

LUMBERLAND TOWN BOARD WORKSHOP  
MEETING MINUTES  
SEPTEMBER 12, 2011

The Town Board of the Town of Lumberland held a Workshop Meeting on Monday, September 12, 2011, at 7 p.m., at the Municipal Building in Glen Spey, N.Y. Supervisor Nadia Rajszt opened the meeting at 7:05 p.m., followed by the Pledge of Allegiance.

Those members present were Supervisor Nadia Rajszt, Councilman James Akt, Councilman Jay Shafer and Councilman William J. McKerrell. Councilman Joseph Carr was absent.

Also present were Town Clerk Virginia Horn, Deputy Town Clerk Hattie Brush, Susan Morley, Sophia Martynec, ZBA Chair Lewis Powell, Ann Steimle, Don "Bosco" Hunt, Jr., Karen Turner, Deputy Highway Superintendent George Turner, Dog Control Officer Fawn Schneider, Ron Thiele, LOSAP program representative Anthony Hill, and Town Attorney Danielle Jose-Decker.

Supervisor Rajszt reported that there were a couple of things to talk about, noting that the representative that was suppose to be present to discuss the feasibility study for the town had car trouble on the thruway and would not be coming.

Supervisor Rajszt reported that they would be discussing the Fire Dept. LOSAP program first and then talking with the Dog Control Officer on issues regarding dog licensing.

Supervisor Rajszt questioned the Highway Superintendent, George Turner, on the status of the condition of the roads from the storms? Turner reported he will have the Town Engineer look at the damage to Berme Church Road, noting there was a preliminary estimate for damages to the roads, however, that may go up. Supervisor Rajszt stated she is glad FEMA is involved, and Turner stated that FEMA still has to come down to look over our roads.

Supervisor Rajszt questioned Councilman Akt as to how he made out with the roof repair quotes? Councilman Akt reported they got 4 quotes, noting that the lowest bidders were Tri States Roofing with a quote of \$13,600 for 30 year shingles and Dilles with a quote of \$15,400 for lifetime shingles.

Councilman McKerrell questioned how many years is a lifetime?

Councilman Shafer stated that the lifetime shingles are usually good for 50 years, noting that the quote for the

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lifetime shingles is a better deal than the quote for 30 year shingles.

Supervisor Rajszyk requested the Town Clerk draw up a resolution for Wednesday night's meeting to approve the quote from Dilles. Councilman McKerrell reported they got a quote for the shingles for the pavilion roof, noting that JWC had provided the shingles for the barbeque pit and that with these shingles all the roofs on the buildings would match.

Supervisor Rajszyk reported that there will be a meeting on the 17<sup>th</sup> with Eagle Creek Hydro Power Company, who will meet with federal agencies from 3-4 p.m. and have a public informational forum from 7-9 p.m. in the Town Hall to discuss proposed expansion for the Rio Hydroelectric project.

Supervisor Rajszyk reported she would like to hire someone to come in and buff and wax the new floors in the municipal building, noting she has a recommendation and will call to see how much it will cost. Councilman McKerrell suggested calling Wash on Wheels to see what they would charge. Supervisor Rajszyk reported she would like to have the kitchen door in the Town Hall replaced and will request the maintenance man get the door and install it.

Supervisor Rajszyk stated that there is an apparent dog law violation that needs to be looked into. The Town Attorney stated she has not had time to review the paperwork involved. The Dog Control Officer reported that the woman that bought a dog from someone who claimed to be dealing in purebred dogs ended up having health issues with her dog and has sued the person that sold her the dog and won the money back that she paid for the dog. The DCO reported that this woman is still pursuing the issue because the seller supposedly has more dogs on his property than he has licensed and that he needs a kennel license which he does not have.

