

LUMBERLAND TOWN BOARD MEETING MINUTES
AUGUST 10, 2011

The Town Board of the Town of Lumberland held a regular monthly meeting on Wednesday, August 10, 2011, at 7 p.m., at the Town Hall 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 Jay Shafer
Councilman James Akt
Councilman William J. McKerrell

Also present were Town Clerk Virginia Horn, Deputy Town Clerk in training Hedwig (Hattie) Brush, Chief Constable Patrick Cahill, Historian/Grant Writer Frank Schwarz, Cathy Sterling, Susan Gregg, Marcia Szewchuk, Sophia Martynec, Jenny Barry, Sue Farnum, Fire Dept. President Ann Steimle, Cathy & Bill Konival, Karen Turner, Deputy Highway Superintendent George Turner, Herb Baxter, Richard Hotzler, Wayne King, Ron Thiele, Josh, Jonathan & Joseph Santori, LEC Co-Chair Ann Danuff, Don (Bosco) Hunt Jr., Bohdan Kandiuk, Kathy & Roger Bisland, Faith & Eric Robles, Peter Comstock, Brian Hazen, Kaitlin Haas from the Sullivan County Democrat, Sandy Long from the River Reporter, David Riley, Naomi & John Campbell, 2 representatives from Kadampa Meditation Center, Helga Rupnick and 3 unnamed residents.

Supervisor Rajsz reported they would now recess the regular meeting to open the Public Hearing for Local Law #3, 2011 entitled Street signs and Building numbering. Councilman McKerrell made a motion to recess the regular meeting at 7:01 p.m., seconded by Councilman Akt, all in favor, so carried. Councilman Shafer made a motion to open the Public Hearing at 7:01 p.m., seconded by Councilman McKerrell, all in favor, so carried.

PUBLIC HEARING – LOCAL LAW #3, 2011 – STREET SIGNS AND BUILDING NUMBERING – 7 P.M.

OPEN FLOOR FOR THE 1ST TIME

No Comment

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OPEN FLOOR FOR THE 2ND TIME

Susan Morley requested a quick synopsis of the proposed Local Law. Supervisor Rajszyk stated that homes are not numbered correctly it slows the response of the emergency crews. Supervisor Rajszyk reported that Sullivan County E911 designates the numbering of parcels. Councilman Carr stated that various towns in the State have passed this regulation.

OPEN FLOOR FOR THE 3RD TIME

Ann Steimle questioned how will the numbering of parcels be policed? Supervisor Rajszyk stated someone would have to contact the Code Enforcement Office to report the problem. Supervisor Rajszyk noted that the number signs are sold through the Bisland Insurance Agency, noting the signs have to be visible and reflective. Supervisor Rajszyk reported that the Local Law states how the sign is to be displayed. Supervisor Rajszyk noted that non-compliance is deemed a violation with a penalty not to exceed \$250.00. Ann Steimle reported the Fire Dept. usually goes by the description of the house when responding to a call. Roger Bisland reported the number signs are only \$12 which is the cost to make the sign.

Councilman Shafer made a motion to close the Public Hearing at 7:09 p.m., seconded by Councilman Akt, all in favor, so carried. Councilman Shafer made a motion to open the regular meeting at 7:09 p.m., seconded by Councilman McKerrell, all in favor, so carried.

MINUTES

Supervisor Rajszyk requested a correction be made to Minutes of July 11, 2011, page 2, 4th paragraph, noting it should read that it was her opinion that the tax cap was not the right way to go and that it would impact negatively on services. Councilman Carr made a motion to accept the Minutes of July 11, 2011 as corrected, seconded by Councilman Shafer, all in favor, so carried. Councilman Shafer made a motion to accept the Minutes of July 13, 2011 as written, seconded by Councilman McKerrell, all in favor, so carried. Councilman Carr made a motion to accept the Minutes of July 28, 2011 as written, seconded by Councilman Akt, all in favor, so carried.

CORRESPONDENCE

1. Monthly Reports:
 - a. Supervisor
 - b. Town Clerk
 - c. Buildings
 - d. Highway Superintendent
 - e. Constables

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2. Watershed Agricultural Council Newsletter
3. Comptroller's Newsletters
4. NYS Dept. of Motor Vehicles Notification
5. Upper Delaware Scenic Byways Mtg. Minutes
6. Grant Writer Updates
7. SC Division of Planning Training Completion Notification
8. Eldred Central School District-Registration
9. Town Hall Water Testing report
10. NY Water Environment Assoc. Newsletter
11. Pattern for Progress newsletter
12. HCAP Grant Approval Notification
13. Camp Simcha letter
14. SC Risk Management & Insurance letter

Councilman Carr made a motion to accept Correspondence #1 through #14, holding 3, #4, #11, #12, #13, and #14 for discussion, seconded by Shafer, all in favor, so carried.

Supervisor Rajszyk reported Item #3 was newsletters from the Comptroller's Office and one article was regarding the shoddy practices of a particular town.

