

LUMBERLAND TOWN BOARD WORKSHOP
MEETING MINUTES
AUGUST 6, 2012

The Town Board of the Town of Lumberland held a Workshop Meeting on Monday, August 6, 2012, at 7 p.m., at the Municipal Building in Glen Spey, N.Y. Supervisor Nadia Rajsz opened the meeting at 7 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 Ron Thiele
Councilman Jay Shafer
Councilman James Akt was Absent

Also present were Town Clerk Virginia Horn, Town Attorney Danielle Jose-Decker, Code Enforcement Officer David Sparling, Ivan Orisek from Rally New York, Carol Roig from Sustainable Energy, Alan Scott from the IDA, Sophia Martynec, David Leamon and Highway Superintendent Don Hunt, Jr.

The Board members reviewed the Agenda. Supervisor Rajsz reported she would like to discuss the Rabies Clinic that is scheduled for Liberty and noted she received an additional letter for Correspondence that was a request for consideration of appointment for the Planning Board. Supervisor Rajsz noted they received a letter from Rally New York requesting permission to use Town of Lumberland roads for a race and that they received a letter from the Town of Deerpark announcing their 911 Memorial Service.

The Board members reviewed the Pre-filed Resolutions. Supervisor Rajsz reported that the Traffic Court Prosecutor John Kelly has submitted his resignation and made a recommendation for an appointment for a traffic court prosecutor, when needed. Supervisor Rajsz noted there were 2 late file resolutions. Supervisor Rajsz stated that they need to discuss the helicopter issue at Camp Simcha.

Supervisor Rajsz introduced Carol Roig who wanted to talk to the Town Board about the Community Smart Pledge that had been tabled previously. Roig stated that she works with Sullivan County Alliance on Sustainable Energy. Roig reported that since the Town of Lumberland had tabled their Smart Pledge the Town of Tusten has signed their Pledge, noting that each town can adjust their pledge accordingly. Roig noted that the Town of Tusten had issues with their Town Hall and adjusted their pledge to meet their needs. Roig noted that they help towns identify their funding needs through NYSERDA, noting there

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are State grant monies available for technical assistance. Roig stated that federal monies have also been set aside for this program. Roig reported that the more towns that sign the pledge will help the County be eligible for the federal monies. Roig reported that the Town of Highland has not formally signed their pledge either but has shared their data along with the Town of Jeffersonville. Supervisor Rajsz reported she has been working with O&R Utilities regarding the town's street lights. Roig reported that the next phase for the Town of Tusten is to do a community inventory and set goals for green house gases. Supervisor Rajsz noted that this is happening all through the State. Roig stated that the Town of Lumberland has already addressed some of the issues in their Comprehensive Plan. Councilman Shafer questioned #3 of the Smart Pledge Resolution, noting that he questions dropping our energy usage by 15% when we have already done some energy saving measures. Supervisor Rajsz reported we have already replaced lights and fixtures to conserve energy. Roig stated that the percentage can be adjusted to what is needed. Councilman Shafer stated he is worried about binding ourselves to the Pledge and committing ourselves to spending money we don't need. Councilman Thiele noted that the Highway Dept. just bought a new vehicle that runs on gas instead of diesel to conserve. Supervisor Rajsz stated that they have looked at the Pledge a couple of times and can amend it to our needs. Councilman Carr questioned whether they should put together a committee to look into this? Supervisor Rajsz noted that Susan Gregg has been compiling the data for our town. The Town Attorney stated that the Pledge can be tweaked and language added, noting she will look at it and make some recommended changes. Supervisor Rajsz stated she was grateful to Carol Roig for coming to discuss this issue further. Councilman Carr suggested tabling it until next month. The Town Attorney stated she will try to have some changes made by Wednesday night's meeting.

Supervisor Rajsz reported that Ivan Orisek from Rally New York was present to talk about having a portion of a road rally race on the Lebanon and Chapin Roads in the Town of Lumberland. Orisek reported they had previously held a race in the Town of Lumberland, noting they would close the roads for approximately 2 times each day for 2 hours each time. Orisek noted that there are no full time residents on the two roads and nobody has ever objected to their roads being closed. Supervisor Rajsz questioned how many cars were involved? Orisek reported it varies from 50 to 75 cars, noting that due to the economy there have been less in recent years. Orisek stated that this event will bring people from all over the world, noting they have been doing it for 11 years and have successfully organized 38 events. Orisek reported that these events bring people to the County which boosts the economy. Supervisor Rajsz questioned who would handle the emergency services? Orisek reported that they have their own emergency crews and these are all safety events because safety is very important. Orisek reported they hire mobile life to stand by and have marshals at all intersections. Supervisor Rajsz questioned what attracted Rally New York

