

LUMBERLAND TOWN BOARD
JANUARY 10, 2018

The Lumberland Town Board held a Regular Monthly Meeting on Wednesday, January 10, 2018, at 7 p.m., at the Town Hall in Glen Spey, N.Y. Supervisor Mellan opened the meeting at 7:00 p.m., followed by the Pledge of Allegiance.

The Board members reviewed and initialed the vouchers prior to the meeting opening.

Roll Call was administered to those members present:

Supervisor Jenny Mellan
Councilman/Deputy Supervisor Leigh Sherman
Councilman Joseph Carr
Councilwoman Zoriana Gingold
Councilman James Akt was absent

Also present were Town Clerk Laurie Terry, Deputy Town Clerk Michelle Myslinski, Code Enforcement Officer David Sparling, Chief Constable Patrick Cahill, Constable Bob Maas, Highway Superintendent Don Hunt Jr., Bookkeeper/Confidential Assistant Jeanne Mulchahey, Town Historian Frank Schwarz, Cathy Sterling, Mike Rajs, Rose Carr, Steve Kosmacher, Helen Sherman, Ann Steimle, Cheri Bodnariuk, Town Attorney Danielle Jose, David Hulse, Kaitlyn Haas, Vincent Martino, Debbie Martino

MINUTES

Supervisor Mellan noted that Councilman Carr was not present for the December 27, 2017 End of Year Meeting so the minutes needed to be approved separately.

Councilwoman Zoriana Gingold made a **motion** to accept the Workshop Meeting Minutes of December 6, 2017 and the Regular Meeting of December 13, 2017 as written, seconded by Councilman Sherman, all in favor, so carried.

Councilwoman Gingold made a **motion** to accept the Minutes of the Year-End Meeting of December 27, 2017, seconded by Councilman Sherman, Councilman Carr abstained from voting, all in favor, so carried.

CORRESPONDENCE

1. Monthly Reports:
 - a. Supervisor
 - b. Highway Superintendent
 - b. Town Clerk
 - c. Buildings
 - d. Constables
 - e. Fire Dept.
2. Cohen Law Group – Free Legal Assessments
3. ZBA Resolution – Thompson variance
4. Eldred Little League – request to use town fields

Councilwoman Gingold made a **motion** to accept Correspondence #1 through #4, seconded by Councilman Sherman, all in favor, so carried.

PRE-FILED RESOLUTIONS

#35 - Approval Local Law #1, 2018 – Veterans Cold War Exemption will be addressed following the scheduled Public Hearing

#36 - Eldred Little League – Field Use

Supervisor Mellan confirmed that an updated insurance certificate is on file and noted that the resolution's wording needed to be adjusted to reflect that.

CONTINUED PUBLIC HEARING- 7:05 p.m. – Rubbish Removal –SBL 5.-3-8 Mohican Lake

Public Hearing scheduled for December 13, 2017 was recessed till this month.

Councilwoman Gingold made a motion to close the regular meeting and open the recessed public hearing in the matter of rubbish removal in the Mohican Lake district.

The Board discussed how much, if any, work was done in the last month. How long any further work would take and what the Board's options were. Cheri Bodnariuk stated that weather and her work schedule was causing delays. Cheri Bodnariuk said she would prefer to do the cleanup rather than have it done then have to pay for it. No legal decisions were made regarding the property as she had hoped. Vincent Martini, member of the public, stated that he felt additional time should be allowed. Town Attorney, Danielle Jose stated that the standing order requiring cleanup did not have a specific date but a resolution could be amended to set one. Don Hunt, Highway Superintendent stated that it was unlikely that the Highway Department would be able to cleanup before spring. It was decided that the order would require that cleanup be done by February 6, 2018. Code Enforcement would inspect and take pictures of the property on February 7th and report his findings at the Workshop meeting. If progress is unsatisfactory a resolution would be created with a deadline. The Town Attorney was then asked to draft a resolution with a deadline, for approval this evening. Councilman Carr stated that he wants the project put out to bid rather than involve the Highway Department. No written comments were received.

Councilman Carr made a **motion** to close the public hearing and open the regular meeting, seconded by Councilwoman Gingold, all in favor, so carried.

