

REGULAR COCHECTON TOWN BOARD MEETING, MARCH 13, 2013

PUBLIC HEARING

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A regular meeting of the Town of Cochection was held on March 13, 2013 at 7:00 PM at the Cochection Town Hall with the following members present:

(Between 7:00 PM and 7:30 PM to hold the Public Hearing & for the purpose of auditing bills)

Meeting was called to order by Supervisor Maas with the pledge to the flag at 7:33 PM.

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

Others Present:

Hollye Schulman --Town Clerk Kevin Esselman --Highway Superintendent

Town Clerk read the legal notice advertising the Public Hearing re: Time Warner Cable Franchise renewal contract

MOTION: On motion by Councilperson Grund, seconded by Councilperson Richardson, the following motion was to open the Public Hearing for TWC contract; Time 7:00 p.m. All board members present voted in favor

Earl Bertsch, Bertsch Road, asked how many customers per mile. Supervisor Maas said the state has 20 customers per mile, but TWC goes down to 16 per mile. Most populated areas of the town have been covered. TWC put in a lot of cable this past year. Mr. Bertsch asked if there was a set fee per foot, he was quoted \$5.31 per foot. Mr. Bertsch also asked if they were raising the percentage we are still at 5%, some towns are getting only 3%.

During the Public Hearing Susan Zieres gave a presentation re: the members of her class wanting to hold a 5K run on May 19th, in the Town of Cochection to support SADD. Would need to have roads closed; she needs to contact the DPW re: road closings. There will be water stations and the participants will be sprayed with water soluble paint. This was discussed

MOTION: On motion by Councilperson Grund, seconded by Councilperson Schulman, the following motion was to close the Public Hearing. Time 7:33 p.m. All board members present voted in favor

Supervisor opened regular meeting at 7:33 p.m. with pledge to flag

Supervisor read a letter from Carol Roig re: her response to the Resolution Climate Smart Community Pledge, it looks good as written.

RESOLUTION # 29

CLIMATE SMART COMMUNITY PLEDGE

On motion by Councilperson Richardson, seconded by Councilperson Grund, the following resolution was

WHEREAS: the Town of Cochection believes that climate change poses a real and increasing threat to our local and global environments which is primarily due to the burning of fossil fuels, and

WHEREAS: we believe that our response to climate change provides us with an opportunity to save money and also we believe the scale of greenhouse gas (GHG) emissions reductions required for climate stabilization will require sustained effort, and

WHEREAS: we believe that even if emissions were dramatically reduced today communities would still be required to adapt to the effects of climate change for decades to come.

IT IS NOW RESOLVED: that the Town of Cochection, in order to reduce greenhouse gas emissions and adapt to the changing climate will *Pledge to Combat Climate Change by Becoming a Climate Smart Community:*

1. Decrease Energy Demand for Local Government Operations

Existing Public Facilities We will look to decrease energy demand in our local government operations by inventorying current building electricity usage and identify opportunities for conservation and efficient retrofits such as purchasing energy efficient equipment and appliances, such as ENERGY STAR improved lighting, heating, and cooling efficiency, setting thermostats for maximum energy conservation, decreasing plug load from office equipment, and increasing pump efficiency in water and wastewater systems.

New Public Buildings Aim to achieve at least minimum U.S. Green Building Council Leadership in Energy and Environmental Design standards (LEED Silver) for all new local government buildings.

Infrastructure Strive to incorporate energy efficient technologies and operations and maintenance practices into municipal street lighting, traffic signals, and water and wastewater treatment facilities.

Vehicle Fleet and Commuting Improve the average fuel efficiency of local government fleet vehicles. Discourage vehicle idling. Consider reducing the number of vehicles, converting fleet vehicles to sustainable alternative fuels, and using electric vehicles where possible.

2. Encourage Renewable Energy for Local Government Operations

Supply as much of the local government's power, heat and hot water needs as possible from solar, wind, and small hydro through purchase or direct generation.

3. Realize Benefits of Recycling and Other Climate Solid Waste Management Practices

Expand the "reduce and recycle" approach to waste management in local government operations. Reduce the amount of solid waste generated. Provide recycling receptacles in local government buildings and outdoor spaces, require duplex printing in government office and adopt a comprehensive green purchasing program.

