

LUMBERLAND TOWN BOARD MEETING MINUTES
AUGUST 14, 2013

The Lumberland Town Board held a regular monthly meeting, with a Workshop Session from 7:00 p.m. to 7:30 p.m. on Wednesday, August 14, 2013, at the Town Hall in Glen Spey, N.Y. Supervisor Nadia Rajsz opened the Workshop Session at 7:00 p.m.

WORKSHOP SESSION

Supervisor Rajsz reported the Town Board would be holding a Workshop Session from 7-7:30 p.m. then the regular meeting would commence. The Board members reviewed the Agenda. The Board members reviewed the Minutes, Monthly Reports and Correspondence. Supervisor Rajsz reported she would like to discuss Item #4 which was a letter from the Sullivan County Legislature to Senator Bonacic regarding casino gaming. Supervisor Rajsz noted that the Grant Writer has been extremely busy.

The Board members reviewed the Pre-filed Resolutions. Supervisor Rajsz reported Resolution #109 for the approval of the Comprehensive Emergency Plan was held over from last month's meeting and she recommended tabling it again until the next meeting. Supervisor Rajsz noted that Councilman Leamon was not in attendance tonight and he had some recommendations for the Emergency Plan. Supervisor Rajsz reported they received a donation to the Town for the Summer Youth Program. Supervisor Rajsz reported they are scheduling a Public Hearing for the Fire Dept. contract, noting the Town Attorney has recommended a five year contract. The Town Attorney reported she recommended a five year contract which would eliminate having a Public Hearing each year, noting that they can extend the contract by simply doing a resolution. The Board discussed the proposal with Fire Dept. President Ann Steimle. Supervisor Rajsz also noted that the Town is still putting aside monies for the Fire Dept. radios. Supervisor Rajsz reported they are doing a resolution to approve the contract for ambulance service to cover the portion of Chapin Estates that is in the Town of Lumberland. Supervisor Rajsz reported they will be scheduling a Public Hearing for the Knight Cemetery ownership change, with the Town Attorney noting they are finally wrapping up this issue.

Councilman Akt questioned if the warrantee on the highway garage would cover the cost of the repair to the gutters? Supervisor Rajsz and the Highway Superintendent verified that the repair is not under warrantee. The Highway Superintendent reported that the cost of the repair included shipping, however, he noted the cost for shipping was an estimate and may be lower. Supervisor Rajsz reported they have a resolution to approve that the Eldred School District has permission to buy road salt from the Town. The Town Attorney recommended an agreement be signed with the approval. The Highway Superintendent stated he would keep track of each time the School District gets salt from the town and charge them accordingly. Supervisor Rajsz reported they have a resolution to support casino gambling in the County, noting they hope it will move the County in the right economic direction.

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Supervisor Rajszyk reported there is a Resolution to transfer ownership of cemetery plots from one family member to another. Supervisor Rajszyk reported they have two Proclamations, noting one was for the anniversary of the Ukrainian Independence and the other was in memory of Carl Hentschel who passed away at the age of 105.

Supervisor Rajszyk reported she would like to create a Local Development Corporation that would be a non-profit organization and would be used to funnel monies into a fund for viable projects. Supervisor Rajszyk reported that two council people plus others would form the corporation and oversee the funds. Supervisor Rajszyk stated that if the Town were to purchase land they could use funds through the Corporation to reimburse the Town for the expenditure. Supervisor Rajszyk noted that funds for projects could be raised through grant monies. Supervisor Rajszyk reported the Towns of Tusten and Bethel already have information on this. Supervisor Rajszyk noted the Town could purchase a building and rent it out like we do with the bus garage. Supervisor Rajszyk stated she would like to add the Code Enforcement letter regarding an unsafe structure in Mohican Lake to the Correspondence as Item #8.

Supervisor Rajszyk closed the Workshop Session at 7:30 p.m.

REGULAR TOWN BOARD MEETING – 7:30 p.m.

