

LUMBERLAND TOWN BOARD MEETING MINUTES

OCTOBER 13, 2010

The Town Board of the Town of Lumberland held a regular monthly meeting on Wednesday, October 13, 2010, at 7 p.m., at the Town Hall in Glen Spey, N.Y.

Supervisor Nadia Rajsz opened the meeting at 7:04 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, Historian Frank Schwarz, Tax Collector Phyllis Knapp, Sophia Martynek, Susan Morley, Cathy Sterling, Heather Worzel, Bernie Suppa, Chief Constable Patrick Cahill, Constable applicant James Gaylard, Oxsana Krupka, Yaron Fidler, Abbey Schlosser, Linda Shafer, Wayne King, LEC Co-Chair Ann Danuff, Mike Rajsz, County Manager David Fanslua and County Legislator Kathy LaBuda.

MINUTES

Councilman Carr made a motion to accept Minutes of September 7, 2010, September 8, 2010, September 13, 2010, and October 6, 2010 as written, seconded by Councilman Shafer, all in favor, so carried.

CORRESPONDENCE

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

Supervisor Rajszyk stated she would note what each item of correspondence was as she listed them.

2. UDC Correspondence
3. Comptroller's Newsletters
4. NECO Fire & Safety Inspections –Range Hoods
5. Sullivan County Fire Advisory Board Mtg. Minutes
6. Grant Writer Updates
7. Cultural Series 25th Anniversary Notification
8. Sullivan County Flu Clinics Schedule
9. Upper Delaware Scenic Byways Correspondence
10. Environmental Finance Center Training & Events Schedule
11. Assoc. of Towns Seminar Notification
12. NYS Retirement Newsletter
13. Planning Board Mtg. Minutes – Sept.
14. Upstate Laboratories – Landfill Monitoring results

15. P.N. Fire & Burglar Alarm Co. annual inspection reports
16. Eldred School District Open House Notification
17. Sullivan County Office of Aging-Safety Forum Notification
18. Delta Engineering Road Use Updates
19. Sullivan County Office of Aging – RSVP Appointment
20. November Election List of Candidates
21. Planning Board resignation – Burnett
22. Forest Management, Water Resources & Energy Development Seminar
23. Highway Dept. Inventory List – 2010
24. LEC Meeting Minutes – Aug.

Supervisor Rajsz noted item #7, was notification that the Cultural Series will have a celebration of their 25th year on Sunday, October 17th at 3 p.m. at the Town Hall. Supervisor Rajsz noted that item #12 was a newsletter regarding state retirement issues from the Comptroller's Office. The Town Clerk noted that included in this newsletter was information regarding an enhanced driver's license that can be obtained from DMV which can be used as an alternative to a passport. Supervisor Rajsz reported item #16 was notification of the open house at the Eldred High School this coming Saturday. Supervisor Rajsz noted that item #18 was an update on the road use agreement from Delta Engineering.

Supervisor Rajsz reported item #21 was a resignation letter from Charles Burnett who has served on the Planning Board. Supervisor Rajsz stated she would like to publically Thank Burnett for his years of service to the Town and wish him well.

Supervisor Rajsz reported that the LEC minutes discuss the water testing, noting that during the testing there was water running from Camp Simcha that had a foul smell. Supervisor Rajsz reported she has toured the site and considered it a

Potential dangerous situation, but noted the water sample taken there was too old to test. Supervisor Rajsz noted the LEC will investigate this further.

Councilman McKerrell made a motion to accept Correspondence #1 through #24, seconded by Councilman Shafer, all in favor, so carried.

Supervisor Rajsz stated that at this time she would turn the meeting over to the County Manager, David Fanslau, and the County Legislator, Kathy LaBuda. LaBuda distributed printouts regarding Property Tax, Mandates and Tax Caps. Fanslua referred to the printout, noting that New York State has expanded it's mandates to provide services and because they cannot cut services because of the mandates they have to cut elsewhere. Fanslau reported that the County's overriding goal is to not raise taxes. Supervisor Rajsz questioned what the County was doing to put tax exempt agencies back on the rolls? Fanslau reported that the State needs to reform the tax status, noting the County has passed resolutions but the change needs to be done by the State. Supervisor Rajsz reported that Sullivan County is the second poorest county in the state. Supervisor Rajsz questioned where all the stimulus money is going, noting that the state received \$26 million in stimulus money and the governor used it to balance the budget. Fanslau stated that they are looking for the county elected officials and department heads to give them information before making any decisions on their budget.

