

**LUMBERLAND TOWN BOARD**  
**MARCH 14, 2018**

The Lumberland Town Board held a Regular Monthly Meeting on Wednesday, March 14, 2018, at 7 pm, at the Town Hall in Glen Spey, NY. Supervisor Mellan opened the meeting at 7:00 pm, followed by the Pledge of Allegiance.

A Board member reviewed and initialed the vouchers prior to the meeting opening.

**Roll Call:**

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

Also present were Town Clerk Laurie Terry, Code Enforcement Officer David Sparling, Chief Constable Patrick Cahill, Constable Bob Maas, Highway Superintendent Don Hunt Jr., Town Historian Frank Schwarz, Rose Carr, Steve Kosmacher, Ann Steimle, David Hulse, Kaitlyn Haas, Rory Wade, Pat Breckmann, Zangmo, Tiphonie Perrier

Supervisor Mellan asked if everyone had reviewed the Sewer Feasibility Study distributed at the February meeting. Code Enforcement Officer David Sparling stated that operating costs would be \$13,000,000 for Mohican Lake District alone. In addition, a staffed Sewage Department would then be required. Mr. Sparling expressed concerns regarding property values and pointed out that the cost would be borne by Mohican Lake District only.

Deputy Supervisor Leigh Sherman made a **motion** to decline scheduling a public hearing, seconded by Councilman Akt, all in favor, so carried.

**MINUTES**

**THE WORKSHOP MEETING SCHEDULED FOR MARCH 7, 2018 WAS CANCELLED DUE TO INCLEMENT WEATHER.**

Councilwoman Zoriana Gingold made a **motion** to accept the Regular Meeting minutes of February 14, 2018 as written, seconded by Councilman Carr, all in favor, so carried.

**COMMUNICATIONS**

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

## COMMUNICATIONS - continued

2. Planning Board member training request
  3. Cohen Law Group proposal for cable contract negotiation
  4. Barton & Loguidice proposal for landfill monitoring for 2018
  5. Bookkeeper/Confidential Assistant and Supervisor's Clerk training request
  6. Correspondence from Building Dept. requesting waiver of waiting period for clerk's raise
  7. Sull. Co. Public Health notification of free rabies clinic in Livingston Manor
  8. Dept. of the Interior request for installation of old landfill monitoring equipment (late file)
  9. Barton & Loguidice recommendation on Dept. of Interior request (late file)
- Supervisor Mellan asked for a motion to waive the 5 day rule for items 8 and 9. Councilwoman Gingold made a **motion** to waive the five day rule for items 8 and 9, seconded by Councilman Akt, all in favor, so carried.

Supervisor Mellan asked for a motion to accept correspondence noting that items 3,4,5,6,8 and 9 would be discussed.

Councilman Carr made a **motion** to accept Correspondence #1 through #9, seconded by Councilwoman Gingold, all in favor, so carried.

Correspondence item #3, Cohen Law Group proposal for cable contract negotiation. Supervisor Mellan stated that Cohen Law Group was currently representing the Town of Goshen in their agreement with Frontier and Cohen's familiarity with the Frontier contract would be very beneficial to the Town of Lumberland.

Correspondence item #4, proposal for landfill monitoring is the same cost (\$5,100) as the last few years.

Correspondence item #5, training in governmental accounting is available and will be helpful for staff. Cost will not exceed \$200 per person.

Correspondence item #6, Town Attorney will be asked about amending resolution #145, 2017 that stated salary would be changed after 6 months.

Correspondence items #8 (late file) Dept. of the Interior requested to use the existing Barton & Loguidice wells for monitoring. Highway Superintendent Hunt confirmed that B&L item #9 (late file) will allow the use with some guidelines for staff to be available when removing equipment and a 30 day notice of intent.

Later in the meeting there was discussion about when the landfill would no longer have to be monitored. Supervisor Mellan asked if the State would allow the monitoring to cease. There was a slight gap in monitoring but had been done for almost 30 years. Highway Superintendent stated that the DEC had recently advised that they would need to see a letter stating that monitoring would not be required but indicated that monitoring would have to continue.

## **PRE-FILED RESOLUTIONS**

- #43, 2018 – Bid Advertising, Stone and Gravel
- #44, 2018 – Planning Board Member Training Expense Approval
- #45, 2018 – Cable Franchise Negotiation Agreement Approval
- #46, 2018 – Continue Landfill Monitoring Agreement Approval
- #47, 2018 – Governmental Accounting Training Expense Approval
- #48, 2018- LSYP workbox 3.0 Storage Cabinet Purchase

Supervisor Mellan stated that 2 verbal quotes were received for the purchase of the storage cabinet (res. #48, 2018), Kaplan Cabinets at \$5,000 and D.J.'s Wood at \$3,800-\$4,500 per the Town's procurement policy. Supervisor Mellan also confirmed with the school that the cabinet would be stored at Mackenzie.

## **ABSTRACTS**

Deputy Supervisor Sherman made a **motion** to approve Audit and Approval of General Fund & Highway #3, 2018, General Fund Prepaid Claims in the amount of \$31,774.71  
General Fund Claim A18-076 – A18-102 in the amount of \$21,448.82, and  
Highway Fund Prepaid Claims in the amount of \$16,160.09;  
Highway Fund Claims H18-137 – H18-195, in the amount of \$100,513.15;  
For a total of Abstract #3, 2018 of \$169,896.77, seconded by Councilwoman Gingold, all in favor, so carried.

