

# **LUMBERLAND TOWN BOARD MEETING MINUTES**

**September 13, 2017**

The Lumberland Town Board held a Regular Monthly Meeting on Wednesday, September 13, 2017, at 7 p.m., at the Town Hall in Glen Spey, N.Y. Supervisor Jenny Mellan opened the meeting at 7 p.m., followed by the Pledge of Allegiance.

Roll Call was administered to those members present:

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

Also present were Town Clerk Virginia Horn, Chief Constable Patrick Cahill, Constable Robert Maas, Attorney for the Town Danielle Jose-Decker, Code Enforcement Officer David Sparling, Rose Carr, Historian Frank Schwarz, Steven Kosmacher, Supervisor's Bookkeeper Jeanne Mulcahey, Code Enforcement/Assessor Clerk Laurie Terry, Helga Rupnick, Christine & Charles Romer Mike Rajsz and Dave Hulse from the River Reporter.

## **MINUTES**

Supervisor Mellan noted she was not present for the Workshop Meeting of August 2<sup>nd</sup> so the minutes needed to be approved separately. Councilman Sherman made a motion to accept the Workshop Meeting Minutes of August 2, 2017, as written, seconded by Councilwoman Gingold, Supervisor Mellan abstained from voting, all in favor, so carried. Councilman Carr made a motion to accept the Regular Meeting Minutes of August 9, 2017 as written, seconded by Councilman Sherman, all in favor, so carried.

## **CORRESPONDENCE**

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

The Town Clerk verified she has not received the Fire Dept. monthly meeting report.

2. Hgwy Superintendent – 5 Consecutive Year Annual School attendance Certificate
3. SC Historical Newsletter
4. SC DPW letter regarding speed reduction requests
5. Planning Board Mtg. Minutes- June, August & recommendation letter for Appt.
6. Grant Writer Updates
7. ZBA Mtg. Minutes – June
8. Town of Highland 911 Memorial Ceremony notification
9. Electrical Inspector request

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10. Assoc. of Towns notification – 2018 dues
11. UDC Position Paper – renewable energy systems
12. UDC notification – change to Member Participation Fee Policy
13. SC Historical Society Annual Mtg. & Dinner notification
14. DEC notification – Recognizes Sullivan County
15. SC Manager’s letter- shared services plan

Supervisor Mellan reported they received notification that the County was not forwarding the request to lower the limit in the Mohican Lake area since the minimum speed is 30 mph and cannot be lower according to the law, noting the request to lower the speed limit on Haring and Van Tuyl Roads was sent on to the State for consideration. Supervisor Mellan reported there were ceremonies for the 911 observance that were held on Monday in the Towns of Highland and Deerpark. Supervisor Mellan reported Item #9 was a request from an electrical inspector to be added to the Town’s list of inspectors. Supervisor Mellan noted that they received notification from the Association of Towns on their 2018 dues.

Supervisor Mellan reported that the Upper Delaware Council has sent notification that beginning October 1<sup>st</sup> the UDC will no longer be reimbursing the Town for their representative to attend their meetings. Councilman Sherman reported that the UDC would be paying the representatives directly, noting they will also pay a stipend to be on committees. Councilman Sherman reported that the UDC will only pay \$35 for each town representative to attend the UDC meetings whereas it used to be \$100.

Historian Frank Schwarz verified he is not attending the Sullivan County Historical annual dinner.

Supervisor Mellan reported she went to the County’s shared services 2<sup>nd</sup> public hearing and there were only 8 attendees there, noting the next public hearing will be tomorrow at 6:30 p.m. which is the final hearing and they will then vote on the plan.

Councilman Carr made a motion to accept Correspondence #1 through #15, seconded by Councilman Sherman, all in favor, so carried.

### **PRE-FILED RESOLUTIONS**

- #108 - Tri State Dog Obedience Club – Use of Town Hall Approval
- #109 - Justice Court Grant Application Approval
- #110 - Advertise Sand Bid
- #111- ZBA Member Appt. – Speer
- #112 - BAR Re-appt. - Bodnaruik
- #113 – Planning Board Member Appt. – Dobrzynski
- #114 - Donation to Town – Eisenzoph
- #115 - Donation to Town – Camp Simcha
- #116 - Appoint A Zoning Review Committee

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Dave Hulse questioned if there was a dollar amount on the justice court grant? Supervisor Mellan stated there was not.

Laurie Terry verified that the ZBA and Planning Board will need to advertise for Alternate members. Supervisor Mellan stated that Resolution #116 was for the appointment of a new zoning review committee, noting they will advertise for one member and two alternate members.

### **ABSTRACTS**

Councilwoman Gingold made a motion to approve Audit and Approval of General Fund & Highway #9, 2017, General Fund Prepaid Claims in the amount of \$175,761.21, General Fund Claims G17-# 324 through #364, in the amount of \$ 13,189.36, Highway Fund Prepaid Claims in the amount of \$ 48,532.93, and Highway Fund Claims #H17-#386 through #415 in the amount of \$ 193,680.71, with a total of Abstract #9, 2017 of \$ 431,164.21, seconded by Councilman Carr, all in favor so carried.

Proclamation

New Business

### **REPORTS OF BOARD MEMBERS**

Councilman Akt reported they have two projects before the Planning Board and he would like to thank the Fire Dept. and the Constables for attending the 911 Memorial service in the Town of Highland.

