

LUMBERLAND TOWN BOARD
WORKSHOP MEETING MINUTES
JULY 11, 2011

The Town Board of the Town of Lumberland held a Workshop Meeting on Monday, July 11, 2011, at 7 p.m., at the Municipal Building in Glen Spey, N.Y. Supervisor Nadia Rajsz opened the meeting at 6:59 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 Jay Shafer
Councilman James Akt
Councilman William J. McKerrell

Also present were Town Clerk Virginia Horn, Katy O'Donnell from Chase Bank, Historian/Grant Writer Frank Schwarz, Richard Hotzler, Cathy & Bill Konival, Deputy Highway Superintendent George Turner, Karen Turner, ZBA Chair Lewis Powell, Don "Bosco" Hunt, Jr., Ron Thiele, Linda Hazen, and Nancy Yoder.

Supervisor Rajsz introduced Katy O'Donnell from the Chase Bank who would be giving a presentation on the bank's lock box program for tax collecting. Supervisor Rajsz reported that Heather Worzel has taken over the Tax Collector position until the end of the year and will run in the November election for the remaining 2 years on the term for that position. Supervisor Rajsz reported that at the end of the remaining 2 years the position of Tax Collector will be eliminated. O'Donnell gave out handouts that explained the bank's tax collection program process. O'Donnell stated that their program reduces costs for the town and increases revenues. O'Donnell noted that Chase Bank is the lead bank in New York State with Tax Collection. O'Donnell reported that Chase Bank is taking steps to do either taking entire payments or just mail-ins and escrow payments. O'Donnell noted the Town would still have the bills printed up. Supervisor Rajsz reported she discussed with the new Tax Collector about still receiving walk-ins with payments. O'Donnell reported they would work with the local bank for payments to be made there, noting they do not recommend payments online because it takes time to process. O'Donnell explained that Chase Bank would put the monies received into an account that would make a higher rate of return so they could recoup the costs to the bank for this service. O'Donnell noted that this system offsets the cost to the Town instead of hiring someone to collect taxes full time. O'Donnell reported that Chase Bank collects taxes for several other towns. Supervisor Rajsz agreed it would be less of a burden to the tax collector. O'Donnell stated that with this

(2) July 11, 2011

program, the bank would collect 75% of the taxes, noting she would not recommend the town go to full collection to start with. Councilman Carr questioned what would happen to a late payment? O'Donnell reported the bank would establish a late date, noting they would go by the postmark on the bill, and if it comes in beyond that date it would be sent back to the Town. Supervisor Rajszyk stated the Town Board members will discuss this option before making any decisions. O'Donnell noted the bank would need at least 3 months in advance of tax season to set up the program.

The Board members reviewed the Meeting Minutes of June 6, 2011 and June 8, 2011. Supervisor Rajszyk noted a correction to the Minutes of June 6th, noting that the pediatrician spoke at the UDC meeting about the health issues from fracking. Supervisor Rajszyk stated that the Minutes of June 8th, page 3, should reflect that, not only did O&R Utilities respond during the recent storm, they were prompt and restored power quickly.

Supervisor Rajszyk reported Nancy Yoder will be coming tonight to discuss changes in the medical benefits for the town employees. Supervisor Rajszyk stated that Councilman Carr wants to talk about the 911 addressing and the Local Law addressing this issue.

Supervisor Rajszyk stated that, in her opinion, the proposed property tax cap was not the right way to go and that it will impact negatively on services.

Supervisor Rajszyk stated that under Old Business was the issue of Okeechobee Road and the delay with accepting the road as a town road is due to one of the people involved is out of the country and they are waiting for a signature. Supervisor Rajszyk noted that, once they have the signature, the Town will accept the road as a town road. George Turner reported that the original agreement was made to take over the road without considering that the road is over someone else's land. Richard Hotzler questioned if the paperwork could be sent overseas to get the signature. Councilman Shafer noted they have probably tried that without success.

Supervisor Rajszyk noted County Manager Fanslau's letter regarding the tax cap that, if approved, will result in cuts to services.

Supervisor Rajszyk reported that Lewis Powell has given the Town an easement on property at the end of Mohican Lake Trail for the highway to use for plowing and turning their trucks around. Supervisor Rajszyk noted this easement will need to be filed in Sullivan County. Powell noted that this easement will give the highway department a larger area to use.

