

# **LUMBERLAND TOWN BOARD MEETING MINUTES**

**June 8, 2016**

The Lumberland Town Board held a Regular Monthly Meeting on Wednesday, June 8, 2016, at 7 p.m., at the Town Hall in Glen Spey, N.Y. The Town Board has also scheduled a Public Hearing on the Unsafe Structure at 7:30 p.m. Supervisor Jenny Mellan opened the meeting at 7:00 p.m., followed by the Pledge of Allegiance. The Town Board members met at 6:45 p.m. and reviewed and initialed vouchers.

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 Rose Carr, Historian Frank Schwarz, Mike Rajs, Supervisor's Bookkeeper Jeanne Mulcahey, Supervisor's Clerk Heidi Spannos, Code Enforcement Officer David Sparling, Highway Superintendent Don Hunt, Jr., Cheryl & Liam Hunt, Susan Hunt, Denise & John Osterhout, Fire Dept. President Ann Steimle, Kathy Konival, Bob King, Caroline Akt, Attorney for the Town Danielle Jose-Decker, Anita Hunt, Rich Vanderberkt, Linda Hazen, Cathy Sterling, Tammy Pitre, Alcata Patel, Ashely Nuti, Dave Hulse from the River Reporter, Deputy Town Clerk Michele Myslinski, Bohdan Kandiuk, Zangmo and Amy Schwartz from the Kadampa Meditation Center and Kaitlin Haas from the Sullivan County Democrat.

The Attorney for the Town stated that in accordance with the Open Meetings Law she would like to remind everyone that the Town Board has passed a Rules of Conduct at meetings and she hoped everyone would be respectful of each other at tonight's meeting.

## **MINUTES**

Councilman Carr made a motion to accept the Workshop Meeting Minutes of May 4, 2016, and the Regular Meeting of May 11, 2016 as written, seconded by Councilman Sherman, all in favor, so carried.

## **CORRESPONDENCE**

1. Monthly Reports:
  - a. Supervisor
  - b. Town Clerk
  - c. Buildings
  - d. Highway Superintendent
  - e. Constables
  
2. Planning Board Mtg. Min. – April & May
3. Cultural Series Concert Report
4. Generator Inspection Report

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5. UDC River Cleanup Project Grant Approval
6. County DPW notification – Ct. Rt. 31 paving project
7. Federal Energy Regulatory notification – Environmental Assessment Project
8. NECO Fire & Safety Inspection Report – Town Hall & Senior Center
9. Kadampa Meditation Center letter- Donation to Town
10. Sullivan County Legislature Press Release= Improve Public Health & Collaboration
11. Lake Devenoge Owners Resolution – Opposition to Compressor Station (Late File)

Supervisor Mellan noted several of the Correspondence items. Supervisor Mellan reported that the paving project on Ct. Rt. 31 has been pushed back due to another project but should be resuming again soon. The Highway Superintendent reported he was informed they would be continuing this week. Supervisor Mellan requested Item #9 be held for discussion and noted that Item #11 was a late file letter she received from the Lake Devenoge Owners Assoc. who are opposed to the proposed Compression Station in the Town of Highland. Councilman Carr made a motion to accept Correspondence #1 through #10, accepting the late file #11 and holding #9 for discussion, seconded by Councilwoman Gingold, all in favor, so carried.

Supervisor Mellan reported the Kadampa Meditation Center has submitted their annual donation to the Town in the amount of \$7,000 and noted the breakdown as to what funds the money would be distributed to.

### **PRE-FILED RESOLUTIONS**

- #90 - Noise Permit – Ukrainian Church Festival
- #91 - Projection Screen Purchase
- #92 - Noise Permits- Camp Simcha
- #93 - Donation to Town – Kadampa Meditation Center
- #94 - Advertise Bid – Bldgs Replacement Doors
- #95 - Town Support – County Land Banking
- #96 - SC Plans & Progress Grant Application
- #97 - Language Line Phone Interpreting System Purchase (Late File)

Supervisor Mellan reported that at their Workshop Meeting they had a discussion regarding camping for the Ukrainian Festival. The Attorney for the Town stated that camping more than 60 hours would need a permit from the Department of Health.

