

LUMBERLAND TOWN BOARD
2011 YEAR-END MEETING MINUTES
DECEMBER 29, 2011

The Town Board of the Town of Lumberland held a 2011 Year-End Meeting on Thursday, December 29, 2011, at 6 p.m., at the Municipal Building in Glen Spey, N.Y. Supervisor Nadia Rajsz opened the meeting at 6:00 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

Also present were Town Clerk Virginia Horn, Deputy Town Clerk Hedwig Brush, Susan Morley, Cathy Sterling, Susan Gregg, Court Justice Charles Fallon, Sophia Martynec, Herb Baxter, Tax Collector Heather Worzel, Caroline Akt, ZBA Chair Lewis Powell, Bohdan Kandiuk, Charles Petersheim, Councilman Elect Ron Thiele, Highway Superintendent Don Hunt, Jr., Assessor Judi Fliieger, Court Justice Elect William McKerrell, 2 representatives from the Kadampa Meditation Center, Ed Gavalla and Sandy Long from the River Reporter.

Supervisor Rajsz stated the first order of business was the swearing in ceremony for the newly elected officials. Judge Fallon presided over the swearing in ceremony for the following officials: Joseph Carr –Councilman, Ron Thiele – Councilman, William J. McKerrell – Court Justice – Heather Worzel – Tax Collector, and Don Hunt, Jr. – Highway Superintendent.

Supervisor Rajsz reported she had an 8 page document that she received today from Heather Jacksy which contained the responses from the Zoning Rewrite Committee to the comments at the recent Public Hearing. Supervisor Rajsz reported she would read the document so that it would be a public record. Supervisor Rajsz read the various changes that were made to the zoning rewrite as a result of the public comments that had been received from the public informational meetings, the public forum and the written comments. Supervisor Rajsz stated that the Public Hearing that was originally scheduled had to be canceled because Heather Jacksy was not available on the original date and that the rescheduled date was not done purposely to conflict with the concert held at the school at the same time. Supervisor Rajsz reported that some of the public

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comments included issues with Article 10 which will remain as written, that the 5 acre proposed lot requirement will stand. Supervisor Rajsz reported that the river district regulations will stay the same as they were originally, noting that it was an oversight and it has been corrected. Supervisor Rajsz stated that the restrictions in the River District will stay in the plan. Supervisor Rajsz reported that the Planning Board will work with special use requests. Supervisor Rajsz stated the committee has invested time into the rewrite and will spend the adequate time for the review. Supervisor Rajsz reported it was stated in the document that comments from the out of towners should weigh less than those with property rights, noting that they would like to protect the community at large.

Supervisor Rajsz reported that the issues of landscaping, surveying trees and care cottages were also reviewed. Supervisor Rajsz noted that a care cottage could be converted into other uses, noting accessory apartments are allowed with a permit from code enforcement. Supervisor Rajsz reported that the parking regulations would stay as written, noting that the proposed requirements were much more flexible than the previous zoning. Supervisor Rajsz noted that the recommendation is to update the zoning laws every 10 years. Supervisor Rajsz also noted that the percentage for clearing was discussed and that a fee schedule would not be attached because it is already available. Supervisor Rajsz noted that docks and bodies of water were discussed, noting that at Camp Champion there is a set back of 50 feet and at Lake Devenoe there is a 100 foot set back. Supervisor Rajsz stated that large scale water use was reviewed, the Historical District was reviewed and the right to farm was reviewed. Supervisor Rajsz reported that major comments were received. Councilman Shafer stated that the Zoning Rewrite met and reviewed all the comments and made some changes and as far as the committee is concerned they are done with the rewrite. Councilman Shafer reported there will be another Public Hearing scheduled for February 6th.

PRE-FILED RESOLUTIONS

- #152 - Schedule Public Hearing – Local Law – Zoning
- #153 - Fire Alarms Systems Purchase
- #154 - Supervisor’s Training Approval
- #155 - Town Bldg. Floor Maintenance

The Board members agreed to schedule a Public Hearing on the Local Law for Zoning on Monday, February 6, 2012, at 7:15 p.m. at the Town Hall. Supervisor Rajsz stated she will check to see if the updated zoning draft is on the website and copies will be available in the Town Clerk’s office.

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Supervisor Rajszyk reported that she tried to contact a couple of companies to get quotes for the fire alarms but got only 1 quote.

