

REGULAR MEETING, TOWN OF COCHECTON, March 11, 2020

A meeting of the Town of Cochecton was held on Wednesday, March 11, 2020 beginning with a work session at 7:00 PM at the Cochecton Town Hall with the following members present:

Supervisor Gary Maas  
Councilman Edwin Grund  
Councilman Sean Nearing  
Councilman Paul Salzberg  
Councilman/SPO Michael Walter

OTHERS PRESENT:

Eileen Hennessy –Tax Collector  
Deputy Town Clerk- Margaret Richardson  
Attorney –Karen Mannino  
UDC/UDBC representative Larry Richardson  
CEO –Gregg Semenez

Supervisor Maas opened the regular meeting opened at 7:30 p.m. with the pledge to the flag

**RESOLUTION # 22**

**NYS Town and County Resolution – Requesting the Withdrawal of the State Budget’s Energy Siting Amendment**

The following resolution #22 was read by Supervisor Maas:

**WHEREAS:** NYS is a Home Rule State, which basically means that any and all powers of the State emanate from the people, and

**WHEREAS:** Per the NYS Constitution, Article IX, it is our statutory obligation to protect the health, safety and welfare of citizens of our community, and

**WHEREAS:** On February 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 1<sup>st</sup>, 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:** Although the objectives of the CLCPA sound admirable, there is no empirical scientific proof that industrial wind energy ( compared to Nuclear, Hydro or Gas) saves any consequential amount of Carbon Dioxide (CO2).

**WHEREAS:** Conversely, there is considerable scientific evidence that onshore industrial wind energy projects will likely be a *net economic liability* to NYS host communities. This will be particularly burdensome to social justice communities.

**WHEREAS:** There is extensive scientific evidence that onshore industrial wind energy projects will likely result in adverse health effects to some citizens of NYS host communities.

**WHEREAS:** There is substantial scientific evidence that industrial wind energy projects will likely cause extensive ecosystem damage to onshore NYS host communities, or to marine locales where offshore wind projects are sited.

**WHEREAS:** This amendment will effectively remove any meaningful input from citizens, towns, counties, local environmental groups, and community businesses regarding 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.

THEREFORE, BE IT RESOLVED that the Town of Cochection, County of Sullivan 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.

Councilman Salzberg voiced that he agreed that Home Rules rights need to be protected and he supports the resolve but suggested removing whereas #4, 5, 6, 7, 8 and 9.

On motion of Councilman Nearing, seconded by Councilman Grund, motion to approve Resolution #22 as read.

**ADOPTED:**     **AYES: 4** Supervisor Maas, Councilmen; Nearing, Grund, Walter  
                  **NAYS: 1** Councilman Salzberg

**RESOLUTION # 23**

**Supervisor Maas requests authorization to make payment for the Highway Department's new truck purchased from Robert Green which was approved at a Public Hearing**

**MOTION:** On motion of Councilman Grund, seconded by Councilman Walter, motion was to approve authorization for Supervisor Maas to pay Robert Green for truck, put to a vote and carried 5-0.

**APPROVAL OF MINUTES** On a motion of Councilman Grund seconded by Councilman Salzberg, and all in favor to approve the minutes of February 12, 2020. Put to a vote and carried 5-0

**APPROVAL OF BILLS:** On motion of Councilman Grund, seconded by Councilman Salzberg, the following motion was to approve the bills be paid on **Abstract # 3** in the following amounts:

|                     |  |                 |                            |
|---------------------|--|-----------------|----------------------------|
| Prepaid:            | Claim #'s 95-115   |                 |                            |
| General Accounts:   | Claim #'s 116-139  | Total + Prepays | <b><u>\$ 9,363.99</u></b>  |
| Debit Card Account: | Claim #'s # 140  | Total           | <b><u>\$ 2,131.95</u></b>  |
| Sewer Account:      | Claim #'s in Prepays # 102, 103, 109, 112, 113, 115 and to be paid #141, 142 |                 |                            |
|                     | Total for Sewer:   |                 | <b><u>\$ 1,472.25</u></b>  |
| Lighting District:  | Claim #'s 97 & 101 (Prepays)   |                 | <b><u>\$ 719.99</u></b>    |
| Highway Account:    | Claim #'s 143-161  | Total + Prepays | <b><u>\$ 41,263.36</u></b> |

Claim #'s 118, 133, 135, 137 and 140 are noted as splits between funds, same voucher.