Supervisor Mellan reported it was on the recommendation of the Grant Writer that they approve the medium priced projection screen. Frank Schwarz noted a correction to Resolution #96, that it should read the park barn not the concession stand.

Councilman Sherman reported that there was an incident in Court recently that the defendant did not speak English and the Judge and Court Clerk could not find anyone that

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could interpret for him. Councilman Sherman reported that they found the information to purchase a language line phone interpreting system that has no contract, charges \$3.95 per minute used with no minimum and the town charge card can be used for the service. Dave Hulse questioned if there was anyone that is indemnified to be certified to record court conversations? The Attorney for the Town reported that the courts have laptops that now record the proceedings.

Supervisor Mellan noted they will need to skip Resolution #98 until after the Public Hearing.

Supervisor Mellan reported that she would like to discuss the Zombie Law. The Attorney for the Town reported she drew up a prototype for the Board members to review and would like to put it on the agenda for next month. The Attorney for the Town verified that this is an amendment to the Zoning Law which will have to be done by Local Law, noting the Board can review it in July and schedule a Public Hearing for a proposed Local Law in August.

#### **Proclamations - Don Hunt, Jr. Recognition**

Supervisor Mellan read the Proclamation recognizing Don Hunt, Jr for saving two lives in the Delaware River. Upon approval of the Proclamation Hunt received a standing ovation from the majority of the audience.

#### **ABSTRACTS**

Councilman Carr made a motion to approve Audit and Approval of General Fund & Highway #6, 2016, General Fund Prepaid Claims in the amount of \$10,977.26, General Fund Claims G16-#281 through #337, in the amount of \$ 20,500.35, Highway Prepaid Claims in the amount of \$10,649.77, Highway Fund Claims #H16 -#233 through #271 in the amount of \$ 32,564.05, with a total of Abstract #6, 2016 of \$ 74,691.43, seconded by Councilwoman Gingold, all in favor, so carried.

New Business

#### **REPORTS OF BOARD MEMBER**

Councilman Akt reported the work on repairing the bus garage doors is finished.

Councilman Sherman reported that the Supervisors meeting was canceled and when he attended the UDC meeting they reported the river is low and the water was warm.

Councilwoman Gingold reported the Little League will be holding their closing picnic on June 25<sup>th</sup> and welcomed everyone to attend.

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Councilman Carr reported the Fire Auxiliary Penny Social will be on June 18<sup>th</sup> and the members have been working on it diligently. Councilman Carr reported he informed the Seniors that they will have to require a Certificate of Insurance for anyone using the Center.

Supervisor Mellan reported that there will be a Comp Plan Review Committee meeting to present to the public their recommendations tomorrow at 7 p.m. in the Town Hall.

### **PUBLIC HEARING – UNSAFE STRUCTURE**

Councilman Carr made a motion to open the Public Hearing on the unsafe building at 7:30 p.m., seconded by Councilman Sherman, all in favor, so carried.

Supervisor Mellan reported they originally scheduled the Public Hearing to address an unsafe structure, however, between last month's meeting and tonight the contractor for the owner of the structure got the permit to demo the structure and the building has been torn down. The Code Enforcement Officer verified that the structure is down and the foundation is being filled in.

Councilman Carr made a motion to close the Public Hearing at 7:31 p.m., seconded by Councilwoman Gingold, all in favor, so carried.

The Board addressed Resolution #98 which was to modify the order of demolition and approved the Resolution.

Supervisor Mellan reported the Town Board will schedule a Special Meeting on Monday, June 13, 2016 at 7 p.m. at the Municipal Building to declare lead agency for the proposed updated Comprehensive Plan.

Supervisor Mellan reported they have received notification that there is a proposed rate change to the MVP medical plan which will affect the 2017 budget, Supervisor Mellan reported she asked the Attorney for the Town to look into possibly over riding the 2% tax cap for next year's budget. Councilman Sherman reported the other Supervisors have been talking about the projected increases in health insurance.

