

**LUMBERLAND TOWN BOARD**  
**RE-ORGANIZATIONAL MEETING**  
**JANUARY 2, 2013**

The Town Board of the Town of Lumberland held a Re-Organizational Meeting on Wednesday, January 2, 2013, at 6 p.m. at the Town Hall in Glen Spey, N.Y. Supervisor Rajsz wished everyone a Happy New Year and welcomed the new Councilman, David Leamon, and congratulated him on his winning the election. Supervisor Nadia Rajsz opened the meeting at 6 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 Hattie Brush, Town Attorney Danielle Jose-Decker, Caroline Akt, Historian Frank Schwarz, Code Enforcement Officer David Sparling, Sophia Marty nec, Deanna Rajsz, Natalie Rajsz, Ed Gavalla, Andrew Mead, and Attorney Jacob Billig.

Supervisor Rajsz stated that there was a long list of Pre-Filed Resolutions to address.

**PRE-FILED RESOLUTIONS**

- 1.- Appointments
- 2.- Salaries
- 3.- Attorney for the Town
- 4.- Depository
- 5.- Mileage
- 6.- Regular Monthly Meetings
- 7.- Supervisor - Fiscal Authority
- 8.- Investment Policy
- 9.- Procurement Policies & Procedures
- 10.- UDC Representative
- 11.- Planning Board Compensation
- 12.- Planning Board Attorney
- 13.- Zoning Board of Appeals Compensation
- 14.- Zoning Board of Appeals Attorney

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- 15.- Official Radio Stations
- 16.- Official Town Newspapers
- 17.- Association of Towns 2013 Dues
- 18.- School – Assessor
- 19.- School - Code Enforcement
- 20.- School - Town Clerk
- 21.- School - Highway Superintendent
- 22.- Highway Superintendent Conference
- 23.- Mutual Aid Assistance – Constables
24. -Association of Towns Delegates – 2013
- 25.- Town Board Designee- Town Board Meetings
26. – Official Undertaking of Municipal Officers
27. – Zoning Board of Appeals Appt. -Fountain
- 28.- Planning Board Members Appts. –Sparling & Listenik
- 29.- DCO Additional duties and Compensation
- 30.- Schedule Public Hearing –Local Law #1, 2013 – Zoning Waiver

Supervisor Rajsz reported that on Resolution #1 the title Data Collector should be eliminated from the title for the Assessor's Clerk and the appointment is for the Assessor's Clerk only. Supervisor Rajsz noted that the law firm of Ricceni & Jose are the Town's law firm and Danielle Jose-Decker is appointed as the Town Attorney. Supervisor Rajsz reported that the title of Social Services Officer needed to be added to the list of appointments with Nadia Rajsz as the appointment. Supervisor Rajsz reported that when the accounting firm was reviewing our policies they recommended we hire a part-time court clerk for when the court clerk is not here.

Supervisor Rajsz stated she is looking for an Alternate member for the UDC and requested Councilman Leamon consider the appointment. Supervisor Rajsz noted there is no recommendation for the Planning Board Vice Chair. Supervisor Rajsz reported that there is no more Sullivan First and requested that be eliminated from the Resolution. Supervisor Rajsz noted that the County is doing something about RSVP and is not sure what is going to happen to that agency but would like to appoint Cathy Sterling as the liaison for RSVP anyway. Supervisor Rajsz stated they are still looking into the Health Officer position.

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Councilman Leamon questioned what budget line does the computer technician get paid out of? The Town Clerk reported he gets paid from the Central Communications line which is for the computers and the copier. Supervisor Rajsz noted he gets paid out of the contractual line for that budget.

Councilman Leamon noted that there was a previous discussion regarding the maintenance man and the part time maintenance people punching the time clock and questioned if anything had been done with this issue? Supervisor Rajsz reported that the maintenance man does not punch the time clock and the part time maintenance people do not punch a time clock because they do not have keys to the buildings and they usually come in around 5 am in the morning when nobody else is around so they keep a time sheet.

Councilman Akt stated that the Town Attorney did a good job this last year for the town.

Supervisor Rajsz stated she would like to cancel the scheduled Town Board Workshop Meeting for Monday, January 7, 2013 with the Board members in agreement. Councilman Akt stated he may not be available for the Wednesday, January 9<sup>th</sup> meeting.

Supervisor Rajsz stated she would like to recommend holding Resolutions #8 & #9 which were for our Investment Policies and Procurement Policies until the accounting firm can review them and make their recommendations.

