

A regular meeting of the Town of Cochection was held on January 9, 2013 at 7:00PM at the Cochection Town Hall with the following members present:

(Between 7:00 PM and 7:30 PM for the purpose of auditing bills)

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

PRESENT: Supervisor Gary Maas  
Councilperson Larry Richardson  
Councilperson Edwin Grund  
Councilperson Richard Schulman  
Councilperson Anna Story

**OTHERS PRESENT:**

Hollye Schulman – Town Clerk  
Gregg Semenetz – CEO entered at 7:46 p.m.  
Sharron Cardone –Planning Board Chair  
Kevin Esselman – Highway Superintendent  
Michael Walter – SPO

Please note: An executive session was held between 6:30 p.m. and 7:00 p.m. for an Attorney/Client session regarding an Article 78.

**RESOLUTION # 15**

**PARTNERS IN SAFETY**

On motion of Councilperson Grund, seconded by Councilperson Story, the following resolution was  
WHEREAS, the Cochection Town Board was unaware of an increase for Partners in Safety from \$195.00 to \$234.00 due to the addition of the part-time seasonal worker being added to the contract when the Re-organizational meeting was held January 2, 2013, and

WHEREAS, the Town Clerk is required to carry the amount of \$234.00 on abstract # 1 for Partners in Safety, and  
NOW THEREFORE BE IT RESOLVED, the amount to be carried on abstract # 1 for Partners in Safety will be \$234.00 to make the abstract correct

**ADOPTED – AYES: 5            NAYS: 0**

Supervisor Maas  
Councilpersons: Richardson, Grund, Schulman and Story

**RESOLUTION # 16**

**FUND THE HEALTH TRUST ACCOUNT**

On motion of Councilperson Richardson, seconded by Councilperson Grund, the following resolution was  
WHEREAS, the Cochection Town Board when adopting the FY 2013 budget for the Highway Fund was unaware that it had to fund the Health Trust Account thru the Highway Employees payroll line and now, therefore  
BE IT RESOLVED, that \$12,000.00 be transferred from line DA 9060.800 (Health Insurance) to line DA 5110.100 (Pers-Summer Salary) so that line DA 9060.800 (Health Insurance) now reads \$102,395.38 and line DA 5110.100 (Pers-Summer Salary now reads \$63,000.00

**ADOPTED – AYES: 5            NAYS: 0**

Supervisor Maas  
Councilpersons: Richardson, Grund, Schulman and Story

**RESOLUTION # 17**

**OFFICIAL UNDERTAKINGS**

On motion of Councilperson Grund, seconded by Councilperson Richardson, the following resolution was  
WHEREAS, Gary Maas, of the Town of Cochection, County of Sullivan, New York, has been elected to the office of Supervisor of the Town of Cochection, and  
WHEREAS, Hollye Schulman, of the Town of Cochection, County of Sullivan, New York, has been elected to the office of Town Clerk of the Town of Cochection, and  
WHEREAS, Eileen Hennessy, of the Town of Cochection, County of Sullivan, New York, has been elected to the office of Town Tax Collector of the Town of Cochection, and  
WHEREAS, Steven Sauer, of the Town of Cochection, County of Sullivan, New York, has been elected to the office of Town Justice of the Town of Cochection, and  
WHEREAS, Craig Fine, of the Town of Cochection, County of Sullivan, New York, has been elected to the office of Town Justice of the Town of Cochection, and  
WHEREAS, Kevin Esselman, of the Town of Cochection, County of Sullivan, New York, has been elected to the office of the Highway Superintendent of the Town of Cochection, and  
WHEREAS, Michelle Albrecht, of the Town of Bethel, County of Sullivan, New York, has been appointed to the office of Town Court Clerk of the Town of Cochection, and  
WHEREAS, Thomas Hennessy, of the Town of Cochection, County of Sullivan, New York, has been appointed to the office of Town of Cochection Deputy Tax Collector, and  
WHEREAS, Edwin Grund, of the Town of Cochection, County of Sullivan, New York, has been appointed to the office of Town of Cochection Deputy Supervisor of the Town of Cochection, and  
WHEREAS, Gregg Semenetz, of the Town of Callicoon, County of Sullivan, New York, has been appointed to the office of Town of Cochection Code Enforcement Officer/Building Inspector of the Town of Cochection, and  
WHEREAS, Sharron Cardone, of the Town of Cochection, County of Sullivan, New York, has been appointed to the office of Town of Cochection Planning Board Chair of the Town of Cochection, and  
WHEREAS, Jerold Yavarkovsky, of the Town of Cochection, County of Sullivan, New York, has been appointed to the office of Zoning Board of Appeals Chair of the Town of Cochection, and  
NOW, THEREFORE, we as respective officers above, do hereby undertake with the Town of Cochection that we will faithfully perform and discharge the duties of our office, and will promptly account for and pay over all monies or property received as a Town Officer, in accordance with the law, and