Supervisor Rajszyk reported she received the quote for the stripping and waxing of the floors, noting the Resolution needed to be changed to approving the work for the municipal building only. Councilman Shafer stated they should verify that there is money in the account to do the work.

Supervisor Rajszyk reported that the final FGEIS report has not been received, noting that she received a letter stating the report was done. Supervisor Rajszyk will call the company tomorrow to see about getting the report.

Supervisor Rajszyk reported she received a letter from Senator Gillibrant's office, the Federal Emergency Management Agency and SUNY New Paltz who will be having an in service workshop on hazard mitigation, mitigation planning, FEMA has a mitigation grant program and grant funds available and if anyone wants to go to the workshop they need to respond by January 9th. The workshop is in New Paltz.

Supervisor Rajszyk reported that the Dept. of State has funds available for 2 grants, with over \$35 million available for governmental reorganization for local governments to consolidate and a second grant available is a local government efficiency grant with \$4 million available.

Supervisor Rajszyk reported she received information from Sue Clark as the Sullivan County Health Educator regarding the banning of smoking in parks. Supervisor Rajszyk will give the info to the Town Board and the Town Attorney to review. Supervisor Rajszyk noted that the County has banned tobacco not only for the buildings but on County owned property. Supervisor Rajszyk stated they would be addressing this issue at the next Town Board meeting.

Supervisor Rajszyk reported there are 2 vacancies on the ZBA, noting one was from a resignation and the other was from a member that has only attended one meeting.

Supervisor Rajszyk reported the Highway Superintendent has submitted a letter and pictures of a hole in the Okeechobee Road, which the town is being asked to take over maintenance of. Supervisor Rajszyk reported that they were waiting for one signature on the deed before giving it to the Town Board but the Highway Superintendent is recommending the Town not accept the deed or approve taking over the road until it is

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fixed. Supervisor Rajszyk noted she has called the owner of the road but has received no response.

Supervisor Rajszyk reported an individual came into the offices today that works for the Cintas Company that provides and services fire extinguishers. The representative gave a quote for both the buildings and highway garage for their services. Supervisor Rajszyk noted we have been using NECO Fire & Safety for many years, that they are based in Port Jervis and have had no complaints about their service. Supervisor Rajszyk noted that the representative from Cintas is a Lumberland resident.

Supervisor Rajszyk Thanked Judge McKerrill for giving the Town information on a generator that may be available for the buildings. Supervisor Rajszyk reported she would have the engineer look at it, noting the cost is \$48,000 to \$50,000, which is considerably less than the quotes they have received.

Supervisor Rajszyk reported she has the completed Hamlet Feasibility Study for the business section in town, noting the study was done for the main corner here in town. Supervisor Rajszyk noted copies of the study will be available in the Town Clerk's Office.

Supervisor Rajszyk reported several new resolutions have come her way which were proposals to allocate portions of the NYC land acquisition program funds for flood mitigation watershed, with many cities sending out requests to have other towns do resolutions to support their resolutions. Supervisor Rajszyk noted she did not have time to review this request.

Supervisor Rajszyk congratulated all those that got elected and Thanked the residents for their support during a busy year.

Sophia Martynec noted this was Councilman Jay Shafer's last meeting on the Town Board and Thanked Jay for all his work, noting that they might not have always agreed with his opinions but appreciated his hard work.

ABSTRACTS

Councilman Carr made a motion to accept Abstract #12, 2011 EOY, with General Fund Claims G12 #878 through #927, in the amount of \$29,639.59, General Fund Prepaid Claims in the amount of \$14,362.00, and Highway Fund Claims H#12, #560 through #572, in the amount of \$16,202.57, with a total of Abstract #12 EOY, 2011 of \$60,204.16, seconded by Councilman Shafer, all in favor, so carried.

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Supervisor Rajsz wished everyone a Happy New Year.

EXECUTIVE SESSION

Councilman Shafer made a motion to recess the Year-End meeting at 7:14 p.m. to go into Executive Session to discuss the Highway Contract and personnel, seconded by Councilman Carr, all in favor, so carried.

Councilman Carr made a motion to close the Executive Session at 8:42 p.m., seconded by Councilman Shafer, all in favor, so carried. Councilman Shafer made a motion to reopen the Year-End Meeting at 8:42 p.m., seconded by Councilman Carr, all in favor, so carried.

Councilman Carr made a motion to adjourn at 8:43 p.m., seconded by Councilman Shafer, all in favor, so carried.

Respectfully Submitted,

Virginia V. Horn
Town Clerk