## **MONTHLY REPORTS**

**Supervisor Mellan** spoke about the response to the storm that hit on March 2nd. She thanked the Board members for offers of help. The Lumberland Fire Dept., Ambulance Corp. and Highway Dept. for working round the clock for 8 days, performing countless welfare checks, transportations for citizens, clean-up and coordinating with the National Guard. Thanks also to the municipal staff who were on call for updating the website to keep people informed, keeping funds flowing and acting as liaison between all parties. Special thanks to Camp Simcha and Ben Brown for opening up their facility as a warming station to anyone who wanted a warm place, meal, room, shower, wi-fi or company. It was reported that 1100 homes in Lumberland were without power on Friday. Supervisor Mellan had contact with Aileen Gunther's and John Faso's office regarding O&R's poor response. Damage assessment took place 4 days after the storm. On Thursday, crews were pulled from Lumberland to Mamakating.

Supervisor Mellan is requesting that storm damage pictures be emailed to [confidentalsecretary@townoflumberland.org](mailto:confidentalsecretary@townoflumberland.org) to create a map to detail where and how widespread damage was.

**Councilman Akt** reported that there was no Planning Board meeting this month and thanked the Highway Department, Fire Department and Constabulary.

**Deputy Supervisor Sherman** thanked the Municipal staff and reported that the cemetery committee would resume meetings soon, Maintenance Department was still working indoors. Projects in the works were the salt shed and the senior parking lot. Deputy Supervisor Sherman wish Frank Schwarz a happy birthday.

**Councilwoman Gingold** thanked everybody for their help during the storm.

**Councilman Carr** thanked Supervisor Mellan for coordinating response to the storm. He also thanked David Sparling for help with his generator adding that when Dave was not available Ann Steimle sent help.

**Supervisor Mellan** added that the County had said that Lumberland's response was well coordinated.

**Code Enforcement Officer Sparling** stated that there were many heroes during the storm including the Highway Department, Fire Department and Ottawa and Quebec Hydro to name a few and said that the municipal clerks went above and beyond. CEO Sparling requested that the salary increase slated to begin after 6 months of service for Code Clerk Christy Flynn be amended to begin with April pay period as he had conducted a performance review and believes that the waiting period should be waived.

Town Attorney Jose will be consulted regarding an amendment to the resolution.

Regarding Old Business, clean-up of rubbish on West Mohican Trail; CEO Sparling reported that some of the rubbish had been moved from one property to another. He would speak to the Town Attorney about the violation being parcel specific. No bids on the clean-up project were received. The violation is still in effect.

**Chief Constable Patrick Cahill** read the Constabulary's report.

**Historian Frank Schwarz** asked if any requests had been made for plans and progress grant proposals, deadline was approaching. He suggested refurbishing the Penstock.

Additional welcome signs would be on a new application. Deputy Supervisor Sherman asked if repointing the stone steps of the Penstock would qualify under the grant. The Historian also stated that; a quote had been received for shades in the Town Hall, Town Heritage Day is all set for April 28<sup>th</sup>; an Irish Folk music concert is being performed on May 6<sup>th</sup> and that resident Michael Marcasciano is slated to speak at the Memorial Day event.

**Highway Superintendent Donald Hunt, Jr.** reported that the Highway Department had to wait for O&R to clear lines before they could begin working after the storm. Damage was widespread, the storm resulted in 97 trees on wires and 27 roads blocked. Clean-up will continue.

**Lumberland Fire Department President Ann Steimle** reported that shortly after the storm the fire department's generator failed, resident Josh Hunt got it up and running and continued to offer services to anyone who needed him throughout the aftermath. LFD's Steimle also commented about the coordination effort between all emergency response parties and recommends continuing the conversation. President Steimle also spoke about the crew from the National Guard being of great help.

### **NEW BUSINESS**

Eldred Little League representatives Ryan Gillespie and Brian Warming presented a request for permission to make the following upgrades to the town fields.

- install a removable batting cage on the Glen Spey field
  - install a propane fired hot water heater and a stainless steel sink in the existing shed on the Glen Spey field. Propane because the current electric service would not support an electric heater.
  - install a 4' x 8' shed for equipment storage (no electric service) on the Pond Eddy field.
- There would be no cost to the town for any of the items. Deputy Supervisor Sherman stated that any work done would need to be up to code. CEO Sparling requested both liability insurance and worker's compensation certificate before beginning any work. They hoped to begin work by April 21<sup>st</sup>. Parks Commissioner Hunt will be kept apprised.

### **OPEN FLOOR TO PUBLIC**

Dave Hulse asked if the Town would continue to be represented in the Upper Delaware Council. The spot had been advertised but would need to be done again.

Supervisor Mellan read the Special Announcements.

Councilwoman Gingold made a motion to adjourn at 8:08 p.m., seconded by Councilman Carr, all in favor, so carried.

Respectfully Submitted,

Laurie Terry, Town Clerk