

A regular meeting of the Town of Cochection was held on February 9, 2011 at 7:00 PM 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 p.m.

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

**OTHERS PRESENT:**

Hollye Schulman – Town Clerk  
Brian DuBois – Highway Superintendent  
Sharron Cardone –Planning Board Chair  
Gregg Semenetz --CEO  
John J. Keating –Attorney

**MOTION:** On motion of Councilperson Grund, seconded by Councilperson Story, the following motion was to move into an Attorney/Client Session to discuss the unsafe building on State Route 52, Lake Huntington. Time 7:30 p.m. All voted in favor

Others present: Town Clerk and CEO

**MOTION:** On motion of Councilperson Richardson, seconded by Councilperson Grund, the following motion was to move out of Attorney/Client session. Time 7:41 p.m. All voted in favor.

While in Attorney/Client session no decision was made

Supervisor Maas asked if anyone had anything to say, since both Terry and Lila Davidson the property owners were present.

Lila Davidson feels they have complied with the town to make the structure safe. They have contracted with a contractor to remove the roofing tiles and some other contractor to support the building until better weather. She also had some brochures and pictures for the board members re: how much the wood is worth and she also read an article re: old building and salvaged wood and how much it is worth. They have spent a lot of money and feels it is a shame to just destroy the building.

Councilperson Schulman asked what kind of wood was in the structure. Lila replied it is Hemlock. Councilperson Schulman said he could see if it was Black Cherry or Elm which are not all that common, but Hemlock is Hemlock.

Supervisor Maas mentioned that they were notified sometime in October of the unsafe condition of the structure. CEO and Attorney said you were required to get an engineer. Lila said the names of the engineers provided and she called them, no one would touch it.

CEO Gregg Semenetz said the building is not supported, was not approved by him, no engineer was involved and he does not know if the supports that were put in are strong enough to support the structure, and it was done without a permit.

Supervisor Maas went on to say that a legal notice was put out before the Dec. meeting and there four bids received to remove the unsafe structure. The town than allowed additional time for you to move forward, and as nothing was happening at the time of the January 12 meeting and at the January 26<sup>th</sup> meeting the bid was awarded to J. Hughson Excavating Inc. Again the board did not move forward immediately, but waited to see what might be happening with the structure. However, the town engineer after performing an inspection of the structure, and since it was found to be unsafe and in danger of collapse, and there is a strong possibility the debris is likely to fall onto NYS Rte. 52 and endanger the public. He strongly recommended that the building be condemned and demolished as soon as possible. CEO stated the structure is leaning toward Route 52 and Tony's on the Lake (formerly Pete's Pub).

Ethel Hulse, asked why they could not have an extension due to the weather. Supervisor said if the building was in a field it would be a different situation.

Supervisor Maas said the town is moving forward based on the decision our engineer made.

**MOTION:** On motion of Councilperson Richardson, seconded by Councilperson Grund, the following motion was to approve the minutes of January 12<sup>th</sup> and January 26<sup>th</sup> and be accepted as submitted. All voted in favor.

**MOTION:** On motion of Councilperson Richardson, seconded by Councilperson Story, the following motion was

To approve the bills on Abstract # 2 in the following amounts:

General Account	Voucher # 33-67	\$10,863.16
Capital Account Town Hall	Voucher # 68	\$73,890.00

**Bills on Abstract # 2 cont:**

Sewer Account	Voucher # 69-70	\$1,675.66
Highway Account	Voucher # 71-81	\$44,523.55

Claim #'s 33, 37, 60 and 64 are split between funds/same voucher

Prepaid claims were paid on 1/17/2011, 1/21/2011 and 2/1/2011. All voted in favor.