Supervisor Nadia Rajszyk opened the regular Town Board meeting at 7:30 p.m., followed by the Pledge of Allegiance. Supervisor Rajszyk requested a Moment of Silence for the passing of three of our residents, Ann Danuff, Carl Hentschel and Jess Gluckler. Supervisor Rajszyk noted Ann was active in many organizations within the Town, Carl would have been 106 years old this coming Friday and Jess was our Planning Board member and Chairman and he was a former member of the Environmental Council.

Roll Call was administered to those members present:

Supervisor Nadia Rajszyk
Councilman/Deputy Supervisor Joseph Carr
Councilman James Akt
Councilman Ron Thiele
Councilman David Leamon was Absent

Also present were Town Clerk Virginia Horn, Heather Jacksey from Sullivan County Planning, Highway Superintendent Don Hunt, Jr., Fire Dept. President Ann Steimle, Susan Morley, Helga Rupnick, Herb Baxter, Sophia Martynec, Cathy Sterling, Summer Youth Program Director Darnell Prunka, Susan Gregg, Code Enforcement Officer David Sparling, Sharon Sparling, Jenny Mellan, Chief Constable Patrick Cahill, Bohdan Kandiuk, Town Attorney Danielle Jose-Decker, Kaitlin Haas from the Sullivan County Democrat, Dave Hulse from the River Reporter, David Riley and Richard Hotzler.

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Supervisor Rajszyk reported they have two presentations tonight, one for the Scenic Byways and one from the Summer Youth Program. Supervisor Rajszyk reported the Town help fund a summer basketball camp for the 1st time this year and the program was very successful.

Summer Youth Program Director, Darnell Prunka, reported on this year's program, noting they had 76 kids participate this year. Prunka reported they had several trips, noting one of which had an in the ground trampoline system which the kids had a lot of fun with. Prunka noted that all the various age groups had a good time, noting they went to Camel Beach, the Fun Castle in Goshen, the Bronx Zoo and they went on a Lander's river trip. Prunka noted the program offers arts and crafts, sports, and science and nature programs. Prunka showed some of the arts and crafts they worked on. Supervisor Rajszyk stated they are grateful for the program which gives the kids something to do during the summer. Prunka stated they are grateful for the park and thanked the Town Board for their support. Prunka noted she had two helpers and hoped to be able to continue to use them in next year's program.

Supervisor Rajszyk read a letter from the Scenic Byways regarding the signage along the byways, noting they are looking for cohesion of the design of the signs and to guard against sign clutter. Heather Jacksey, from Sullivan County Planning, gave a presentation on the various signage that could be used along the Scenic Byways and showed slides of the existing signs and the areas that either need signs, need updated signs, or need to have the signage corrected. Jacksey reported the sign coming into the Town of Lumberland does not have anything to do with the Byways and suggested that they add the Byways designation to the existing sign. Jacksey noted that all the towns within the Byways have the same signage for the Byways and the DOT should be installing those signs. Supervisor Rajszyk stated she would be applying for two new signs and swapping out some of the signs for more defined ones. Sharon Sparling questioned if the local artists could make any of the signs? Jacksey reported the signs have to be State Byways signs. Susan Gregg questioned if a kiosk could be put in at the parking area for more information? Jacksey reported they would need to work with Dean Smith on that issue. Sharon Sparling questioned whatever happened to the proposed Welcome Center? Jacksey noted they are still working on that. The Town Attorney questioned if the Byways was looking for a pilot community to use as an example for correct signage? Jacksey reported they are looking for a point person that will work with the highway department to co-ordinate the signage along the Byways. Jacksey noted the towns should not have to pay for the replacement signs. The Town Attorney questioned what kind of commitment the Byways was looking for from the town? Jacksey reported it is an informal program, that the town could contact the County representative for the Byways and work with the town as to where to locate the signs and what signs we would need.

