

## **LUMBERLAND TOWN BOARD WORKSHOP MEETING**

**October 4, 2017**

The Town of Lumberland Town Board held a monthly Workshop Meeting on Wednesday, October 4, 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, Constable Robert Maas, Highway Superintendent Don Hunt, Jr. and Steven Kosmacher.

Supervisor Mellan reported they had gotten a proposal from O&R to contract with them to replace the street lights bulbs to LED lighting. Supervisor Mellan noted O&R replaced the first one in the parking lot for free and they will replace up to 7 lights for the discounted rate of \$148.38 each which is a total cost of \$1,038.66. Supervisor Mellan reported they would save on the electric costs and the lights will be brighter. Steven Kosmacher questioned how much savings would it be? Supervisor Mellan noted the cost per light is usually around \$500 a piece. Supervisor Mellan questioned what budget line the cost would come out of? The Town Clerk suggested taking it from the Street Lights line, noting if more money is needed in that line they can transfer money from the Contingency line. Supervisor Mellan questioned the Town Board members as to what they wanted to do, noting it is such a good deal and she would not want to pass it up. Supervisor Mellan stated a resolution may be needed to approve the expenditure but will check with the Attorney to make sure. Supervisor Mellan noted they should do the replacements at the intersections first. Constable Maas noted the Constables inventoried the streetlights and made an updated list of all the lights in town.

The Board members reviewed the Agenda. Supervisor Mellan noted the Meeting Minutes and reported they printed out the minimum wage schedule showing that the \$15 an hour by 2019 was only for New York City and all others have a later deadline. Supervisor Mellan reviewed the Monthly Reports, questioning the Fire Dept. Monthly Report for the last 2 months. Don Hunt, Jr. reported he has those reports and will get them to the Town Clerk for next week's meeting.

The Board members reviewed the Correspondence. Supervisor Mellan noted that on the Grant Writer updates the Grant Writer is looking into other projects to be reimbursed for since a couple of the projects that were submitted were rejected. Supervisor Mellan noted that they got a lot improvement resolution that was from the Planning Board. Supervisor Mellan reported the

(2) October 4, 2017

Cultural Series Director submitted his report on the last concert, noting she attended and it was a nice concert. Councilman Carr questioned why the amount paid out to the professional performers was not included in the report? Supervisor Mellan noted that would have been on the invoice that was submitted to the Town Board prior to the performance. Supervisor Mellan reported the Cultural Series has brought in \$985 in revenues this year but that does not reflect the DVAA grant the town also receives. Councilman Carr stated the cost of the performer should be included in the report.

Supervisor Mellan reported they got a schedule for seminars on the NYS Constitutional Convention issue. The Town Clerk reported this will be on a referendum vote in November on the back of the ballot.

Supervisor Mellan reported item #10 was in regard to installing emergency phones along Rt. 97, noting Noah Kalina who is the town representative to the Upper Delaware Scenic Byways called her to discuss it with her. Supervisor Mellan noted she received a letter from the UDC which includes the proposal and a map with the suggested locations for 6 cell boxes that will have red alert phones. Supervisor Mellan reported that it would be the town's responsibility to pay for the installation of the phones and an annual maintenance of each unit. Councilman Akt stated they would probably be shot at. Don Hunt, Jr. reported Sparrowbush Fire Dept. has one of these in front of their firehouse, suggesting they should contact the canoe liveries who may benefit from them and would purchase them instead of the town. Supervisor Mellan noted they had received a complaint years ago about the area being a dead zone for communications. Steven Kosmacher questioned if response time would be a concern since it would probably take ½ hour to get there? Don Hunt, Jr. stated that the fire dept. is usually quicker than that. Councilman Sherman reported that he sat in on the meeting and it was discussed that it would cost the town roughly \$26,000 to do with \$24,000 for set up and another \$30.00 per unit per month for maintenance. Councilman Sherman noted the Feds are not working on it.

Supervisor Mellan reported Item #11 was a letter from Senator Bonacic regarding available grant monies and requested the Grant Writer be given a copy of the letter although it looks like these are not the usual kind of grants we look for.

The Board members reviewed the Pre-filed Resolutions. The Highway Superintendent reported they just opened the sand bids yesterday. Supervisor Mellan reported that Peak Powers has agreed to installing the new generator battery the next time they come which is a savings of \$200 if they came at another time. Supervisor Mellan verified the Public Hearing for the 2018 Preliminary Budget will be held at 7:30 p.m. on November 1<sup>st</sup>. The Town Clerk noted that Resolution #120 will be coming from the Attorney for the Town. Steven Kosmacher questioned if they had gotten any applicants for the Zoning Review Committee? Supervisor Mellan reported they received one letter of interest. Supervisor Mellan reported they only have the one quote for a new town sign, noting they need to get the other quote to do a comparison.