Councilman Sherman reported the painting was done at the bus garage. The Town Clerk reported on the recommended security measures that should be looked into at the buildings, noting that the Town Clerks met with the Sheriff's Dept. last month and this was their recommendation. The Town Clerk stated the one suggestion was getting panic buttons installed in the offices and the second discussion was regarding safety barriers for in front of the buildings. Councilman Sherman reported he called P&N Alarm who is coming tomorrow to discuss the panic buttons. Councilman Sherman also reported he has Ketchum Fencing coming to give us options on safety measures that could be put in front of the buildings. Councilman Akt suggested including the Senior Center for the outside of the building.

Councilman Sherman reported the Cemetery Committee has not been active. Frank Schwarz verified he will not seek reappointment as a committee member after the 1<sup>st</sup> of the new year. Councilman Sherman noted we are in need of a couple of members now. Supervisor Mellan reported the inputting of the cemetery information into the Pontem Cemetery Software is complete. Supervisor Mellan stated this will be beneficial for future access to the cemetery information.

Councilwoman Gingold and Councilman Carr had nothing to report.

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The Attorney for the Town reported she followed up on the Mohican Lake Taxpayers Association request regarding the herbicide treatment, noting that when she talked to the Association's attorney they both agreed this is a private matter and the Association will be meeting on the treatment process with all parties involved.

The Town Clerk reported they are busy with hunting licenses. The Town Clerk reported she made the recommended changes to the pavilion and park proposed regulation signs. Supervisor Mellan recommended finding out from the Highway Superintendent how much the signs would cost before determining how many they need.

Frank Schwarz questioned if they had looked into having the lights come on automatically at the buildings? Councilman Sherman reported they were going to look into it when they did the replacement electric heaters, noting Dave Blethen was going to be installing the heaters which have not been purchased yet. Supervisor Mellan reported they still have a problem with the street light in the municipal parking lot. Constable Maas noted it is the town's problem since it owns the light on the town property.

Grant Writer, Frank Schwarz, reported on the grant updates, noting they have filed for the \$16,000 reimbursement and has sent in all requests for Grant #6499 but hasn't gotten the final approval. Schwarz reported they are waiting for verification that everything submitted will get reimbursed but if not then they can file for something else. Schwarz reported he filed for reimbursement for the County grant and filed for the grant to purchase a new town sign, noting he will need a resolution from the Town Board showing support for approval of that grant.

Cultural Series Director, Frank Schwarz, invited everyone to the Cultural Series Concert to be held this Sunday at 3 p.m. in the Town Hall. Historian Frank Schwarz reported he will hold a Heritage Day on October 7<sup>th</sup> in the Town Hall with a lecture starting at 11 a.m.

Code Enforcement Officer, David Sparling, reported they have a couple of new homes being built and noted that the contracts are due for renewal for the maintenance of the town generators which can be done next month. Sparling reported they had no complaints about any of the town camps this year.

### **OPEN FLOOR TO PUBLIC**

Steven Kosmacher questioned if the new zoning review committee would be picking up where the old committee left off? Supervisor Mellan stated that they will start with the original changes and incorporate the work that has already been done with the new recommended changes. Kosmacher reported he got involved with the review committee and most of the cleaning up had been done. The Attorney for the Town stated that the first phase will be quick since most of it was already done. Kosmacher questioned if the Town Board would be monitoring the committee more? Supervisor Mellan stated that it will be done in phases and the Town Board will review each phase as it is completed, noting there

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will be one Town Board member on the committee who will report back to the Town Board. Supervisor Mellan noted there is no time frame yet. Kosmacher stated that the solar issue was already gone through. Supervisor Mellan stated that there are still some questions that have not been addressed, noting that there was a lot to absorb when reviewing it as a whole instead of doing it in phases.

Steven Kosmacher questioned if the safety panic button would go directly to 911? The Town Clerk verified that it will have a direct link.

Helga Rupnick questioned who was taking care of the Cemetery, noting they are doing a good job but that they are not weed wacking between the graves. Councilman Sherman stated he would let the highway department know.

Steven Kosmacher questioned putting stanchions up in front of the buildings for safety measures and if we had an estimated cost? Supervisor Mellan reported they are looking into various options and just discussing it. Kosmacher questioned if this was a problem why all of a sudden is it being discussed? Supervisor Mellan noted that recently Councilman Sherman's truck continued to run even though he had put it in park and gotten out which is something to be concerned about and could happen at any time. The Town Clerk verified that this was being considered for precautionary reasons and she would rather be safe than sorry and wait for someone to get hurt or killed before addressing it.

Supervisor Mellan noted the Special Announcements.

Supervisor Mellan stated she needed a motion to go into Executive Session to discuss a personnel issue.

### **EXECUTIVE SESSION**

Councilman Sherman made a motion to recess the Regular Meeting and to go into Executive Session to discuss a personnel issue at 7:49 p.m., seconded by Councilman Akt, all in favor, so carried. Councilwoman Gingold made a motion to close the Executive Session and reopen the Regular Meeting at 8:45 p.m., seconded by Councilman Carr, all in favor, so carried.

Councilwoman Gingold made a motion to adjourn at 8:46 p.m., seconded by Councilman Carr, all in favor, so carried.

Respectfully Submitted,

Virginia V. Horn, Town Clerk