Heather Jacksey, from Sullivan County Planning, also reported that they have been working on the local waterfront revitalization plan from Hancock to Port Jervis, noting

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they are close to closing phase one and starting phase two of the program. Jacksey stated they are looking for a team to work on developing the design of an access site, looking at different aspects of the sites, and addressing the parking issue. Supervisor Rajszyk reported Ann Steimle was working on the committee looking into community access sites. Darnell Prunka questioned if there would be an area for swimming at any of the access sites? Supervisor Rajszyk reported that swimming is not allowed at the access site. Supervisor Rajszyk thanked Jacksey for her presentations.

MINUTES

Councilman Carr made a motion to accept Minutes of July 8, 2013, July 10, 2013 and July 24, 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. P&N Alarm System Job reports (Bldgs.)
3. NYS Assembly Newsletter
4. SC Legislature letter to Governor Cuomo
5. Pattern for Progress bulletin
6. Grant Writer Update –TAG Grant
7. Planning Board Mtg. Min. – July
8. Code Enforcement Letter- unsafe structures - Mohican Lake

Supervisor Rajszyk reported Item #4 was a letter sent to Governor Cuomo from the County supporting the passing of casino gaming. Supervisor Rajszyk stated they are hoping one casino in the County will add to the economic future of the County. Supervisor Rajszyk reported Item #6 was an update from the Grant Writer, noting the Grant Writer got a TAG Grant for monies for a computer that was needed.

Supervisor Rajszyk reported Item #8 was a letter from the Code Enforcement Officer regarding unsafe structures on Minisink Trail in Mohican Lake, noting pictures were provided along with the recommendation that the structures be taken down. Code Enforcement Officer, Dave Sparling, reported he sent out a letter last year and has not gotten a response from the owner, so it is being addressed again and has sent out another letter, noting it is his recommendation the structures be removed. The Town Attorney requested the letter be amended to read that it needs to be removed because it could collapse at any time. Sparling reported the roofs on both structures are caved in at spots and there is a provision in code that the structures could be boarded up. The Town

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Attorney recommended amending the letter to read it is the recommendation to be torn down. The Mohican Lake residents present at the meeting agreed it should be torn down. The Town Attorney proposed a resolution be drawn up verbally for tonight's meeting to schedule a Public Hearing to be held in September so that proper notice to the owners and any lien holders can be issued.

PRE-FILED RESOLUTIONS

- #109 - Emergency Management Plan Update Approval (held from last month)
- #113 – Court Clerk training approval
- #114 - Donation to Town - Grecco
- #115 - Lumberland Fire Dept. services contract Public Hearing Scheduling
- #116 - Bethel Ambulance Services Agreement approval – Chapin Estates
- #117 -- Knight Cemetery Ownership Public Hearing Scheduling
- #118 - Highway Garage Gutter Replacement Approval
- #119 - Eldred School District Request- Road Salt Purchase from Town
- #120 - Support Gaming Legislature
- #121 - Cemetery Deed Ownership Transfer Approval
- #122 - Schedule Public Hearing – Order of Removal/Demolition of Unsafe Structure
(Proposed as a late file by the Town Attorney)

Supervisor Rajsz thanked the Greccos for their donation to the Summer Youth Program. Supervisor Rajsz reported #115 was to schedule a Public Hearing for the contract between the Lumberland Fire Dept. and the Town, noting they are proposing the same amount be given to the Fire Dept. as last year. Supervisor Rajsz reported they are proposing a five year contract which will eliminate having a public hearing each year, noting that they would be able to extend the agreement by resolution each year, if needed. Supervisor Rajsz noted the Town will be putting \$10,000 aside again next year towards the purchase of new radios for the Fire Dept., with the amount to be added to what the Town has already set aside. The Town Attorney noted that either party can cancel the agreement if they do so by August 20th of the existing year.