**CORRESPONDENCE:**

- Dorene Warner –W Design is moving along on the website. She need a map of the town. Supervisor has it on disc.
- Councilperson Richardson and Supervisor worked on pull off for the kiosk for the UDSB signs; the site is owned by the NYSDOT.
- Cheers will be renewing their liquor license
- Letter mentioning a meeting February 19<sup>th</sup> between 10:00 -12:00 at the Eldred High School re: dangers of natural gas
- Risk management quarterly report
- Sullivan County Chamber of Commerce is looking for a person to represent Cohecton for the Pride award
- .NYS Dept. of Labor violation notice –Town Highway Dept. Supervisor asked the Highway Superintendent how much has been done to correct the violations. Highway Superintendent replied he only has one more to complete. He needs MSD (Material Safety Data) sheets from all the vendors that handle dangerous products. Not just petroleum products. All vendors have them and can supply the Highway Superintendent with them and they need to be kept in a book and updated periodically. Also spoke about violence in the work place – need to have one and have it posted at each location. Needs to hold a class on dangerous chemicals for everything in spray cans etc. in the work place. The Highway dept. has many safety practices in place, goggles, gloves mask etc. Highway Superintendent not certified to teach class, but was told since he is the Superintendent it is his job. Councilperson Richardson said perhaps NIMR or State can help with this class.
- Keep Cohecton Green letter mentioned a meeting in Highland on February 19<sup>th</sup> and would like as many board members to attend as possible. Supervisor and Councilperson Richardson are planning on attending.
- Time Warner scholarship program available, Supervisor will give this information to the Sullivan West Central School if any students want to participate.
- Delta draft engineering study on road assessment re: gas drilling and road impact-- Councilperson Richardson thinks it is well written.
- Planning Board escrow money for a cell tower proposed by AT&T on the Ackermann farm in the amount of \$1,500.00
- Tom Shepstone sent information to the County re changes to the Cohecton Zoning and Comprehensive plans for their review. Councilperson Richardson hopeful review will be completed some time next week or at the end of the month of March at the latest. Need this information before the town can hold a Public Hearing on the matter.
- Councilperson Richardson asked if the County had the redraw lines for the sewer district –Attorney did not think it was necessary.
- Waterfront revitalization need a rep. and alternate. Supervisor will be representative, alternate will be picked later.

**PUBLIC COMMENT:**

Brenda Seldin re: Keep Cohecton Green addressed the board first.—DRBC gas regulation etc. and second legal forum Saturday Feb 19<sup>th</sup> would like board members to attend.

Councilperson Richardson said the UDC comments are being sent to the UDSB, only e-mail comments will be addressed you can either send them a regular letter or post on the web site.

Joan Glase, mentioned that just today the City of Buffalo voted to ban gas drilling. (City of Buffalo is not in the Marcellus Shale pocket).

No one else wished to comment

**COMMITTEE REPORTS:**

**Youth Commission:** No meeting due to weather, skiing was cancelled

**Office of the Aging:** Councilperson Schulman –no meetings so far.

**Planning Board** Councilperson Richardson,

**Litter Pluck:** Councilperson Story – Supervisor will get her the information she needs to get started

**DEPARTMENT HEADS:****SUPERVISOR:** (Gary Maas)

Submitted a written report:

## 1. Monthly Financial Report

Bank Information:

Deposited \$100.00 UDC check

Deposited \$300.00 Judicial fees

Deposited \$1290.00 Judicial fees

**Supervisor’s report continues:**

Deposited \$914.09 Town Clerk fees  
Deposited \$1,127,520.50 from town clerk, six deposits  
Deposited \$13,036.76 school sewer rent  
Deposited \$15,000.00 county transfer station rent  
Deposited \$383.43 sewer rent  
Deposited \$1285.70 NYS youth dept

2. Activity

Attended Interview for Justice Court Clerk  
Meetings & calls with Attorney, Contractor, Highway Supt., Engineer  
Repaired water system UV light bad at Town Hall  
Meeting with Phil Higby on the New Town Hall  
Meeting with DPW Robert Meyer on Transfer Station lease  
Made deposits and transfers as needed  
Daily checkup on New Town Hall  
Made calls for phone service and internet service  
Got quotes for phone service and met three times with different contractors  
Secured Frank Smith Well Drilling for water tank hookup