PREPAIDS were paid on February 24, 27 and March 5, 2020.

\*Claim # 119 for Supervisor is listed as \$ 50.00 but he actually submitted \$96.00 for reimbursement. The difference of \$46.00 mileage will be carried over to Abstract #4.

Put to a vote and carried 5-0

#### **CORRESPONDENCE:** Supervisor Maas

- Notice from Office of State Comptroller: Town Finance Schools class offered in May in Saratoga Springs and Geneva. For more info go to [www.nytowns.org](http://www.nytowns.org).
- NYS Dept. of Taxation and Finance Office of Real Property Tax Services notice of tentative special franchise full value – NYSEG; Verizon; Time Warner
- Municipal Shelter Inspection Report – all check points rated “Satisfactory”
- NYS DEC inspection of Lake Huntington Wastewater Treatment Plant has been given an **overall Satisfactory Rating**
- M&T Bank noted updates to their system
- Meeting March 4, 2020 at Cochection Town Hall regarding #6 Bridge rehabilitation with Town Officials, Emergency Services, NYS DOT, Penn DOT, Town of Delaware, Damascus PA, Wayne County and UDC. Purpose to discuss options of closure vs partial closure during renovation.
- State Comptroller note of monthly report correction.

#### **PUBLIC COMMENT:**

Larry Richardson told the Board that he wholeheartedly agrees the need for Resolution #22. The Town’s Home Rule rights must be protected. He also agrees with Councilman Salzberg, questioning if the paragraphs #4-9 can be substantiated and asked who came up with the wording. Supervisor Maas had received it via email and would not say from whom. No one else commented.

No other comments

#### **COMMITTEE REPORTS:**

##### **Upper Delaware Council and UD Scenic Byway:** Larry Richardson

The Council held its regular meeting on Thursday March 5. The meeting opened with a presentation by Jennifer Porter and Brandi Merolla on “The Tusten Community Food Scraps Composter/ Digester. Those in attendance heard that something like 40% of all food purchased end up wasted. I’ve also heard that can be used from the county. That means the considerable amount of waste generated could be removed from the landfill and used productively. The digester at maximum capacity will handle 1000 pounds of waste per week and generate 100 gallons of liquid fertilizer. The town was able to cover the cost of the digester with a grant.

##### **Topics discussed in part:**

- With the help of the new acting NPS Superintendent Jessica Weinman the UDC Federal funding has been made available
- The DEC Draft Management Plan for the Beaverkill Campground Area is available for review and comment on their website.
- The DEC Draft Management Plan for the Mongaup Area may be available for comment in April.
- PA Department of Conservation and Natural Resources (Tim Dugan) reported that due to the winter there has been the slight decline in the Hemlock Aegid; however, the Spotted Lanternfly comes from an area similar to ours in Asia and is not affected by our winters.
- Representative Dugan also cautioned about the dry conditions that can support wildfires.

- The UDC Retreat is planned for May 30 at the Damascus Community Hall to create a Five-Year Plan for the Council.
- An update on the PA \$100,000 Department Of Community and Economic Development (DCED) Grant.
- The Executive Director and I had to create individual logins to enable digital signatures. Execution of the contract is moving forward.

**Actions taken:**

- Adopted a motion to authorize the opening of bank accounts for the Pa Grant and Litter Clean-up project
- Approved a letter to NPS: recommending a finding of Substantial Conformance for the Highland River access
- Approved a position paper on Utility Scale Solar Energy Systems
- Approved a motion to have the UDC become the sponsoring entity for the Delaware Sweep event, insurance for the day will be covered cleanup along New York State route 97 (note: anyone participating in the cleanup along New York State route 97 must receive training and wear approved helmets and reflective vests.)  
Volunteers are needed.