Supervisor Rajsz reported they need to go into an agreement with the Bethel Ambulance Corp. to cover the portion of Chapin Estates that is in the Town of Lumberland. Councilman Carr Thanked the Town Attorney and Billy McKerrell for all their work on getting the title to Knight Cemetery turned over to the town. Supervisor Rajsz reported the gutters on the Highway Garage were damaged and need to be fixed. The Highway Superintendent reported the damage was because the ice cleats were never installed initially on the roof. Supervisor Rajsz noted the gutters have to be replaced in parts and repaired in other places. Supervisor Rajsz reported an addition needs to be made to Resolution #119, noting it should be added that “that the Supervisor is authorized to execute an agreement with the Eldred School District to purchase road salt from the Town of Lumberland”. Supervisor Rajsz noted that this agreement is beneficial to both the town

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and the School District. The Highway Superintendent reported he will keep track of the truck loads of salt and bill accordingly.

Supervisor Rajsz reported Resolution #120 came out of the Supervisors meeting, noting that if they support the effort of getting casino gaming in the County they are hoping it will add to the economic status of the county. Supervisor Rajsz stated it seems to be easier to change the constitution for gambling than to change the tax exempt issue. Supervisor Rajsz stated they would be issued an abatement while they are building the casino but not after completion.

The Town Attorney submitted Resolution #122 as a late file, reading the proposed resolution to schedule a Public Hearing to remove an unsafe structure.

PROCLAMATIONS - Ukrainian Independence
In Memory of Carl Hentschel

Supervisor Rajsz read both Proclamations, noting Carl Hentschel would have been 106 years old this coming Friday.

REPORTS OF BOARD MEMBERS

Councilman Akt reported the railing for the handicap ramp is finished, noting Linda & Lauren Hazen stained the railing. Councilman Akt reported he is looking into getting the parking lots striped.

Councilman Carr reported he attends the Fire Dept. meetings as the Town Board liaison, noting the Fire Dept. has built a new building and gotten a newer ambulance which the Fire Dept. raised monies for and are also paying on these debts. Councilman Carr reported the Fire Dept. has received monies through letter donations and the Ladies Auxiliary also gives them money. Councilman Carr stated that the Fire Dept. still manages to do what they can with what they have available and people don't understand that the town would be spending more money without this service. Councilman Carr stated the Fire Dept. needs more publicity as to what they actually do, noting they spent last weekend out on the river not only retrieving a drowning victim but by rescuing people.

Supervisor Rajsz reported she got communications from the DOT that they will be working on rock removal along Rt. 97 going toward Barryville starting in November until March of next year.

Supervisor Rajsz reported that at the recent Supervisors meeting someone explained that they are trying to create an animal shelter in Sullivan County, noting we now take our animals to Orange County. Supervisor Rajsz stated they are trying to find a way to keep the monies in Sullivan County, noting that what is proposed is more than we are paying now.

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Supervisor Rajszy reported the Grant Writer is working on a grant for consolidating funding for acquisition of land along Rt. 97 adjacent to the Parks Service. Supervisor Rajszy noted she requested the Grant Writer submit the grant and that the Town has the support of the Parks Service, the UDC and the County, and, hopefully, will get support letters from Senator Bonacic and Assemblywoman Gunther. Supervisor Rajszy stated the first phase would be to buy the property with the second phase being to create a Visitors Center in the Town of Lumberland at the site. The Highway Superintendent questioned if they could put the Fire Dept. boat in at the proposed site? Supervisor Rajszy stated the launch area would have to be cleaned up to get a boat in there. Supervisor Rajszy noted the site has historical and recreational features and there are a lot of grants out there to help with the project.

The Town Clerk reported the new hunting/fishing licenses are now on sale and they have been busy the last couple of days with sales. The Town Clerk noted she has sold two E-Z Pass kits so far.

The Town Attorney reported she has been very busy.

The Highway Superintendent reported they paved the cemetery road, doing work at the landfill and got the cemetery shed moved.

Fire Dept. President Ann Steimle reported they have been really busy with 24 medical calls, 6 accidents and 2 reports of burning wires. Steimle reported on the river call, noting that there were no life jackets on the people they were pulling out of the water. Supervisor Rajszy noted that the NPS has a sign up that life jackets are required. Steimle noted you cannot force people to put the life jackets on. Steimle reported the repaired fire siren would be activated within the next week and the new ambulance is fantastic.

