

# REGULAR MEETING, TOWN OF COCHECTON, APRIL 11, 2018

## PUBLIC HEARING NEARING SEWER PETITION - 1 -

A regular meeting of the Town of Cochecton beginning with a Public Hearing at 7:00 pm was held on April 11, 2018 at the Cochecton Town Hall with the following members present:

PRESENT: Supervisor Gary Maas Councilperson Edwin Grund Councilperson Sean Nearing  
Councilperson Paul Salzberg – absent Councilperson Anna Story - absent

### OTHERS PRESENT:

Margaret Richardson – Deputy Town Clerk Gregg Semenetz – CEO entered at 7:45 pm  
Kevin Esselman – HWY Supt. entered at 7:15 pm Michael Walter – SPO entered at 7:15 pm  
Eileen Hennessy – Tax Collector entered 7:40 pm

**MOTION:** On motion by Councilperson Nearing, seconded by Councilperson Grund, made to open and then close the Public Hearing regarding *the Nearing Sewer Petition*. Councilperson Nearing will abstain from voting on a decision and Councilperson Story and Salzberg were not present, therefore no quorum for a vote. Time 7: 03 pm. All present board members voted in favor.

**MOTION:** On motion by Councilperson Grund, seconded by Councilperson Nearing, to recess this Public Hearing until the next Town Board meeting on May 9, 2018 at 7:00 pm. Time: 7:06 pm. All present Town Board members voted in favor.

Work session included:

- Attorney Mannino was not present; she had prepared a Public Hearing Notice for May 9<sup>th</sup> meeting. The final draft will be adopted in May.
- Supervisor Maas had distributed to each Board member a copy of the Town of Cochecton Financial Statements, dated December 31, 2017, prepared by Cooper-Arias, LLP. Supervisor Maas will invite a representative to May 9<sup>th</sup> meeting to give a presentation on the financial condition of the Town of Cochecton.

Meeting was called to order by Supervisor Maas with the pledge to the flag at 7:30PM.

Deputy Town Clerk read legal notice for the stone bids which was published in *The Sullivan County Democrat* on March 30, 2018. Bids were opened in order received:

### BIDDER #1

#### E. TETZ & SONS, INC. (MIDDLETOWN, NY)

TYPE STONE:	Price /ton FOB Bank or Plant	Price/ton stone delivered to stockpile sites
Crusher Stone (From Ledge Rock)		
Crusher Run	\$9.65	\$13.65 per ton
Stone # 2	\$12.45	\$16.45 per ton
Stone # 3	\$12.25	\$16.25 per ton
Stone # 4	\$12.25	\$16.25 per ton
Surge Stone	\$11.65	\$15.65 per ton
PA # 8 (or equivalent)	\$12.45	\$16.45 per ton
PA 6-S (or equivalent)	No bid	No bid
Anti-skid	\$13.00	\$17.00 per ton

Trucking to alternate sites: Price is **\$2.00per ton/mile** from plant to alternate sites.

Description of location: Cochecton Town Barn, 10 Mitchell Pond East Road, Cochecton, NY 12726

### BIDDER #2

#### CALLANAN INDUSTRIES, INC. BRIDGEVILLE (MONTICELLO, NY)

TYPE STONE:	Price /ton FOB Bank or Plant	Price/ton stone delivered to stockpile sites
Crusher Stone (From Ledge Rock)		
Crusher Run	\$9.00	\$15.55 per ton
Stone # 2	\$12.50	\$19.05 per ton
Stone # 3	\$12.50	\$19.05 per ton
Stone # 4	\$12.50	\$19.05 per ton
Surge Stone	\$12.25	\$18.80 per ton
PA # 8 (or equivalent)	No bid	No bid
PA 6-S (or equivalent)	No bid	No bid
Anti-skid	\$6.75	\$13.30 per ton

Trucking to alternate sites: Price **\$3.00per ton/mile first mile from plant and \$0.30/ton/mile for every mile thereafter**

Description of location: Cochecton Town Barn, 10 Mitchell Pond East Road, Cochecton, NY 12726