This undertaking of the Town Supervisor is further conditioned upon that he will well and duly keep, pay over and account for all monies and property, including any special district funds, belonging to the town and coming into his hands as such Supervisor, and

This undertaking of the Town Clerk is further conditioned upon that she will well and truly keep, pay over and account for all monies or and property, including any special district funds, belonging to the town and coming into her hands as such Town Clerk, and

This undertaking of the Town Tax Collector, and her Deputy Tax Collector is further conditioned that she/he will well and truly keep, pay over and account for all monies and property coming into her/his hands as such Tax Collector and Deputy Tax Collector, and

The Town does and shall maintain insurance coverage presently with NYMIR Insurance Company in the sum of \$992,450.00 plus thru (National Grange Mutual Public Employee Blanket Bond # F415046Y) which covers all Town employees in the amount of \$15,000.00 each, with an excess of \$600,000.00 for the Tax Collector and Deputy Tax Collector and \$250,000.00 for the Supervisor. For the Town Clerk to indemnify against losses through the failure of the officers, clerks and employees covered there under faithfully to perform their duties or to account properly for all monies or property received by virtue of their positions of employment, and through fraudulent or dishonest acts committed by the officers, clerks and employees covered there under

**ADOPTED – AYES: 5            NAYS: 0**  
Supervisor Maas  
Councilpersons: Richardson, Grund, Schulman and Story

**MOTION:** On motion of Councilperson Grund, seconded by Councilperson Story, the following motion was to approve the minutes of December 28, 2012, and be accepted as submitted. 4 Councilperson voted in favor. Councilperson Schulman abstained as he was not present at this meeting

**MOTION:** On motion of Councilperson Richardson, seconded by Councilperson Schulman, the following motion was to approve the minutes of January 2, 2013, and be accepted as submitted. All voted in favor

**MOTION:** On motion of Councilperson Story, seconded by Councilperson Richardson, the following resolution was to approve the bills on abstract # 1 in the following amounts.

General Account	Voucher # 1-14	\$4,456.34
Sewer Account	Voucher # 15-16	\$455.20
Highway Account	Voucher #'s 17-24	\$8,260.67

Prepaid claims were paid on 1/14/2013.  
Claim #'s 12 and 17 split between funds/same voucher. All voted in favor.

**CORRESPONDENCE:**

Engineering Properties: requesting to be retained as the Town engineer for 2013  
Time Warner Cable: Program changes  
Sullivan County Division of Public Works: re: Sullivan County Hauler License/User permit renewal application for 2013, Town of Cochection does not participate  
E-mail Jennifer Mall re: Gov. training sessions  
NYMIR: sending the fourth annual distribution in the amount of \$1,136.00 to return the Town’s entire initial capital investment of \$4,547.00  
UPPER Delaware Council: Annual report for Fiscal year 2012 (Oct. 1, 2011 – September 30, 2012)  
Attorney John J. Keating asking to be re-appointed as Attorney for the Town for FY 2013  
SLAC: Annual Holiday gathering held Dec. 21, 2012 at 10:00 AM at the Ted Stroebele Recreation Center  
Medicare Rights: Cover shingles vaccine. And the truth about Social Security  
NYS Dept. of Civil Service: 2013 NYS Health Insurance Program rates. The Town no longer participated in this program

**PUBLIC COMMENT:**

No one wished to comment.

