

LUMBERLAND TOWN BOARD MEETING MINUTES

April 12 2017

The Lumberland Town Board held a Regular Monthly Meeting on Wednesday, April 12, 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:

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

Also present were Town Clerk Virginia Horn, Constable Robert Maas, Chief Constable Patrick Cahill, Deputy Town Clerk Michele Myslinski, Rose Carr, Attorney for the Town Danielle Jose-Decker, Highway Superintendent Don Hunt, Jr., Cheryl Hunt, Supervisor's Confidential Assistant/Bookkeeper Jeanne Mulcahey, Supervisor's Clerk Heidi Spannos, Robert King, Sullivan County Treasurer Nancy Buck, Kathy & Bill Konival, Allyson Wagner & daughter, Sullivan County Legislator Nadia Rajs, Fire Dept. President Ann Steimle, Sullivan County Legislature Chairman Luis Alvarez, Mike Rajs, Sara Sprague, Code Enforcement/Assessor Clerk Laurie Terry, Brian Siegel, Zangmo & Chennia from Kadampa Meditation Center, Dave Hulse from the River Reporter, Sullivan County Mike Schiff, David Riley, Sullivan County Legislature Clerk Ann Marie Martin and Historian Frank Schwarz.

Supervisor Mellan welcomed in attendance at tonight's meeting Sullivan County Legislature Chairman Luis Alvarez, Sullivan County Legislator Nadia Rajs and Sullivan County Treasurer Nancy Buck.

Supervisor Mellan reported there was a UDC presentation that she would like to do, noting last year the UDC requested nominees for various awards they give out. Supervisor Mellan reported that the UDC has requested we present a certificate of recognition to Don "Bosco" Hunt, Jr. and his wife Cheryl for their part in rescuing two individuals whose canoe capsized in the Delaware River and were in danger on May 8th, 2016.

Supervisor Mellan noted that Sullivan County Sheriff Mike Schiff was present at the meeting.

MINUTES

Councilman Carr made a motion to accept the Workshop Meeting Minutes of March 1, 2017 and the Regular Meeting Minutes of March 8, 2017 as written, seconded by Councilman Sherman, all in favor, so carried.

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CORRESPONDENCE

1. Monthly Reports:
 - a. Supervisor
 - b. Highway Superintendent
 - b. Town Clerk
 - c. Buildings
 - d. Constables
 - e. Fire Dept.
2. UDC Improvements to Public Emergency Notification System
3. Planning Board Mtg. Minutes-February
4. Town of Thompson notification – telecommunications facility
5. Sullivan County Historical Society Newsletter
6. SC Legislature notification – Transfer Stations accepting Electronic Waste
7. Brown correspondence-Highway Superintendent & Highway Dept. appreciation Letter
8. Sullivan County Legislative Chair letter – schedule Town Hall event
9. Grant Writer Updates
10. Highway Expenditure of Highway Monies
11. Proposed Lake Management Program notification –Mohican Lake
12. SC Division of Public Works notification – end of Snow & Ice Watch
13. UDC Presentation-Paper on Large Scale Solar Energy Systems (Late File)
14. DEC notification of Home Heating Oil Spill (Late File)

Supervisor Mellan requested Items #7 and #11 be held for discussion. Councilman Carr made a motion to accept Correspondence #1 through #14, seconded by Councilwoman Gingold, all in favor, so carried. Supervisor Mellan reported #7 was a commendation letter to the Highway Superintendent and the Highway Dept. from Ben Brown from Camp Simcha who praised the condition of our town roads during the snow storm we had. Brown stated that he had great joy in finding the Town of Lumberland roads well plowed when he got here.

Supervisor Mellan reported Item #11 was notification from the Mohican Lake Taxpayers Association that they would be applying herbicides to help curb a evasive species in the lake.

PRE-FILED RESOLUTIONS

- #74 - Bid Award- Stone & Gravel
- #75 - Schedule Spring Cleanup Day
- #76 - Noise Permit - Kolodiy
- #77 - Time Warner Franchise Cable Contract Approval
- #78 - Plans & Progress Small Grants project approval
- #79 - Noise Permits- Camp Lokanda
- #80 - Award Auction Bid – Surplus Office Equipment (Late File)

Supervisor Mellan noted they would hold Resolution #77 until after the Public Hearing.

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PUBLIC HEARING – TIME WARNER CABLE FRANCHISE AGREEMENT

Councilman Carr made a motion to recess the regular meeting and open the Public Hearing at 7:15 p.m., seconded by Councilman Sherman, all in favor, so carried.

