

RESOLUTION – AUTHORIZE APPOINTMENT BACKUP COVERAGE
CODE ENFORCEMENT

WHEREAS: The Town of Lumberland Code Enforcement Office is in need of appointing someone for backup coverage when the Code Enforcement Officer and Assistant CEO are unavailable, and

WHEREAS: The Assistant Code Enforcement Officer, Christy Flynn, is requesting that Mr. Jim Crowley be considered for appointment for backup coverage, when necessary, and

WHEREAS: Mr. Jim Crowley is currently serving as the Code Enforcement Officer for the Town of Tusten and is well qualified for this position.

NOW, THEREFORE, BE IT RESOLVED: that the Town Board of the Town of Lumberland approve the appointment of Mr. Jim Crowley for backup coverage for the Code Enforcement Officer, when needed, to be paid an hourly rate of \$25.00 per hour, plus mileage, with monies to be taken from General Fund A3620.4 (Code Enforcement Contractual).

MOTION BY: Councilwoman Gingold

SECOND BY: Councilman Akt

ROLL CALL VOTE: 4-0

Supervisor Mellan: Yes

Councilman Akt: Yes

Councilwoman Gingold: Yes

Councilwoman Warden: Yes

Deputy Supervisor Sherman: Absent

ADOPTED BY THE TOWN BOARD OF THE TOWN OF LUMBERLAND

LAURIE TERRY

TOWN CLERK

MARCH 4, 2020

Resolution #54, 2020

RESOLUTION – TOWN DONATION – CIRCLE PARK

WHEREAS: the Town of Lumberland has been instructed by the New York State Comptroller's Office that all donations to the Town need to be approved by the Town Board, and

WHEREAS: the following total donation of \$100.00 to the Town has been received:

<u>FROM</u>	<u>AMOUNT</u>	<u>TO</u>
William & Virginia Dudko	\$100.00	Circle Park (A7110.41)

NOW, THEREFORE, BE IT RESOLVED: that the Town Board of the Town of Lumberland accept the above donation to the Town.

MOTION BY: Councilwoman Gingold

SECOND BY: Councilwoman Warden

ROLL CALL VOTE: 5-0

Supervisor Mellan: Yes

Deputy Supervisor Sherman: Yes

Councilman Akt: Yes

Councilwoman Gingold: Yes

Councilwoman Warden: Yes

ADOPTED BY THE TOWN BOARD OF THE TOWN OF LUMBERLAND

LAURIE TERRY

TOWN CLERK

MARCH 4, 2020

RESOLUTION EXTENDING THE TEMPORARY TOWN-WIDE MORATORIUM ON THE PROCESSING OF APPLICATIONS FOR AND THE ISSUANCE OF APPROVALS OR PERMITS FOR SOLAR FARMS AND SOLAR POWER PLANTS IN THE TOWN OF LUMBERLAND.

WHEREAS the Town Board adopted a local law imposing a temporary, six-month, town-wide moratorium on the processing of applications for, and the issuance of any approvals or permits for, solar farms and solar power plants in the Town of Lumberland effective September 23, 2019 until March 23, 2020; and

WHEREAS, the local law provides two opportunities for the Town to extend same for 90 days each by resolution; and

WHEREAS, while the Town Board is in the process of considering proposed legislation addressing the processing of applications for, and the issuance of any approvals or permits for, solar farms and solar power plants, the proceedings have not been completed; and

WHEREAS, it is therefore prudent to extend the moratorium so the Town can complete the process in accordance with the applicable laws and procedures;

NOW THEREFORE, be it resolved by the Town Board of the Town of Lumberland that the temporary town-wide moratorium on the processing of applications for, and the issuance of any approvals or permits for, solar farms and solar power plants in the Town of Lumberland, is hereby extended for 90 days, until June 23, 2019.