**COMMITTEE REPORTS:**

97 Pull-Off: Councilperson Richardson – Asked the HWY Superintendent if he could get the tires that are over the bank removed. HWY Superintendent is not going to take care of the tires, poison ivy etc.

Youth Commission – Councilperson Grund: presented the Town Board with some of the events that will be held this year. . Joan Ernst will be the County representative

Office of the Aging: Councilperson Schulman no meeting yet

Web Site: Councilperson Story –Added Oct. Planning Board minutes, Added Dec. 12 agenda and resolutions with links to the upcoming meeting page. Removed information from the News alerts box, added Town Board minutes to board page. Changed bridge and post office notices in news alerts. Added several legal notices, year end and re-org meeting info in news alerts and placed them on the event calendar. Added Dec. 28<sup>th</sup> and Jan. 2<sup>nd</sup> agendas. Worked 9 ¼ hours

**DEPARTMENT HEADS:**

**SUPERVISOR:** (Gary Maas)

- Submitted a written report, bank information:
- 1. Monthly Financial Report

Supervisor’s report continues:

- 2. Bank Information:
- 3. Deposited \$ 100.00 UDC check
- 4. Deposited \$790.00 Judicial fees
- 5. Deposited \$ 1455.00 Judicial fees
- 6. Deposited \$7457.44 Town Clerk fees
- 7. Deposited \$1136.81 Insurance refund
- 8. Deposited \$2657.29 Mortgage tax
- 9. Made transfers and deposits as needed

Activity  
Calls with NYSEG, Dave Bodenstein, Dan Sturn, Cooper Neiman ,Delta Engineering Ethan Cohen, Danette Mall, Scott Haberli, Ray Olsen, Ira Cohen, Cochecton Oil, Earl Birch, Dan Hust, Victor Whitman, Kevin Esselman, George Walter. Meeting with FEMA, Mike Walter, CEO, Supervisors Meeting, Dennis Nearing, John Keating  
Worked on FEMA forms all completed.  
Worked on Procurement Policy and Re-organizational Meeting Appointments.  
Signed contracts with Cooper Niemann and Time Warner

CONTRACTUAL		\$5,500.00
Abstract #1	\$ 0.00	
Abstract #2	\$ 456.88	\$5,043.12
Abstract#3	\$ 634.15	\$4,408.97
Abstract #4	\$ 225.08	\$4,183.89
Abstract #5	\$ 655.07	\$3,528.82
Abstract#6	\$ 58.00	\$3,470.82
Abstract#7	\$ 106.60	\$3,364.22
Abstract#8	\$ 139.50	\$3,224.72
Abstract#9	\$ 150.60	\$3,074.12
Abstract#10	\$ 162.00	\$2,912.12
Abstract#11	\$ 239.12	\$2,673.07
Abstract#12	\$ 252.18	\$2,420.89
Abstract#12A	\$ 148.80	\$2,272.09

HIGHWAY SUPERINTENDENT: (Kevin Esselman)

Submitted a written report:

- 1. Serviced trucks and machinery
- 2. Repaired fuel tank on our blacktop roller
- 3. Had our start up meeting with F.E.M.A. Took them around town to show them the damage from Hurricane Sandy.  
Worked on paper work needed for our application. Had our garage door installed
- 4. Finished off the sand order which should give us enough to get threw the winter
- 5. Repaired a few driveways and ditches dew to all the rain we got.
- 6. Removed some trees around town.
- 7. Been out plowing and sanding roads as needed.
- 8. Worked 207 hrs

My contractual balance is \$5.60

Highway Superintendent also had the Highway Agreement to spend town capital monies for the board to approve and sign

MOTION: On motion of Councilperson Richardson, seconded by Councilperson Grund, the following motion was to accept the Highway agreement 248 as submitted by the Highway Superintendent. All voted in favor

TOWN CLERK: (Hollye Schulman)

- Submitted a written report; \$1,215 collected fees for December 2011
- I took care of the regular duties of the Town Clerk
- I attended the OSTCA meeting held in Middletown, NY. There was a round table discussion re: elections, dog licenses, death records, etc.
- The UDC check # 2831 in the amount of \$100.00 received 12/20/2012 and turned over to the Supervisor the same day
- Issued 2 permanent handicapped parking permit
- I provide telephone #'s for different departments. I have received telephone calls for the Tax Collector, Assessor, CEO, Bookkeeper and Justice Court as well as other tax questions
- Helped the Supervisor and Highway Superintendent with some matters for FEMA
- Worked a total of 119 3/4 hours
- Contractual balance: \$3,439.74 for 2012

