

**LUMBERLAND TOWN BOARD MEETING MINUTES**  
**SEPTEMBER 11, 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, September 11, 2013, at the Town Hall in Glen Spey, N.Y.

**WORKSHOP SESSION**

Supervisor Rajsz opened the Workshop Session at 7:01p.m., followed by the Pledge of Allegiance. Supervisor Rajsz requested everyone remain standing for a Moment of Silence in memory of 9 -11-2001.

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, Mike Rajsz, Natalie Rajsz-Steimle, Planning Board member Pam Bucksbee, Jenny Mellan, Highway Superintendent Don Hunt, Jr., Fire Dept. President Ann Steimle, Historian Frank Schwarz, Susan Morley, Joy Ryerson, Trina Hickey, Helga Rupnick, Herb Baxter, Cathy Sterling, Code Enforcement Officer David Sparling, 2 representatives from the Kadampa Meditation Center, Janina Vansovitch, Chief Constable Patrick Cahill, Bohdan Kandiuk, Town Attorney Danielle Jose-Decker, Kaitlin Haas from the Sullivan County Democrat, Dave Hulse from the River Reporter, Sophia Martynec and Susan Gregg.

The Board members reviewed the Agenda. The Board members reviewed the Minutes, Monthly Reports and Correspondence.

The Board members reviewed the Pre-filed Resolutions. Supervisor Rajsz reported the Planning Board had a reorganizational meeting due to the passing of their Chairman, noting the new Chairwoman will be Pamela Bucksbee, Susan Morley will be the Secretary and Ed Gavala remains as the Vice-Chair. Supervisor Rajsz also noted that the Planning Board is recommending the appointment of Alex Grech as a full member and Susan Gregg as an Alternate member.

Supervisor Rajsz reported she met with the people that are requesting their cemetery plot be deeded over to other family members. Supervisor Rajsz requested a verbal resolution be added to the agenda to approve the stripping of the parking areas for the amount of \$1,070.25.

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Supervisor Rajsz reported she received two pieces of correspondence, one from SUNY Sullivan for a documentary “Awake of the Nation” on Wednesday, September 25<sup>th</sup> at 7 p.m. in Liberty and the other regarding SLAC, which is the Senior Legislation Action Committee that will be addressing issues on Friday, September 27<sup>th</sup> at the government center in Monticello.

The Board reviewed and initialed the vouchers.

Councilman Leamon noted a correction to the Fire Dept. contract. Ann Steimle noted an additional correction to the contract, noting they would like to have a three year contract. Supervisor Rajsz reported on the Sullivan County Flu Clinic schedule, noting there will be no clinic in Lumberland but there will be one in the Town of Highland. Ann Steimle reported the shots are cheaper in Rite Aide and CVS pharmacies.

Supervisor Rajsz stated they should discuss the unsafe building in Mohican Lake. The Town Attorney reported that when the owner of record was notified he has informed the Town that he has sold the property. The Town Attorney noted the Code Enforcement Office did post the notice of the unsafe building. The Town Attorney reported she will send notice by registered mail and do further research on the property.

The Town Attorney questioned the status on the unsafe building in the Black Forest? The Code Enforcement Officer reported that the structural issues have been corrected and the owner has a legal permit. Supervisor Rajsz questioned if the building is fixable? The Code Enforcement Officer stated it is.

Supervisor Rajsz reported that Councilman Leamon and the Code Enforcement Officer have been reviewing the zoning law, noting Councilman Leamon has given his recommendations on changes. Supervisor Rajsz stated she would like to put a committee together to do a comprehensive review of the zoning, noting the committee should consist of the ZBA Chair Lew Powell, Ed Gavala from the Planning Board, the Code Enforcement Officer, Councilman Leamon, the Supervisor, Jay Shafer, any Planning Board members, suggesting the committee meet the second Tuesday of the month. The Code Enforcement Officer recommended any review should not take place during a regular Planning Board meeting, and suggested they go ahead with the recommended changes so far and proceed with the codification of the laws which, once completed, could be published online. The Board members agreed to change the things that they know need to be changed and go ahead with the codification. The Town Attorney noted that they will have to go through the whole process of having a new law and hold a public hearing to make the changes to the zoning.

Councilman Leamon made a motion to close the Workshop Session at 7:32 p.m., seconded by Councilman Carr, all in favor, so carried. Councilman Thiele made a motion to open the

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regular Town Board meeting at 7:32 p.m., seconded by Councilman Carr, all in favor, so carried.

### **REGULAR MEETING – 7:30 p.m.**

#### **MINUTES**

Councilman Akt made a motion to accept the Minutes of August 28, 2013 as written, seconded by Councilman Carr, all in favor, so carried.