Motion by: Deputy Supervisor Sherman

Second: Councilwoman Gingold

AYE/NAY

Supervisor Mellan Yes

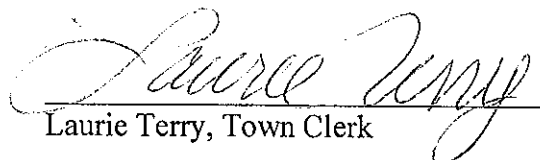
Deputy Supervisor Sherman Yes

Councilman Akt Yes

Councilwoman Gingold Yes

Councilwoman Warden Yes

Dated: Glen Spey, New York
March 11, 2020


Laurie Terry, Town Clerk

Resolution #48, 2020

**RESOLUTION – AUTHORIZE DISPOSAL OF NON WORKING OFFICE
EQUIPMENT**

WHEREAS: The Town of Lumberland is in need of disposing of old office equipment, and

WHEREAS: these items are no longer working or have any value to the Town or for any public purpose, and

WHEREAS: the list of old office equipment to be disposed of is:
a Canon Imageclass MF4370dn Printer (Assessor's Office)
a Muratec MFX 3050 Printer (Court)

NOW, THEREFORE, BE IT RESOLVED: that the Town Board of the Town of Lumberland authorize the Town Clerk to dispose of the above listed office equipment, which is hereby deemed surplus.

MOTION BY: Councilwoman Gingold

SECOND BY: Councilwoman Warden

ROLL CALL VOTE: 5-0

Supervisor Mellan: Yes

Deputy Supervisor Sherman: Yes

Councilman Akt: Yes

Councilwoman Gingold: Yes

Councilwoman Warden: Yes

ADOPTED BY THE TOWN BOARD OF THE TOWN OF LUMBERLAND
LAURIE TERRY, TOWN CLERK
MARCH 11, 2020

Resolution #49, 2020

RESOLUTION - BID ADVERTISING - STONE & GRAVEL

WHEREAS: The Highway Superintendent of the Town of Lumberland has recommended the advertising for the purchase of various size stone and gravel.

NOW, THEREFORE, BE IT RESOLVED: that the Town Clerk is hereby authorized to advertise the opening of bids on same for Tuesday, March 31, 2020 at 1:00 p.m. in the office of the Town Clerk, and upon the recommendation of the Highway Superintendent, the bid award will be on Wednesday, April 8, 2020, at the regular Town Board Meeting at 7 p.m. at the Town Hall in Glen Spey, N.Y. The Town Board reserves the right to reject any and all bids.

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

Councilwoman Warden: Yes

ADOPTED BY THE TOWN BOARD OF THE TOWN OF LUMBERLAND

LAURIE TERRY

TOWN CLERK

MARCH 11, 2020

Resolution #50, 2020

**RESOLUTION – AUTHORIZE ADVERTISEMENT OF OPEN POSITION –
HIGHWAY DEPARTMENT**

WHEREAS: The Town of Lumberland Highway Department has an opening for a Laborer II, and

WHEREAS: The Highway Superintendent has requested to advertise for the open position.

NOW, THEREFORE, BE IT RESOLVED: that the Town Clerk is hereby authorized to advertise for a Laborer II two times each in both Official Newspapers of the Town upon the direction of the Highway Superintendent.

MOTION BY: Councilwoman Gingold

SECOND BY: Councilwoman Warden

ROLL CALL VOTE: 5-0

Supervisor Mellan: Yes

Deputy Supervisor Sherman: Yes

Councilman Akt: Yes

Councilwoman Gingold: Yes

Councilwoman Warden: Yes

ADOPTED BY THE TOWN BOARD OF THE TOWN OF LUMBERLAND

LAURIE TERRY

TOWN CLERK

MARCH 11, 2020

Resolution #51, 2020

RESOLUTION – APPROVE HIGHWAY DEPT. EQUIPMENT RENTAL

WHEREAS: The Town of Lumberland Highway Department is in need of renting an all-wheel drive man lift to complete road maintenance projects, and

WHEREAS: The Highway Superintendent has received the following quotes:

65 FT. all wheel drive Man Lift – Olori - \$2,000 per month, and

WHEREAS: the cost of renting the lift is less through Olori than State bid.

NOW, THEREFORE, BE IT RESOLVED: that the Town Board of the Town of Lumberland approve the request of the Highway Superintendent to rent the above-mentioned equipment for 1 month with monies to be taken from A5110.4 (Highway Repair).