(3) October 4, 2017

Supervisor Mellan reported they received notification that the Fire Dept. has gotten a bill for the high band radios that needed to be purchased, noting the Town had put money away to help with this cost. Supervisor Mellan stated the bill gives a breakdown on what the Fire Dept. has spent towards the purchase and what the Town had promised to contribute. Councilman Carr noted the Town has accumulated \$40,000 to give to the Fire Dept. The Town Clerk was instructed to draw up a Resolution to give the Fire Dept. the \$40,000 towards the purchase of the new radios.

Supervisor Mellan reported at the Budget Workshop Meeting Councilman Akt questioned the prices of health insurance. Supervisor Mellan noted during the budget meeting that the cost is \$150 more but had made an error and the next closest quote was \$120 more than what we are paying now. Supervisor Mellan reported that it was \$441 more a month for the family plan coverage and with United Health it was \$200 a month more than our existing plan. Supervisor Mellan also noted she checked with an ETNA plan which was comparable but the out of pocket expenses increased from \$5 - \$45 to \$30 - \$60.

Supervisor Mellan reported she received an email from Ann Steimle notifying her that the Fire Dept. has purchased a defibrillator that they would like to present to the Town at next week's meeting. Don Hunt, Jr. reported there is a need to put a unit outside either by the park or by the town buildings, noting the Fire Dept. received a donation which they are using for this purpose. Councilman Carr questioned if the Town was liable if something happens to the unit if someone uses it that doesn't know how to? Hunt noted that the unit will talk you through the procedure. Constable Maas stated that you are not liable if it is in an emergency situation. Supervisor Mellan stated the unit would have to be installed where there is a camera for security reasons. Supervisor Mellan reported all the office personnel have been certified in cpr and the use of the unit.

Supervisor Mellan reported that for several years it has been discussed to have an emergency access site to the river in Pond Eddy, noting she received an email that basically states it is not feasible. Councilman Akt stated it would have been to the left of the Pond Eddy Bridge. Supervisor Mellan stated that there is no emergency access to the river in that area. Supervisor Mellan stated she would call to let them know why we would need the access site. Councilman Akt stated the area is owned by the State, which is across from the old Nolan's Restaurant.

Supervisor Mellan reported she has received notification from the State Comptroller's Office who has been auditing the town's financial reports since 2013 and they do a fiscal stress monitoring which they have determined the Town of Lumberland is doing very well. Supervisor Mellan also noted that the environmental side of the audit reports the Town is in good shape too.

(4) October 4, 2017

The Town Clerk reported she has received a request to have cremains buried on an existing family plot, noting that the Attorney for the Town checked into this the last time a request came up and there was no problem. The Board instructed the Town Clerk to clarify with the Attorney to make sure there is no issue.

Councilman Sherman reported he met with P&N Alarm regarding installing panic buttons in the municipal offices for security purposes, noting it would be a total of 8 units with one being portable. Councilman Sherman reported that the installation cost would be \$1,685.00 and an annual fee of \$180.00 for monitoring. The Board members agreed to install the panic buttons for safety reasons and the Town Clerk was instructed to draw up a resolution for approval.

Councilman Sherman reported he met with Ketchum Fencing who gave him two options on security measures in the parking lots, noting one was for ballards and the other was for a guiderail. Councilman Sherman reported the cost would be over \$7,000 for the ballards and over \$9,000 for the guiderail, After much discussion the Board members agreed to table this issue since it is too costly. Councilman Sherman reported there are other options to look at. Councilman Sherman stated there is also the option of doing planters in front of the buildings but was not in favor of it because of the cost. Supervisor Mellan stated that outside the Supervisor's Office are the flagpoles which may be able to be made more substantial. Constable Maas suggested checking into a grant from Homeland Security.

Councilman Carr questioned if the town could sue the contractor that recently did work for the town but was not licensed in New York State? Supervisor Mellan stated we could not sue since the contractor was registered as a DBA because he has a license in Pennsylvania but was able to work in New York State under the Pennsylvania license. Supervisor Mellan stated that is why parts of the grant that were submitted were denied for reimbursement. Councilman Sherman reported there was also some work done before applying for the grant which was the reason reimbursement was denied. Councilman Akt stated that even if the contractor is licensed it does not mean they will do the work they are suppose to be doing, noting there are a lot of them in town.