The Town Clerk reported that the recent school she and her deputy attended was about records management and among the issues was how to deal with saving emails that may be subject to FOIL requests. The Town Clerk noted that the Town IT Tech called last week with a possible new cloud system that the Town could purchase and she suggested the Tech call the Supervisor to discuss this expenditure with her for the upcoming budget. The Deputy Town Clerk reported she attended a class on cloud storage at the recent school and they recommended using a cloud to store protected documents. The Attorney for the Town noted that if there was ever a case of litigation the town is obligated to protect the documents that are important.

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Historian Frank Schwarz reported the electric bill for the town hall has dropped by \$200 from last year since they switched the overhead light bulbs to LEDs. Historian Frank reported he will be hosting an historical exhibit in the Museum on June 18<sup>th</sup> at 11 a.m. which is free to the public. Schwarz thanked everyone for attending the Memorial Day observance, noting it was nice to see the town officials and the scouts participating and thanked Linda Hazen for all her hard work with the plantings.

Historian Frank Schwarz reported that the Town Hall made the #1 spot on the GEO map site as an historical site for tourism. Schwarz noted that the Town Hall is an historical school house and that anyone visiting can come into the Museum if interested. Schwarz stated this is good for anyone who might be interested in moving to our area.

The Highway Superintendent reported they are busy and getting ready to pave.

Fire Dept. President, Ann Steimle, reported the department has been busy. Steimle thanked Linda Hazen for all the plantings around the town and stated everything looks wonderful.

Linda Hazen reported the planters are ready to be planted and thanked the Highway Dept. for their work in the parks. Hazen reported the Town signs and at the Cemetery have been planted. Hazen thanked the municipality for taking over the areas of the park and maintaining them. Hazen reported volunteers helped out considerably and thanked all those who originally started the Renaissance program. Hazen reported that on June 4<sup>th</sup> the Park received the Orange County place making award for \$750 which was a nomination from Renaissance. Linda Hazen reported they will be starting movie nights each month for the next 3 months which will be short movies for the kids and will start at dusk. Hazen reported she started putting out plants this year for fostering which helped out with the plants. Hazen presented the check for \$750 to the Town. Supervisor Mellan questioned if they had worked out a schedule yet for the summer watering of the plants? Hazen stated they sent flyers out with the kids in school and are requesting a volunteer for each day for all 7 days of the week.

The Chief Constable noted his monthly report.

The Code Enforcement Officer, Dave Sparling, reported he removed signs that should not have been placed where they were, noting that the Kadampa Meditation Center Fun Fair signs were left up and requested they be taken down after the event. Sparling reported the generator contract for annual maintenance will be up soon and it needs to be renewed in November. Sparling reported he will be using the retired Constable car for inspections, noting the Assessor can also use the vehicle. Supervisor Mellan noted the car could be used during tax time to cut down on mileage reimbursements. Sparling reported he will keep a log of the gas usage to co-ordinate with the Highway Dept. Sparling reported there was an issue with a property using their structure as a hotel without prior approval and that person came in and will go before the Planning Board to seek approval.

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**OPEN FLOOR TO PUBLIC**

Zangmo from the Kadampa Meditation Center reported they had 700 people attend their Fun Fair. Zangmo also reported that on July 4<sup>th</sup> weekend the Center will be open all weekend from 10 a.m. to 5 p.m. to the public and that the Center will be participating in the town parade.

The Deputy Town Clerk reported that the last class of the records management school that they recently attended had everyone do an emergency preparedness binder for both homes and businesses. The Deputy Town Clerk reported she will put together a couple of kits for use in the offices.

Supervisor Mellan noted the Special Announcements. Frank Schwarz noted that on June 18<sup>th</sup> he will have a presentation at the Museum at 11 a.m. Councilman Carr corrected the time of the July 4<sup>th</sup> parade to be 12 (Noon).

Councilman Carr made a motion to adjourn at 8:02 p.m., seconded by Councilwoman Gingold, all in favor, so carried.

Respectfully Submitted,

Virginia V. Horn, Town Clerk