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

Councilwoman Warden: Yes

ADOPTED BY THE TOWN BOARD OF THE TOWN OF LUMBERLAND

LAURIE TERRY

TOWN CLERK

MARCH 11, 2020

**RESOLUTION – ESTABLISH GUIDELINES FOR CARRYING OVER CONTINUING
EDUCATION CREDIT**

WHEREAS: Planning Board and Zoning Board of Appeals members are required by state statute to obtain four hours of training a year, and

WHEREAS: said state statute allows for excess training to be carried over into the following year, and

WHEREAS: The Town of Lumberland requires Board members to obtain four hours of training a year, and

WHEREAS: The Town of Lumberland will fund a maximum of 8 hours of continuing education training in any two calendar years.

NOW, THEREFORE, BE IT RESOLVED: that a Planning Board or Zoning Board of Appeals member may carry over up to 4 hours of excess continuing education into the following calendar year.

NOW, THEREFORE, BE IT FURTHER RESOLVED: The Town of Lumberland will not fund continuing education credits if the requirements have been met as a result of carryover from the prior year.

MOTION BY: Councilwoman Gingold

SECOND BY: Councilwoman Warden

ROLL CALL VOTE: 5-0

Supervisor Mellan: Yes

Deputy Supervisor Sherman: Yes

Councilman Akt: Yes

Councilwoman Gingold: Yes

Councilwoman Warden: Yes

ADOPTED BY THE TOWN BOARD OF THE TOWN OF LUMBERLAND

LAURIE TERRY

TOWN CLERK

MARCH 11, 2020

Resolution 55, 2020

**RESOLUTION – AUTHORIZATION TO CO-SPONSOR A SHRED DAY HELD BY
JEFF BANK**

WHEREAS: Jeff bank is hosting a shred day event, at which time, residents would be able to bring their personal items for shredding, and

WHEREAS: the event will be held in Eldred, Town of Highland, tentatively Scheduled for May 2nd, and

WHEREAS: shred day would be open to all residents of the Town of Lumberland and Town of Highland, and

WHEREAS: Jeff bank is asking for help in sponsorship.

NOW, THEREFORE, BE IT RESOLVED: that the Town Board of the Town of Lumberland authorizes co-sponsorship of a shred day being held by the Jeff bank, tentatively scheduled for May 2, 2020 for an amount not to exceed \$157.33 with monies to be taken from A8160.4 (refuse and garbage, 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

Councilwoman Warden: Yes

ADOPTED BY THE TOWN BOARD OF THE TOWN OF LUMBERLAND

LAURIE TERRY

TOWN CLERK

MARCH 11, 2020

**RESOLUTION OF THE TOWN OF LUMBERLAND IN SUPPORT OF THE TOWN OF
NEWBURGH'S RESOLUTION OPPOSING THE MERGER OF THE NEW YORK
STATE BRIDGE AUTHORITY INTO THE NEW YORK STATE THRUWAY
AUTHORITY**

WHEREAS, on February 24, 2020, the Town of Newburgh passed the attached resolution opposing the merger of the NYS Bridge Authority into the NYS Thruway Authority, based upon the reasoning set forth in the attached resolution; and

WHEREAS, the main areas of concern involve decreased efficiency and the NYS Thruway Authority's announcement of budget deficits which are reported to be growing at an astonishing rate due largely to the costs of the new Mario Cuomo (Tappan Zee) Bridge, which would likely result in higher tolls to cover the deficiencies; and

WHEREAS, the Town of Newburgh, which also hosts and provides services to facilities of the Thruway Authority, including a tolled entrance/exit interchange, tandem trailer area, maintenance facilities and two rest areas for both north and south bound travelers, as well as miles of four lane interstate highway, has concluded, based on experience, that the merger would also jeopardize autonomy, responsiveness and accountability for the bridges, including the Newburgh-Beacon Bridge's crossing into the Town of Newburgh; and