**UPPER DELAWARE SCENIC BYWAY-** Larry Richardson

The Committee held its regular meeting on Monday February 24, 2020.

**Visit by Orange County Legislator Thomas Faggione:** Mr. Faggione has a business in port Jervis is interested in learning more about the upper Delaware scenic byway committee.

**Correspondence Report,** Vice-chair Nancy Furdock is relocating back to the Syracuse area from Hancock and offered a Resignation Letter:

**Chairman Pontier appointed** a Nominating Committee to Develop a Slate for Annual Election of Officers on 4/27:

**Grants: Butterfly Promotion; Business & Non-profit Signs; Vista Enhancement:** we have once again allocated \$5,000 each for Butterfly Promotion and Signs grants and \$11,000 to provide vista enhancements along the Delaware.

**Upper Delaware Watershed Litter Clean-up:** Dan Paparella is the contracted plan coordinator

**Voted to Endorse Skinners Falls, NY-Milanville, PA Bridge Position Statement, due by 2/29** that had been sent out by the Wayne County, PA Commissioners’ urging the Pennsylvania Department of Transportation to preserve the Skinners Falls-Milanville Bridge, offering justifications on the topics of emergency response usage, economic importance, historical value, roadway connections, and a discussion of future options.

**Approved a Letter: “Guide to Scenic Highways & Byways: The 300 Best Drives in the U.S.”** – the National Geographic books division inquiring about the omission of the Upper Delaware Scenic Byway from its list of the 300 best drives,

**NYS DOT Report and NPS Position on Herbicide Use.** Next Meeting Date: 4<sup>th</sup> Monday, March 23, 2020

**Youth Commission:** Edwin Grund – 16 children enjoyed seeing a game at West Point; 11 children attended Laser Tag; planning a trip to see the Intrepid, a hockey game and offer a youth’s Babysitting certification class. For more information contact **Sue Rodriguez** (845) 866-0853, or email: [s\\_rod79@frontiernet.net](mailto:s_rod79@frontiernet.net)

**Lake Huntington Association:** Dr. Paul Salzberg – The next meeting will be on the next weekend. Nothing is new to report.

**DEPARTMENT HEADS:**

**SUPERVISOR:** Gary Maas

Monthly Financial Report

Bank Information:

|           |            |                 |
|-----------|------------|-----------------|
| Deposited | \$ 561.00  | judicial fees   |
|           | \$1,011.00 | judicial fees   |
|           | \$1,204.01 | Town Clerk fees |

|  |                          |
|--|--------------------------|
| \$1,281.02   | Debit Card               |
| \$1,555.63   | Payment in lieu of Taxes |
| \$ 250.00  | Escrow                   |
| \$2,900.00 + \$ 622.82 + \$ 77.61 + \$ 71.03 <b>Sewer Account</b> = \$3,671.46 total |                          |

Made transfers and deposits as needed and have given budget actual to Board.

**Activity:** Audit FY 2019 by Cooper Arias has been mostly completed; I completed a US Dept. of Commerce survey; Notified County Treasurer that Sewer bills seemed to have a wrong rate which proved correct; filled out a Census BAS survey; worked with Eileen on how to manage and fix Sewer bill corrections; had contact with Tom Shepstone about Skinners Falls.

|             |           |            |
|-------------|-----------|------------|
| CONTRACTUAL |           | \$4,000.00 |
| Abstract #1 | \$ 0.00   | \$4,000.00 |
| Abstract #2 | \$ 171.27 | \$3,828.73 |
| Abstract #3 | \$ 966.00 | \$2,862.73 |

Worked 91 hours

**Highway Superintendent:** Kevin Esselman – not present

Out plowed and sanded as needed.  
 Out cutting brush.  
 Patching our paved and gravel roads.  
 Had a few repairs.  
 Picked up new truck. Seems to be good but haven't really used it.  
 Will be putting legal notice in for stone and blacktop bids.

Worked 160 hours

Contractual balance: \$3,076.34

**TOWN CLERK:** Hollye Schulman – on leave until April 3, 2020

No written activity report.  
 Monthly Report: Monies and fees for the month of February 2020 are turned over to Supervisor Maas for a total of \$1,045.05.