**REGULAR MEETING, TOWN OF COCHECTON, APRIL 11, 2018**

**PUBLIC HEARING NEARING SEWER PETITION**

- 2 -

**BIDDER #3**

**DECKELMAN LLC (FREMONT CENTER, NY) 845-887-4769**

TYPE STONE:

Price/ton stone delivered to stockpile sites

Crusher Stone

(From Ledge Rock)

Crusher Run \$ 9.75 per ton

Stone # 2 \$12.39 per ton

Stone # 3 \$12.39 per ton

Stone # 4 \$12.39 per ton

Surge Stone \$16.39 per ton

PA # 8 (or equivalent) \$14.39 per ton

PA 6-S (or equivalent) \$15.25 per ton

Anti-skid \$15.25 per ton

Trucking to alternate sites: Price **\$4.00 per ton/mile per hour** from plant to alternate sites.

Description of location: Cochecton Town Barn, 10 Mitchell Pond East Road, Cochecton, NY 12726

**BIDDER #4**

**BEDROCK QUARRY (DAMASCUS, PA)**

TYPE STONE:

Price /ton FOB Bank or Plant

Price/ton stone delivered to stockpile sites

Crusher Stone

(From Ledge Rock)

Crusher Run \$6.00 \$10.25 per ton

Stone # 2 \$8.50 \$12.75 per ton

Stone # 3 \$8.50 \$12.75 per ton

Stone # 4 \$8.50 \$12.75 per ton

Surge Stone \$8.50 \$12.75 per ton

PA # 8 (or equivalent) \$11.25 \$15.50 per ton

PA 6-S (or equivalent) \$12.00 \$16.25 per ton

Anti-skid \$10.45 \$14.70 per ton

Trucking to alternate sites: Price **\$4.25per ton/ - \$0.50/mile** from plant to alternate sites.

Description of location: Cochecton Town Barn, 10 Mitchell Pond East Road, Cochecton, NY 12726

**BIDDER #5**

**R & H GORR, INC. (CALLICOON, NY)**

TYPE STONE:

Price/ton stone delivered to stockpile sites

Crusher Stone

(From Ledge Rock)

Crusher Run \$ 9.74 per ton

Stone # 2 \$12.30 per ton

Stone # 3 \$12.30 per ton

Stone # 4 \$12.30 per ton

Surge Stone \$12.70 per ton

PA # 8 (or equivalent) \$14.95 per ton

PA 6-S (or equivalent) \$16.15 per ton

Anti-skid \$16.15 per ton

Trucking to alternate sites: Price **\$0.50 per ton/mile** from plant to alternate sites.

Description of location: Cochecton Town Barn, 10 Mitchell Pond East Road, Cochecton, NY 12726

**Supervisor Maas** asked Hwy Supt. Kevin Esselman and Councilpersons Grund and Nearing to review the five (5) bids and a decision will be made at the May 9, 2018 meeting.

Deputy Town Clerk read the legal notice for the Blacktop bid which was published in *The Sullivan County Democrat* on March 30, 2018. Bids were opened in order received:

**BIDDER #1**

**CALLANAN INDUSTRIES, INC BRIDGEVILLE (MONTICELLO)**

Type 3 Binder FOB US Ton Delivered US Ton

Type 6 Top \$53.00 \$64.25

Type 7 Top \$55.50 \$66.75

\$58.50 \$69.75

**BIDDER #2**

**MORLYN ASPHALT CORP. MASTEN LAKE**

Type 3 Binder FOB US Ton DELIVERED US Ton

\$52.45 \$62.95

**REGULAR MEETING, TOWN OF COCHECTON, APRIL 11, 2018**

**PUBLIC HEARING NEARING SEWER PETITION - 3 -**

Type 6 Top	\$54.45	\$64.95
Type 7 Top	\$58.25	\$68.75

**Supervisor Maas** asked Hwy Supt. Kevin Esselman and Councilpersons Grund and Nearing to review the two (2) bids and a decision will be made at the May 9, 2018 meeting.