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to the Town of Lumberland? Orisek reported they have inspected the roads and Lebanon and Chapin Roads are nearly perfect for this kind of racing. The Town Highway Superintendent questioned who would be responsible for any damage to the roads? Orisek reported that the roads are usually in better shape after the use and they have never damaged any roads. The Highway Superintendent stated that neither road is in good shape now. The Town Attorney reported that, when a race was held near her house, plenty of notices were sent out about the road closures and there was no damage done to the road. Councilman Shafer reported that people sign up to use Lebanon Lake and questioned if there would be a problem if they had signed up on the day the race was held? Orisek reported they would make sure those people would be able to have access when the racing was not being done. Orisek stated he has requested permission for October 20th but is not sure if the event can be organized by then and would like to request the permission be granted until 2013, noting they would advise the town within 60 days of the scheduling of the event. Supervisor Rajsz stated the Board members will discuss this request with the Highway Dept. Supervisor Rajsz requested that any contract drawn up should include fixing any damage to the roads. The Town Attorney will check the contract the Town of Thompson had with Rally New York and send the information on to the Supervisor. Supervisor Rajsz Thanked Orisek for coming to speak with the Board.

Supervisor Rajsz reported that Alan Scott from the IDA was present to talk to the Town Board. Scott explained that they have different programs available to small businesses and are presently working on several projects. Scott reported that through the IDA and Economical Development there are revolving loans available, noting existing businesses are eligible for loan funds with low interest. Scott reported that anyone interested in this should call him at (845) 794-1110 Ext. 303. Supervisor Rajsz reported that Scott was very helpful during the fire at Nolan's Restaurant, noting the building has been vacant for some time but has recently been purchased. Supervisor Rajsz also reported that there was a potential buyer for Dips & Dogs on Rte. 97. Scott noted those businesses can call him for assistance if they need it. Scott reported that Strategic Alliance also works with businesses. Scott noted there is no cost to work on a plan. Scott reported they are working on three new projects at the moment which will bring jobs to Sullivan County. Scott reported they worked on the Lodge in Rock Hill. Supervisor Rajsz stated that the focus has been on the western part of the County.

Supervisor Rajsz questioned if any Board member had any questions about the Resolutions? Councilman Carr stated his concern with the extension of the Smallwood-Mongaup Fire District is the ambulance issue. Councilman Carr noted he had contacted the Town Attorney who will be looking into it. Supervisor Rajsz reported that the Smallwood-Mongaup Fire District contracts with Mobile Life. Councilman Carr stated it only says the

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coverage is for 3 years and questioned what happens after the 3 years, noting that the Town Attorney will look into making the ambulance coverage permanent.

Supervisor Rajsz reported that Code Enforcement Officer Dave Sparling called the Association of Towns regarding the Local Law for the Zoning Amendment to allow the Planning Board to waive the zoning in certain cases. Sparling reported the Association told him that the Planning Board does not have the right to grant a waiver but the Zoning Board of Appeals can do a variance. The Town Attorney noted that the Planning Board cannot issue a waiver without the Town Board approval. Sparling noted a hardship would have to be proven to grant the waiver. Councilman Shafer noted that the zoning was amended a few years ago regarding cul-de-sacs and questioned if the new zoning met the regulations needed?

Supervisor Rajsz Thanked the Highway guys for the installation of the Scenic Byways sign, noting they did a wonderful job. Supervisor Rajsz also Thanked the Highway Dept. for fixing the entrance sign to the Town of Lumberland on Proctor Road.

The Town Attorney reported there is a Public Hearing scheduled for the Town Board Meeting on Sept. 10th for the MMFT, noting the MMFT attorneys are drafting the findings. The Town Attorney noted that we can have a Public hearing without the findings and noted that County Planning is reviewing the agreement.

Supervisor Rajsz reported the landfill testing results were fine, noting the DEC is saying they do not have our reports on the landfill testing. Supervisor Rajsz reported she sent out a disc with all the reports on it, noting that the Town Engineer needs to get involved in the testing, especially if there is an issue. Supervisor Rajsz stated that the DEC is saying there needs to be a visual testing at the landfill so they can confirm the testing is being done properly.

Supervisor Rajsz reported there is a State mandate for retirement payments, noting we paid \$95,795.00 in 2012 and we have just been notified that in 2013 it will be \$122,480.00. Supervisor Rajsz stated that at this rate the State mandates will bankrupt towns. Supervisor Rajsz reported the County Legislators came to the Supervisors meeting to let them know the County is looking at a 27% increase in their budget for 2013, noting the Sheriff Dept. is looking to build an \$80 million jail. Supervisor Rajsz noted that the State has been shutting down prisons and questioned why the County can't use these buildings instead of building a new expensive one? Supervisor Rajsz recommended people go to the Legislative meetings to see what is going on.

