

LUMBERLAND TOWN BOARD MEETING MINUTES
OCTOBER 12, 2011

The Town Board of the Town of Lumberland held a regular monthly meeting on Wednesday, October 12, 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 Hedwig “Hattie” Brush, Historian Frank Schwarz, Chief Constable Patrick Cahill, Susan Morley, Joy Ryerson, Helga Rupnick, Pam Bucksbee, George & Helen Sosnowski, Wayne King, Tyler King, Sophia Martyneec, Cathy Sterling, Karen Turner, Deputy Highway Superintendent George Turner, John Campbell, Abbey Schlosser, Susan Gregg, Peter Comstock, Don “Bosco” Hunt, Jr., Ed Cavalla, Sandy Long from the River Reporter, Bohdan Kandiuk, David Riley, Ron Thiele, Caroline Akt, Kaitlin Haas from the Sullivan County Democrat and Town Attorney Danielle Jose-Decker.

MINUTES

Councilman Carr made a motion to accept the Minutes of September 12, 2011 and September 14, 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

2. Catskill Mountaineer Newsletters
3. Comptroller’s Newsletters
4. NY Dept. of State Newsletter
5. County Legislator Sorensen Newsletters
6. Scenic Byways letter

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7. Grant Writer updates
8. Upper Delaware Scenic Byways Meeting Minutes
9. NECO Fire & Safety Systems Reports
10. Sullivan County Fire Advisory Board Mtg. Min.
11. NYSERDA Info
12. Watershed Agricultural Council Newsletter
13. Highway Inventory Listing Update
14. Planning Board Correspondence
15. Upper Delaware Council Newsletter
16. NYS Assoc. of Municipal Purchasing Officials Conference Notification
17. Eagle Creek Hydro Power Co. Forum notification
18. NY Water Environmental Association Schedule of Events

Supervisor Rajsz noted that Item #6 was a letter from the Town of Fremont regarding the Scenic Byways that was sent to her.

Councilman Shafer made a motion to accept Correspondence #1 through #18, holding #13 and #17 for discussion, seconded by Councilman Carr, all in favor, so carried.

Supervisor Rajsz questioned the Deputy Highway Superintendent, George Turner, about the Highway inventory Equipment List, noting that some items were designated for surplus? Turner reported he felt they should wait for the new Superintendent to take care of it. Turner noted that he also has some old office equipment that should be surplus. Supervisor Rajsz questioned the value of the equipment and Turner noted he took a visual assessment of the equipment to determine what may need to be surplus.

Supervisor Rajsz reported that Item #17 was in regard to Eagle Creek Hydro Power Co. scheduling a Public Hearing on November 1st that had to be canceled and rescheduled for November 4th, noting this was a forum to discuss the addition of a generator which would create an amendment to their license. Supervisor Rajsz reported Eagle Creek will meet with State and Federal agencies from 1 – 4:30 p.m. and have another meeting for the public to attend from 7 – 9 p.m. to discuss their system operations.

PRE-FILED RESOLUTIONS

- #133 - Historical Book Restoration Approval
- #134 - Anti-Skid Sand Bid Award
- #135 - Amend Gasoline State Bid & Award State Bid – Heating Fuel Oil
- #136 - Part-Time Clerk Appt. – Records Management
- #137 - Schedule Public Hearing – Local Law #4, 2011 – Zoning

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The Town Clerk reported she has sent out the oldest records book to get restored since it is the oldest record for births and deaths, noting the process takes 14 – 16 weeks and the book should be done by December.

Councilman McKerrell questioned if the state bid for diesel fuel had changed? The Town Clerk noted that the diesel fuel bid was awarded last month along with the gasoline bid, however, they had not received the State Bid for heating fuel oil. Deputy Town Superintendent George Turner reported that he received notification after the award last month that the State Bid for gasoline had changed and he just received the State Bid for heating fuel oil to County Petroleum. The Board members approved that the original Resolution for the amendment for the gasoline bid should be further amended to include the State Bid award for heating fuel oil.

Supervisor Rajszyk questioned how many hours would be needed for the appointment of a part-time clerk for records management? The Town Clerk noted that the hours have always been limited to what was in the budget, that the budget was never over. Councilman Shafer noted the appointment is only until the end of the year. Councilman Carr questioned why the position wasn't advertised for? The Town Clerk reported that she felt her Deputy was fully capable of working with her on the records and recommended her appointment to the position. The Board members agreed that the position should be advertised for an appointment at the first of the year. The Town Clerk noted she has gotten a new copier in her office that is capable of scanning which should make things easier.