Supervisor Mellan stated the purpose of the Public Hearing was to hear comments and concerns regarding the renewal of the Time Warner Cable franchise agreement. Supervisor Mellan noted the highlights of the proposed agreement, noting that there had been questions regarding the agreement at a previous meeting. Supervisor Mellan reported she requested a 5 year audit period of the agreement. The Attorney for the Town stated that, by law, the audit period is 6 years. Supervisor Mellan noted that if payments to the Town are not made within the time frame the Town can have a penalty fee affixed.

OPEN THE FLOOR FOR THE 1ST TIME

Nadia Rajsz noted that the original contract was for 10 years and this was a much better agreement.

OPEN THE FLOOR FOR THE 2ND TIME

No Comment

OPEN THE FLOOR FOR THE 3RD TIME

No Comment

Councilman Sherman made a motion to close the Public Hearing and reopen the regular meeting at 7:18 p.m., seconded by Councilman Carr, all in favor, so carried.

Supervisor Mellan stated the Board would now address the final Resolution which was for the approval of the Time Warner Cable franchise agreement. Supervisor Mellan reported they had a late file resolution which was for the approval of an auction bid for surplus office equipment that they received today. Supervisor Mellan noted the bid was for the old office phones and the amount was for \$130.

Supervisor Mellan stated she would like to turn the floor over to Sullivan County Legislature Chairman, Luis Alvarez, noting that the County Legislature Clerk, Ann Marie Martin, was also present. Alvarez reported he is trying to reach out to all the towns and villages to summarize his Address to the County speech. Alvarez read parts of his speech and highlighted the many issues they will be addressing in the coming year. Alvarez noted that revenues are up in the County which are increasing the County fund balance, they are securing better contracts for the County employees, promoting healthier choices, creating hiking and walking trails and insuring that citizens are safe in their homes. Alvarez reported they are estimating they will be saving the taxpayers \$230 million dollars in the next 20 years with the building of a new jail, commending Sheriff Schiff, Under Sheriff Chaboty and Prosecutor James Farrell for their work. Alvarez stated that, although there is not enough money to repair all the roads, they will be addressing

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the infrastructure and looking to find new ways to invest monies and keep taxes down. Alvarez touched on the issues of too many people dying from drug overdoses, projected monies coming in from the casino, land banking properties to fix up abandoned properties and put them back on the tax rolls, fixing hiking and walking trails to be used year round and integrating services. Alvarez stated the County Legislators are willing to work with the towns.

Sullivan County Legislator Nadia Rajsz thanked the Town Board for the time they were giving tonight, noting that the group of Legislators are working together. Rajsz reported that with the help of the County Manager they are working on the new jail project which will provide a safer environment. Rajsz stated the priority in the County is to improve the health rating in the County which is extremely low. Rajsz noted one of the initiatives is to raise the age for tobacco sales to 21, noting the facts on tobacco and presented petitions to sign in support of this proposed law. Rajsz reported that opiate use and resulting deaths are prevalent in our area, along with prescription drug usage.

Sullivan County Sheriff Mike Schiff asked if anyone had any questions? The Town Clerk thanked Sullivan County Treasurer Nancy Buck for all the help her office offered during the tax season.

ABSTRACTS

Councilman Carr made a motion to approve Audit and Approval of General Fund & Highway #4, 2017, General Fund Prepaid Claims in the amount of \$ 255,671.42, General Fund Claims G17-#131 through #189, in the amount of \$ 21,083.27, Highway Fund Prepaid Claims in the amount of \$ 109,410.87, and Highway Fund Claims #H17-#144 through #224 in the amount of \$ 49,867.17 , with a total of Abstract #4, 2017 of \$ 436,032.73, seconded by Councilman Sherman, all in favor so carried.

Supervisor Mellan noted that the General Fund prepaid amount reflected the Fire Dept. payments and the Highway repaid reflected the payment for the new highway truck.

Proclamations -Eagle Scouts VFW 50th Anniversary

The Town Clerk noted she is drawing up individual certificates for each of the Eagle Scouts. Councilman Carr stated that he is involved with the VFW even though he is not a veteran but likes to help them out. Councilman Carr reported that the VFW has a picnic for the vets at Castle Point and also has Thanksgiving and Christmas for them. Councilman Carr noted that this particular post handles so many veterans locally.