Councilwoman Gingold stated that with the recent proposed change in the budget to the Town Clerk's salary she felt the salary should stay the same as it has been for the existing Town Clerk. Councilman Akt questioned giving someone a 6 month trial like we always did? Supervisor Mellan stated she did keep the original number in the Preliminary 2018 Budget, noting all department heads salaries stayed the same and none of them got raises. Supervisor Mellan stated it never dawned on her to reduce the Town Clerk's salary because they have never reduced an elected officials' salary because someone else has been elected to the position. The Highway Superintendent verified they did not reduce his salary when he took over, however, they reduced his budget line by eliminating his clerk. Councilman Akt stated it didn't matter because the Board made it when the Highway Superintendent had to take over and the work was kept in house by having the bookkeeper do the clerk's job. Supervisor Mellan stated

(5) October 4, 2017

the bookkeeper and the Court Clerk are not elected and that is why they had probationary periods. Supervisor Mellan stated you cannot put an elected official on a probationary period. The Highway Superintendent stated the elected officials salaries have to be posted. Supervisor Mellan stated that she knew neither candidate running for Town Clerk would need the medical benefits. The Town Clerk noted that for her medical benefits she is reimbursed for the cost of medicare plus the AARP supplements which comes to a total \$404 per month. Councilman Akt stated that is what is killing the town because everyone is looking for a free ride. Supervisor Mellan stated that neither one of the candidates running for the Town Clerk's position needs the coverage and she did not believe either one of them would take the coverage. Supervisor Mellan noted she could take the family coverage but she doesn't need it. Councilman Akt stated that anybody can get the coverage if the Board votes on it but that in the real world that ain't happening. Supervisor Mellan stated that she felt that either candidate will do the right thing. Councilman Sherman stated that at any point in the next 4 years that person could elect to take the benefits and go on it because the job offers them. Councilman Sherman stated that family coverage comes with the Town Clerk job plus other positions. Supervisor Mellan stated that for some time she, along with Councilman Akt, has been saying the town needs to put an employees' benefits policy in place in writing. Councilman Akt stated that when he first got on the highway guys were getting 3%, 4% or 5% raises and the girls that were only making \$9 an hour were only getting 1% raises. Councilman Akt noted that the first board he was on everyone got the same all the way across. Councilman Akt stated he always wanted to give the girls more money because you can't raise a family on \$15 an hour. Councilman Akt stated that when you come in as an elected official you know what you are coming into and if you have to get a second job that's too bad. Councilwoman Gingold noted that since there wasn't a raise for the Town Clerk's position the salary should have stayed the same. Councilman Akt stated that if you add the insurance to everyone's job they are making more than what is listed as the salary and it is a lot more. Councilman Sherman reported they went through that with the former judge who did not need the medical insurance. Supervisor Mellan stated she thought it was the right thing to do. Supervisor Mellan stated that if she was running for a position and the former person was not going to be there and you reduce the salary when I'm already into campaigning to get the position I would be very disappointed. Councilman Akt stated that the problem is we are trying to lower some pieces so we can raise other jobs up and you guys ain't in business so you don't know, you think you know but you don't know. Councilman Akt stated that the people that aren't making as much money as somebody else that are working two jobs you have to feel for them a little bit and give them a little bit more. Councilman Akt stated somebody has to give or we gotta raise taxes so everyone is happy. Supervisor Mellan reported she put the original salary back in the budget and with that it is still a .16% under the 2% tax cap or 1.84% increase to the budget. Supervisor Mellan stated she redid the numbers and it came out to \$5 total tax increase per \$100,000. Councilman Sherman stated they can't do anything about the County and State tax lines. Councilman Sherman stated that he originally suggested dropping the salary for the new Town Clerk because he did not know if the person coming in should get as much as someone who has been here that has worked up the salary in the last 16 years. Supervisor Mellan questioned if he felt she was not worth the former Supervisor's salary when