Supervisor Rajszyk reported there will be a Public Hearing for the proposed new Zoning laws on November 30th, with the possibility of having an additional Public Hearing, if necessary.

NEW BUSINESS

Museum Director Frank Schwarz reported that Helen & George Sosnowski would like to make a presentation to the Town of an oil painting George did of the existing Pond Eddy Bridge. Schwarz reported that the original bridge had been washed out and replaced by the existing bridge that was built in 1903. Schwarz stated that he felt it was important to preserve the bridge in the oil painting because they are talking of replacing the bridge. George Sosnowski unveiled the painting. Supervisor Rajszyk Thanked Sosnowski for the painting.

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Supervisor Rajszyk reported that Norm Sutherland from the VFW was supposed to be present to acknowledge that the Town of Lumberland has been included in the local VFW, noting it will now be the Tusten, Highland, and Lumberland VFW.

Supervisor Rajszyk reported the Board members have received Councilman McKerrell's official resignation letter, effective 10/31/2011. Supervisor Rajszyk stated that Councilman McKerrell will be missed.

REPORTS OF BOARD MEMBERS

Councilman McKerrell reported there will be a Halloween party in Circle Park on October 23rd, with a costume party and other activities. Councilman McKerrell noted the Girl Scouts will be helping with the Halloween party.

Councilman McKerrell reported that they had the last outdoor movie at the park last Saturday night and there was a good turnout. Councilman McKerrell noted that the bathrooms at the Park will be closed after the 23rd and that they are working on the sledding trails.

Supervisor Rajszyk questioned Councilman Akt as to what was going on with the replacement of the municipal roof? Councilman Akt stated he has not heard anything. Supervisor Rajszyk reported that the Town Custodian would like to get the boiler in the Town Hall serviced.

Supervisor Rajszyk reported that Chuck Voss was supposed to be present to discuss the feasibility study but was not available for tonight's meeting.

Supervisor Rajszyk reported that O&R Utilities contacted her after doing an audit of the Town's streetlights because they recently notified her that the cost per month would be increasing by \$100. Supervisor Rajszyk stated she will be checking out which street lights may be eliminated to save money.

Supervisor Rajszyk reported she called P&N Alarm Company about the alarm system in the buildings. Supervisor Rajszyk reported a representative from the company came and did an audit of the municipal building, the town hall, and the highway garage and will send an estimate on what it will take to bring us up to code. Supervisor Rajszyk noted that while she was at the highway garage the issue of a stairway leading to an upper storage space is needed, which is now only accessible with a ladder. Supervisor Rajszyk stated that this issue needs to be addressed now.

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Supervisor Rajsz reported that they are into the budget process for next year, noting that with the 2% tax cap they are looking at keeping the budget down. Supervisor Rajsz requested the Town Board meet this Friday at 6 p.m. to discuss the 2012 proposed budget. Supervisor Rajsz reported they met with the highway department to go over their new medical benefits plan.

Supervisor Rajsz reported that the Town has received a grant to do a brochure for the cemeteries. Councilman Shafer reported that the town will receive \$1,200.00 for doing the brochure. Grant Writer Frank Schwarz noted they would be able to produce the brochure for that amount.

Supervisor Rajsz reported there will be monthly SLAC meetings on Fridays held in the County Legislative room at the Government Center in Monticello. Supervisor Rajsz reported there will be a Senior Safety Day held on October 19th from 9a.m. – 1 p.m. in Monticello.

Supervisor Rajsz reported they received the signed deed for the property by the cemetery that had been owned by the Pythian Camp.

The Town Clerk requested the Supervisor discuss the subject of supplying lunches and dinners for the election workers for the November election. Supervisor Rajsz made a motion to approve money from the General Fund Election Fund to give the election workers lunches and dinners on Election Day in November, with an amount not to exceed \$250.00, seconded by Councilman Akt, all in favor, so carried. The Town Clerk reported that the setup for the elections will be held on Monday, November 7th since the Friday before the Town Hall will not be available, noting she will notify everyone of the date.

The Town Attorney stated she is sorry to see Councilman McKerrell go, and she is glad the deed from the Pythian Camp has been finalized.

Chief Constable, Patrick Cahill, reported on the Constabulary monthly activity.