#### **CORRESPONDENCE**

1. Monthly Reports:
  - a. Supervisor
  - b. Town Clerk
  - c. Buildings
  - d. Highway Superintendent
  - e. Constables
  
2. 2. Pattern for Progress Luncheon notification
3. TAG Grant Application – Glen Spey Cemetery Maps
4. Code Enforcement Fire Report
5. Planning Board Mtg. Minutes – Aug.
6. Planning Board Appointments request

Supervisor Rajsz reported our Grant Writer has presented the TAG Grant application for the cemetery maps to be made, noting the project was approved but the funding for all the grants has been decreased.

Supervisor Rajsz reported that at the last meeting there was a question regarding our reserve funds, noting the different reserve funds we have and the balances in each fund. Supervisor Rajsz noted that these balances are listed on the monthly Supervisor's Report.

Councilman Akt made a motion to recess the regular meeting at 7:35 p.m., seconded by Councilman Thiele, all in favor, so carried. Councilman Carr, made a motion to open the Public Hearing at 7:35 p.m., seconded by Councilman Akt, all in favor, so carried.

### **PUBLIC HEARING – 7:35 P.M. – KNIGHT CEMETERY OWNERSHIP**

Supervisor Rajsz reported that Knight Cemetery had been abandoned and the Town Attorney has worked very hard to find family members to see if they would agree to turn the cemetery over to the town.

### **OPEN FLOOR FOR 1<sup>ST</sup> TIME**

The Town Attorney reported that the Knight Cemetery is a historical property and the Town can accept it as a donation, noting George Knight had passed away and they couldn't

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find a deed to the cemetery. The Town Attorney reported she tracked down the will and got in contact with step grandchildren, one being a step grandson who is willing to turn the cemetery over to the town. The Town Attorney noted she is working with the underwriter to determine what kind of deed needs to be drawn up.

Frank Schwarz stated this would be a positive thing for the town, noting that the cemeteries in town are in various stages of upkeep and this would be a credit to the people who are buried there.

Ann Steimle stated the cemetery is a part of the history of the town and is grateful to the Town Board for persevering to take ownership of the cemetery.

**OPEN FLOOR FOR 2<sup>ND</sup> TIME**

No Comment

**OPEN FLOOR FOR 3<sup>RD</sup> TIME**

No Comment.

Councilman Akt made a motion to close the Public Hearing at 7:40 p.m., seconded by Councilman Thiele, all in favor, so carried. Councilman Carr made a motion to reopen the regular meeting at 7:40 p.m., seconded by Councilman Thiele, all in favor, so carried.

**PRE-FILED RESOLUTIONS**

- #109 - Comprehensive Emergency Plan Approval (tabled from last meetings)
- #126 - Anti-Skid Sand Bid Advertisement
- #127 - Planning Board Appointments Approval
- #128 - Cemetery Plot Burial Authorization
- #129 - Support Re-Instating Drivers' Education Program –Eldred School District

The Town Clerk reported there was no original deed to the plots that are being requested for transfer of ownership because the plots were given out before deeds were drawn up. The Town Clerk noted she will draw up a new deed for the new owners.

Councilman Thiele reported there have been a large number of accidents involving young drivers in our area and there is a petition being circulated to request the Eldred School District reinstated the Drivers Education Program. Councilman Thiele noted that the Town of Highland is also going to support this effort. Councilman Thiele stated he would take the approved resolutions to the School Board meeting to see if they can change their minds and get them to reinstate the program. Supervisor Rajszt stated that there is a separation between the School Board and the Towns, noting that she worried about her two daughters when they were teens and driving and now there is also a drug problem in town. Supervisor Rajszt stated that even though Drivers Education is important it is a parental responsibility

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to teach their kids how to drive responsibly. Supervisor Rajsz noted that Drivers Ed is not mandated by the State and the School District is not sure where they would get the monies to fund the program. Supervisor Rajsz reported the school is showing that too few students were taking the course and dropped it from the curriculum. Supervisor Rajsz stated that another alternative is to have this issue on a referendum vote to the parents, noting our children are our future and we should protect them. Susan Gregg stated it is a start and maybe the parents should pay for the Drivers Ed course, suggesting they could combine the program with another school district to deflect the costs? The Town Clerk reported that other towns have a program but it is paid for by the parents. Councilman Thiele reported the school district already owns the car and it is insured so the only cost would be for the instructor. Susan Gregg suggested having a fund raiser for the cost of the instructor. Councilman Thiele reported a family whose daughter died from a car accident in the area recently had a fund raiser and is considering putting some of the money raised for their family towards the cost of the Drivers Ed course. Supervisor Rajsz stated that one of the problems is not only teens under the influence but adults too. Councilman Thiele reported that, in the past, if a student failed another course they were removed from the Drivers Ed program. Pam Bucksbee reported it is not mandatory to take Drivers Ed. Susan Gregg noted that there is an insurance benefit for those that complete the course. Susan Morley noted that to keep getting the insurance discount the safe driving course can be taken every three years.

