

## **LUMBERLAND TOWN BOARD WORKSHOP MEETING**

**September 6, 2017**

The Town of Lumberland Town Board held a monthly Workshop Meeting on Wednesday, September 6, 2017, at 7:00 p.m. at the Municipal Building 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, Constable Robert Maas, Attorney for the Town Danielle Jose-Decker, Rose Carr, Highway Superintendent Don Hunt, Jr., Allison Powell, Joan Cochrane, Code Enforcement/Assessor Clerk Laurie Terry and Councilwoman Gingold's son.

Supervisor Mellan reported they have several things to go through tonight, noting they need to discuss forming a new zoning review committee first. Councilman Carr suggesting having a 5 member committee, noting with more members there are longer discussions. Supervisor Mellan stated there should only be between 5 to 7 members total. Supervisor Mellan stated there should be a Chair and Vice Chair for the committee and that their meetings should be advertised. Councilman Akt questioned who would pick the Chair and Vice Chair of the committee? Supervisor Mellan stated it should be the members of the committee who pick their Chair and Vice Chair. Supervisor Mellan noted the members should be the Code Enforcement Officer, someone from the Planning and someone from the Zoning Boards. The Attorney for the Town stated that the committee should recommend who the Chair and Vice Chair would be and the Town Board would need to approve the appointments. Supervisor Mellan noted the Town Board would pick the members of the committee and the alternate members. Councilman Carr stated they should have some members from the community. The Attorney for the Town questioned if there would be a particular person from either Planning or Zoning? Supervisor Mellan stated it should be the Chairs of both Boards and that the alternates should be sitting in on the committee meetings and fill in if needed. The Attorney for the Town recommended they keep the scope of the original committee. Supervisor Mellan stated she would like to do each review in segments, noting they could do the 1<sup>st</sup> part as the cleaning up of the existing zoning law and the 2<sup>nd</sup> phase could address set back variances because they do not have regulations for rvs. Supervisor Mellan stated it would be easier to handle it in pieces. Councilman Akt stated that a lot of stuff has been in the zoning for years and needs to be tuned up. Supervisor Mellan also noted that the solar issue is new and there hasn't been anything addressing that issue up to now. The Attorney for the Town questioned if the committee should be addressing solar? Councilman Akt noted that the Town Board would make the final decision on any changes anyway. Supervisor Mellan stated they would need to do a Public Hearing for each change to

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the zoning law and it would be easier to have only one phase addressed at each Public Hearing. Supervisor Mellan noted they put out feelers as to anyone that might be interested in being on the zoning review committee. The Attorney for the Town stated she would draw up a resolution for the next meeting for the appointments of the zoning review committee members.

Supervisor Mellan reported they received a letter from the Mohican Lake Taxpayers Association asking if there is anything the Town can do to help them with the issue of treating the lake for an evasive species, noting that the treatment was stopped because of one land owner who did not want it done. The Town Clerk noted that, since the last meeting, she has found the Local Law that the Town did that put the regulations in place on Mohican Lake and that the Taxpayers Association did not do the regulations. The Town Clerk reported that after the last Taxpayers regular meeting they decided to hold a public forum meeting to have everyone involved meet to discuss this matter. The Attorney for the Town will check with the Attorney who is representing the Mohican Lake Taxpayers Association to see what is going on.

The Town Clerk reported that at a recent meeting of the Orange/Sullivan Town Clerks they met with the Sullivan County Sheriff's Dept. to discuss safety in the workplace. The Town Clerk reported that one of the main things that was highly recommended was to have panic buttons installed in the offices in case of an emergency which is directly connected to 911. The Town Clerk also reported that another discussion was on security barriers that could be placed in front of the Municipal Building to prevent anyone from driving into the building. The Attorney for the Town questioned if there were any grant monies out there to cover any of these costs? The Attorney for the Town recommended contacting P&N Alarm Company regarding the panic buttons. Councilman Akt noted that all of our buildings are hooked into P&N. Councilman Sherman who is the Buildings Liaison will check into the barriers.

Supervisor Mellan reported they received the proposed rules and regulations for the use of the Town Pavilion and for Circle Park that need to be reviewed. The Town Clerk noted that there is no place on the application for use that the applicants should be submitting 2 checks, one for the use and the other for the refundable deposit. The Town Clerk noted that they have been receiving only one check to cover everything. Constable Maas questioned the limit of the size of the groups that can come in, noting that up to 200 is a lot of people. Supervisor Mellan noted that the original limit was up to 200 but the issue seems to be that they are being bused in with no place for bus parking. Supervisor Mellan noted that the buses can drop off but not park in our parking lots.