CODE ENFORCEMENT OFFICER: (Gregg Semenetz)

- Submitted a written report:
- Worked 80 hours, traveled 477 miles, issued 7 building permits, no renewals
- No C of O’s, issued, 1 municipal search letters
- No appearance tickets
- Revenues \$1,220.60, Expenses \$335.90
- Contractual Balance: \$2.32 for 2012

It is a little quite, but working on sub-division for the spring. Unsafe buildings were discussed. 1 on Shortcut Road, porch roof on CR 116, NTP 1 or 2 trailers, The Pines State Route 52, not much new at this time. CEO also had pictures to show the board members of the 4 story structure on Shortcut Road. CEO also mentioned J. Hughson Excavating will be removing the

structure on West Shore Road, now that the ground is frozen. The Cell Tower on Muller road id moving forward, waiting on the electric and C of O

**TOWN ATTORNEY:** (John J. Keating) not present

Submitted a written report: Prepared and prosecute Justice Court matters (two dates). Attend special and monthly meetings. Worked on and filed with Secretary of State Local Law # 1 of 2012. Prepared three recreational leases and animal shelter option for 2013. Worked on town law/ordinance codification reports, and worked on town property use policy

**TAX COLLECTOR:** (Eileen Hennessy) not present

Submitted a written report:

As of January 12, 2013 balance in checkbook for 2012 --- \$0.13 and worked a total of 28 hours in December

**ASSESSOR:** (Lorry King) not present

Submitted a written report:

**OLD BUSINESS:**

1. Field review of sales and new construction continues

**NEW BUSINESS:**

1. Working with the Town Attorney on the affirmation for the data collection project
2. Advertisement for Data Collector published
3. Renewal exemptions will be mailed out to all as required by law

Hours worked Assessor: 12 1/4 hours, Clerk 52 hours

Contractual balance: \$1,976.12

**PLANNING BOARD:** (Sharron Cardone) no longer present

PLANNING BOARD MEETING DECEMBER 27 was cancelled.

No report

**SEWER OFFICER:** (Michael Walter)

Submitted a written report:

1. Average flow of 56,972 gallons per day for month of December
2. Obtained 97.5% C.B.O.D. and 96.8 % T.S.S. removal for December
3. Spent a total of 76 hours attending to sewer district affairs in December
4. Expenditures: \$607.53

Contractual balance \$ 723.66

**DOG CONTROL OFFICER:** (Rosemary Barile) not present

No report submitted

Contractual balance: not provided at this time

**HISTORIAN:** (K.C. Garn) not present

No report submitted

Contractual Balance: Not reported at this time

**UDC:** (Larry Richardson)

- The Upper Delaware Council held its regular meeting on Thursday January 3.
- First order of business was the election of officers: Jeffrey Dexter from the Township of Damascus was elected Chairman, Andrew Boyar from Highland was elected Vice Chairman and Jack Niflot from the Town of Fremont was once again elected as Secretary/Treasurer.
- Executive Director Ramie noted that we are still having difficulty drawing down our Federal funds and at this time we are operating on our own reserves.
- DEC representative Bill Rudge noted a press release announcing new regulations for the commercial sale of Large Mouth and Small Mouth Bass, commonly called Black Bass. Only licensed hatchery raised Black Bass are allowed to be sold in New York State.
- It was also noted that the comment period for the proposed Gas Drilling Regulations closes at 5:00 P.M. on Friday January 11. The NPS has prepared written comments on the matter.
- It was reported that the Skinners Falls Bridge will be closed for about 6 months while needed repairs are made.
- The UDC resource specialist Travis O'Dell will be meeting with the Town of Hancock to begin a review of their ordinances for the purpose of determining substantial conformance status.
- The Annual Awards Banquet has been set for April 28. This is the 25th year of operation for the UDC.
- Actions taken:
- Approved a revised and updated version of the Corporation's Bylaws. George Fluhr and I started this project in 1994.