WHEREAS, several Sullivan County and Town of Lumberland residents who commute for work would likely be negatively impacted by such merger for the reasons set forth above.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Lumberland in its capacity as governing body of the Town, does hereby oppose the enactment of the provisions in the Executive Budget of the State of New York for 2020-21 providing for the merger of the New York State Bridge Authority into the New York State Thruway Authority in solidarity with the Town Board of the Town of Newburgh and Sullivan County and Town of Lumberland commuters; and

BE IT FURTHER RESOLVED, that certified copies of this Resolution be delivered, by the Town Clerk to the Hon. Andrew J. Cuomo, Governor, the Hon. Jen Metzger, Senator for the 42nd District and the Hon. Aileen Gunther, Assembly member for the 100th District; and

BE IT FURTHER RESOLVED, that the aforesaid resolutions shall take effect immediately.

MOTION BY: Councilwoman Gingold

SECONDED BY: Councilwoman Warden

Roll Call Vote: 4-1

Supervisor Mellan: Yes

Deputy Supervisor Sherman: Yes

Councilman Akt: No

Councilwoman Gingold: Yes

Councilwoman Warden: Yes

ADOPTED BY THE TOWN BOARD OF THE TOWN OF LUMBERLAND

LAURIE TERRY

TOWN CLERK

March 11, 2020



Town of Lumberland

Town Clerk's Office

1054 Proctor Road
Glen Spey, NY 12737
townclerk@townoflumberland.org

Laurie Terry
Town Clerk
845-856-8600 x7
Fax: 845-856-6080

March 16, 2020

Honorable Andrew Cuomo
NYS Capitol Building
Albany, NY 12224

Re: Town of Lumberland, Sullivan County, NY

Dear Mr. Cuomo,

The Town of Lumberland approved the enclosed two resolutions unanimously at their March 11, 2020 Town Board meeting.

Best Regards,


Laurie Terry
Town Clerk

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Town of Lumberland

Town Clerk's Office

1054 Proctor Road
Glen Spey, NY 12737
townclerk@townoflumberland.org

Laurie Terry

Town Clerk

845-856-8600 x7

Fax: 845-856-6080

March 16, 2020

Honorable Aileen Gunther
18 Anawana Lake Rd.
Monticello, NY 12701

Re: Town of Lumberland, Sullivan County, NY

Dear Ms. Gunther,

The Town of Lumberland approved the enclosed two resolutions unanimously at their March 11, 2020 Town Board meeting.

Best Regards,


Laurie Terry
Town Clerk

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Town of Lumberland

Town Clerk's Office

1054 Proctor Road
Glen Spey, NY 12737
townclerk@townoflumberland.org

Laurie Terry

Town Clerk

845-856-8600 x7

Fax: 845-856-6080

March 16, 2020


Honorable Jen Metzger
90 North St Suite 205
Middletown, NY 10940

Re: Town of Lumberland, Sullivan County, NY

Dear Ms. Metzger,

The Town of Lumberland approved the enclosed two resolutions unanimously at their March 11, 2020 Town Board meeting.

Best Regards,


Laurie Terry
Town Clerk

507
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**RESOLUTION – APPOINTMENT 2020 UPPER DELAWARE SCENIC BYWAY
DELEGATE**

WHEREAS: The Town of Lumberland participates in the Upper Delaware Scenic Byways, and

WHEREAS: each year the Town of Lumberland appoints a delegate to attend Upper Delaware Scenic Byways meetings to show representation for the Town and inform the Town Board of all updates, and

WHEREAS: Bianca Velez has submitted a letter expressing interest in, and previous experience for, the position.

NOW, THEREFORE, BE IT RESOLVED: that the Town Board of the Town of Lumberland approve the appointment of Bianca Velez as the Town of Lumberland Delegate to the Upper Delaware Scenic Byway Committee for the year 2020.