(3) July 11, 2011

Supervisor Rajszyk reported that Rich Hugel Jr. wants to deed over a piece of property in Mohican Lake to the town. Supervisor Rajszyk stated she is looking toward the future when the town may have to establish a sewer district in that area.

Supervisor Rajszyk questioned if the Board members have reviewed the proposed zoning rewrite, noting that it is online for those that wish to read it. Lew Powell stated that they need to have a public informational meeting first to review it. Lew reported he will call Heather Jacksey from Sullivan County Planning to see if she is available for an end of the month meeting. Councilman Shafer stated they need to let the people see what is being proposed. Powell stated they need to have people look at the industrial aspect of the rewrite. Councilman Shafer agreed that we should have a public meeting to discuss any changes that might need to be made before approving it. Grant Writer Frank Schwarz stated the approval needs to be done by September for the grant application to be complete.

Supervisor Rajszyk stated she would like a discussion on Correspondence #13 regarding the hiring of a part time laborer for the highway department. Supervisor Rajszyk noted that neither the Town Board or Sullivan County personnel knew that Keith Hallock had been hired to work for the summer and they would have needed an updated driver's license and the usual paperwork to be filled out before he could be paid. Supervisor Rajszyk stated that they need to work together. Supervisor Rajszyk reported she called the Towns of Highland and Deerpark to see what their procedures were and was told that the Town of Highland has 2 Town Board members on a committee that meets with the head of the agency who then go to the Town Board for the recommendation to approve hiring. Supervisor Rajszyk noted the Town of Deerpark also does that. Deputy Highway Superintendent George Turner stated that Keith Hallock has been working the last 2 years as part time summer help and was not aware of any paperwork that needed to be done. Supervisor Rajszyk informed Turner that, according to the law, Turner can hire anyone he wants to, however, the highway clerk needs to do the paperwork that needs to be given to the bookkeeper. Supervisor Rajszyk stated that the process is faulty. Turner requested the Supervisor sign the necessary paperwork so that it could be submitted to the county. Supervisor Rajszyk stated that the Town Board cannot be ignorant of who is hired and that the county certifies our payroll.

Supervisor Rajszyk reported that Correspondence #17 was notification from Sullivan County Emergency Management regarding them taking lead agency status for 911 coordinating.

(4) July 11, 2011

Supervisor Rajszy noted she had a couple of items of correspondence that came in late, one being notification that Attorney Victoria Campbell is representing someone that had an accident on Rt. 97 during a recent storm. Supervisor Rajszy reported that the road involved is a State road and the Town of Lumberland is not responsible for the condition of the road.

Supervisor Rajszy reported that Sullivan County IDA has established a loan fund for businesses. Supervisor Rajszy also reported she received correspondence from the Shohola Board of Supervisors regarding the Pond Eddy Bridge.

Supervisor Rajszy reported she received a letter from Charles Petersheim questioning who is on the zoning rewrite committee. Lew Powell questioned who Petersheim was? Supervisor Rajszy noted Petersheim's company is Catskill Farm Builders.

Supervisor Rajszy reported she gave the Deputy Highway Superintendent the paperwork needed for Fran Bucksbee's disability, and George Turner reported that Bucksbee is doing well.

Supervisor Rajszy Thanked Councilman Akt for getting the Town Hall air conditioners back in working order. Supervisor Rajszy she also received a letter from Zurich Insurance Company stated they are willing to settle the claim for the highway garage fuel oil tanks. Supervisor Rajszy noted that the soil testing for the removal of the old fuel oil tanks for the Town Hall came back clean, and that the bill from Miller Environmental for the cleanup from the removal of the old fuel tanks came in lower than the original quote. Supervisor Rajszy stated that Miller Environmental will be sending a report. Supervisor Rajszy noted that our water testing done by the Dept. of Health has so far come back okay.

Supervisor Rajszy reported they are waiting for Pythian Camp to sign the new deed for the property by the cemetery.

Supervisor Rajszy reported that Councilman Carr has requested that the walkway between the Senior Center and the Pavilion be fixed. Councilman Akt questioned if the walkway was going to be extended pavement to pavement? Councilman Carr stated that the walkway has to be handicap accessible and will get blueprints for the repair.

The Board members reviewed the Pre-Filed Resolutions. Supervisor Rajsasz stated she would like to discuss various resolutions after Nancy Yoder gave a presentation on the medical benefits plan.