CONTRACTUAL		\$5,500.00	
<b>Supervisor’s report continues:</b>			
Abstract #1	\$ -0-	\$5,500.00	
Abstract #2	\$ 701.54	\$4,798.46	BALANCE
		\$	BALANCE

**HIGHWAY SUPERINTENDENT:** (Brian DuBois)

Submitted written report: Maintenance and repair as needed

- Sand and plow as needed
- Contractual Balance: \$1,500.00

Highway Superintendent mentioned that the burner in the highway garage is in need of being replaced as it is leaking carbon monoxide before the fire box, and it would be costly to repair. He has a quote from Pierpoint Heating and Plumbing for \$4,000.00 for a more efficient burner. Highway Superintendent said there is no heat for the men to work in the garage. The burner needs an expensive blower assembly. Board wants an additional quote. Councilperson Richardson asked the Highway Superintendent to get a quote from another heating repair service. CEO called Riverside and they can give the Highway Superintendent a quote in the morning.

**TOWN CLERK:** (Hollye Schulman)

Submitted a written report; Collected \$1,355.15 for the month of January

- I took care of the regular duties of the Town Clerk
- There was no OSTCA meeting in January
- January 21, received the check # 4796 in the amount of \$13,036.76 from the Sullivan West Central School District
- January 27, check # 1003 in the amount of \$383.43 from Lakeview Cottages and Motel Inc. Both checks were turned over to the Supervisor
- The UDC check # 1574 in the amount of \$100.00 received 1/27/2011 turned over to the Supervisor 1/27/11
- I issued one permanent and one replacement handicapped parking permit
- I received telephone calls which were for the Assessor, Justice Court, CEO, Planning Board, and people wanting to know when the transfer station is open, and request regarding burning permits
- People wanting to know about the unsafe building on State Route 52 and where it is located etc.
- Williamson Law Books Town Clerk Plus program is working out nicely
- My new hours are Monday, Tuesday, Thursday and Friday from 9:00 – 3:00.
- At this time I would like permission to attend the NYSTCA Training School to be held in Buffalo, NY from May 1-4<sup>th</sup>
- Contractual balance: \$34.00 for 2010  
\$6,650.00 for 2011

**MOTION:** On motion of Councilperson Richardson, seconded by Councilperson Grund, the following motion was to allow the Town clerk to attend the NYSTCA Conference/training school in Buffalo, NY from May 1-4. Vote was 4 to 0 with Councilperson Schulman abstaining.

**CODE ENFORCEMENT OFFICER:** (Gregg Semenetz)

Submitted a written report:

- Worked 80 hours, mileage 648, permits issued 2, renewals 0, C of O’s issued 0, notice of disapproval 0, Municipal search letters 7, appearance tickets 0, Revenues \$1,000.00, Expenses \$377.24,
- Contractual Balance: \$4,622.76

Issued 2 more construction permits, work going on (all inside work), last month was good for C of O searches.

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

Written report submitted:

- Taxes collected \$1,817,174.61, penalties \$167.24 for a total of \$1,817,341.85
- taxes paid out: Check to Supervisor Maas \$1,127,520.50
- Ira Cohen (County Treasurer) \$650,000.00, balance \$39,821.85
- Refund checks \$39.33 – already cashed
- Outstanding refund checks \$4,559.36
- Balance \$44,420.54---Balance in checkbook: \$44,420.83 = \$ .28 plus \$.01 to keep check book open – Off by \$.29
- Contractual balance: \$3,574.28 worked 129 hours in January

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

No report submitted

**TOWN ATTORNEY:** (John J. Keating)

Submitted written report:

- Attended monthly meeting and recessed meetings
- Worked on various matters w/Town clerk and CEO , etc, inc. unsafe building matters
- Prep and circulate ball field leases

Nothing more to add at this time.

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

Submitted: written report:

Old Business: Field review of sales and new construction continues

New Business:

New STAR requirements for Basic STAR Anyone who has income of \$500,000.00 and over will not be eligible to receive the Basic STAR. At this time, we are in the process of verifying these taxpayers, and are required to notify them by mail.