Motion to waive the 5-day rule: Councilwoman Gingold
Second: Councilwoman Warden

Roll call vote: 5-0

MOTION BY: Councilwoman Gingold

SECOND BY: Councilwoman Warden

ROLL CALL VOTE: 5-0

Supervisor Mellan: Yes

Deputy Supervisor Sherman: Yes

Councilman Akt: Yes

Councilwoman Gingold: Yes

Councilwoman Warden: Yes

ADOPTED BY THE TOWN BOARD OF THE TOWN OF LUMBERLAND

LAURIE TERRY

TOWN CLERK

MARCH 11, 2020

Resolution # 58, 2020

RESOLUTION – AUTHORIZE TOWN SPRING CLEANUP DAY- 2020

NOW, THEREFORE, BE IT RESOLVED: that the Highway Superintendent be authorized to hold the Town Spring Cleanup Day in the Town of Lumberland on Saturday, May 16, 2020, from 8:00 a.m. to 12:00 p.m. at the Highway Garage, located at 989 Proctor Road, Glen Spey, N.Y.

Motion to waive the 5-day rule: Deputy Supervisor Sherman

Second: Councilwoman Gingold

Roll Call Vote:5-0

MOTION BY: Deputy Supervisor Sherman

SECOND BY: Second: Councilwoman Gingold

Roll Call Vote: 5-0

Supervisor Mellan: Yes

Deputy Supervisor Sherman: Yes

Councilman Akt: Yes

Councilwoman Gingold: Yes

Councilwoman Warden: Yes

ADOPTED BY THE TOWN BOARD OF THE TOWN OF LUMBERLAND

LAURIE TERRY

TOWN CLERK

MARCH 11, 2020

RESOLUTION #59, 2020

RESOLUTION OF THE TOWN OF LUMBERLAND REQUESTING THE WITHDRAWAL OF THE STATE BUDGET'S ENERGY SITING AMENDMENT

- WHEREAS:** NYS is a Home Rule State, which basically means that any and all powers of the State emanate from the people.
- WHEREAS:** Per the NYS Constitution, Article IX, it is our statutory obligation to protect the health, safety and welfare of citizens of our community.
- WHEREAS:** On Feb 21, 2020, Governor Cuomo proposed a Budget Amendment "to dramatically speed up the permitting and construction of renewable energy projects."
- WHEREAS:** This amendment could be passed with the Budget by April 1st, replacing the current Article 10 process with a radically new method for siting renewable energy projects.
- WHEREAS:** The stated purpose of this proposed far-reaching change is to enhance the execution of the *Climate Leadership and Community Protection Act (CLCPA)*.
- WHEREAS:** This amendment will effectively remove any meaningful input from citizens, towns, counties, local environmental groups, and community businesses regarding the siting and regulation of renewable energy projects.
- WHEREAS:** The new process is structured such that scientific data, or testimony from qualified experts, will have little bearing regarding siting regulations and approval.
- WHEREAS:** Once an application is submitted, the new Office of Renewable Energy Siting (ORES) has 60 days to review and determine if it is complete. If the ORES decision is **not** made in that time, the application is *automatically* deemed complete!
- WHEREAS:** Once an application is determined to be complete, ORES has 12 months to approve the project. If the ORES decision is **not** made in that time, the application is *automatically* approved! There is no provision for extending this time limit.
- WHEREAS:** The Governor's proposal also seems to indicate that the State might get into the ownership and/or operation of renewable energy generation. Such a profound change would also severely limit the ability of local communities to regulate such industrial projects.
- WHEREAS:** All of these proposed changes are not only in conflict with our Home Rule rights, but are also contrary to our obligation to protect the health, safety and welfare of our constituents.
- NOW THEREFORE BE IT RESOLVED:** The Town of Lumberland formally requests that this Budget Amendment be withdrawn before the Budget is voted on. Additionally, we petition the State to respect our Home Rules rights, and to defend our authority to regulate renewable energy projects as the citizens of our community see fit.

Motion to waive the 5-day rule: Councilwoman Gingold Second: Councilwoman Warden Roll Call Vote:5-0

MOTION BY: Councilwoman Gingold

SECOND BY: Deputy Supervisor Sherman

Roll Call Vote: 5-0

Supervisor Mellan: Yes

Deputy Supervisor Sherman: Yes

Councilman Akt: Yes

Councilwoman Gingold: Yes

Councilwoman Warden: Yes

ADOPTED BY THE TOWN BOARD OF THE TOWN OF LUMBERLAND
LAURIE TERRY, TOWN CLERK MARCH 11, 2020