**RESOLUTION # 21**

WHEREAS, the COCHECTON TOWN BOARD when adopting the FY 2018 BUDGET did not fund enough for the PUBLIC SAFETY CONTRACTUAL A 3310.400 for the purchase of a Radar Sign, and therefore,

To fund the line sufficiently for FY 2018 an additional \$200.00 will be needed, and therefore,

BE IT RESOLVED that budget line A 1990.400 CONTINGENCY ACCOUNT in the amount \$200.00 be transferred to line A 3310.400 PUBLIC SAFETY CONTRACTUAL, so that line A 1990.400 CONTINGENCY ACCOUNT shows \$11,800.00 and line A 3310.400 PUBLIC SAFETY CONTRACTUAL shows \$3,700.00.

**ADOPTED: AYES: 3 NAYS: 0**

Supervisor Maas  
Councilpersons: Nearing and Grund

**RESOLUTION # 22**

**SUPERVISOR AUTHORIZED TO PAY BILL FOR NYS DEC invoice for Highway Department Storage Tank for a total of \$100.00, line A 5132.400,** moved by Councilperson Nearing, seconded by Councilperson Grund. All present Town **ADOPTED:**

**AYES: 3 NAYS: 0**

Supervisor Maas  
Councilpersons: Nearing and Grund

**RESOLUTION # 23**

RESOLUTION OF TOWN BOARD OF THE TOWN OF COCHECTON TO INTRODUCE A LOCAL LAW TO AMEND CHAPTER 240 "ZONING" OF THE TOWN CODE OF THE TOWN OF COCHECTON IN RELATION TO SUMMER CAMPS AND PRIVATE SCHOOLD.

**WHEREAS**, the Town Board of the Town of Cochection ("Town Board") heretofore adopted a Zoning Code appears as Chapter 240 of the Town Code of the Town of Cochection (the "Town Code"); and

**WHEREAS**, it appears to be in the best interests of the Town to make amendments to Chapter 240 (Zoning) as it relates to regulation of summer camps and private schools; and

**WHEREAS**, this Resolution introduces Local Law No. 1 of 2018, a copy of which is attached hereto, and which, if enacted, will amend Chapter 240 of the Town Code; and

**WHEREAS**, the Town Board determines that the proposed revisions to the Town Code (hereafter, the "proposed action") are subject to the State Environmental Quality Review Act (ECL, Article 8) and its implementing regulations (6 NYCRR Part 617) (collectively, "SEQRA") as a Type I action; and

**WHEREAS**, the Town will to act as lead agency for SEQRA review purposes.

**NOW THEREFORE, BE IT RESOLVED**, that the Town Board hereby introduces the proposed Local Law No. 1 of 2018; and be it

**FURTHER RESOLVED**, that a public hearing on the proposed Local Law shall be scheduled for May 9, 2018 at 7:00 p.m. which public hearing shall be conducted at the Town of Cochection Town Hall located at 74 Smales Road, Lake Huntington, New York 12752 and proper notice of the public hearing shall be duly given; and be it

**FURTHER RESOLVED**, that a copy of Local Law No. 1 of 2018, as introduced, shall be forwarded to the Town of Cochection Planning Board for its review and recommendation: and be it

**REGULAR MEETING, TOWN OF COCHECTON, APRIL 11, 2018**  
**PUBLIC HEARING NEARING SEWER PETITION - 4 -**

**FURTHER RESOLVED**, that a copy of Local Law No. 1 of 2018, as introduced shall be forwarded to the Sullivan County Department of Planning and Environmental Management for review and recommendation in accordance with New York State General Municipal Law § 239-m; and be it

**FURTHER RESOLVED**, that the Town Board of the Town of Cochecton declares that it will act as the lead agency under SEQRA and will provide notice of its intent to other involved agencies, if any; and be it

**FURTHER RESOLVED**, this Resolution shall become effective when adopted.

**MOTION** to adopt, made is by Councilperson Nearing, seconded by Councilperson Grund.

**ADOPTED: AYES: 3 NAYS: 0**

Supervisor Maas

Councilpersons: Nearing and Grund

**MOTION:** On motion of Councilperson Nearing, seconded by Councilperson Grund, the deputy town clerk will submit a notice for Public Hearing of proposed Local Law #1-2018 to amend Town Code Chapter 240 with respect to Summer Camps and Private Schools. Councilpersons Grund, Nearing and Supervisor Maas voted in favor.