Supervisor Mellan presented the Town Clerk and Town Board members with the 2018 Tentative Budget. Supervisor Mellan noted that the proposed budget reflects a 2.13% increase and they are waiting for figures from the Smallwood/Mongaup Fire District for their figures. Supervisor Mellan reported that the proposed budget reflects no use of savings fund to offset the budget and that this budget reflects the final payment on the bond for the Highway garage and Hollow Road project. Supervisor Mellan noted that in the 2019 budget there will be no

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bond payment and hopefully the taxes will go down. Supervisor Mellan stated she would like to schedule Budget Workshop Meetings and the Public Hearing for the Budget. The Board members agrees to hold Budget Workshop Meetings on Wednesday, September 27<sup>th</sup> and Thursday, September 28<sup>th</sup> at 6 pm in the municipal building. Supervisor Mellan noted that they may only need one meeting but are scheduling the second night in case they need it to go over things. The Board members agreed to hold the 2018 Preliminary Budget Public Hearing on Wednesday, November 1<sup>st</sup> which is also their Workshop Meeting and will change the meeting to be held in the Town Hall instead of the Municipal Building.

The Board members reviewed the Agenda. The Town Clerk noted that the 911 Memorial Services notifications will be before the regular meeting but she included the notices on the Workshop Agenda.

Supervisor Mellan reported they got a reply on the initial request for speed reductions for the Mohican Lake area and for Haring and Van Tuyl Roads, noting that the request to drop the speed limit in the Mohican Lake area was denied but the ones for Haring and Van Tuyl were forwarded to the State for approval. The Highway Superintendent stated that they are saying that the speed limit for a designated “area” cannot be lower than 30 mph which is what the Mohican Lake area is now set at. The Highway Superintendent noted that all new signs were put up in that area last year and all but one have been torn down.

Supervisor Mellan reported that they received notification that the DASNY grant #6039 was closed out and although we spent over \$45,000 we only got reimbursed for \$18,847. Supervisor Mellan noted the issue was the contractor hired to do some of the work was not registered with New York State and in one instance the work was done in progress of applying for the grant. Supervisor Mellan reported the Grant Writer has gone back to them and they may reimburse us for the amount not covered. The Highway Superintendent stated that you have to verify that a contractor is certified by the state before approving the work be done by that contractor.

The Town Clerk noted that the request from an electrical inspector to be added to the Town list was given to the Code Enforcement Officer who has stated we have enough inspectors on the Town listing. Supervisor Mellan reported the UDC will be eliminating reimbursing the town directly for the Town representative to attend monthly meetings beginning in October. Supervisor Mellan noted that the Sullivan County Manager’s Office has notified us of planned Public Hearings. The Town Clerk noted that, although there is nothing in the notification, we know it is for the shared services plan.

Supervisor Mellan stated there will be two more resolutions to add to the agenda for next week, noting one would be for a donation to Circle Park and the other is a donation from Camp Simcha of \$10,000 to the Town. Supervisor Mellan reported the breakdown for the donation

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from Camp Simcha was \$2,500 to the Constables, \$2,500 to Highway and \$5,000 to General Fund.

Supervisor Mellan opened the floor for anyone who would like to speak. There was no comment.

Supervisor Mellan stated at this time she needs a motion to go into Executive Session.

**EXECUTIVE SESSION**

Councilwoman Gingold made a motion to recess the Workshop Meeting and go into Executive Session at 7:57 p.m. to discuss 3 particular personnel issues, seconded by Councilman Carr, all in favor, so carried.

Councilman Carr made a motion to close the Executive Session at 8:15 p.m., seconded by Councilwoman Gingold, all in favor, so carried. Councilwoman Gingold made a motion to reopen the Workshop Meeting at 8:16 p.m., seconded by Councilman Carr, all in favor, so carried.

Councilman Akt made a motion to accept Mike Warne's part time work towards his health insurance, seconded by Councilwoman Gingold, all in favor, so carried. Supervisor Mellan will have a letter sent to Warne to notify him of the acceptance and the change in his date to have completed 100% of his time.

Councilwoman Gingold made a motion to adjourn at 8:19 p.m., seconded by Councilman Carr, all in favor, so carried.

Respectfully Submitted,

Virginia V. Horn  
Town Clerk