(5) July 11, 2011

Nancy Yoder presented the updates that we are facing with our medical plans, noting that they are changing option #1. Yoder explained that she has reviewed 4 different options, noting the 2nd option has higher co-pays and there would be a significant change in the hospital co-pays. Yoder reported she is looking into the MVP plan and Supervisor Rajsasz questioned what NYSHIP is doing. Yoder reported that NYSHIP had anticipated a 20% increase this last year, however, they only increased 14% but Yoder stated she felt Empire still has a better deal. Yoder noted that the Town would still pay the retirees the same as employees under 65 years old but believes that the retirees should go to AARP as their secondary. Yoder stated that the town could save 40% by putting the retirees on the Medicare supplement plan. Yoder explained that Prism #2 is 2% higher than the rate being paid now. Yoder noted that MVP needs 100% participation which means everyone would have to sign up for the same plan. Supervisor Rajsasz reported that the Highway Dept. is now in contract negotiations. Yoder stated the bottom line is Option #1 is no longer available, Option #2 will cost the employees more. Supervisor Rajsasz noted that the law states that you have to sign up for Medicare once you reach 65. Yoder stated she should have the new rates by Sept. or the beginning of Oct. for Dec. 1st renewal. George Turner stated that at the initial meeting regarding the new medical plan it was stated that if the choice care account were to run short the Town would replenish it. Supervisor Rajsasz stated that she sent out a letter to every employee that the choice care accounts were set up to help pay for co-pays and that everyone should be careful about using the monies in their account. Turner noted that the prescription costs went up and they couldn't afford it without the choice care cards. Supervisor Rajsasz stated they will discuss the options available for the new year. Yoder stated that if you replenish one person's choice care account you have to do everyone's. Yoder will work up the different options and confer with Councilman McKerrell for the Highway Dept. contract negotiations.

The Board members reviewed the Resolutions. Supervisor Rajsasz questioned what the Court Clerk was requesting in her grant application? Grant Writer Frank Schwarz reported he would talk to the Court Clerk.

Supervisor Rajsasz reported that the meeting at the Sullivan West School regarding the Public comment session on gas drilling issues made it necessary to extend the public comment time frame. Lew Powell stated that people are complaining that there was not enough time to review the final draft of the MMTF document.

Supervisor Rajszyk reported that Councilman Carr had requested a Local Law for 911 signage, noting the Town Attorney drew up the Local Law. Supervisor Rajszyk stated that she felt this was important. Councilman Carr reported he brought this issue up at the

(6) July 11, 2011

Fire Dept. meeting and, although most of the members know where a location may be, the younger members or an outside agency would not know.

The Town Clerk reported she had several interviews for her new Deputy Town Clerk's position and after reviewing all the applicants is requesting approval of the appointment of Hattie Brush. The Town Clerk noted that Brush is a resident of the Town and has previously worked for the Town. The Town Clerk noted that she is requesting the appointment be made for August 1st so that the new deputy can train with the resigning deputy for the full month. The Town Clerk noted that it is for 20 hours per week and there are monies available within this year's budget for the expenditure.

Supervisor Rajszyk reported that the Kadampa Meditation Center is holding a large event in October and they are looking for anyone that could house people for that time. The Town Clerk reported that Kadampa had requested use of the Town Hall during that time for rehearsals, however, it is a week that has several meetings scheduled in the Town Hall and the hall would not be available. Frank Schwarz reported that Kadampa will be housing people next year for a Cultural Series concert.

Supervisor Rajszyk reported she has gotten quotes for the carpeting and tiles in the offices and she is getting quotes for the roofs for the municipal building and the pavilion. Supervisor Rajszyk stated she needs Town Board approval to go ahead with these projects. Councilman Shafer stated that as long as it is done in the right sequence it would be okay. Supervisor Rajszyk noted they would need to get Kean's Moving Company to come in to move the file cabinets out of the offices to install the carpeting. Councilman Shafer requested the quotes for the carpet and tiles for Wednesday night's meeting.

Supervisor Rajszyk reported she had talked to Leigh Sherman who is willing to do the pavilion roof for free if the town pays for the shingles, however, he is not willing to do the municipal building roof. Supervisor Rajszyk also noted they would have to get the Highway Dept. or someone to remove the old shingles. Councilman Akt reported he will contact the Town Engineer for specs for the municipal roof.