**MOTION:** On motion of Councilperson Grund, seconded by Councilperson Nearing, the following motion was made to accept the minutes of March 14, 2018, and be accepted as submitted.  
Councilpersons Grund, Nearing and Supervisor Maas voted in favor.

**MOTION:** On motion of Councilperson Nearing, seconded by Councilperson Grund, the following motion was to accept the bills on abstract # 4 in the following amounts:

Prepaid: Claim #'s 158 - 171 \***claim # 169 & 171 are in the Lighting District**

General Accounts: Claim #'s 172 - 188

Total General Funds: **\$17,157.30** including prepaid

Debit Card Account: Claim # 189

Total Debit Card Funds **\$345.95**

Sewer Accounts: Claim # 159,160,163,167, (in prepaid) and #190 - 194

Total Sewer Accounts: **\$2200.47** including prepaid

Lighting District Accounts: Claim # 169 and 171 **as listed above in prepaid**

Total Lighting District Funds: **\$589.54** including prepaid

Highway Accounts Claim #'s 195- 208 **and 158, 161 in prepaid**

Total Highway Accounts **\$28,730.07** including prepaid

Claim #'s 161,176,182,185 and 1196 split between funds same voucher.

PREPAIDS were paid on March 19<sup>th</sup>, 13<sup>th</sup>, 27<sup>th</sup>, April 4<sup>th</sup>, 5<sup>th</sup>, and 9<sup>th</sup> 2018

Councilpersons Grund, Nearing and Supervisor Maas voted in favor.

**CORRESPONDENCE:** Supervisor Maas received

- a notice from the Public Service Commissioner regarding a meeting in Monticello for employee statements regarding salary complaints
- A letter from the Upper Delaware Council (UDC) They would appreciate a preliminary draft copy of summer camp zoning amendment;
- received a check from Charter (Spectrum) for \$18,000.00;
- Municipal inspection report was good;
- Upper Delaware Council will host its annual awards dinner;
- Department of Labor workman's work place training has been done.
- 2018 Annual Litter Pluck poster – plucked trash accepted April 21 – May 13, 2018. Free bags available at the Town Clerk's office.

**PUBLIC COMMENT RELATING TO ITEMS ON THE AGENDA: NONE**

**REGULAR MEETING, TOWN OF COCHECTON, APRIL 11, 2018**

**PUBLIC HEARING NEARING SEWER PETITION - 5 -**

**COMMITTEE REPORTS:**

**Upper Delaware Council and Byway-** Larry Richardson – absent, did not attend UDC meeting

**Scenic Byway;** The UDSB held its regular meeting on Monday March 26.

**Butterfly Habitat Promotion Grant Application(s):**

Two applications were received for consideration from the Tusten Heritage Community Garden (THCG) and the Narrowsburg Beautification Group (NBG). On a **motion** by Eisenberg, seconded by Dudko, the committee approved granting \$475 to the Tusten Heritage Community Garden to cover printing 170 Monarch booklets (\$200) and purchasing 30 metal ID plaques and 12 stakes (\$275). A **motion** was approved granting \$900 to the Narrowsburg Beautification Group for the purchase of 20 to 30 pollinator-friendly perennials and compost. The motion was approved on a vote of 4 yes and 2 no.

**NY EDP \$250,000 Grant for UDSB Visitor Center Construction** – Ramie received confirmation from the Dormitory Authority of the State of New York about the \$250,000 grant for visitor center construction through the New York Economic Development Program. There is no deadline to the grant, which has been active since 2007 since the sponsor, Senator Bonacic, has yet to withdraw it. The limitation to the funding is that it has to be used for capital projects. The contact said that renovation work would qualify.