Councilman Thiele questioned if we had gotten a quote from May Bros. to do the stripping of the parking lots? Councilman Akt reported he called May Bros. and has not gotten a call back.

### **REPORTS OF BOARD MEMBERS**

Councilman Akt reported he will call Duffy to see when they can do the stripping in the parking lots.

Councilman Carr Thanked the Town for everything they have done for the Senior Center. Councilman Carr Thanked the Fire Dept. for all they do. Supervisor Rajsz read a letter from the Fire Dept. President Ann Steimle that was in the September newsletter regarding a recent rescue. Supervisor Rajsz noted that at the end of the letter Steimle reported she lost a pair of socks in the rescue and Supervisor Rajsz presented Steimle with a pack of new socks to replace the ones lost.

Supervisor Rajsz reported that last week there was a meeting to determine the final decision on the replacement bridge for the Pond Eddy Bridge, noting that work will start in 2 years. Supervisor Rajsz reported she has gotten notification that there will be a rock scaling project on Rt. 97. The Highway Superintendent reported they will not be starting that project until November due to the eagles and the snakes in the area. Supervisor Rajsz

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reported there is a STAR exemption registration letter from the state being mailed out to those on basic STAR to re-register, noting it can be done by phone or online.

Grant Writer Frank Schwarz reported it went well with the presentation for the TAG Grant to create 3 maps for the cemetery, noting that they would also make a bi-fold map that anyone could use. Schwarz reported that once the project is done the maps will be available on the town website, posted at the cemetery, and available at the Town Clerk's office. Supervisor Rajsz questioned if there were monies still available to beautify around the cemetery shed? Helga Rupnick verified they would discuss this with the Parks Committee and wait to hear from the UDC to see if we got the grant. Schwarz reported on the revenues that were brought in so far this year from grants and the pending amounts of funding. Supervisor Rajsz Thanked Schwarz for all his work on the grants. Councilman Carr Thanked Schwarz for the work he has done getting grant monies for the Seniors.

Cultural Series Director Frank Schwarz reported there will be a concert on Sunday, September 22<sup>nd</sup> at 3 p.m., noting it will be a sax and guitar concert. Historian Frank Schwarz reported on Sunday, September 29<sup>th</sup> there will be a Heritage Day from 1-4 p.m. at the Town Hall and Museum with a slide lecture.

The Highway Superintendent reported the Highway Dept. has been busy working on Lebanon Road and taking trees down on Rio Dam Road.

Fire Dept. President Ann Steimle reported they are still busy.

The Chief Constable reported on the Constabulary monthly activity.

### **OPEN TO THE PUBLIC**

The representatives from Kadampa Meditation Center reported they has a small course this last weekend and that they are doing well and keeping busy.

Supervisor Rajsz congratulated those candidates that won the Primary Election. Supervisor Rajsz noted the Special Announcements, noting the Democrats will not be meeting tomorrow night.

### **ABSTRACTS**

The Town Board members reviewed and initialed the vouchers. Councilman Carr made a motion to approve General Fund & Highway #9, 2013, with General Fund Prepaid Claims in the amount of \$ 1,291.40, General Fund Claims G13-#595 through #677, in the amount of \$ 220,132.89, Highway Prepaid Claims in the amount of \$208.50, Highway Fund Claims #H13- #415 through #450, in the amount of \$106,020.42, with a total of Abstract #9, 2013 of \$ 327,653.21, seconded by Councilman Thiele, all in favor, so carried.

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Councilman Carr made a motion to recess the regular meeting at 8:26 p.m. to go into Executive Session to discuss Highway contract negotiations, seconded by Councilman Thiele, all in favor, so carried.

**EXECUTIVE SESSION**

The Board members met with the Town Attorney to discuss the Highway Dept. contract negotiations. Councilman Thiele made a motion to close the Executive Session at 9:16 p.m., seconded by Councilman Leamon, all in favor, so carried. Councilman Leamon made a motion to reopen the regular meeting at 9:16 p.m., seconded by Councilman Thiele, all in favor, so carried.

Councilman Thiele made a motion to adjourn at 9:16 p.m., seconded by Councilman Leamon, all in favor, so carried.

Respectfully Submitted,

Virginia V. Horn  
Town Clerk