The State Budget that was released today is not very good news for the Assessment community. They have eliminated all State Aid for training and all reimbursement is gone. Also State Aid for Railroads and the State Aid for reassessment is out for any town in the reassessment program. The only aid available to Towns for reassessment will be limited to towns who has not revalued in years. Also as a part of this budget, is to create a uniform statewide system of parcel identification system. Our State association is monitoring this budget closely and I will keep you informed.

Expenses in Jan. \$104.11 for 2010

Expenditures for Jan. \$304.78 for 2011

Contractual Balance: \$3,538.37 for 2011

Hours worked 30 ½ -- her clerk 24 hours.

**PLANNING BOARD CHAIR** (Sharron Cardone)

Submitted a written report: Sharron did a short report on the meeting of January 27<sup>th</sup>

- Old Business: We hired Mike Musso from HDK as our consultant for the proposed cell tower on Mueller Road (Ackermann Farm) Stacy Calta works with Mike and was present at our meeting. Gregg Semenetz the town's CEO as well as Neil Alexander from Cuddy & Fedder rep. AT&T and Denise Tanzer from Tectonic Engineering were also present
- Went over the question of height of the tower, they are planning a balloon test to be done at a later date.
- Denise Tanzer went over a list of where Visual Photos will be taken
- Date of balloon test will be Monday 2/21/2011 if the weather is not agreeable then the test will be tried every day during that week. The balloon will be at 195' and the balloon will be either 3' or 5 ½ feet, Balloon will be sent up around 8:30 a.m. and will remain up for aprox. 4 hours if the larger balloon is used it will stay up for a longer period of time. Additional info will be sent to Cuddy & Fedder by Stacy from our consultant firm HDK, they feel should be on the site plan.
- Discussed the possibility of getting maybe some letter of credit or bond in the event the tower would need to be removed to cover the cost of the removal and the equipment as well.
- Photo of the balloon float maybe available at our February meeting and if not at our March meeting.
- Public Hearing most likely will be in April
- I have requested an additional monies for Escrow so that we have a total of \$10,000.00
- No new business at this time

Sharron would also like the board members to let her know how they wish to have her vote on the resolutions for the Association of Towns. She will be leaving for the Association of Towns Conference on February 20<sup>th</sup>.

**SEWER OFFICER:** (George Walter) not present

Submitted a written report:

- Average flow of 16,448 gallons per day for month of January
- Obtained 92.3% C.B.O.D. and 86.7 % T.S.S. removal for January
- Spent a total of 73 1/2 hours attending to sewer district affairs in January
- Expenditures \$124.02
- Contractual Balance: \$19,875.98

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

Submitted a written report:

- Opening balance Contractual Line A 3510.400 \$1,500.00 spent nothing, Line A 3510.401 enumeration \$1,000.00 which was also the closing balance
- Had 3 calls for dogs at large
- 1 lost dog call
- Worked 10 hours
- Contractual Balance: Closing balance \$1,500.00

**UDC:** (Larry Richardson)

Submitted a written report:

- The Upper Delaware Council held its regular meeting on Thursday February 3. Various committee reports were given
- The Council is planning a work session for Thursday February 10 with reps. From the DRBC to aid in reviewing their draft regulations for Natural Gas Drilling. All Council reps. And their alternates are invited. There will be no public comment period
- NPS is working on an EIS as it relates to non-federal oil and gas extraction activities in all Park areas
- DRBC reported that precipitation has been slightly below normal in our area, but there is estimated to be 59Bg of water stored in the snow pack around the reservoirs. Two public sessions on the draft DRBC regs. Are scheduled in our area. Tuesday Feb. 22 in the afternoon in Honesdale and Liberty Schools and also in the evening on those same days from 6:00 p.m. – 9:30 p.m. You must pre-register to speak. You can go to [www.DRBC.net](http://www.DRBC.net) Click on “What’s New” go to gas rule making and it will take you to a program called PEPC where you will be able to enter your comments
- A question was asked about the vote on the new DRBC regs. A majority vote of the commissioners require a unanimous vote: the budget and a draught declaration
- Actions taken: Approved a letter to the NPS expressing that the UDC is an interested party to the EIS proceedings