**UDSB Brochures and Litter Bags** are available to be distributed at upcoming festivals.

**Youth Commission – Sue Rodrigues**

- There is one vacancy on the Youth Commission Board
- They are planning a trip to a Yankees game TBD
- There are 17 bus seats available for purchase for trip to Holiday Rockettes Show in December.

**Website Report** – Councilperson Story, reported 4 hours updating website.

**Fire District** – No report

**Lake Huntington Lake Association:** Councilperson Salzberg, not present

- Ms. Suozzo of NYS DEC met with Lake Association April 6 to review problems with Lake Huntington. She will work on proposals to clean up the lake issues – grants are a possibility.

**DEPARTMENT HEADS:**

**SUPERVISOR:** Gary Maas

Submitted a written report:

- **Bank Information:**

Deposited	\$ 20.00	judicial fees
Deposited	\$ 654.00	Clerk fees
Deposited	\$ 65.00	Insurance Refund
Deposited	\$ 1,735.00	Suit Kote – light replacement
Deposited	\$ 6,851.80	Mortgage tax
Deposited	\$ 796.93	Debit Card

Made transfers and deposits as needed and (budget to actuals given to Town Board members)
- Activity: still waiting for the overdue signed Transfer Station contract and \$5,000.00 maintenance check; Audit completed and Financials received; Snow was reported, electric service interrupted for many, conference calls; Supervisors meeting – NYSEG, County revenue sharing discussed, Transfer Station discussed, signs and banner grants.

CONTRACTUAL		\$ 4,000.00
Abstract #1	\$ 0.00	\$ 4,000.00
Abstract #2	\$ 232.55	\$ 3,762.45
Abstract#3	\$ 755.03	\$ 3,007.42
Abstract #4	\$ 147.75	\$ 2,859.67

- Worked 85 hours

**HIGHWAY SUPERINTENDENT:** Kevin Esselman

- Plowed and sanded as needed
- Had a class on lockout tag out and hazardous materials with the Department of Labor
- Cleaned up fallen trees and limbs

**REGULAR MEETING, TOWN OF COCHECTON, APRIL 11, 2018**  
**PUBLIC HEARING NEARING SEWER PETITION - 6 -**

- Did some patching
- Had a few repairs
- Started to have sand hauled in
- Sent out my stone and blacktop notices

Diesel

1442 gals del / used 1271 gals

Gas

428 gals del / used 334 gals

Worked 160 hrs

Contractual balance – \$ 3,382.59

**TOWN CLERK:** (Deputy Margaret Richardson)

- Issued 2 permanent handicapped permits in March
- Issued 11 neutered dog licenses - \$11.00 ck#2003 to Ag & Markets
- Issued 1 marriage license - \$22.50 ck#2004 to NYS DOH
- Prepared for audit of vouchers for Councilmen Grund and Nearing Tuesday, April 10, 2018.

Deputy clerk worked 74 ½ hours total for March 2018

Expenditures \$31.89

Contractual Balance: \$ 3,881.84

**CODE ENFORCEMENT OFFICER:** Gregg Semenetz

- Submitted a written report:
  - Worked 80 hours, traveled 739 miles
  - Issued 3 permits 0 renewals
  - C of O's issued 2
  - Notices of disapproval 0
  - Municipal search letters 3
  - Appearance tickets 0
  - Revenues: \$475.00
  - Expenses: \$509.06
  - Contractual Balance: \$3,930.65
- Municipal Searches are busy; there is a sewer line issue on Smales Road that will be resolved Thursday, 4/12/18.

**TAX COLLECTOR** – Eileen Hennessy

- Worked 70 hours during March
- She turned in her book to the County Treasurer – received abstract settlement and 1¢ remains in the account.

**ATTORNEY** – Karen Mannino, not present

A written report was submitted: worked 3 hrs. 41 minutes on summer camp zoning; attended Board meeting on 3/14.