The Chief Constable reported on his monthly report. The Town Clerk reported she received a call about someone out there scamming people about blacktopping driveways, noting a couple of people in the Town of Highland have gotten charged a lot more for this service than originally quoted.

The Code Enforcement Officer reported his monthly report included a monthly generator report. The Code Enforcement Officer also reported there has been a lot of issues with the use of the Park and the Town Pavilion recently. Supervisor Rajszy reported the Town Board needs to sit down with the Town Attorney and the Town Clerk to discuss this further. Supervisor Rajszy noted the Parks Committee should be included.

OPEN TO THE PUBLIC

Helga Rupnick thanked the Town Board for the new railing on the handicap ramp and for the replacement of the wonderful cemetery shed. Councilman Carr thanked Councilman Akt for getting the railing on the handicap ramp.

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Sophia Martynec stated that during the Workshop Session several people in the audience were talking and it was difficult to hear the Town Board discuss their agenda. Martynec noted this was the first time for having the Workshop Session before the regular meeting. Supervisor Rajszyk reported they are looking into getting speakers with a microphone system.

Sophia Martynec reported that she was recently on the Town website and it is not updated.

Darnell Prunka questioned if the Town Board and the Constables were aware of the drug problem in the area? The Chief Constable stated they are aware and would talk to Prunka after the meeting since he could not discuss anything in public. Prunka questioned if there was a possibility of our town joining with other towns to see what can be done? Supervisor Rajszyk requested Prunka give any information she had regarding any drug activity to the Constables. The Chief Constable stated the biggest problem is the police agencies are under funded.

Richard Hotzler reported an Eagle Scout from the Town of Lumberland is the 1st Eagle Scout from Sullivan County that has received a State award, noting the County gave the presentation. Sharon Sparling noted that two brothers have become Eagle Scouts from the Town of Lumberland.

Susan Gregg reported the Lumberland Environmental Council is requesting permission to create to dedicate to the memory of Ann Danuff. The Board members agreed it was a good idea. The Highway Superintendent noted that the original proposed site is where they plow snow in the winter and another site would need to be considered.

Darnell Prunka reported, that in light of the recent drownings on the river, the Summer Youth Program does not plan a river trip if the river is too high.

Sharon Sparling stated that they will miss Jess Gluckler who recently passed away and that she appreciated his expertise on the Planning Board and will miss him. Sparling noted they are in the process of restructuring the Planning Board and need help. Sparling recommending advertising for one member and two alternates. Supervisor Rajszyk agreed Gluckler will be missed.

Sharon Sparling questioned if any of the Planning or Zoning members were going to be on the review of the zoning? Supervisor Rajszyk reported the ZBA and Planning members need to meet with David Sparling and David Leamon to discuss the review and recommend any changes to the zoning. The Town Attorney reported her partner who has been the Planning and Zoning Board Attorney has been keeping track of any proposed changes. David Sparling noted it should be a Councilman attending the meetings. The Town Attorney noted that if 3 or more Town Board members attend a meeting the meeting has to be

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advertised as a legal Town Board meeting. Supervisor Rajsz suggested the members of the committee to review should attend a regular Planning Board and ZBA meeting to review the zoning with each board.

Councilman Carr reported the Parks Committee would not be meeting on August 15th. Supervisor Rajsz reported the Democrats will be having a “Meet the Candidates” on Saturday, August 24th from 11 a.m. to 1 p.m.

ABSTRACTS

Councilman Akt made a motion to approve General Fund & Highway #8, 2013, with General Fund Prepaid Claims in the amount of \$ 5,060.00, General Fund Claims G2-#519 through #594, in the amount of \$ 33,960.53, Highway Fund Claims #H2- # 386 through #414, in the amount of \$ 73,631.57, with a total of Abstract #8, 2013 of \$ 112,652.10, seconded by Councilman Thiele, all in favor, so carried.

Councilman Thiele made a motion to adjourn at 9:57 p.m., seconded by Councilman Akt, all in favor, so carried.

Respectfully Submitted,

Virginia V. Horn, Town Clerk