**CODE ENFORCEMENT OFFICER:** Gregg Semenetz

Worked: 80 hours, total mileage: 655  
 Issued 2 permits, no renewals  
 C of O's issued none, Notice of disapproval: none  
 Municipal search letters 5  
 Appearance tickets: none  
 Revenues in the amount of \$ 625.00  
 Expenses: \$ 426.63  
 Contractual balance: \$5,073.37

**TAX COLLECTOR:** Eileen Hennessy  
Submitted a written activity report

|                             |                |
|-----------------------------|----------------|
| Monies collected            | \$2,664,981.97 |
| Paid to Supervisor          | \$1,263,897.34 |
| Paid to SC Treasurer        | \$1,305,000.00 |
| Balance in checking account | \$ 96,084.63   |

Hours worked in the month of February: Taxes – 34 Sewer – 73 Total: 107 hours  
Supervisor Maas commented that the unexpected 73 hours that Eileen did to do Sewer bill corrections will be charged back to the County.

**TOWN ATTORNEY:** Karen Mannino  
Submitted written report: Attended Town Board meeting 2/12/2020; researched Solar Law; letter/email dog bills

**ASSESSOR:** Lorry J. King  
*Old Business:* Exemption renewals are due in the office by March 1, 2020

*New Business:*

- Will be attending a mandatory education class in New Windsor on leases
- I will be attending another class April 14, 2020 in New Windsor
- My office is working on getting our scans fixed. We have contacted Ryan at Kristt for his help
- Our new LOA is 75%, up from 74%

Assessor Hours: 44  
Clerk Hours: 24  
February A 1355.400 \$1,877.07

|                 |   |              |
|-----------------|---|--------------|
| Quill, supplies | - | 13.98        |
| Terri Fountain  | - | <u>48.20</u> |
| Total expense   |   | 62.18        |

Balance: \$1,814.89

**PLANNING BOARD CHAIR:** Earl Bertsch - not present  
No report submitted – The Planning Board met on February 27, 2020. Minutes will be posted on the Town’s website.

**SEWER OFFICER:** Michael Walter  
Submitted a written report:  
39,036 average flow  
97% C.B.O. D. removal for month of September  
98% T.S.S. removal for the month of September  
Worked 64 hours  
Expenditures \$1,472.75  
Contractual Balance: \$27,513.17  
Municipal Inspection report: Overall Satisfaction

**DOG CONTROL OFFICER:** Tamara DePaolo- not present  
As reported above in correspondence, the Municipal Shelter Inspection Report has given an overall Satisfactory Rating.

Contractual balance: \$ not given

**HISTORIAN:** K.C. Garn - not present, no report

**TOWN BOARD MEMBERS Comments:**

**Councilman Grund** -Nothing to report at this time

**Councilman Nearing** - **Nothing** more at this time

**Councilman Salzberg** - Nothing at this time

**Councilman Walter** - Nothing at this time

**OLD BUSINESS:**

Unsafe Buildings - ongoing

Dog Bill – dog owner did not respond to letter. Attorney Mannino will send another certified letter with a warning of consequences of noncompliance.

Solar Law – Planning Board Chairman Bertsch is concerned about the size of the solar storage battery. It is no covered in the Zoning Law. Tabled –

Sewer Tax adjustments – will be resolved at the end of the tax collection period on March31, 2020.

**NEW BUSINESS:**

Outside Maintenance position job opening

Town Hall Cleaner

**MOTION:** Councilman Nearing moved to authorize Town Clerk to place a help wanted ad in the newspaper for the two open job openings, seconded by Councilman Walter; put to a vote, 5-0 and carried.

**PUBLIC COMMENT:**

Larry Richardson asked CEO Semenetz about the fire on Bernas road asking if the resident is still able to live there. He is indeed.

No one else wished to comment

**MOTION:** On motion by Councilman Grund, seconded by Councilman Walter to adjourn meeting at 8:35 p.m. Put to a vote, 5-0 and carried.

Respectfully Submitted, \_\_\_\_\_

Margaret Richardson, Deputy Town Clerk