

LUMBERLAND TOWN BOARD
MEETING MINUTES
APRIL 11, 2018

The Lumberland Town Board held a Regular Monthly Meeting on Wednesday, April 11, 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, Deputy Town Clerk Michele Myslinski, Code Enforcement Officer David Sparling, Chief Constable Patrick Cahill, Constable Bob Maas, Confidential Assistant/Bookkeeper Jeanne Mulcahey, Town Historian Frank Schwarz, Rose Carr, Ann Steimle, David Hulse, Kaitlyn Haas, Zangmo, Tiphonie Perrier, Cheri Bodnaruik, Jason Van Tuyl, Todd Lantz

MINUTES

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

Councilman Carr made a **motion** to accept the Regular Meeting minutes of March 14, 2018 as written, seconded by Councilwoman Gingold, 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. Noise Permit (31) request from Camp Lokanda
3. Notice from O&R – food spoilage reimbursement
4. UDC letter re Member Participation Remuneration
5. UDC letter re Representative Vacancies
6. UDC letter re River Corridor Trash Cleanup
7. Sullivan Co. Manager's Office Letter re Town Disaster Response
8. Delaware Valley Arts Alliance 2018 DEC grant award letter
9. Court Clerk letter of resignation effective March 31, 2018
10. Sullivan DPW notice regarding road striping
11. NYS Ag & Market Municipal Shelter Report
12. Sullivan County Notification of "litter pluck" event
13. Planning Board meeting minutes
14. JP Morgan Chase Cybersecurity info for public sector (late file)
15. NY Dept. of Public Service notice of public hearing regarding major electric utilities storm response (late file)
16. Notice from O&R – customer bill reduction (late file)
17. NYS Senate memo re CHIPS aid Runs (late file)

Supervisor Mellan asked for a motion to accept communications noting that items 3,14,15,16 and 17 would be discussed.

Deputy Supervisor Sherman made a **motion** to accept Communications #1 through #17, seconded by Councilman Carr, all in favor, so carried.

Communication #3, Supervisor Mellan stated that an application for reimbursement for cost of food spoilage could be filed until April 15, 2018.

Communication #14, Supervisor Mellan stated that since cyber hacking of municipalities was on the rise the Town should investigate any training available to protect ourselves. Town Attorney Jose stated that a common practice among hackers is to use a subject line of a previous legitimate email with an attachment that is a virus. Ms. Jose cautioned against opening any attachment that is not expected from the source.

Communication #15, one of the Public Hearings will be held in Monticello at which customers can give feedback on Electric Companies response time during the March 2018 storms. Supervisor Mellan plans on attending. Comments may be made thru a website also.

Communication #16, customer bill reduction for loss of service during the March 2018 storms will amount to approximately \$3.50 per residential household.

Communication #17, the NYS Senate has announced that \$178,809 will be given to the town for the 2018-2019 season thanks in part to Highway Superintendent Hunt's filing for extreme

winter recovery funds.

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PRE-FILED RESOLUTIONS

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#49 -18, Noise Permits Camp Lokanda 2018

#50 -18, 2018 Summer Youth Program Appointments

#51 -18, Code Clerk Salary Adjustment, Amend Res # 145-17

#52 -18, Ad for UDC River clean-up

#53 -18, Dept. of Interior well monitoring request

#54 -18, Grant Coordinator authorization to apply for BPV grant

#55-18, Stone & Gravel Bid Awards

#56-18, Spring Clean Up Day 2018

#57-18, Highway Dept. Equipment Rental

#58-18, Amend Prior Order to clean-up SBL 5.-3-8

The Board discussed the dates stated in res. #58-18. In order to allow the resident to take advantage of the Town clean-up day being held on May 19, 2018, the order to put the project out to bid will be done on May 21st if it has been determined that the parcel has not had the rubbish removed. Bids will be accepted until June 5, 2018 and bids will be awarded at the June 6, 2018 workshop meeting.

ABSTRACTS

Councilman Carr made a **motion** to approve Audit and Approval of General & Highway Funds, Abstract #4, 2018; General Fund Prepaid Claims in the amount of **\$13,872.22**, General Fund Claims 2018 A18-103 through A18-136 in the amount of **\$15,724.07**, Highway Prepaid Claim in the amount of **\$14,310.09**; Highway Fund Claims 2018 H18-196 through H18-280 in the amount of **\$45,687.58**, for a total of Abstract #4, 2018 of **\$89,593.96** seconded by Councilwoman Gingold, all in favor, so carried.

PRESENTATION

Todd Lantz, a sculptor, working with the Pollinator Project to attract butterflies back into the area. Project has been supported by the Upper Delaware Scenic Byway. The NPS and State DOT is also on board. Lumberland qualifies for grants based on its location although projects would not be required to be on the river. UDC Scenic Byway offers grants for the cost of plants and Sullivan Renaissance also offers grants. The Town would be responsible for the continued maintenance of the garden. There is a project currently at the eagle observatory north of Barryville along Route 97. Site suggestions were made for the intersection of State Route 97 and County Route 31 (the entrance to Sullivan County) and the ballfield/firehouse in Pond Eddy. Attorney Jose will check the license agreement with Eagle Creek, the owner of the parcel on State Route 97.