**ASSESSOR** – Lorry King – not present

- Board of Review training will be May 2, 2018
- Attended Sullivan Co Assessors Meeting
- Our tentative roll will be filed on or before May 1, 2018
- Grievance Day is May 22, 2018 at the Town Hall between the hours of 4:00 – 8:00 PM
- Provided the State with the Special Franchise request, gave a copy to Town Clerk

**Assessor Hours: 23.50**

**Clerk Hours: 23.50**

**SEWER** – Michael Walter, SPO

- Submitted written report and worked 84 ½ hours for March 2018;

## REGULAR MEETING, TOWN OF COCHECTON, APRIL 11, 2018

### PUBLIC HEARING NEARING SEWER PETITION

- 7 -

- He received two out of three sludge quotes: Koberlein and Lang
- There is an emergency issue – syphon valves are not working properly; four beds will not rotate; the UV system needs repair; proposal to do repairs and construct shelter over the beds is \$47,000.00. Work on project could begin in one week if approved.

**MOTION:** On motion of Councilperson Grund, seconded by Councilperson Nearing, the following motion was made to approve funding the Sewer repair project with a loan from General fund and a payback agreement will be by Resolution at May 9, 2018 meeting.

Councilpersons Grund, Nearing and Supervisor Maas voted in favor.

**DCO** – Rosemary Barile – not present

No report for March 2018. She was supposed to be on vacation 3/20-3/29/18. Arrangements were made with the DCO of Bethel Township. DCO Barile has a health issue.

**HISTORIAN** – KC Garn – not present. He submitted a report of two inquires during month of March.

#### **BOARD MEMBERS** –

Councilperson Grund – nothing else

Councilperson Nearing – nothing else

#### **OLD BUSINESS:**

- Basketball Court, Pickle Ball, Ball Field and Exercise Park – tabled
- Zoning on summer camps and private schools: public hearing scheduled for May 9, 2018
- Nearing Sewer petition: public hearing rescheduled for May 9, 2018 meeting.
- Supervisor Maas gave an ultimatum to the County Board of Legislators regarding unsigned Transfer Station contract and \$5,000.00 check to Town of Cochecton for maintenance.
- Unsafe buildings 2018: CEO will follow up.
- Back deck: will begin construction when weather permits.

#### **NEW BUSINESS:**

- Litter Pluck 2018: April 21 – May 13, 2018
- Sewer Plant siphon valves: addressed issue above under SEWER, Michael Walter, SPO

#### **PUBLIC COMMENT:** (Limited to 3 minutes presentation on any topic.)

Ms. Lori Zamborano of Milanville, PA purchased a home April 2017. She requested the Cochecton Town Board to review the operation of the Lander's Skinners Falls Campground and how it impacts local residents and wildlife. She reported generator noise, loud music, fireworks, trash and odor of human feces that starts on mid-day Friday continuing through Sunday afternoon throughout the summer months. Ms. Zamborano cited Cochecton zoning Chapter 240 Article 5 etc. She asked what she can do to affect change in this matter.

Supervisor Maas responded that he truly understands what it is like to have a disturbance ruin the tranquility of private residence. He himself had spent 12 years trying to resolve a situation of an animal shelter that improperly housed 150 barking dogs across the road from his property and was eventually resolved. However, the Town of Cochecton is not responsible for remedying her complaint affecting her property in Milanville, PA. CEO Semenetz added that for the noise and fireworks they should call the State Police and for the trash and human feces odor they should call the DOH. Supervisor Maas then introduced Rick Landers to Lori Zamborano and three of her friends. Mr. Landers then addressed the people in the audience stating that he is aware of the complaint of generator noise last year. There was a young camper who required an oxygen machine during the storm's power outage which was a limited time use. He agreed to meet with the complainants after this meeting to share his contact information and work on resolving their issues.

**MOTION:** On motion by Councilperson Nearing, seconded by Councilperson Grund, to adjourn. Time 8:54 p.m. All present Town Board members voted in favor.

Respectfully Submitted, \_\_\_\_\_  
Margaret Richardson, Deputy Town Clerk