Councilwoman Gingold made a **motion** to close the regular meeting and open the public hearing in the matter of Local Law #1 of 2018, seconded by Councilman Sherman, all in favor, so carried.

PUBLIC HEARING – 7:15 P.M. – Local Law #1, 2018 – Cold War Veterans Real

Currently the exemption for Cold War Veterans expires 10 years after application. This law states that the exemption will stay in place as long as the veteran or surviving spouse lives in the home. The exemption allows for 15% of the assessed value to a maximum of \$12,000. Supervisor Mellan opened the floor to the public three times. No member of the public wished to speak. No written comments were received.

Councilman Joe Carr made a motion to close the public hearing and resume the regular meeting, seconded by Councilwoman Gingold, all in favor, so carried.

PRE-FILED RESOLUTIONS

#35 - Approval Local Law #1, 2018 – Veterans Cold War Exemption

Councilman Sherman made a **motion** to approve local law #1, seconded by Councilman Carr, all in favor, so carried.

#37 – Amend Resolution 129, 2017 - Rubbish Removal

Councilman Carr made a **motion** to waive the 5 day rule with regard to resolution #37, seconded by Councilman Sherman, all in favor, so carried.

Councilman Carr made a **motion** to approve resolution #37, seconded by Councilwoman Gingold, all in favor, so carried.

NEW BUSINESS - None

ABSTRACTS

Councilman Sherman made a motion to approve Audit and Approval of General Fund & Highway 2017_General Fund Claims A17-531-A17-547 in the amount of 9,524.69, 2018 -Audit and Approval of General Fund & Highway 2018, General Fund Prepaid Claim in the amount of \$234.00, General Fund Claims A18-# 001 through #37, in the amount of \$43,749.15 Highway Fund Claims #H18 - # 001 through # 062 in the amount of \$134,249.56 with a total of Abstract#1 , 2018 of \$187,757.40, seconded by Councilwoman Gingold, all in favor, so carried.

Supervisor Mellan noted that the Worker's Compensation premiums of approximately \$96,000 were paid this month causing the unusually high expenses.

MONTHLY REPORTS

Chief Constable Patrick Cahill read the Constabulary's report.

Code Enforcement Officer David Sparling reported that the Building Department took in almost \$10,000 more 2017 than 2016 with valuations of \$3,800,000 in work being done.

Mr. Sparling also requested that new clerk Christy Flynn be allowed to attend NYPF training in April, he will have paperwork for next meeting.

Councilman Sherman reported that the Cemetery Committee is looking for members and that the Maintenance Department will be working indoors if any department head needed anything.

Town Clerk Laurie Terry reported that the tax bills had not been sent out by the vendor hired by the county until January 8th. Taxpayers were offered the option of having bills emailed or faxed. Bills could also be picked up at the Town Hall. Supervisor Mellan questioned if the vendor was new and if we knew what the problem was. We were told that the vendor was unable to secure specific paper needed.

Town Attorney Danielle Jose reported that she would be attending municipal law training focusing on issues such as zombie properties under the new State Law and conflict of interest. Supervisor Mellan stated that the changes to procurement policy mentioned at the January reorganization meeting is on federal matters rather than municipal but would still be reviewed.

Historian Frank Schwarz reported that a seminar was being offered regarding commercial historical buildings on January 18th. Also, the kitchen needs to replace 8 bulbs with LED bulbs and the museum needs 4.

Highway Superintendent Hunt reported that the Highway Department was busy clearing roads, the tandem will be ready in the spring and the new Dodge will be available around the 25th.

Fire Department President Ann Steimle reported the passing of Charlie Fallon who died peacefully in Florida. Charlie's family has requested the LFD have a memorial in the spring. The Fire Department will accommodate with more details to follow.

OPEN FLOOR TO PUBLIC

Mrs. Lukiw, a new resident asked if the Highway Department would plow her road. The Highway Superintendent explained that private roads could not be cleared by the department and that making Hunczak Blvd. a town road would not be possible.

Supervisor Mellan read the Special Announcements.

Councilwoman Gingold made a motion to adjourn at 8:00 p.m., seconded by Councilman Carr, all in favor, so carried.

Respectfully Submitted,

Laurie Terry, Town Clerk