Supervisor Rajszyk reported she met with Darcy Garber regarding cell phone coverage in the area, who is working on a project for enhancing service in the area. Supervisor

Rajsz noted that Garber has received a grant to do the project of working with the County for better service.

(7) July 11, 2011

Supervisor Rajsz discussed the municipal time clock installation, noting she would like to do one at the Highway Dept. at the same time. Deputy Highway Superintendent George Turner stated that he didn't know if the Town Board has the authority to install one at the Highway Dept. Turner requested they wait until the new person takes over in January to do anything different. Supervisor Rajsz reported that she has talked to the Town of Highland and their Highway Dept. submits a listing of comp time, sick time and vacation time. Turner stated that the Highway Clerk does the time cards and keeps track to the times. Supervisor Rajsz stated that the time clock is for the hourly employees

Grant Writer Frank Schwarz reported that he has done the preliminary work for the grant for the cemetery brochure and will present it in Sept. Schwarz also reported that he has picked up \$450 for the Cultural Series concerts. Schwarz noted that he is putting in a grant for the Constables for 50% funding for 6 new vests which he will know in Sept. or Oct. whether they will get that grant.

Deputy Highway Superintendent George Turner thanked Linda Hazen and Kathy Bisland for giving the Highway Dept. workers ice cream during the July 3rd storm.

Linda Hazen reported the Parks Committee needs permission from the Town Board to purchase more clay for the Pond Eddy Park, noting that they did not use all the monies previously approved so they are only requesting to spend an additional \$600 from their budget. Supervisor Rajsz noted they will put a resolution in for approval on Wednesday night's agenda.

Cemetery Committee Chair Lewis Powell reported the committee has discussed establishing a grave opening fee for the town so we can have a better record of when someone is buried.

Councilman Carr Thanked the Deputy Highway Superintendent and the Highway Dept for putting out the barrels for garbage for the July 4th parade. Supervisor Rajsz Thanked the Highway Dept. for their work during the recent storm on July 3rd.

Supervisor Rajszyk stated the new stone wall across the street was stunning. Linda Hazen stated that the July 4th parade was fabulous and thanked the Town Board for approving the money for the project for her son's eagle scout project.

The Town Clerk discussed the delinquent dog licenses. The Town Clerk noted that we have several licenses that have been overdue since January and questioned how long

(8) July 11, 2011

should keep notifying the owners they are delinquent? The Town Board members stated that 2 notices should be sufficient.

The Town Clerk reported that there is a potential problem with the use of the town pavilion, noting that she saw people barbecuing under the pavilion when nobody was scheduled to use it. The Town Clerk noted that she had submitted proposed Rules and Regulations for the Town Board to review but nothing had been approved. The Town Clerk stated that we should post something out at the pavilion so people are aware that the pavilion can be reserved and should be contacting the Town Clerk's office to see if it is available. Lew Powell stated that the Town of Walkill has a permit to use their pavilion and a fee is paid for the use. The Board members will discuss this matter further.

Bill Konival questioned if the Rio Dam bridge road was going to be repaired? Supervisor Rajszyk reported she called regarding this issue but has not gotten through to anyone yet. Donald Hunt, Jr. reported that it was supposed to be fixed 3 years ago. Konival stated that the road itself is falling away. Deputy Highway Superintendent, George Turner, stated he would look into it.

Councilman Carr made a motion to recess the Workshop Meeting at 9:15 p.m. to go into Executive Session, seconded by Councilman Shafer, all in favor, so carried.

EXECUTIVE SESSION

Councilman Shafer made a motion to open the Executive Session at 9:15 p.m., to discuss personnel and litigation, seconded by Councilman Carr, all in favor, so carried.

Councilman McKerrell made a motion to close the Executive Session at 9:55 p.m., seconded by Councilman Shafer, all in favor, so carried. Councilman Shafer made a motion to reopen the Workshop Meeting at 9:55 p.m., seconded by Councilman McKerrell, all in favor, so carried.

The Board members reviewed and initialed the vouchers.

Councilman McKerrell made a motion to adjourn at 10:19 p.m., seconded by Councilman Shafer, all in favor, so carried.

Respectfully Submitted,

Virginia V. Horn, Town Clerk