(6) October 4, 2017

she took over, noting it is the salary for the position. Supervisor Mellan stated the responsibilities in the office are the same, the duties, the things that have to be done, the knowledge and yes, there is a learning curve but it is going to have to be a quick one for whoever is taking over. Steven Kostmacher stated there are jobs that have base salaries with increases over the years. Councilman Akt stated there is no longevity here, this ain't a candy store. The Town Clerk verified she started out at the former Town Clerk's salary. Supervisor Mellan noted that the Town Clerk was originally appointed to the position after the salary was set for the position. Supervisor Mellan stated it did not dawn on her to reduce an elected official's salary. Councilman Akt stated that some of the Supervisors that have come in have a lot more on their plate than the others did. Supervisor Mellan stated she is in favor of leaving the Town Clerk's salary as it has been. Supervisor Mellan stated she came on as Supervisor after being on the Town Board for 8 years. The Town Clerk stated that in the last couple of years the Tax Collector's office has been combined with the Town Clerk's office and there is a lot more to do, noting that other things have also been put onto her office. Supervisor Mellan noted that position did not get the additional salaries just on the work. The Town Clerk noted that she was given \$2,000 for Tax Collecting, noting the salary previously paid out was almost \$7,000. Councilman Sherman noted the Tax Collector was an elected position and had an established salary so that was a \$5,000 cut in pay for the position. Constable Bob Maas reported that if people have a family plan from other people if you get a full time job that offers you insurance your other insurer might say they won't pay for it since you are being offered other insurance. Supervisor Mellan stated she has not heard of that. Councilman Carr stated he was in favor of cutting the Grant Writer position. Supervisor Mellan stated that they did cut the hourly salary for the Grant Writer. Councilman Akt stated the problem is if we eliminate the job what are we doing with the money, put it in the General Fund and are we in the banking business or are we going to start giving it to someone who needs it? Councilman Sherman stated the Supervisor should not have had to work on the grant to get it done until the grant was approved.

Steven Kosmacher requested an explanation of the position of the town as far as the State Comptroller's office was concerned? Councilman Akt stated we bought a highway truck for \$150,000 and paid it off for \$110,000 but it was not worth buying it in the first place. Councilman Akt stated that we had to build a sand shed and fix the Hollow Road which was combined with the Highway Garage project, noting we had other people doing the projects when we could have been doing some of the work ourselves. Councilman Akt stated we are renting out the old highway garage to the school and work had to be done on that building which our men could have done the work. Supervisor Mellan noted that the last bond payment on the Highway Garage and Hollow Road project will be paid in 2018 and the Town will be debt free. Councilman Carr stated we had to have a retaining wall built on Hollow Road which had to be done by outside help. Kosmacher questioned if when the bond is paid off will the Town build up its reserve fund? Supervisor Mellan reported there are some infrastructure issues that will need to be done first. Councilman Akt stated that since we get rent money from the old highway garage we can use that money to buy the new highway truck. Kosmacher questioned the quote for the panic buttons and if the town can just write a check for the bill or will they

(7) October 4, 2017

have to wait? Supervisor Mellan reported they have \$18,000 left in the buildings fund so there are funds to cover the cost if that is what they decide to do. Councilman Akt stated it is something that should be done. Supervisor Mellan stated that the pricing and description of the safety barriers deters her from doing anything with that project. Councilman Akt stated that the Town Clerk and the Supervisor work hours at different times during day and night and how much do you think a life is worth? Kostmacher questioned if they could do with less units and not spend that much? Supervisor Mellan agreed the cost of the panic buttons are worth it whereas the guiderails were not that cost effective.

Councilman Sherman stated there was a motion on the table to keep the Town Clerk's salary the same. Councilwoman Gingold made a motion to keep the Town Clerk's salary the same as the present salary, seconded by Councilman Sherman, all in favor, so carried.

The Highway Superintendent reported that, back in June, a transfer casing fell out of one of his trucks and the insurance company has totaled out the truck. The Highway Superintendent reported that he has money in the highway CD and is requesting taking money out of that to purchase a new smaller truck. The Highway Superintendent also noted that between the \$50,000 in grant monies along with insurance money and FEMA monies he has enough to also cover the cost of the tandem truck that is being purchased. Councilman Akt questioned if the smaller truck will be enough to handle the work? The Highway Superintendent explained by switching plow routes around he can use the smaller truck to handle the smaller roads. Councilman Akt questioned how fast can you get the smaller truck? The Highway Superintendent stated they could get the truck by December, noting it will be a diesel and will be better than the other green truck which is gas. The Highway Superintendent stated that they have enough money and will still have money left in the CD, the reserve fund and the savings. Councilman Akt stated the purchase should go ahead. Councilman Akt questioned if the Highway Superintendent had a list of backup drivers if needed for the winter? The Highway Superintendent verified he has a list. Councilman Sherman made a motion to have a resolution drawn up to purchase the highway truck, seconded by Councilman Akt, all in favor, so carried. The Highway Superintendent verified that the new truck will be the new National Safety color green.

Councilwoman Gingold made a motion to adjourn at 8:40 p.m., seconded by Councilman Carr, all in favor, so carried.

Respectfully Submitted,

Virginia V. Horn  
Town Clerk