Cemetery Committee Chair, Lewis Powell, questioned if the damaged stone wall at the Paye Cemetery has been fixed? Ed Cavalla, from Jesse G's Landscaping, reported he has looked at it but not gotten time to fix it yet.

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Cultural Series Director Frank Schwarz reported they had a great concert on October 2nd and that he has contacted website designer Dorene Warner to post on the town website the upcoming event next March 18th concert, which will be the Ithica College Choir.

Historian Frank Schwarz stated he would like to encourage people to visit the Town Museum. Schwarz noted he would need to get with the Supervisor to discuss grants.

Planning Board member Pam Bucksbee stated they sent a letter to the Town Board requesting the Town advertise for the position of one Alternate Member for the Planning Board.

Deputy Highway Superintendent, George Turner, reported the Highway Dept. has been working on roads between rain drops. Turner noted that FEMA will be coming to look at the damage done to Berme Church Road from the storms and stated they cannot do anything with the road until they are assessed by FEMA. Supervisor Rajsz reported she has been contacted by someone regarding the condition of Shortell Road. Turner reported that Shortell is a Town road and that the new owner in the vicinity of the road has worked on improving the road.

Peter Comstock, Chair of the Concerned Citizens Committee for gas drilling issues reported that he would encourage everyone to attend the Public Hearing scheduled for November 30th at 7 p.m. at the Town Hall for the proposed new zoning laws. Comstock reported that less than 1% of Sullivan County residents lease property for gas drilling, noting that a poll of 500 people yielded 27% would support fracking while 69% would not, and that 7 out of 10 people oppose gas drilling. Comstock noted that a recent Public Hearing held in the Town of Tusten was well attended and 80% of the people support having zoning protection regarding gas drilling. Comstock reported that of the 40 people that spoke at the Public Hearing in Tusten 36 were in favor of the proposed zoning regulations. Comstock reported that the Town of Lumberland held 2 informational sessions, noting he was shocked at the attack by an individual in the newspapers against the Town of Lumberland and their proposed zoning regulations. Supervisor Rajsz stated she takes offense that was directed against the planners that were consulting on the zoning rewrite, noting that the consultant was from the Sullivan County Division of Planning. Comstock Thanked Lew Powell, the Zoning Rewrite Committee and Heather Jacksey for all their work on the Zoning Rewrite.

OPEN FLOOR TO PUBLIC

Joy Ryerson Thanked Councilman McKerrell for his service to the Town and questioned what happens to the vacancy on the Town Board when Councilman

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McKerrell is gone at the end of the month? Supervisor Rajszt stated that she hopes to discuss this matter with the new Town Board after the 1st of the new year, noting that is her opinion as to what needs to be done.

Sophia Martynec questioned if the Town Board was planning a 2012 Budget Public Hearing schedule yet? Supervisor Rajszt stated the Town Board will meet this Friday to discuss the 2012 budget and has not scheduled a Public Hearing at this time.

Susan Morley reported that the Eldred School District has already begun holding off use of the school buses for other than transporting students to school due to the austerity budget.

Supervisor Rajszt noted the Special Announcements. Supervisor Rajszt reported the DEC is holding a Public Hearing at the Sullivan County Community College on November 29th, on the DGEIS, with 2 sessions on that day.

EXECUTIVE SESSION

Councilman Shafer made a motion to close the regular meeting to go into Executive Session to discuss litigation and personnel with the Town Attorney at 8:05 p.m., seconded by Councilman Carr, all in favor, so carried.

Councilman Shafer made a motion to close the Executive Session at 9:15 p.m., seconded by Councilman McKerrell, all in favor, so carried. Councilman Shafer made a motion to reopen the regular meeting at 9:15 p.m., seconded by Councilman Carr, all in favor, so carried.

ABSTRACTS

After auditing the vouchers Councilman Shafer made a motion to accept Abstract #10, 2011, with General Fund Claims A11-#643 through #715, in the amount of \$24,782.18, and General Fund Prepaid Claims in the amount of \$3,612.66, and Highway Fund Claims #H11-418 through #442, in the amount of \$35,734.17, with a total of Abstract #10, 2011 of \$64,129.01, seconded by Councilman Carr, all in favor, so carried.

Councilman Shafer made a motion to adjourn at 9:16 p.m., seconded by Councilman Carr, all in favor, so carried.

Respectfully Submitted,

Virginia V. Horn, Town Clerk