Supervisor Rajsz opened the floor to the Board members and the public for discussion. Yaron Fidler stated he agreed with the Supervisor about taxes, noting that they will have to increase taxes to pay for the state deficit. Susan Morley stated she is concerned about the senior citizens, noting that medicare is not paying out as much, but if taxes are raised they will be in trouble. Fanslau stated they are trying to hold the line on taxes. LaBuda stated she hopes people won't panic when they read the paper because the County budget has not been passed yet. LaBuda stated the problem was the pension and health costs. LaBuda also noted that all the County departments are requesting no cuts but with the increases in health and pension costs they will have to cut somewhere. LaBuda reported they have constructed a single stream recycling on the site of the old landfill. Supervisor Rajsz reported that they will be having Bill Cutler from the County come to the Town Board meeting at a future date. Fanslau reported that the new facility will be where you bring all your garbage together and it will be sent out to have it separated, noting they are hopeful to being this by January 1st.

Councilman Shafer questioned if the user fee would be going up? Fanslau stated that the budget has not been set up, noting that the landfill debt has not been set aside. Councilman Shafer questioned when the Fire Dept. will be changing their radio frequency bands? Fanslau reported

that will be within 2 to 3 years, noting they are looking for property to put the equipment on for more towers with a frequency to comply with federal laws. Supervisor Rajsz questioned how much would the actual cost be for the equipment needed? Fanslau reported they are looking into grant monies and assistance monies for the cost, noting Homeland Security funds can be used but they may have to bond for the tower work. Councilman Shafer questioned if this was a mandate by the County or the State? Fanslau reported it was set up by the federal government to be in compliance since 9/11.

Sophia Martynec questioned what are the 3 top goals for Sullivan County? Fanslau reported they are looking at economic growth, streamlining government and public safety.

Supervisor Rajsz Thanked Fanslau and LaBuda for coming to the meeting.

PRE-FILED RESOLUTIONS

- #127 – Intern Deputy Tax Collector Appt.
- #128 - Supervisor’s Laptop Computer Purchase Approval
- #129 - School Bus Garage Furnace Purchase
- #130 - Municipal Parking Lot Fencing Purchase
- #131 - Highway Garage Fuel Oil Tank Purchase
- #132 - Anti-Skid Sand Bid Award
- #133 - Surplus Equipment Bid Award
- #134 - Transfer of Circle Park Funds
- #135 - Constable Appt.
- #136 - Tax Collector Purchases Approval & Budget Modifications
- #137 - BAR Appointment
- #138 - County Snow & Ice Contract Agreement-Rate per mile
- #139 - County Snow & Ice Contract – additional agreement

Councilman McKerrell reported the Circle Park mini golf course is 99% done.

Chief Constable Patrick Cahill introduced the applicant for constable, noting his credentials. Cahill noted that his budget will stay the same but he is making sure

His man power is there for the public. James Gaylard stated he is looking forward to working with the Town of Lumberland.

Supervisor Rajsz reported that the BAR appointment was necessary because the term for Helga Rupnick had expired and Rupnick did not want to be reappointed. Supervisor Rajsz Thanked Rupnick for her service to the Town.

Supervisor Rajsz reported that Resolutions #138 & #139 will require a Roll Call vote.

PROCLAMATION – CULTURAL SERIES 25TH ANNIVERSARY

Supervisor Rajsz read the Proclamation and it was unanimously approved by the Board members.

REPORTS OF BOARD MEMBERS

Councilman Shafer reported that they are real close on finishing the MMFT road use agreement, noting there is a meeting on the gas drilling task force tomorrow.

Councilman Shafer reported he filled in for Supervisor Rajsz at the UDC meeting. Councilman Shafer they tried to get a response on the water level rising during the recent storms, noting there is a website at www.drpb.net that people can go to look up the flood levels. Councilman Shafer reported that the Town of Highland Supervisor is watching the levels of the Delaware River. Councilman Shafer noted that if the recent storm had been worse we could have had flooding conditions.

