

**Resolution #77, 2021
AMENDED**

**RESOLUTION – AUTHORIZATION FOR THE TOWN OF LUMBERLAND JUSTICE
COURT TO APPLY FOR FUNDING FROM THE JUSTICE COURT ASSISTANCE
PROGRAM DURING THE 2021-22 GRANT CYCLE**

WHEREAS: the Town of Lumberland approved resolution #77, 2021 on August 11, 2021 that must be amended for specific language, and

WHEREAS: the Town of Lumberland Justice Court is requesting permission to apply for the JCAP grant in the 2021-2022 grant cycle, and

WHEREAS: the Justice Court is seeking to apply for \$1,615.95 through the grant.

NOW, THEREFORE, BE IT RESOLVED: that the Town Board of the Town of Lumberland authorizes the Town of Lumberland Justice Court to apply for JCAP Grant in the 2021-22 grant cycle up to \$1,615.95

MOTION BY: Deputy Supervisor Sherman

SECOND BY: Councilman King

ROLL CALL VOTE: 5-0

Supervisor Mellan: Yes

Deputy Supervisor Sherman: Yes

Councilman Akt: Yes

Councilwoman Gingold: Yes

Councilman King: Yes

ADOPTED BY THE TOWN BOARD OF THE TOWN OF LUMBERLAND

LAURIE TERRY

TOWN CLERK

OCTOBER 6, 2021

Resolution #87. 2021
Previously tabled September 8, 2021

RESOLUTION – CONSTABLE VEHICLE PURCHASE APPROVAL

WHEREAS: the Town of Lumberland Constabulary is in need of purchasing a new vehicle to replace an older model, to be delivered after January 1, 2022, and

WHEREAS: funds have been accumulating in the Constable Budget for this purchase, and

WHEREAS: the Chief Constable has acquired the following bid through State Bid

Standard Police Package Ford Explorer	\$43,000.00
Additional accessories; light bar, push bar, console, lighting front and rear	\$7,500.00

NOW, THEREFORE, BE IT RESOLVED: that the Town Board of the Town of Lumberland approve the purchase, upon recommendation of the Chief Constable, of a 2022 Standard Police Package Ford Explorer, for an amount, not to exceed, \$50,500.00, with the monies to be taken from General Fund A3120.2 (Constable, Equipment).

MOTION BY: Deputy Supervisor Sherman

SECOND BY: Councilwoman Gingold

Roll Call Vote: 5-0

Supervisor Mellan: Yes

Deputy Supervisor Sherman: Yes

Councilman Akt: Yes

Councilwoman Gingold: Yes

Councilman King: Yes

ADOPTED BY THE TOWN BOARD OF THE TOWN OF LUMBERLAND

LAURIE TERRY

TOWN CLERK

OCTOBER 13, 2021

Resolution #94, 2021

**RESOLUTION – TOWN CLERK/TAX COLLECTOR ENVELOPE PURCHASE
APPROVAL**

WHEREAS: The Town of Lumberland Town Clerk/Tax Office is in need of purchasing envelopes, and

WHEREAS: it is cost effective and time saving to order the envelopes directly from USPS, and

WHEREAS: monies for this expenditure are available in the 2021 General Fund Town Clerk/Tax Collector's budget.

NOW, THEREFORE, BE IT RESOLVED: that the Town Board of the Town of Lumberland approve the purchase of six boxes of personalized, stamped, window envelopes at a cost, not to exceed \$2,095.70 including shipping, with monies to be taken from General Fund A1410.4 (Town Clerk/Tax Collector, Contractual).

MOTION BY: Councilwoman Gingold

SECOND BY: Councilman King

ROLL CALL VOTE: 5-0

Supervisor Mellan: Yes

Deputy Supervisor Sherman: Yes

Councilman Akt: Yes

Councilwoman Gingold: Yes

Councilman King: Yes

ADOPTED BY THE TOWN BOARD OF THE TOWN OF LUMBERLAND

LAURIE TERRY

TOWN CLERK

OCTOBER 13, 2021

Resolution #95, 2021

RESOLUTION - BID AWARD - ANTI-SKID SAND

WHEREAS: The Town of Lumberland Highway Superintendent has a need for anti-skid sand, and

WHEREAS: The Town Clerk has advertised for the above mentioned item and received the following bid:

	<u>F.O.B.</u>	<u>DELIVERED</u>
Monticello Black Top Corp.	\$ 7.90 cubic yard	

NOW, THEREFORE, BE IT RESOLVED: that the Town Board of the Town of Lumberland award the bid for Anti-Skid Sand, upon the recommendation of the Highway Superintendent, to Monticello Black Top Corp for the price quoted above, with the cost to be taken from Highway Fund A5142.4 (Snow Removal, Contractual).

