

LUMBERLAND TOWN BOARD MEETING MINUTES

December 14, 2016

The Lumberland Town Board held a Regular Monthly Meeting on Wednesday, December 14, 2016, 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, Deputy Town Clerk Michele Myslinski, Rose Carr, Constable Robert Maas, Code Enforcement Officer David Sparling, Historian Frank Schwarz, Sonia Friberg, Mike Rajs, Highway Superintendent Don Hunt, Jr., Robert King, Fire Dept. President Ann Steimle, Anita Hunt, Jack Shafer, Supervisor's Bookkeeper Jeanne Malcahey, Supervisor's Assistant Heidi Spannos, Parks Committee representative Billy McKerrell, Cathy Konival, Chief Constable Patrick Cahill, Laurie Terry, Amy Schwarz & Zangmo from the Kadampa Meditation Center, Attorney for the Town Danielle Jose-Decker, Dave Hulse from the River Reporter, Parks Committee representative Linda Hazen and Griffin Major.

MINUTES

Councilman Carr made a motion to accept the Workshop Meeting Minutes of November 2, 2016, Regular Meeting Minutes of November 9, 2016, and Special Meetings Minutes from November 14, 2016, November 17, 2016 and November 21, 2016 as written, seconded by Councilwoman Gingold, all in favor, so carried.

Supervisor Mellan noted that minor corrections to the Minutes were previously made.

CORRESPONDENCE

1. Monthly Reports:
 - a. Supervisor
 - b. Highway Superintendent
 - b. Town Clerk
 - c. Buildings
 - d. Constables
 - e. Fire Dept.
2. Comptroller's Newsletter
3. O&R Utilities notification
4. Supervisor's Certification = Homeland Security & Emergency Services
5. Planning Board member resignation letter- Grech
6. Sullivan County Historical Society Newsletter
7. Recommendation for Supplemental Emergency Public Notification System

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8. NECO Fire & Safety Inspections Reports
9. Cemetery Committee Member Resignation letter- Powell
10. 10. Upper Scenic Byways letters- Rajsz resignation as Town representative & Upper Scenic Byways recognition letter – Rajsz
11. UDC – Position Paper –Large Scale Solar Energy Systems

Supervisor Mellan reported the Fire Dept. Monthly Report was not available because of the Fire Dept. President's son's recent wedding. Supervisor Mellan reported the Board had the Code Enforcement Officer review Item #11 which he verified that the Town already has regulations regarding solar energy in our zoning. Councilman Akt made a motion to accept Correspondence #1 through #11, seconded by Councilwoman Gingold, all in favor, so carried.

PRE-FILED RESOLUTIONS

- #142 – BAR Re-appointment –Mulcahey
- #143 - Code Enforcement Computer Purchase Approval
- #144 - Donation to Town – Constables
- #145 - Establish Project Reserve Fund – Parks & Recreation
- #146 - Town Sign Purchase & General Fund Budget Fund Transfer
- #147 - Updated Constable Manual Approval
- #148 - County Snow & Ice Removal Contract Approval
- #149 - Shafer Heights Road Town Board Consent (Late File)
- #150 - Court Clerk Appt. (Late File)

The Town Clerk recommended encumbering the funds at the end of the year for the purchase of the new Town sign. Supervisor Mellan reported the Grant Writer is pursuing grants to purchase additional town signs. The Grant Writer noted they would be doing one sign at a time.

Supervisor Mellan noted that Resolution #148 was a request from the County to approve each year even though there is no change to the contract.

The Attorney for the Town read Resolution #149 which addresses the issue of the Town taking over Shafer Heights Road. Supervisor Mellan questioned where do we go from here? The Attorney for the Town reported she will prepare the deed and have a title search done, noting if everything comes back fine we could close on this by the end of the year.

The Attorney for the Town noted that there is an order that needs to be issued by the Highway Superintendent

Supervisor Mellan reported that Resolution #150 will be addressed at the Year End Meeting.

PROCLAMTION
NEW BUSINESS
OLD BUSINESS

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ABSTRACTS

Councilman Carr made a motion to approve Audit and Approval of General Fund & Highway #12, 2016, General Fund Prepaid Claim in the amount of \$ 33,995.78, General Fund Claims G16-#586 through #649, in the amount of \$ 21,423.79, Highway Pre-paid Funds in the amount of \$18,328.67, and Highway Fund Claims #H16 - #439 through #494 in the amount of \$ 26,056.74, with a total of Abstract #12 , 2016 of \$ 99,804.98 , seconded by Councilwoman Gingold, all in favor, so carried.