4. Promote Climate Protection through Community Land Use Planning

When reviewing and updating land use policies, building codes or community plans, include provisions to combat climate change, reduce sprawl, preserve and protect open space, and water supplies, minimize new development in floodplains, maintain or establish healthy community forests, and promote best forest management practices and encourage tree planting, especially along waterways, to increase shading and to absorb carbon dioxide.

5. Inform and Inspire the Public

Lead by example. Highlight local government commitment to reducing energy use, saving tax dollars, and adapting to changing conditions. Demonstrate the benefits of energy savings, energy efficiency, and renewable energy projects. Regularly communicate climate protection goals and progress to constituents.

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6. Commit to an Evolving Process

Acknowledge that research and policy on climate protection are constantly improving and evolving. Be willing to consider new ideas and commit to update plans and policies as needed. Compare successes, cooperate and collaborate with neighboring communities to redirect less-effective actions and amplify positive results.

ADOPTED: AYES: 4 NAYS: 0 Councilperson Story absent
Supervisor Maas
Councilpersons: Richardson, Grund and Schulman

RESOLUTION # 30
TIME WARNER CABLE CONTRACT

On motion by Councilperson Grund, seconded by Councilperson Richardson, the following resolution was
WHEREAS, the Town of Cochection Board of the Town of Cochection, Sullivan County, New York, held a
Public Hearing on March 13th, 2013, at 7:00 p.m. at the Cochection Town Hall, 74 Smales Road, Lake Huntington, New York, for the
purpose of considering a request by Time Warner Cable Northeast LLC, Time Warner Cable (“TWC”) for a franchise agreement
renewal, and

WHEREAS, the Town of Cochection Town Board of Sullivan County, New York and Time Warner Cable are desirous of entering into
an agreement, and

NOW, THEREFORE BE IT RESOLVED by the Town Board of the Town of Cochection, Sullivan County, New York, authorizes the
Supervisor of the Town of Cochection to accept and execute said proposed franchise agreement with Time Warner Cable and that this
Resolution shall take effect immediately.

ADOPTED: AYES: 4 NAYS: 0 Councilperson Story absent
Supervisor Maas
Councilpersons: Richardson, Grund and Schulman

RESOLUTION # 31
HEALTH INSURANCE

On motion by Councilperson Richardson, seconded by Councilperson Schulman, the following resolution was
WHEREAS, the Town of Cochection Board of the Town of Cochection, Sullivan County, New York, will allow employees that are not
employed with the Highway Department or Sewer District the opportunity to purchase Health Insurance through the Town of
Cochection ‘s Health Insurance provider, and

WHEREAS, the Town Board of Cochection is willing to provide this opportunity to its employees to purchase health insurance, it will
be required that each employee wishing to acquire this service must sign an agreement with the Town of Cochection stating that they
agree to make payment prior to each month’s billing or taken out of their monthly paycheck. All deductibles are the responsibility of
the employee and costs of implementing this policy will be the sole responsibility of the employee. When employees want to leave
the insurance program a 30 day minimum notice is required.

NOW, THEREFORE BE IT RESOLVED by the Town Board of the Town of Cochection, Sullivan County, New York, authorizes any
employee who wishes to participate in acquiring health insurance can do so through the towns health insurance group and that all costs
are the employees responsibility.

ADOPTED: AYES: 4 NAYS: 0 Councilperson Story absent
Supervisor Maas
Councilpersons: Richardson, Grund and Schulman

MOTION: On motion of Councilperson Grund, seconded by Councilperson Schulman, the following motion was to approve the
minutes of February 13, 2013 and be accepted as submitted. All board members present voted in favor

MOTION: On motion of Councilperson Richardson, seconded by Councilperson Schulman, the following motion was to approve for
payment the bills on abstract # 3 in the following amount.

General Account	Voucher # 95-124	\$26,672.44
Debit Card Account	Voucher #'s 125	\$3,861.08
Sewer Account	Voucher # 126-129	\$1,102.55
Lighting District Account	Voucher # 130	\$575.63
Highway Account	Voucher # 131-141	\$24,708.04

Claim #'s 96, 98, 119 and 125 are noted as splits between funds, same voucher.
Prepaid claims were paid on Feb. 14, 19 and March 7, 2013
All board members present voted in favor.