Supervisor Rajszyk questioned if the seller can be cited for the violation to town law? The Town Clerk reported that the owner of the 7 dogs that were licensed in the town has since come into her office and reported that 2 of the dogs were sold, noting that even if he has 5 dogs licensed to the one address he would still need a kennel license. The Town Clerk noted the seller went to the Planning Board but has since withdrawn his application to apply for a kennel license. Councilmen Akt and McKerrell noted that the

gentleman lives in the Black Forest Colony and he is violating the Black Forest Colony covenant by running a business from his address there. The Town Attorney stated she will review all the information regarding the issue, noting that if he is in violation he will need to be cited and it needs to be enforced. Councilman McKerrell reported that the Black Forest Colony would not release the deed to this property due to their restrictions.

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The Board met with Anthony Hill, representative for the Fire Dept. LOSAP Program. Hill gave out printouts on the different cost projections of the two plans available. Ann Steimle reported the Fire Dept. would like to keep the cost to the town down so they are requesting the lower amount per person that will need to be contributed. Hill went over the differences between a defined benefit and a defined contribution plan, noting that the volunteers would make out better under the defined plan. Hill stated that the decision would be with the Town Board on how to invest monies under the contribution plan. Ann Steimle stated that the Fire Dept. favors the defined contribution plan. Hill noted that the Town of Highland Fire Dept. has the defined benefit plan, noting that the most that you can put into the plan per volunteer is \$700. Hill stated that they would work with the Town Attorney to create a committee to draft up a referendum and hold a public informational meeting before voting. Supervisor Rajsz questioned the time frame needed to approve this? The Town Attorney stated it was too late to be put on the ballot for the November election. Hill stated that if they could have a special election by the end of the year the volunteers could start accruing points from this year. Ann Steimle agreed they should not rush into a decision before everyone understands the program. Councilman McKerrell suggested waiting to put it to a vote for next year, starting with 2013. Hill noted that monies would have to be put into next year's budget if they decide to do it before the end of this year, noting his firm could be paid for their services next year. Supervisor Rajsz Thanked Hill for coming and bringing them the information on both plans.

The Board reviewed the Agenda. Supervisor Rajsz noted that Councilman Carr was on vacation. Supervisor Rajsz stated she has not had a chance to review the Minutes. The Board reviewed the Monthly Reports and the Correspondence.

Supervisor Rajsz reported that the Highway Superintendent's office is looking wonderful. Deputy Highway Superintendent, George Turner,

reported he will need the Town Board's permission to hire the Town Engineer to look at the damage done to Berme Church Road during the recent storms. The Board members agreed it should be taken care of.

Supervisor Rajszyk noted that the Town of Tusten is using Bill Palmer from Sullivan County Planning as a consultant for their zoning rewrite.

The Board members reviewed the Pre-Filed Resolutions. The Town Clerk noted she asked the Deputy Highway Superintendent to find out who the state bid for

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heating oil went to. George Turner reported that the bid has not been awarded yet. The Town Clerk will remove the heating oil bid from the Resolution for Wednesday night's meeting.

Supervisor Rajszyk questioned if the Board of Assessment Review has met to make their recommendations for appointments? The Town Clerk noted that letters for reappointment had been sent out and that the BAR would be meeting in October.

Zoning Rewrite Committee Chair Lewis Powell requested the Town Board wait to schedule a Public Hearing until after the final draft of the rewrite is done. Powell reported that Heather Jacksey wants to get the final draft done by the 23<sup>rd</sup> but she also recommends that they wait to schedule a Public Hearing until the final draft is done. Supervisor Rajszyk stated they can set a date for later, however, the UDC will need the draft for the grant reimbursement.

Supervisor Rajszyk requested that the Special Announcements include that Eagle Creek will be having a Public Informational Meeting on October 17<sup>th</sup>, with a meeting from 3-4 p.m. for Eagle Creek to meet with agencies and a 7-9 p.m. session to meet with the public.

Supervisor Rajszyk Thanked Deputy Highway Superintendent George Turner for putting the American flags on the poles along the road by the Town Hall and Municipal Building.

The Board members reviewed and initialed the vouchers.

The Board members discussed issues regarding litigation and personnel with the Town Attorney after the public left the meeting.

Councilman Shafer made a motion to adjourn at 9:07 p.m., seconded by Councilman McKerrell, all in favor, so carried.

Respectfully Submitted,

Virginia V. Horn  
Town Clerk