New Business

REPORTS OF BOARD MEMBER

Councilman Carr and Councilwoman Gingold wished everyone a Merry Christmas and Happy New Year.

Councilman Akt Thanked everyone for the Christmas party held today. Councilman Akt reported that we had a few pipe issues in the Town Hall and had Smith Plumbing come and look at it, noting someone else will be looking at it again on Friday.

Councilman Sherman reported there is no news from the UDC and that the Cemetery Committee is down 3 members if anyone is interested in becoming a member please contact the Town Clerk's Office.

Supervisor Mellan Thanked Christine Smetanuik for all the decorating in the Town Hall. Supervisor Mellan reported Spectrum, which was formally Time Warner Cable, has confirmed that the Town will be receiving over \$40,000 which is owed for the discrepancy in paying the Town franchise fees for the last 6 years. Supervisor Mellan stated that Spectrum is stating this cost will not be passed onto their customers.

The Chief Constable noted his monthly Constabulary activity report.

The Code Enforcement Officer reported Peak Powers serviced the Town generators and the Town Clerk has the reports. The Town Clerk verified that the reports will be given to the Town Board at the Year End Meeting. The Code Enforcement Officer thanked the Town Board for the approval to purchase of a new computer which his office greatly needed.

The Town Clerk wished everyone a Merry Christmas and Happy New Year. The Deputy Town Clerk reported we are busy with tax time coming up. The Town Clerk noted that the Town tax bills will not be late in January.

The Attorney for the Town stated she was saddened by the resignation of Lew Powell from the Cemetery Committee since Powell was instrumental in pursuing the Town's efforts to have the Knight Cemetery deeded over to the Town, noting that all the paperwork is almost finished for that issue to be resolved. The Attorney for the Town noted that Billy McKerrell and Frank Schwarz were also instrumental in pursuing this issue.

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The Attorney for the Town reported she will be away in January for training on the new “Zombie Law” that deals with abandoned buildings, noting she sent out an email regarding training for this to the Code Enforcement Officer and the Planning Board.

Grant Writer, Frank Schwarz, reported he had a conference call with the Supervisor regarding SAM Grants, noting they are waiting for the executed contract for the proposed Highway truck and that Grant 6309 is in the final review stages and Grant 6499 is getting ready for final review.

Historian Frank Schwarz reported he received a letter from the NYS Historian praising him on his annual Report and requesting a copy of our brochures on historical markers and cemeteries. Schwarz reported he received a very nice present from the Supervisor that was a frame for his recent award. Schwarz reported there are 120 registered Historians in the state and he will be going to the convention in 2017 to do a presentation on historical markers. Frank Schwarz wished everyone Happy Holidays and a Merry Christmas.

Parks Committee representative Billy McKerrell reported they ordered something for the Park which was delivered to the Town. Linda Hazen from the Parks Committee Thanked the Highway Dept., the Constables and the Maintenance Man for all their help throughout the year. Hazen reported the luminaries will be set out on Christmas Eve and it has been a fabulous year.

The Highway Superintendent reported Mother Nature is here, noting that the roads were slippery the last 2 storms and each storm they had a truck break down so the guys had to double up on their routes. The Highway Superintendent stated if anyone has a problem with the roads they should call the Highway Dept.

OPEN FLOOR TO PUBLIC

Laurie Terry reported that the ZBA meeting scheduled for December 20 has been canceled, noting that the Planning Board meeting was rescheduled for the 20th with a Public Hearing scheduled at 7:35 p.m. that night.

The Town Clerk noted there is cake for after the meeting for anyone that would like some.

Supervisor Mellan noted the Special Announcements. Supervisor Mellan noted the Town Re-Organizational Meeting will be held at 7 p.m. on January 4th with the Town Board Workshop Meeting immediately following.

Councilwoman Gingold made a motion to adjourn at 7:34 p.m., seconded by Councilman Akt, all in favor, so carried.

Respectfully Submitted,

Virginia V. Horn, Town Clerk