

LUMBERLAND TOWN BOARD WORKSHOP MEETING

January 6, 2016

The Town of Lumberland Town Board held a monthly Workshop Meeting on Wednesday, January 6, 2016, 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.

Those members present were: Supervisor Jenny Mellan
Councilman/Deputy Supervisor Leigh Sherman
Councilman James Akt
Councilman Joseph Carr

Also present were Town Clerk Virginia Horn, Deputy Town Clerk Michele Myslinski, Rose Carr, Attorney for the Town Danielle Jose-Decker, Chief Constable Patrick Cahill, Constable Ernest Moeller, Zoriana Gingold, Highway Superintendent Don Hunt, Jr. , Mr. & Mrs. Yaron Fidler, Fire Dept. President Ann Steimle, Ron Thiele, Caroline Akt and Joan Rosenfelt.

Supervisor Mellan stated that the first thing on the Agenda was to Schedule the 2015 Book Audits. The Board agreed to hold the 2015 Book audits on Monday, January 18th at 6:30 p.m. in the Municipal Building. The Town Clerk noted she will notify the departments and post the schedule for the audits.

Supervisor Mellan stated they need a motion to go into Executive Session to discuss specific personnel and the Town Board vacancy. Councilman Carr made a motion to recess the Workshop Meeting at 7:03 p.m., Seconded by Councilman Sherman, all in favor, so carried.

EXECUTIVE SESSION

Councilman Carr made a motion to go into Executive Session to discuss specific personnel and the Town Board vacancy at 7:03 p.m., seconded by Councilman Sherman, all in favor, so carried. Supervisor Mellan stated she would like to have the Attorney for the Town, the Town Clerk, the Chief Constable and the Constable stay for the Executive Session

Councilman Carr made a motion to close the Executive Session at 7:44 p.m., seconded by Councilman Sherman, all in favor, so carried. Councilman Carr made a motion to reopen the Workshop Meeting at 7:44 p.m., seconded by Councilman Sherman, all in favor, so carried.

RESOLUTIONS -

- #35 – Highway Pay Expenditure Approval
- #36 - 2014 -2015 Audit Expenditure Approval
- #37 - Town Council Vacancy Appointment
- #38 - Modify Resolution #1, 2016 Appointments (Late File)
- #39 - 2016 Supervisor's Appointments (Late File)

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Supervisor Mellan stated that they will be amending Resolution #36 to read only the 2015 Audit will be for approval.

Councilman Carr made a motion to appoint Zoriana Gingold to the vacant seat on the Town Board, seconded by Councilman Sherman, with a vote of 3 - 1 with Councilman Akt voting against. Supervisor Mellan performed the swearing in of the new Councilwoman Zoriana Gingold.

Councilman Sherman recused himself from the meeting and left the room at this time. The Board members approved Resolution #38 and #39 with Councilman Akt abstaining from voting. Councilman Sherman returned to the meeting following the vote for Resolutions #38 & #39. Councilman Carr questioned what would happen if the Supervisor and the Deputy Supervisor were not available? Councilman Akt noted that Councilman Carr was third in line and would be in charge.

The Board members reviewed their packets for next week's meeting. Supervisor Mellan noted there will be two Public Hearings at next week's meeting for property tax exemption income increases for seniors and for Gold Star Parents who had a child die during a war. The Board members reviewed the Minutes and Monthly Reports.

The Board members reviewed the Correspondence. The Town Clerk verified that the Planning and Zoning Boards Clerk will give the members their training certificates. Supervisor Mellan reported that the former Supervisor, along with the Chief Constable and the Attorney for the Town reviewed the updates made to the Constable Manual. Supervisor Mellan reported they were waiting for the Planning Board to make their recommendation as to who should fill the two vacancies on the Planning Board.

OPEN FLOOR TO PUBLIC

Joan Rosenfelt requested the new Town Board member be introduced. Supervisor Mellan introduced the new Town Board member, Zoriana Gingold who noted she has been present at the last couple of Board meetings. Gingold stated she has children in the Eldred School, noting she grew up here and left for a brief time but came back to settle here. Rosenfelt questioned if Gingold had any cats? Gingold reported she does not because her son is allergic to cats.

Joan Rosenfelt questioned the latest status with TARA? Rosenfelt reported she had communications with Steve from TARA and everything is at a standstill now. Rosenfelt stated that the deal with the Town was off but she hoped with the help of the Attorney for the Town that the Town would proceed with the possibility of settling this matter as soon as possible? Rosenfelt stated the Town needs to take the additional \$2 off for the spay/neuter certificates, noting TARA is good for the Town. Rosenfelt stated the TARA Law was well written. Yaron Fidler stated that he did not understand why the \$2 charge destroyed the original plan, noting the Town should go ahead with the plan. Rosenfelt reported she wanted to post a

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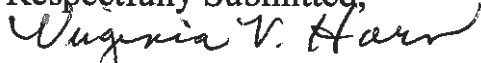
flier about the Town Board meetings but her representative was told that it could not be put on the Town sign post. The Deputy Town Clerk stated that all fliers of that nature can be put on the closed in sign post by the Town Hall, noting the sign post directly in front of the municipal building is for Town business.

Joan Rosenfelt stated that the letting go of the former Supervisor's part time Clerk was done poorly. Caroline Akt stated that the former clerk was upset and that the Ethics Law comes into play because the new clerk is a Councilman's daughter. Supervisor Mellan reported the appointments are done annually and she selected a person who she was comfortable working with in her office. Supervisor Mellan stated it was unfortunate that she had to be the one to write a letter to the former clerk informing her of the change, noting it should have been done before the former Supervisor left office. Supervisor Mellan reported she approached the new clerk before the Councilman even knew she was considering hiring her. Caroline Akt stated the offices have become a hangout place, noting she has come in at various times and there were children with their toys on the table playing. Caroline Akt stated that nepotism is rampant within the Town employees. The Town Clerk stated that this is not the first time nepotism has come into play, noting there are paid members of the Planning or Zoning Board who are related to members of the Town Board or other relatives working for the Town.

Joan Rosenfelt again questioned what was going to be done about the TARA issue? The Attorney for the Town read the latest email she received from TARA noting that they do not want to deal with the Town at this time. Rosenfelt stated the Town needs to pursue this and as soon as possible. Councilman Carr stated it was unfair to the dog owners of the town who have to pay for licenses and pay for their own spaying and neutering. The Deputy Town Clerk suggested they should look into licensing cats, noting that the Town keeps part of the cost of the dog licensing and some gets sent to the State. Rosenfelt stated it is a totally different issue with cats. Ann Steimle stated that the Town has agreed to let the DCO take cats to the Humane Society. Supervisor Mellan reported the Humane Society has been working with cats to get them adopted. Councilman Sherman noted that the TARA issue is not for feral cats. Ann Steimle stated the issue seems to be that the cat owners need to be more responsible.

Councilman Carr made a motion to adjourn at 8:30 p.m., seconded by Councilman Sherman, all in favor, so carried.

Respectfully Submitted,



Virginia V. Horn, Town Clerk