**TOWN BOARD:**

**(Councilperson Schulman)**

Nothing to report at this time

**(Councilperson Grund)**

Nothing to report at this time

**(Councilperson Story)**

Nothing to report at this time

**(Councilperson Richardson)**

Best interest of the Town to make a decision re: gas drilling, he also gave a slide presentation on how he reached his decision re: gas drilling. His position is to ban gas drilling in the Town of Cochection. He would like to have it on the agenda for next month.

Supervisor Maas fracking sites always show a drilling rig. Councilperson Richardson mentioned that the fracking process needs to be repeated over time. Supervisor Maas needs to be improvement in the process he will wait to see what regs. in NY and prove it can be done safely. Councilperson Richardson ban and rescind later. Supervisor Maas concern litigation. Councilperson Richardson the State has tied the municipality's hands.

**Councilperson Story:** Does not want to make a rash decision; she is undecided until DEC regs. come to fruition

**Supervisor Maas** not making a decision

**Councilperson Grund:** No comment

**Councilperson Schulman:** He stated his position at an earlier meeting – perhaps a moratorium-- not in favor of gas drilling

**OLD BUSINESS:**

1. Basement completion and Generator – sheet rock ready, moving forward. Generator is in place and propane tank is in place, it is hooked up temporary until the line can be buried in the spring. Need a different switch for the hookup
2. Unsafe buildings –discussed earlier
3. Phone service – Time Warner Cable will switch over the service and the Supervisor ask Mike from Telecommunications to be available when they make the change
4. Codify Local Laws – Tag Grant—needed additional information which was provided by the Attorney and Town Clerk. Project is moving forward, should be able to have it completed by the deadline for the grant
5. Generator for Sewer Pump Station –met with Michael Walter at the Nearing Road property is 20'x 40' wiring will need to be updated, building is in poor shape on the bottom, may require a new building perhaps pre-fabed, As for the generator -- reserve fund may be used to cover the cost. Supervisor will check with FEMA and will look into this issue. Councilperson Richardson asked what would be needed to get the old one out. There is a trap door. Would it have to be reconfigured to get it out? No.
6. Article 78 –met with Attorney earlier this evening

**NEW BUSINESS:**

1. Appointment to Sullivan County Fire Advisory Board— Gary Cochran

**MOTION:** On motion of Councilperson Richardson, seconded by Councilperson Grund, the following motion was to appoint Gary Cochran to the Sullivan County Fire Advisory Board. All voted in favor

Councilperson Richardson mentioned the Climate Smart program. Supervisor Maas said that the Supervisor from the Town of Callicoon gathered all the required information and has heard nothing back

**PUBLIC COMMENT:**

Allan Rubin, New Turnpike Road, thanked Councilperson Richardson for his presentation. He also stated that some residents care about the welfare of our youth; others are concerned with the quality of life for our elders. Some focus on education. Then you have the environmentalists. I would like to dispel the notion that those in town who support Board Richardson's efforts on behalf of Cochection's future are single issue zealots who don't care about other issues. A complete copy of his comment is file at the Town Clerk's office if anyone wishes to review it

Joan Glase, Cross Road, had a list of gas drilling violations some 13, 600 plus with only 700 being addressed. Also thanked Councilperson Richardson for his presentation

Peter Grosser, Mill Road, felt there was nothing new in Councilperson Richardson's presentation. Said there were several studies that concluded there was no contamination from fracking. Waiting for the Health study to be concluded which will take some time. Also thanked the board for the mostly neutrality stance. Mentioned there were a lot of young people in Albany and he found them to be unruly and rude

Grace Van Hulsteyn, Not just young and old against gas drilling, perhaps that was what went on in Albany, no so in Cochection. Not just young against gas drilling

No one wished to comment

**MOTION:** On motion of Councilperson Grund, seconded by Councilperson Story, the following motion was to recess this Town Board meeting until January 23, at 6:30 p.m. to conduct interviews re: the Data Collection position, and information from the Attorney. Time 8:52 p.m. All voted in favor

Respectfully Submitted, \_\_\_\_\_  
Hollye Schulman, Town Clerk