning Board authorization to waive the new zoning laws in certain cases that are pending before the Planning Board. The Town Attorney noted that this Local Law will state that if anyone applied to the Planning Board between January 1st and May 1st of this year they could be granted a waiver from the new zoning regulations. The Town Attorney noted that the notice for the Public Hearing must be posted 10 days before the hearing. The Town Attorney noted she will not be available for next month's meeting. Councilman Shafer questioned if the Town Attorney's partner could be present for the Public Hearing? The Town Attorney reported her partner could be present if requested. Ed Gavalla questioned if the Public Hearing could be held sooner? The Town Attorney stated the vote on the Local Law will need to be done at a regular Town Board meeting or

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a Special meeting. Councilman Carr suggested holding the Public Hearing on July 11th which will be the regular Town Board meeting. Supervisor Rajsz suggested holding a Special Meeting on June 28th. The Board members agreed to hold the Public Hearing at their July 11th meeting.

Supervisor Rajsz reported that former Supervisor John LiGreci is in need of verifying his working hours during his term of office for the town for his retirement, noting his paperwork has been submitted and notarized. The Town Clerk reported that, once the Town Board approves the resolution verifying the hours, the resolution will need to be posted for 30 days before sending it on to the Comptroller's Office.

Councilman Carr reported that Councilman Shafer has worked on the MMTF for the last 4 years. The Town Attorney reported that there are still 2 things that are left to do for final approval of the MMTF agreement which, hopefully, will be done by the end of the summer. The Town Attorney noted that they will have to schedule a Public Hearing and do the findings. Supervisor Rajsz reported that Mark Sweeney is working on the final paperwork.

Supervisor Rajsz reported that the Summer Youth Program Director contacted her recently to let her know that the program aide was not going to be available this year and was in need of appointing a new aide.

Supervisor Rajsz also reported that we need to clean up our local laws and she has seen the Town of Bethel's codification of their local laws and they are online and linked to their website. Supervisor Rajsz noted that the amendments to the local laws supersede the original laws but there is no way to go in and make the changes. Supervisor Rajsz reported they put monies in the 2012 budget for the codification of the local laws, noting that the remainder of the cost can be built into next year's budget. Councilman Thiele questioned if there was a flat fee charge each year for this service? The Town Attorney reported there is.

Supervisor Rajsz reported she had received a request from the Planning Board to do a Proclamation for Gregory Bodnaruik which they will do next month.

REPORTS OF BOARD MEMBERS

Councilman Thiele reported that Rapid Electric fixed the ball field bathrooms across the street for less than it should have cost. Councilman Thiele reported that the maintenance

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man, John Vandermark, will be working on the ball field bathroom building. Supervisor Rajszyk reported that people are grateful the bathrooms are open.

Councilman Shafer reported that Martha Tully has stated she would do the river corridor trash cleanup. Supervisor Rajszyk questioned where the trash that is collected be dumped, noting possibly at the highway garage?

Councilman Akt reported the transformer pad for the generator is done and now they need to get the crane to set the generator on the pad. Councilman Akt asked for verification as to when the check would be ready for Sauschuck to pick up? Supervisor Rajszyk stated it should be ready by Thursday.

Councilman Carr reported the Seniors would like to Thank Grant Writer Frank Schwarz for making the suggestion to get a grant for the Senior Center for new air conditioners/heating units. Schwarz noted that he did not get the application yet but the next step would be to have the engineer recommend what is needed for the community block grant, noting that is the only way to get the project done.

Councilman Carr reported they already have 14-16 participants signed up for the July 4th parade, noting he is waiting for a few more to respond. Councilman Carr reported the parade will commence at noon from the firehouse to the Town Hall, noting there will be various agencies selling food and drinks after the parade. Councilman Carr noted that it seems like 90% of the people in town will be in the parade.

Supervisor Rajszyk reported that at Monday night's Workshop meeting the LOSAP representative came to discuss the retirement program available for the Fire Dept. Supervisor Rajszyk stated the Board members will be discussing this program at their next workshop meeting in July and that we can make copies of the proposed plan for anyone that would like to review it.

Supervisor Rajszyk reported that P&N Alarm Company has finished up most of the work on installing an alarm in the highway garage and updating the alarm system on the town buildings, noting they are waiting for some equipment to do the final install. Supervisor Rajszyk reported the landfill testing is complete and the report has been sent to the DEC. Supervisor Rajszyk reported she has information on IDA Industrial Development low interest loans. Supervisor Rajszyk reported the Youth Program will be starting up soon from 9 a.m. to 12 (Noon) from Tuesday through Thursday during the month of July. Summer Youth Program Asst. Director, Christine Smetanik, reported they usually have someone come in to do an educational program which they are still looking into. Supervisor Rajszyk

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reported she called about the use of the Mackenzie Elementary School for the summer program but has to fill out a request form.

Supervisor Rajsz she will be attending a meeting with Eagle Creek tomorrow in Matamoras and on Friday there will be a functional O&R exercise for emergency response in Mahwah, N.J. Supervisor Rajsz noted that on June 20th there will be a meeting in Eldred for the Waterfront Revitalization Plan and on June 23rd there will be a meeting at the UDC offices regarding a 5 year river management program. Supervisor Rajsz reported that on June 27th at 3:30 p.m. there will be a meeting in Monticello with the DPW Commissioner regarding the Pond Eddy Bridge, noting that she tried to get them to have the meeting at the bridge.