## **TOWN BOARD REPORTS:**

### **TOWN BOARD**

**(Councilperson Schulman)** nothing to report

**(Councilperson Story)** nothing to report

**(Councilperson Grund)** nothing to report

**(Councilperson Richardson)** IDA money may be available; perhaps we could apply and get a computer system for the New Town Hall. Councilperson Grund had some suggestions for the IDA money, maybe something for the Fire Dept. or Youth etc.

Some discussion: Lumberland draft response to the DEC regs.

### **OLD BUSINESS:**

1. New Town Hall – latest update – spoke about earlier
2. Comprehensive Plan and Zoning update –Public Hearing –waiting to hear back from the County
3. Town Web Site – waiting to hear from Dorene
4. New Town Hall Furnishings – Blinds, refrigerator , microwave – blinds will be discussed next time; may be preferable to have vertical blinds instead of horizontal as they would be easier to clean. Supervisor will speak to Pro-Jan. Councilperson Grund thought the cost of a 16 cubic foot refrigerator with freezer on top would be approx. \$390.00 and a microwave approx \$100.00
5. Unsafe Building – discussed earlier, Town will move forward with removal
6. Phone service and internet service – discussed with both Verizon and Time Warner Cable – March 1<sup>st</sup> tentative date for service to be turned on.
7. Transfer Station lease – Supervisor met with County – nothing final at this time
8. MMTF update – discussed earlier, meeting postponed until Feb. 17<sup>th</sup>
9. Lumberland Resolution – Councilperson Richardson read the Resolution regarding Home Rule and all board members feel it is a good idea to support it. Supervisor will rewrite it for the next meeting
10. Pulloff on Route 97 for byway –Supervisor is working on this matter and looking into a grant

**MOTION:** On motion of Councilperson Grund, seconded by Councilperson Schulman, the following motion was to approve payment to Mike Egan for the phone lines and internet lines he installed in the New town Hall as a prepaid for abstract # 3. All voted in favor

### **NEW BUSINESS:**

1. **LEVY GARBAGE pickup** Town cleaned up garbage on Shortcut Road and Buff Road. Town Clerk will send another letter with interest to them, if not paid will have a resolution to re-levy August or September for the FY 2012 property taxes
2. Waterfront Revitalization – Alternate –Supervisor will be delegate but still need an alternate
3. Justice Court Clerk pay- hourly rate 12 hours each to be taken out of Contractual.

**MOTION:** On motion of councilperson Richardson, seconded by Councilperson Grund, the following motion was to appoint two temporary assistant Court Clerks -- Lisa Sauer and Jacquelyn Fine until the kinks are worked out with the Justice Court program. All voted in favor

4. Credit card/debit card – each year it is a situation requiring an upgrade to the payroll program and someone has to put it on their credit card. Having a credit/debit card would eliminate this problem. Supervisor Maas will speak to a bank employee regarding this matter

Councilperson Schulman asked who would be authorized to use the card. Supervisor said he would be the one authorized, and it probably would be used only about 3 times a year.

**PUBLIC COMMENT:**

Joan Glase asked about the town web site, was told it may be ready by March meeting also wanted to know what the old town hall would be used for. Women's Club and other meetings that are currently held here now, as the community rooms in the New Town Hall will not be ready for awhile. Nutrition site will still be here etc. Maybe the Historian will use it to display items of interest to the town peoples and others

Ethel Hulse asked about the old barber shop building, there are windows missing and kids are getting in. the board acknowledged this is a problem.

No one else wished to comment

**MOTION:** On motion of Councilperson Richardson, seconded by Councilperson Grund, the following motion was to recess this town board meeting until March 1, 2011 at 7:00 p.m. at the New Town Hall for a walk thru and then return to the current Town Hall to continue the meeting. Time 9:47 p.m. All voted in favor.

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