New Business

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REPORTS OF BOARD MEMBERS

Councilman Akt reported the Code Enforcement Officer will be out of the office for a couple of days and that the Code Enforcement Clerk, Laurie Terry, and the Town of Highland Code Enforcement Officer, Dave Kuebler will be covering the office.

Councilman Sherman reported that the UDC discussed the topic of river drownings, noting that the typical victims are males between the ages of 18 to 38. Councilman Sherman reported they have had no responses for the repair to the Records Room roof and requested we keep the advertisement out there on the Town website until the day before the next Workshop Meeting. The Grant Writer, Frank Schwarz, noted that the grant covering the repair goes until the end of the year but can be renewed. Councilman Sherman reported the Senior Center floor will be refinished on May 7th, 8th and possibly the 9th. Councilman Sherman reported that the maintenance man is basically done with the inside work to the buildings and the highway garage and will be headed outside soon to start work. The Grant Writer reported he reviewed the grant which includes work to the overhang on the building, noting it is a matching grant through maintenance of the buildings.

Supervisor Mellan reported they have already started the budget process and hope to have all the departments turn in their requests by the end of April.

Councilwoman Gingold reported opening day for Little League will be April 22nd at 11 a.m., noting the dugouts will be done by opening day.

Councilman Carr reported the Seniors have their calendar done, noting they will not be having a pancake breakfast or a pasta dinner this year because they can't get the help. Councilman Carr reported the Seniors will concentrate on their Flea Market. Councilman Carr stated the Seniors would like to thank the Town and Councilman Sherman for getting the floors refinished in the Senior Center.

The Town Clerk reported they have finished up their tax season and wrote the official last check to the County. The Chief Constable reported his monthly Constabulary activity.

Cultural Series Director, Frank Schwarz, reported there will be a Cultural Series Concert on May 7th at 3 p.m. which will be the "American Musical Masterpieces". Historian Frank Schwarz reported he will do a presentation of a lecture and museum exhibit on June 17th at 11 a.m. as part of the New York Path to History celebration. Schwarz reported the Memorial Day Service will be on Memorial Day at 10 a.m.

The Highway Superintendent reported road work has started, noting they are fighting the mud with the recent rains. The Highway Superintendent reported they would be getting a lift and will fix the town flagpole.

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The Code Enforcement Office Clerk, Laurie Terry, reported it's spring and they got in over \$5,000 in revenues last month, noting the office is busy.

The Fire Dept. President, Ann Steimle, reported they responded to a brush fire in Port Jervis yesterday which was hard with the heat we had. Steimle stated that everyone should be letting people know there is a NO BURNING ban on. Steimle reported that the County Legislature Chair, Luis Alvarez, attended the County EMS meeting, noting one of the main issues is that ambulances can't get to all the calls but the Town of Lumberland has answered 100% of their calls. Steimle reported our ambulance assists the American Legion and when crews get called out there is always a backup crew in town on standby. Steimle stated the department needs people.

OPEN FLOOR TO PUBLIC

Ann Steimle questioned how the Town is monitoring the use of the pavilion and the park? The Town Clerk reported they put together a binder that keeps track of all the information for anyone using the pavilion or park. The Deputy Town Clerk reported that the town of Matamoras had problems with buses coming in and the question is who is going to police it? Councilman Akt stated that the Parks Commissioner would be the one to say whether the pavilion or park was left in good condition or not. The Parks Commissioner, Don Hunt, Jr., reported that he goes through the park every day during the season. The Town Clerk requested her office be notified of any problem with the park or pavilion after it is being used.

Zangmo from the Kadampa Meditation Center reported their annual event on the 21st will result in extra traffic in the area. Brian Siegel reported the Town of Highland and the School Board had Bill Cutler do a presentation on recycling and composting. Councilman Akt noted we had a composting container out behind the building at one time but the Environmental Council has fallen apart. Supervisor Mellan stated they could check with Parks & Recreation to see if they want to consider that program. Cathy Fox reported they are having a Relay for Life at the Liberty High School on June 3rd & 4th.

Supervisor Mellan noted the Special Announcements. Frank Schwarz reported there will be a Cultural Series Concert on May 7th at 3 p.m.

Councilwoman Gingold made a motion to adjourn at 8:30 p.m., seconded by Councilman Sherman, all in favor, so carried. The Town Clerk requested the Board members sign the Highway Expenditures form. Supervisor Mellan requested the official record show that Councilman Akt refused to stay and sign the form.

Respectfully Submitted,

Virginia V. Horn, Town Clerk