Supervisor Rajsz reported that she has requested we apply for a TAG grant for emergency plan updates. Frank Schwarz reported he had spoken to Laurie at the UDC and we have some time yet to apply, requesting that the Supervisor draft up an idea as to what they want to do for the grant.

The Town Clerk reported her office is busy. The Town Clerk reported that the LEC representatives could not be present tonight but would like to present the plaques for the Litter Pluck “ Fill My Pickup” Awards, noting that one would go to the Elementary School Faculty and the other award would go to Don and Theresa Smith. The Town Clerk noted that nobody from the School Faculty or the Smiths were present tonight but they will be getting the plaques.

The Town Attorney reported she has been busy, noting she has talked to Cemetery Committee Chair Lew Powell regarding the Knight Cemetery and tracking down the heirs to the cemetery, and hopefully will have an agreement to turn the cemetery over to the Town.

Planning Board Chairman Jess Gluckler reported 3 of the Planning Board members have resigned and that the Planning Board has done a preliminary plot approval for the Chapin Estates subdivision. Gluckler reported the Planning Board has had 4 subdivisions before the Board during the time frame from January until May 1st when the new zoning took effect. Gluckler reported they have discussed Ed Gavalla’s subdivision request, noting that his application came in January and February and should have been under the requirements of the current zoning regulations, however, the Planning Board Attorney is saying that it is when the subdivision is approved that should determine what regulations it should go by. Gluckler reported they had a Public Hearing for the Chapin Estates proposed subdivision with 70 to 80 people present and all but 1 person was in favor of

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the subdivision. Gluckler reported they spent 6 months on reviewing this subdivision and 2 months of fact findings. Gluckler noted that the Planning Board members get paid very little and have 4 hours of training per year. Gluckler stated he is disappointed by the resignations and that he is proud of the Planning Board members for dealing with the biggest subdivision in the history of the Town.

ZBA Chairman Lewis Powell reported they had a Public Hearing for a project that was the construction of a foundation on the Tow Path.

Cemetery Committee Chairman Lewis Powell reported that the committee discussed getting 9-1-1 signs for the cemeteries, noting the members went to the cemeteries to see where the signs should be placed. Powell reported he has ordered 3 signs.

Grant Writer Frank Schwarz reported that there was a grant last year for the NYS plaque commemorating the opening of Rt. 97 in the Town of Lumberland, noting that he got information from the DOT to go ahead with the placement of the plaque which includes a kiosk. Schwarz reported he did not follow through phase 2 of the grant for the directional sign because the sign would only have been directing people to the Museum, noting that it should have been directing them to the municipal building instead.

Grant Writer Frank Schwarz reported he has submitted an HGrant for \$1,500.00 to help with the cost of the town's generator.

Cultural Series Director Frank Schwarz reported that the Cultural Series Board will be meeting this Saturday to go over the proposed programs for 2013.

The Supervisor Thanked Frank Schwarz for the Memorial Day service. Schwarz reported that when he started this Memorial Day service in 1985 there were only 50 people present, noting that it has more than doubled in attendance since then. Schwarz reported that they are finalizing the Cemetery brochure, noting there will be an article in the River Reporter and they will be releasing the brochure when they receive the final print.

Supervisor Rajsz Thanked Linda Hazen for planting flowers and Thanked the 4-H members who helped with the planting. Frank Schwarz reported that Hazen helped make the Memorial Day celebration special.

Fire Chief Eric Robles reported they had 21 calls this last month, noting that it is a problem responding to addresses that have no 911 addressing signs. Supervisor Rajsz stated they should be contacting the Code Enforcement Officer if there is no sign. Robles

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reported the ambulance is out of service again with a different problem, noting this is a busy time for calls for them. Robles noted that the Fire Dept. chicken bbq is July 28th.

Youth Program Assistant Director Christine Smetanuik reported that the Youth Program Director will contact Councilman Carr regarding the Youth Program participating in the July 4th parade.

The Code Enforcement Officer, David Sparling, reported that there are 8 towns that now have ECodes which is getting all the code enforcement information online, which is easier to reference. Sparling noted that 6 counties in southern New York State that border Pennsylvania are allowing fracking.

OPEN FLOOR TO PUBLIC

Cathy Sterling Thanked the town for nominating her for Senior of the Year.

Sophia Martynec reported that the Town Board should consider using the microphone while the air conditioning is running since it is harder to hear what is being said. Martynec also reported that the Friends of the Sunshine Library are looking for help to carry boxes of books from the library to the Eldred Town Hall for their book sale.

The Town Clerk reported there will be a Federal Primary held on Tuesday, June 26, 2012 from 12 (Noon) to 9 p.m. at the Town Hall.

Kadampa Meditation Center representative Zangmo Thanked the Town of Lumberland and the Seniors for providing parking for their recent event. Zangmo also reported they will have an open house event on June 30th from 11 a.m. to 4 p.m. and everyone is invited. Zangmo noted that if anyone had anything they wanted to get rid of they could donate it for the Center's flea market.

Supervisor Rajsz reported the Special Announcements.

ABSTRACTS

Councilman Carr made a motion to approve Abstract #6, 2012, with General Fund Claims #404 through #499 in the amount of \$61,097.48, General Fund Prepaid Claims in the amount of \$1,800.00, and Highway Fund Claims #253 through #314, in the amount of \$47,559.98, with the total of Abstract #6, 2012 of \$110,457.46, seconded by Councilman Shafer, all in favor, so carried.

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Councilman Carr made a motion to adjourn at 8:18 p.m., seconded by Councilman Thiele, all in favor, so carried.

Respectfully Submitted,

Virginia V. Horn, Town Clerk