CORRESPONDENCE:
Letter: Sullivan County Treasurer: asking for information for year ending 2012: total outstanding debt, total excludable debt and
property tax rate per \$1,000.00 of assessed value. Supervisor responded to this letter, we have no debt, excludable debt and the tax
rate per \$1,000.00 of assessed value is 7.21
Sullivan County Legislator Scott Samuelson: re: IDA Uniform Tax Abatement Policies- March 26, 2013 at 11:00 AM at the
Government Center
Letter: Assembly Aileen Gunther response to Town of Cochection’s resolution on the SAFE Act.
Letter: Senator John Bonacic response to Town of Cochection’s resolution on the SAFE Act
TWC: program changes
TWC: re: Public Hearing Franchise – Supervisor to sign agreement after Public Hearing
National Parks Service: “Delaware River Basin National Wild and Scenic River Valley” report defining the values that, combine with
free flowing conditions and high water quality characteristics, made four Delaware River areas worthy of special protection
New York State Dept. of Labor: legislation amending Section 27-a of the Labor Law which requires employers to provide certain
emergency escape systems to firefighters at risk of entrapment at elevations
National Park Service Upper Delaware news release – A River of Outstanding Remarkable Value

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Correspondence continues:

NYS Dept of Ag & Markets: Municipal Shelter Inspection report for the Humane Society of Middletown;--passed

PUBLIC COMMENT:

Joan Glase, Cross Road, asked to have Aileen Gunther’s letter read. Supervisor read the letter
No one else wished to comment

COMMITTEE REPORTS:

97 Pull off: Councilperson Richardson tried to pick up some tires, after the truck accident on Route 97 noticed the Historical Land marker was missing, saw it down the embankment thought he would go after it. Did not realize how steep it really was. Sign was cracked, so he got in touch with Dean Smith who will have his welder try and weld the cast iron, and get it to him when it is ready

Youth Commission: Councilperson Edwin Grund said the Youth Commission met last Monday night, have gone bowling; will be going to the movies. Bylaws have been looked at and finalized. They are still looking for new members

Office of the Aging: Councilperson Richard Schulman reported The Chained CPI: Cutting your Social Security COLA
Social Security’s Cost-of-living adjustments (COLA) to monthly benefits are designed to help retirees keep up with the rising living standards and costs. COLAs currently are tied to the Consumer Price Index for Urban Wage Earners (SPI-W), which surveys price changes in the average set of goods purchased by urban wage earners and clerical workers. The CPI-W formula does not protect seniors’ purchasing power because it fails to account for the fact that seniors spend two to three times as much of their budget on medical care than younger households. Yet, many in Congress are seriously considering cutting your Social Security benefits by now tying the COLA to the Chained CPI (C-CPI-U) a smaller measure of inflation. The complete report is on file at the Town Clerk’s office if anyone wishes to review it

Website: Councilperson Anna Story- not present, but submitted a written report, which the Supervisor went over. Added Feb. 10 agenda with minutes and resolutions to the upcoming meetings. Added November Planning Board minutes; added new Procurement Policy to Policies page. Removed expired information from legal notice page. Archived Town Board minutes and Planning Board minutes, put Woodpecker picture from Larry in the picture gallery. Added Town Board minutes to the Board; added Court Clerk office closing and Tax Collector office hours in news alerts. Changed Supervisor’s message on home page, and added Youth Board events to Youth page and calendar. She worked 6 ¾ hours on the website in the month of February

DEPARTMENT HEADS:

SUPERVISOR: (Gary Maas)

- Submitted a written report;
- Monthly Financial Report
- Bank Information:
- Deposited \$ 100.00 UDC check
- Deposited 370.00 Judicial fees
- Deposited \$1577.50 Judicial fees
- Deposited \$832.06 Town Clerk fees
- Deposited \$5,996.84 FEMA check-debris cleanup
- Deposited \$2,358.75 FEMA check- sewer
- Deposited \$2,320.01 FEMA check-road repair
- Transferred \$50,000.00 to Machinery Capital Reserve
- Made transfers and deposits as needed
- Activity
- Calls with Ira Cohen, John Cappello, Dan Sturn, Cooper Neiman, Joe Manaseri, Tom Bose, Ed Sykes.
- Meetings with Scott Samuelson, John Keating
- Attended Supervisors Meeting
- Contract officially signed with Labor with copies distribute
- Worked on Management Letter and Financials are complete and filed with state
- CONTRACTUAL \$5,000.00

Abstract #1	\$ 11.89	\$4,988.11
Abstract #2	\$ 287.91	\$4,700.20
Abstract#3	\$ 576.92	\$4,123.28
Abstract #4		
Abstract #5		
Abstract#6		
Abstract#7		
Abstract#8		
Abstract#9		
Abstract#10		
Abstract#11		
Abstract#12		
Abstract#12A		