Supervisor Rajszyk reported Item #4 was notification from DMV that the use of electronic devices will now be a reason for a traffic stop. Chief Constable Patrick Cahill stated that, in the past, it was a secondary offense after being stopped for something else, however, it can now be the primary reason for a traffic stop. Abbey Schlosser questioned using a cb unit? Cahill stated they will be looking more towards the use of cell phones.

Supervisor Rajszyk congratulated Frank Schwarz on receiving the DVAA award. Supervisor Rajszyk noted that Item #11 was notification of a seminar at New Paltz on October 3rd to discuss the proposed tax cap. Supervisor Rajszyk reported that Item #12 was notification that we would be getting \$1,750 from a HCAP grant which will be used towards reimbursement for the purchase of carpeting for the offices. Supervisor Rajszyk reported that Item #13 was a letter from Camp Simcha about their recent event to break the record for the longest ribbon, noting she attended the event.

Supervisor Rajszyk reported Item #14 was a notification that the Town of Lumberland's portion of the cost of Workmen's Compensation is \$51,000 for this year.

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Supervisor Rajsz reported she had received several other communications, among them was an estimate from NYS Retirement for the Town's cost next year of \$95,795.00, noting the town only paid \$74,000 last year and we have no control over this cost because it is a mandated cost.

Supervisor Rajsz reported there will be a surprise party on August 17th to celebrate Carl Henchel's 104th birthday in the Senior Center at noon. Sue Morley stated they should call RSVP to have them come.

Supervisor Rajsz reported she has received several letters from Chuck Petersheim regarding the zoning rewrite.

PRE-FILED RESOLUTIONS

- #108 – Local Law #3, 2011 – Mandated 911 Addressing
- #109 - LEC Appointments – Van Tuyl & Halm
- #110 - Mileage Reimbursement
- #111 - Assessor's Computer Purchase Request
- #112 - Historical Marker Purchase Request
- #113 - Powell Easement Agreement
- #114 - Area Youth Football League –Field Use Request
- #115 - Noise Permit – Mohican Lake Resort
- #116 - Bid Approval – Constable Boat/Trailer
- #117 - Revise Accounting for 2008 Truck Purchase
- #118 – Highway Budget Modification
- #119 - Municipal Offices Carpeting & Tile Purchase Post Approval

Grant Writer Frank Schwarz reported that Resolution #112 was for the grant to purchase a historical marker, noting the town will pay for it and the grant monies will reimburse the town for the purchase. Schwarz noted that the marker will be placed at the rest area on Rt. 97, noting that the beautification project will continue next year along the river corridor. Schwarz reported they have been talking about putting a sign up to direct people to Town of Lumberland sites at the end of Hollow Road on Rt. 97.

Supervisor Rajsz questioned the easement resolution with the Powells? The Town Clerk reported that the Powells are giving the town the easement at the end of Mohican Trail so that the Highway Dept. can plow to the end of the trail and turn their trucks around. The Town Clerk also noted that the Town Attorney has

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informed them that a formal agreement will need to be drawn up between the Town and the Powells. Supervisor Rajsz Thanked the Powells for the easement.

Councilman Shafer questioned the Chief Constable if there had been any reported incidents at the Mohican Lake Resort during their last Noise Permit requests? The Chief Constable reported there were none.

Supervisor Rajsz reported she has not received a bill from Kean Moving so that should be eliminated from Resolution #119. Grant Writer Frank Schwarz Thanked County Legislator Kathy LaBuda for the grant to help pay for the carpeting.

Supervisor Rajsz read the Proclamation for the anniversary of the Ukrainian Independence.

REPORTS OF BOARD MEMBERS

Supervisor Rajsz reported everyone that worked on the war monument did a marvelous job. Kathy Bisland presented a plaque to the Town Board that the Park Committee received at the Renaissance awards. Supervisor Rajsz Thanked everyone that worked on the project and Kathy presented an album of the projects completed. Supervisor Rajsz also thanked the Highway Dept. for their help with the project.

Kathy Bisland , as a representative of the Parks Committee, Thanked the Town Board for their support, noting the Parks have received \$7,500 in awards monies this year. Bisland reported the projects in Pond Eddy and Circle Park, notably the outdoor theater and the mini golf, are done and the Veterans Memorial is complete. Bisland reported the bathrooms are cleaned every weekend by a volunteer and the estimated value of donations and in kind services is around \$200,000. Brian Hazen Thanked everyone that helped him with his Eagle Scout Project which was the Veterans Memorial across from the Town Hall, noting Jim Akt, Billy McKerrrell, Ed Gavalla and a special thanks to Joe & Rose Carr for feeding the volunteers. Supervisor Rajsz stated that there is a phenomenal group of residents in the Town that come together to get everything done, and Thanked Linda Hazen for all her work. Councilman Carr reported that people have told him how beautiful the town looks and Thanked everyone for their hard work.