Councilman McKerrell reported that Circle Park will have a Halloween Party on October 23rd at the park from 1 to 3 p.m.

Councilman McKerrell reported the bathrooms at the park will be closed down the week after the Halloween party. Councilman McKerrell also reported that the basketball court has been paved using Renaissance money.

Councilman Akt reported they are working on the furnace at the bus garage and putting in a new guiderail at the end of the municipal parking lot. Councilman jCarr reported he had been asking for the fence at the end of the parking lot for some time and Thanked Councilman Akt for getting the project done.

Supervisor Rajszyk Thanked Councilman Shafer for attending the UDC meeting for her, noting she attended the NYMIR , noting she attended the NYMIR meeting to go over the recommendations given to the Town by the state insurance company.

Supervisor Rajszyk reported she met with Ken McIntosh, President of a family health center and she has been in touch with different family care centers to look into the possibility of constructing a center in our area to service seniors and kids. Supervisor Rajszyk noted that McIntosh's center has a van that travels around and she is looking into the possibility of it coming here. Supervisor Rajszyk stated she will invite McIntosh to come and meet with the Town Board and the public.

Supervisor Rajszyk reported she had Glen Gidaly, representative from a consulting engineering firm, come to the workshop meeting to discuss the possibility of having a sewer district for the Mohican Lake area. Supervisor Rajszyk reported the first step in the process would be to send out letters to the residents of the lake area to get their input on the project, noting that most of the seasonal residents are gone for the winter so this will be done in the spring.

Supervisor Rajszyk reported she has received maps and information regarding area dams and the impact they would have on the Town of Lumberland should there be a breach in the dam.

Supervisor Rajszt stated she has the information in the Supervisor's office if anyone is interested in looking at it.

Supervisor Rajszt reported she had been invited to visit Dimick Pennsylvania with the Homestead School today but couldn't make it. Supervisor Rajszt noted the purpose of the trip was to view the impact gas drilling has had on the community there. Supervisor Rajszt reported there is a movie out called "Gasland" that addresses the gas drilling issues and recommended everyone should see it.

Historian Frank Schwarz reported all the paperwork for the grant for the park was submitted for re-imbusement. Schwarz noted his new computer in his office is working great and Thanked the Board for approving the purchase.

Cultural Series Director Frank Schwarz Thanked the Town Board for the Proclamation for the Cultural Series 25th Anniversary and the public for their support.

Ann Danuff reported the Seniors will be having a breakfast on Sunday, October 17th, the same day as the Cultural Series celebration.

Chief Constable Patrick Cahill reviewed his monthly report and the Dog Control activity report. Cahill noted that even though they note what roads they are concentrating on it is not all inclusive of where they will be. Cahill reported he and Officer Tracy picked up a truck load of garbage that had been dumped on Forestburgh Road. Supervisor Rajszt submitted a noise complaint letter to the Chief Constable regarding the Mohican Lake Inn.

Phyllis Knapp reported the Pond Eddy United Methodist Church will be having a craft bazaar this coming Saturday and on Sunday they kick off their 150th year anniversary.

OPEN FLOOR TO PUBLIC

Susan Morley Thanked whoever did the beautiful flowers in front of the building and in front of the Senior Center. Councilman McKerrell reported it was a combined effort through a renaissance project and volunteers.

Supervisor Rajsz read the Special Announcements. The Town Clerk noted that on Election Day on November 2nd the polls would be open from 6 a.m. to 9 p.m,

ABSTRACTS

Councilman Shafer made a motion to approve Abstract #10, 2010, with General Fund Claims G10-#567 through #641, in the amount of \$43,754.81, General Fund Prepaid Claims in the amount of \$240,705.06, Highway Fund H10 -#414 through #462, in the amount of \$92,259.44, and Highway Prepaid Claims in the amount of \$7,795.25, with the total of Abstract #10, 2010 of \$384,514.56, seconded by Councilman Carr, all in favor, so carried.

Councilman McKerrell made a motion to adjourn at 8:47 p.m., seconded by Councilman Akt, all in favor, so carried.

Respectfully Submitted,

Virginia V. Horn

Town Clerk