MOTION BY: Deputy Supervisor Sherman

SECOND BY: Councilwoman Gingold

ROLL CALL VOTE: 5-0

Supervisor Mellan: Yes

Deputy Supervisor Sherman: Yes

Councilman Akt: Yes

Councilwoman Gingold: Yes

Councilman King: Yes

ADOPTED BY THE TOWN BOARD OF THE TOWN OF LUMBERLAND

LAURIE TERRY

TOWN CLERK

October 13, 2021

Resolution #96, 2021

**RESOLUTION – SCHEDULE PUBLIC HEARING
2022 PRELIMINARY BUDGET**

WHEREAS: The Town Board of the Town of Lumberland has reviewed the 2022 Tentative Budget, and

WHEREAS: The Town Board held Budget Workshop meetings and the Supervisor will present the 2022 Preliminary Budget prior to the Public Hearing.

NOW, THEREFORE, BE IT RESOLVED: that the Town Board of the Town of Lumberland authorize the Town Clerk to advertise the scheduling of a Public Hearing for the 2022 Preliminary Budget to be held on Wednesday, November 3, 2021 at 7:05 p.m., at the Lumberland Town Hall, 1054 Proctor Road, Glen Spey, N.Y.

MOTION BY: Deputy Supervisor Sherman

SECOND BY: Councilwoman Gingold

ROLL CALL VOTE: 5-0

Supervisor Mellan: Yes

Deputy Supervisor Sherman: Yes

Councilman Akt: Yes

Councilwoman Gingold: Yes

Councilman King: Yes

ADOPTED BY THE TOWN BOARD OF THE TOWN OF LUMBERLAND

LAURIE TERRY

TOWN CLERK

OCTOBER 14, 2020

Resolution # 97, 2021

RESOLUTION FOR NEGATIVE DECLARATION UNDER SEQR FOR PROPOSED LOCAL LAW NO. 2 OF 2021; “A LOCAL LAW TO AMEND A PORTION OF CHAPTER 250, ARTICLE V ENTITLED GENERAL SUPPLEMENTARY REGULATIONS, BY REVISING CERTAIN PORTIONS OF SECTION 250-33 SIGNS”

WHEREAS, the Town Board of the Town of Lumberland has conducted an extensive review of the present Sign Laws for the Town of Lumberland, including a review of Chapter 250 of the Town Code; and

WHEREAS, the Town Board of the Town of Lumberland declared itself lead agency pursuant to Resolution dated September 8, 2021 in connection with the review of the local law to amend a portion of Chapter 250 of the Town Code; and

WHEREAS, a public hearing was conducted in connection with the revisions to a portion of Chapter 250 of the Town Code on October 13, 2021, wherein said public hearing was closed.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Lumberland determines that there are no negative environmental impacts that would be caused as a result of the enacting of Local Law No. 2 of 2021 entitled A local law to amend a portion of Chapter 250 entitled “General Supplementary Regulations”, by revising certain portions of Section 250-33 “Signs”; and

FURTHER BE IT RESOLVED, it is determined that the Town Board of the Town of Lumberland makes a negative declaration with regard to any environmental impacts caused as a result of the enacting of Local Law No. 2 of 2021.

Moved by: Councilwoman Gingold

Seconded by: Councilman King

Roll Call Vote: 5-0

Supervisor	Jenny R. Mellan	Yes [X]	No []
Deputy Supervisor	Leigh Sherman	Yes [X]	No []
Councilperson	James Akt	Yes [X]	No []
Councilperson	Zoriana Gingold	Yes [X]	No []
Councilperson	Robert King	Yes [X]	No []

ADOPTED BY THE TOWN BOARD OF THE TOWN OF LUMBERLAND
LAURIE TERRY
TOWN CLERK
OCTOBER 14, 2021

STATE OF NEW YORK)
COUNTY OF SULLIVAN) SS:

The undersigned, Town Clerk of the Town of Lumberland, does hereby certify that the Resolution annexed hereto declaring a negative declaration for proposed Local Law No. 2 of 2021 was adopted by said Town Board on October 13, 2021, a majority of all Board members voting in favor thereof, and the same has been compared with the original on file in my office and is a true and correct copy of said original and is in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on October _____, 2021.