PROCLAMATIONS: None

NEW BUSINESS: Review Pavilion and Circle Park applications

Some suggestions had been made to amend the current applications, procedures for handling applications and rules and regulations of our current forms to both avoid negative situations

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that had transpired last year and avert potential problems. Rules and regulations should state that there is no alcohol or non-prescription drugs be used on the premises. No garbage can be left in any Town refuse containers (dumpster or garbage cans). A sign should be procured for the dumpster stating that it is not for public use. The applications should include instructions that;

1. A certificate of insurance must be submitted with the application
2. Violation of rules and regulations and or misrepresentation on the application will result in a loss of deposit and permanent ban of future use
3. The maximum group allowed will be 200

*Circle Park application should read; reservation does not constitute a private venue nor does it include the pavilion.

Applications should be date stamped upon receipt by the Town Clerk's office.

Further, there will be an increase in costs to cover facility use. \$10 for groups of 76-100, \$20 for 100-150 and \$25 for 150-200 people.

OLD BUSINESS:

1. West Mohican Lake Rubbish Clean-up

CEO Sparling advised that the parcel was still in violation. CEO Sparling reported that a washer and dryer had been moved to a lot across the street but that much more rubbish remained. The lot with the washer and dryer has also been issued a violation.

2. Chief Constable Cahill requested that the advertisement for a part time constable be run again. The ad should run on the Town website and the Town's facebook page.

3. Zoning Review Committee met last week and is working on phase 1 of the project. Review of each phase by the board should take place as available with a public hearing being held at the end. The Solar section will be the last section addressed. NYSERDA has set guidelines and Town of Forestburg has recently adopted a new solar law. Attorney Jose will forward a copy to CEO Sparling.

4. Community Choice Aggregation – Presentation was made at the February meeting. Supervisor Mellan was concerned with the amount of resolutions that CCA is saying would need to be done. Attorney Jose advised that a Local law is the first step to consider, this part is non-binding. The second part is a resolution to authorize participation. Ms. Jose will review and address at next month's meeting.

5. An ad will be placed in the River Reporter to notify residents of upcoming Town Clean-up day being held on May 19, 2018 from 8-12 at the Town Shop.

MONTHLY REPORTS

Councilman Akt reported that there was a Planning Board meeting this month and there was one project before the Board.

Deputy Supervisor Sherman reported that the street light pole in the parking lot belongs to O&R and should not have our light attached. Terry Johnson of O&R has said that we may buy

or rent their light. We may place lights on our building or put our own pole then attach light. Our Electrician is able to do either.

-he will sit in on interviews for the court clerk position.

-the truck being built by the Highway Department is coming along.

-the cemetery committee may be disbanded because they are short 2 members and 3 members are needed for a quorum which is often hard to meet.

Councilwoman Gingold reported that there was no ZBA meeting and that the Zoning Review Committee had met and was scheduled to meet again on April 17th.

Councilman Carr reported that the seniors were very grateful for all the hard work done during the storm.

Code Enforcement Officer Sparling reported that he had been conducting fire and safety inspection of businesses and commercial establishments during the slow season and that he had attended school for continuing education on March 28th.

Chief Constable Patrick Cahill read the Constabulary's report.

Attorney Jose reported that both Eldred Central School and Sullivan County have chosen to join the Town of Lumberland in the litigation against Eagle Creek.

Historian Frank Schwarz reported that the second round of plans and progress grants were available till June 1, 2018. The deadline for the signs grant program have a deadline of May 18, 2018. Most of the welcome signs in the town need to be replaced. The Park Committee should be contacted for costs. Mr. Schwarz requested a cost of pointing the steps and if there was any additional work to be done that would fall under the Main St. grant. Heritage day program, Concert and Memorial Day events are all on the calendar.

Lumberland Fire Department President Ann Steimle reported that the fire department's generator failed during the March storm. Electrical work to repair will cost \$40,000.

OPEN FLOOR TO PUBLIC

Cheri Bodnaruik stated that she is being harassed by the town. She states that the property known as 5.-3-8 has been cleaned-up. The picnic benches CEO Sparling calls rubbish are allowed and he is trespassing. Attorney Jose states that the order set forth by the Town for the clean-up gives the CEO the right to be on the property specified in the order.

Deputy Clerk Michele Myslinski asked if Deputy Supervisor Sherman will be organizing the Fourth of July parade with her. Yes he will.

Councilwoman Gingold made a motion to adjourn at 8:31 p.m., seconded by Councilman Carr, all in favor, so carried.

Respectfully Submitted,

Laurie Terry, Town Clerk