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Supervisor Rajszyk reported that there was an issue with Camp Simcha having a helicopter that gives the sick kids rides, however, it hovers over residences and creates a problem. Supervisor Rajszyk noted that she has talked to the owner of the camp and suggested they take the helicopter over the river instead of the nearby residences. Supervisor Rajszyk stated she would like to set up a meeting with Ben Brown from Camp Simcha and the neighboring residents. Supervisor Rajszyk also noted that Camp Simcha has put in a Noise Permit for a bike rally they are holding this week on August 9th. The Town Attorney stated she will look into the Town legislature to see about any restrictions with the issue of the helicopter. The Code Enforcement Officer reported that the new zoning states that a Noise Permit is needed for continuous noise. Councilman Thiele reported that someone was parachuting out of the helicopter. David Leamon questioned who regulates the helicopter? Supervisor Rajszyk reported nobody regulates personal aircraft, noting that even the FAA does not regulate them.

Supervisor Rajszyk reported she just received a letter from Congressman Hinchey for Carl Hentschel's 105th birthday celebration, noting we will be having a party on Wednesday, August 15th in the Senior Center. The Town Clerk reported she called Senator Bonacic's office to see if we could get a new State flag for the municipal building, noting his office called to say they have a flag for us.

Councilman Carr reported the sign for the Town Hall & Municipal Building needs to be done over, noting that the man who originally did the sign has passed away. Councilman Carr noted that he will see if Christine Smetanuk or Nicole Camacho can do the job, noting he will get a price on how much it will be. Supervisor Rajszyk noted they could apply for a Renaissance grant for the project. Councilman Carr also reported the street light on Ct. Rt 31 and Knight Road was out and requested that a street light be put by the entrance sign to Lumberland on Ct. Rt 31 & Rt 97.

Councilman Carr reported the judging for the Circle Park Renaissance project will be held this Saturday with a ribbon cutting ceremony for the bocce ball court. Councilman Carr noted they would like to get as many people out as possible. Supervisor Rajszyk reported the volunteers were working very hard on the project, noting they even worked during the recent storm. Supervisor Rajszyk noted that Linda Hazen was wonderful with the kids that were working at the park.

Sophia Martynec questioned the road rally, noting there are other roads in other places that they would need to use to get to the roads they race on. Councilman Shafer reported they would only be racing on the specified roads and that they would have to adhere to the

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speed limits on the regular roads. Supervisor Rajsz reported this road rally would not directly benefit the Town but would benefit the county who in turn helps us.

Code Enforcement Officer, Dave Sparling, requested permission to investigate the well at the Town Hall, noting he could have a well driller look at it. Sparling also reported there is a dock issue at Mohican Lake, noting there are conflicting dock regulations in the new zoning. Sparling reported that the Planning Board doesn't need to address this issue as a Special Use but they need to eliminate Mohican Lake from that portion of the zoning.

The Code Enforcement Office reported there are safety issues at Circle Park, noting they need to have 911 signing and they need fire extinguishers. The Code Enforcement Officer also noted there is an issue with paint cans being stacked next to the furnace area in the basement of the old Town Hall building.

Supervisor Rajsz reported that NYMIR did their inspection of the park and outside facilities. but she has not gotten their report yet. Supervisor Rajsz reported that an inspection was done at Circle Park and the inspector stated that the Park looks beautiful. Sparling noted that it becomes an issue with a gathering of people in the park and it is not 911 posted.

Sophia Martynec reported that another resident has complained because a parcel of people were at Circle Park climbing on the various items in the park which is a liability issue. Martynec questioned if there could be a patrol of the park to prevent the over running of the park by any group and preventing any possible liability issues? Supervisor Rajsz noted that people are also leaving their trash which is an issue. David Leamon questioned if the Town could make a law limiting the amount of people at any one gathering? Supervisor Rajsz questioned who would monitor it if they did put in a law? The Town Clerk noted that there are no signs for Rules & Regulations at the Park or at the Pavilion. Councilman Thiele noted there are no smoking signs up either. The Town Attorney recommended posting a sign and will get with Councilman Thiele to draw up rules and regulations. Councilman Shafer noted there is an established fine for littering. Councilman Thiele questioned if we could limit the amount of kids per adult in the park? The Town Attorney stated she would look into that issue.

The Board members reviewed and initialed the vouchers. Councilman Shafer made a motion to adjourn at 8:54 p.m., seconded by Councilman Thiele, all in favor, so carried.
Respectfully Submitted,

Virginia V. Horn, Town Clerk