Supervisor Rajsz noted that the UDC representatives are paid for by the UDC. Councilman Akt questioned if the Supervisor had talked to Marty Miller about replacing him as the Planning Board Attorney? Supervisor Rajsz reported she will call Miller tomorrow. Councilman Carr questioned if the ZBA Attorney will be attending all their meetings? Councilman Akt reported their Attorney only attends if the ZBA requests it.

Supervisor Rajsz requested Thunder Radio 102 be added to Resolution #15 as one of the Town's official radio stations. Supervisor Rajsz reported that a resident had questioned why we do not use the Times Herald Record for ads and notices? The Town Clerk noted that the Record is way too expensive for our Town budget.

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Supervisor Rajsz reported that all Town officials are invited to attend the Association of Towns conference in New York City in February, noting she will be attending and that it would be beneficial for everyone to attend.

Supervisor Rajsz stated she would recommend holding Resolution #28 until they get a recommendation from the Planning Board as to the appointments for members.

Councilman Leamon requested clarification on what each event was for the DCO to pick up cats and take them to Humane Society? Supervisor Rajsz reported that each event would be when she picks up an animal and transports them. The Town Attorney suggested putting a cap on how many events can be made. Supervisor Rajsz noted that the DCO is stating the problem is the feral cats and since she has been picking them up and transporting them she would like to be compensated. Councilman Carr stated he disagreed with the Resolution. Councilman Akt stated that the DCO has never overcharged the Town and was sure they could not get anyone else to do it. Supervisor Rajsz stated they would keep an eye on the situation.

Supervisor Rajsz reported that Resolution #30 was a late file Resolution that she received today to schedule a Public Hearing for Local Law #1, 2013 to grant the Planning Board a waiver for the new zoning laws. The Town Attorney reported they had discussed the proposal for the Town Board to authorize the Planning Board to waive the new zoning laws in certain cases and she has consulted the Association of Towns regarding the issue. The Town Attorney reported that since the Town Board has acted upon the zoning laws then they would need to do another Local Law to extend prior zoning for any pending actions which simply makes the provision available to the Planning Board. The Town Attorney noted that there will need to be a 30 day review by the County Planning Board but this does not require a formal SEGRA review. Supervisor Rajsz agreed this should have been done previously. The Town Attorney noted that the Public Hearing is scheduled for March which gives the Town Board plenty of time to review the proposed Local Law. Attorney Jacob Billig, representing Ed Gavalla and Andrew Mead and their proposed Glen View subdivision, reported that he has an extensive background in environmental law. Billig reported that the proposed Glen View subdivision was the only project affected by the new zoning law approval. Billig noted there is no significant environmental impact and the issue regarding eagles was resolved. Billig reported that this subdivision is not going to be an eyesore to

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the Town and that they would appreciate the Town doing a Public Hearing on this issue, noting he felt this was the right thing to do. Billig reported the owners have spent time and resources into the project so far and they have worked with the Town Engineer. Supervisor Rajsz agreed that it was an economic benefit to the town to go forward with the subdivision and this proposed law was a safety net for the town. Billig reported he has discussed this issue with the Town Attorney, noting he has represented everyone from a small subdivision to a Walmart subdivision. Councilman Leamon questioned the cap time? Billig reported that there is a sunset provision that can be up to 3 years but can be done for 1 year and it provides control over the project. Councilman Akt noted that there is a new Planning Attorney and she will need to be up to speed on the project.

The Town Clerk noted that the Board will have to schedule their annual Departmental Book Audits by January 20<sup>th</sup>. Supervisor Rajsz stated they can discuss the date at the January 9<sup>th</sup> meeting.

Supervisor Rajsz reported the committee to review the road usage agreement needs to start meeting, noting she had asked Jay Shafer to Chair the committee.

Sophia Martynec wished everyone a Happy New Year. Supervisor Rajsz wished everyone a Merry Christmas, noting the Ukrainian Christmas is celebrated on January 7<sup>th</sup>.

Councilman Carr made a motion to adjourn at 7:04 p.m., seconded by Councilman Akt, all in favor, so carried.

Respectfully Submitted,

Virginia V. Horn  
Town Clerk



Councilman Carr made a motion to adjourn at 7:04 p.m., seconded by Councilman Akt, all in favor, so carried.

Respectfully Submitted,

Virginia V. Horn, Town Clerk