Councilman Akt reported he had a letter from the Town Engineer that the shingles on the municipal building were 20 years old and recommended that they strip and replace the shingles with those that match the ones on the Town Hall. Councilman Akt noted the Engineer will send specs for the quotes. Supervisor Rajsz noted that

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there was a problem with water drainage behind the town hall and the Deputy Highway Superintendent helped with solving that issue.

Councilman Carr Thanked everyone for the July 4th parade.

Supervisor Rajszyk reported that there will be a Special Town Board Meeting on August 31st to set a Public Hearing for the approval of the new zoning law, noting that they originally set the date for the Public Hearing for September 21st but there will not be enough time for the County to review the proposed law. Supervisor Rajszyk stated that they can't have the Public Hearing until she talks to the UDC to see if we have to submit the zoning rewrite in finished form for the grant that is due by the end of September.

Supervisor Rajszyk presented plaques that Assemblywoman Aileen Gunther sent for firefighters Ann Steimle and Don "Bosco" Hunt Jr.

The Town Clerk introduced her newest Deputy in training, Hedwig "Hattie" Brush.

Grant Writer Frank Schwarz reported that they received \$450 from the DVVA for their jazz concert, noting it was an excellent group and was well attended. Schwarz reported the concert was audited for the first time in 20 years. Schwarz reported the next concert will be on October 2nd and will be a Classical Eloquent.

Ann Steimle, President of the Lumberland Fire Dept. reported they had a crazy July with an unprecedented 61 calls. Steimle also reported that 25 people signed up for the Firefighters class 1, 14 passed the course and 6 were from Lumberland. Steimle noted that Lumberland Fire Dept. will host a graduation at the firehouse for those that graduated the course and thanked the auxiliary for their help. Steimle stated that one of their ambulances is out of commission and that there is an open invitation to anyone that would like to see what they do to come down on Monday nights to the firehouse. Supervisor Rajszyk thanked the Fire Dept. for their service. Sandy Long from the River Reporter noted that she witnessed the divers on 2 river calls that resulted in drownings and stated it was just incredible with what the volunteers do.

LEC Co-Chair Ann Danuff reported that the LEC did their part in the Litter Pluck to keep the Town clean. Supervisor Rajszyk noted the garbage issue seems to be a little better. Danuff reported that the Seniors Club will have an incredibly interesting speaker at their September 6th meeting for anyone interested. Danuff noted the speaker will talk about natural gas drilling. Danuff reported George Cooke will be

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coming to the October meeting and Assemblywoman Aileen Gunther will be coming to the November meeting.

Chief Constable Patrick Cahill reported on the Constabulary monthly activity.

Susan Morley reported there will be a school board meeting tomorrow night, noting people are concerned about the money they say they have and what they don't have. Morley noted the meeting will be at 7:30 p.m. at the high school and it is important to parents to attend if they are concerned about what their children may not be getting for the new school year.

Peter Comstock, Chair of the Advisory Committee for concerned citizens on gas drilling issues reported that the work being done on the zoning rewrite is to conform with the Comprehensive Plan, which is all working towards keeping the town beautiful. Comstock noted the rewrite has been in the works for the last 1 & ½ years, noting that at the last informational meeting the consulting attorneys were present to answer questions. Comstock noted that these attorneys will also be present at the next informational meeting scheduled for September 1st at 7 p.m. at the Town Hall. Supervisor Rajsz noted all the meetings are open to the public.

Deputy Highway Superintendent George Turner reported they are working on the roads.

OPEN FLOOR TO PUBLIC

Susan Morley questioned why there weren't many copies of the latest newsletter? Supervisor Rajsz reported she didn't want to over print the amount of copies. Morley noted that the latest newsletter was different from the others and one particular article was especially wordy. Morley stated that the Fire Dept. article was not noted to be from the Fire Dept. until the end of the article, suggesting they put that in the heading of the article. Morley noted that the calendar was more fun, noting that the days were out of sequence. Supervisor Rajsz reported that was due to a computer glitch.

Sophia Martynec questioned what had happened to the single stream recycling that has been previously discussed? Councilman McKerrell reported he attended a meeting with the County DPW and the County Manager, noting the system is done but there was a glitch with the trucking.

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A representative from the Kadampa Meditation Center reported their event to be held in October is in the works, noting people are working on repairs to the temple.

Councilman McKerrell reported there will be an outdoor movie at Circle Park on August 27th at dusk, noting the movie will be Monsters Inc.

ABSTRACTS

Councilman Shafer made a motion to approve Abstract #8, 2011, with General Fund Claims A11 -#471 through #555, in the amount of \$25,152.15, General Fund Prepaid Claims in the amount of \$1,331.86, and Highway Fund Claims H-11 #346 through #376, in the amount of \$68,373.85, with a total of Abstract #8, 2011 of \$94,857.86, seconded by Councilman Carr, all in favor, so carried.

Councilman McKerrell made a motion to adjourn at 8:17 p.m., seconded by Councilman Akt, all in favor, so carried.

Respectfully Submitted,

Virginia V. Horn
Town Clerk