LAURIE TERRY, TOWN CLERK

Resolution #98, 2021
RESOLUTION TO ENACT AND ADOPT LOCAL LAW NO. 2 OF 2021

WHEREAS, proposed Local Law No. 2 of the year 2021 entitled, "A Local Law to amend a portion of Chapter 250, Article V entitled "General Supplementary Regulations", by revising certain portions of Section 250-33 "Signs" was introduced to the Town Board at a meeting held September 8, 2021, at the Town Hall, 1054 Proctor Road, Glen Spey, New York, to consider said proposed local law and Notice of Public Hearing having been duly published and posted as required by law, and said Public Hearing having been held and all persons appearing at said Public Hearing deeming to be heard having been heard, and

WHEREAS, said local law was duly adopted after a Public Hearing.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Lumberland, New York, does hereby enact and adopt Local Law No. 2 for the year 2021, Town of Lumberland, State of New York, which local law is annexed hereto and made a part hereof.

Motion by: Deputy Supervisor Sherman

Seconded by: Councilwoman Gingold

ROLL CALL VOTE: 5-0

Supervisor	Jenny R. Mellan	Yes [X]	No []
Deputy Supervisor	Leigh Sherman	Yes [X]	No []
Councilperson	James Akt	Yes [X]	No []
Councilperson	Zoriana Gingold	Yes [X]	No []
Councilperson	Robert King	Yes [X]	No []

ADOPTED BY THE TOWN BOARD OF THE TOWN OF LUMBERLAND

LAURIE TERRY

TOWN CLERK

OCTOBER 14, 2020

STATE OF NEW YORK)
COUNTY OF SULLIVAN) SS:

The undersigned, Town Clerk of the Town of Lumberland, does hereby certify that the Resolution annexed hereto to enact Local Law No. 2 of 2021 was adopted by said Town Board on October 13, 2021, a majority of all Board members voting in favor thereof, and the same has been compared with the original on file in my office and is a true and correct copy of said original and is in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on _____, 2021.

LAURIE TERRY, TOWN CLERK

Resolution #99, 2021

A RESOLUTION AUTHORIZING EXECUTION OF AN INTERMUNICIPAL AGREEMENT BETWEEN ELDRED CENTRAL SCHOOL DISTRICT NO. 1 AND THE TOWN OF LUMBERLAND FOR THE PURCHASE OF ROAD SALT

WHEREAS, pursuant to Article 5-G of the general Municipal Law, the Eldred Central School District No. 1 (“District”) and the Town of Lumberland (“Town”) are authorized to enter into an Inter-municipal Agreement for the purchase of road salt by the District from the Town; and

WHEREAS, the Town Board of the Town of Lumberland finds that it is in the best interest of the taxpayers to cooperate with the District by selling road salt to the District at cost (“state bid”); and

WHEREAS, the proposed action appears to be a Type II action under SEQRA which requires no further environmental review.

NOW, THEREFORE, BE IT HEREBY RESOLVED, by the Town Board of the Town of Lumberland

1. THAT the Town of Lumberland is authorized to enter into an Inter-municipal Agreement with the Eldred Central School District No. 1 to permit the District to purchase road salt from the Town of Lumberland Highway Department; and
2. THAT the Supervisor is authorized to enter into an Inter-municipal Agreement as set forth above, the form of said contract shall be as approved by the Attorney for the Town; and
3. THAT this resolution shall be effective immediately upon signatures of the Supervisor and School Board President.

MOTION BY: Deputy Supervisor Sherman

SECOND BY: Councilwoman Gingold

Roll Call Vote: 5-0

Supervisor Mellan: Yes

Deputy Supervisor Sherman: Yes

Councilman Akt: Yes

Councilwoman Gingold: Yes

Councilman King: Yes

ADOPTED BY THE TOWN BOARD OF THE TOWN OF LUMBERLAND

LAURIE TERRY

TOWN CLERK

OCTOBER 13, 2021

Resolution #100, 2021

**RESOLUTION – DEMPSEY SERVICE AGREEMENT RENEWAL-
UNIFORM AND FLOOR MAT SERVICE**

WHEREAS: The Town of Lumberland is in need of renewing the service agreement contract for floor mats for the Municipal Building and Highway Garage and the maintenance of the Highway Department's uniforms, and

WHEREAS: a service agreement has been provided by Dempsey for outlined services for a period of 24 months beginning October 13, 2021.

NOW, THEREFORE, BE IT RESOLVED: that the Town Board of the Town of Lumberland approve the renewal of the service agreement for a 24 month Term beginning October 13, 2021 and ending October 12, 2022 for services outlined in the attached agreement, with monies to be taken from General Fund A1620.4 (Buildings, Contractual) and General Fund A5132.4 (Highway Garage, Contractual).

MOTION BY: Councilwoman Gingold

SECOND BY: Councilman King

ROLL CALL VOTE: 5-0

Supervisor Mellan: Yes

Deputy Supervisor Sherman: Yes

Councilman Akt: Yes

Councilwoman Gingold: Yes

Councilman King: Yes

ADOPTED BY THE TOWN BOARD OF THE TOWN OF LUMBERLAND

LAURIE TERRY

TOWN CLERK

OCTOBER 13, 2021

RESOLUTION #101, 2021
SNOW AND ICE CONTRACT 2021-2024

WHEREAS, the County of Sullivan and the Town of Lumberland entered into contract for Snow and Ice control on County Roads from July 1, 2021 through June 30, 2024, and

WHEREAS, the contract states the Town will be paid the amount Sullivan County received from the State of New York for snow and ice control on state highways the previous snow and ice season, and

WHEREAS, the County of Sullivan has stated in their letter dated September 28, 2021, attached, that the rate will remain the same at \$6,185.13 for two lane roads for the 2021-2024 contract year July 1, 2021 through June 30, 2022. and

WHEREAS, said section of the Highway Law of the State of New York requires the approval by resolution of each of the legislative bodies of such County, Towns, and

NOW, THEREFORE, BE IT RESOLVED, THAT pursuant to Highway Law Section 135-a providing for snow and ice control on County Roads with the Town, the Supervisor is directed to execute a contract with the County of Sullivan for the Town to undertake and perform snow and ice control on County roads located in the Town of Lumberland for the period beginning July 1, 2021 and ending June 30, 2022 and any extensions thereof duly authorized as provided in such contract at the rates therein provided or hereafter approved.

MOTION: Councilman King

SECOND: Deputy Supervisor Sherman

Roll call vote: 5-0

Supervisor Mellan: Yes

Deputy Supervisor Sherman: Yes

Councilman Akt: Yes

Councilwoman Gingold: Yes

Councilman King: Yes

STATE OF NEW YORK

COUNTY OF SULLIVAN, SS:

The undersigned Town Clerk of Town of Lumberland, does hereby certify that I have compared the foregoing copy of the resolution attached hereto with the original thereof now on file within my office and that the same is a true and correct copy thereof and of the whole of said original.

WITNESS my hand and seal this 14th day of October, 2021

Laurie Terry, Town Clerk

Resolution #102, 2021

RESOLUTION - HIGHWAY BIDS – 2021 - 2022
GASOLINE, DIESEL FUEL & HEATING FUEL

WHEREAS: The Highway Superintendent of the Town of Lumberland has recommended that bids be accepted for the purchase of gasoline and diesel and heating fuel, and

WHEREAS: The Highway Superintendent has recommended that the Town utilize State bids for the following.

Gasoline
Diesel Fuel
Heating Fuel

NOW, THEREFORE, BE IT RESOLVED: that the Town Board of the Town of Lumberland approve the authorization of the Highway Superintendent to utilize the State bids for Gasoline, Diesel and Heating Fuel for the 2021 – 2022 season.

MOTION BY: Deputy Supervisor Sherman

SECOND BY: Councilwoman Gingold

Roll Call Vote: 5-0

Supervisor Mellan: Yes

Deputy Supervisor Sherman: Yes

Councilman Akt: Yes

Councilwoman Gingold: Yes

Councilman King: Yes

ADOPTED BY THE TOWN BOARD OF THE TOWN OF LUMBERLAND

LAURIE TERRY

TOWN CLERK

OCTOBER 13, 2021

Resolution #103, 2021

At the Town of Lumberland Regular meeting held on October 13, 2021, the Town Board Authorized the payment of \$36,900 payable to RA Mickelson and Son, LLC as outlined in Resolution #78, 2021, approved August 4, 2021, to be made upon approval of Engineer for the Town Gottlieb's inspection and certification of payroll.

Motion to waive the 5-day rule was made by Councilwoman Gingold, seconded by Deputy Supervisor Sherman. All in favor, so carried.

Motion by: Deputy Supervisor Sherman

Seconded by: Councilwoman Gingold

Roll Call Vote: 5-0

Supervisor Mellan: Yes

Deputy Supervisor Sherman: Yes

Councilman Akt: Yes

Councilwoman Gingold: Yes

Councilman King: Yes

ADOPTED BY THE TOWN BOARD OF THE TOWN OF LUMBERLAND

LAURIE TERRY

TOWN CLERK

OCTOBER 13, 2021