HIGHWAY SUPERINTENDENT: (Kevin Esselman)

- Submitted written report, plowed and sanded as needed
- Had a few repairs on the equipment

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Highway report continues:

- Received a quote for a fuel management system. Unfortunately the price is a touch more than we had anticipated. We would be looking at about \$14,500.00 for this system
- Called NYSE&G and I'm in the process of filling out an application for a rebate on the lights I replaced
- Patched roads
- Cut trees on Nearing Road. Just have a few limbs to clean up
- Worked 160 hours
- Contractual Balance:\$2,623.45

Highway Superintendent has gotten some prices for a chipper from Marshall Machinery—an 18” Morebark cost approx. \$55,000.00, 15” cost approx. \$51,000.00, 14” cost approx. \$45,000.00 and a 12” coat approx. \$ 38,500. Also had a price for a Bandit 18” approx. \$46,400. He is having a demo tomorrow at several different spots throughout the Town of Cochecton

TOWN CLERK: (Hollye Schulman)

Re: monthly report

- I took care of the regular duties of the Town Clerk
- There was no OSTCA meeting, due to clerks going to the Association of Towns.
- The UDC check # 2931 in the amount of \$100.00 received 2/28/2013 and turned over to the Supervisor the same day
- Issued 1 permanent handicapped parking permit, as well as 1 marriage license
- I received information from Racing and Wagering re: the Fire Dept. request for a Bingo license, they have a number but have not gotten a license as they have not come in with the information that I need to process it
- Worked with Cooper Neimann/Auditors for FY 2012 annual financial report information
- Printed out tax forms for persons needing to update STAR and AG status with the Assessor
- I provide telephone numbers for different departments. I have received telephone calls for the Tax Collector, Assessor, CEO, Bookkeeper and Justice Court as well as other tax questions. Also questions regarding the Western Sullivan Transfer Station hours
- I will be out of the office on March 18th, I will be attending a NYSTCA regional meeting in Latham, NY. This meeting counts as educational points toward the renewal of my RMC
- I will be out of the office April 12th through the 22nd. I will post this information on the door, as well as on my phone message
- Worked a total of 111 hours
- Contractual balance: \$6,322.62

CODE ENFORCEMENT OFFICER: (Gregg Semenetz) not present

Submitted a written report: Supervisor went over report. Worked a total of 80 hours. Total mileage 652. Permits issued: 1 Renewals: 0, C of O's issued: 15; Notice of Disapproval: 2, Municipal search letters: 1, Appearance tickets: 0, Revenues: \$175.00*, Expenses: \$408.60 * A check for \$100.00 was returned for insufficient funds—revenue now \$75.00 Contractual balance: not given

Of the unsafe building letters sent out, so far there have been no responses.

Overlooked at the end of the year a re-levy needs to be done on the unsafe building the town had to remove on CR 116 Lennox Bailey property.

MOTION: On motion by Councilperson Grund, seconded by Councilperson Richardson, the following motion was to have the Town Clerk re-levy the Lennox Bailey property bill on his 2014 property tax bill. All Town Board members present voted in favor

ATTORNEY: (John J. Keating)

No report received- he is in the hospital

TAX COLLECTOR: (Eileen Hennessy) not present

No report due to death in family

ASSESSOR: (Lorry King) not present

Submitted a written report; which the Supervisor went over

Old Business: 1. All exemption/renewals were due in the office by are March 1, 2013. 2. Working on data collection project with 911 numbers from the County

New Business: 1. Data Collection project: Terri is updating the lap map with addresses to use for the field review, and making copies of the old data collection cards for her field verification use. Linda is following up by doing data entry for the address updates as well as data collection letter updates. 2. I have received the certification from the Attorney for the data collection letters that the taxpayer will sign off on. 3. Our LOA for 2013 is 80% which should be our equalization rate as well, up from 74%. 4. On Monday, March 11th the Office of Real Property rep (Diana Burke) will be here to update the RPS system to the new build 2012. I will be here with Diana to make sure everything goes smoothly. I don't anticipate any problems with this upgrade. 5. The training for the Board of Assessment Review will be on Wednesday, May 1st, 2013 at 6:00 p.m. in the Legislative Hearing room, in the Government Center, Monticello, New York.

Expenses \$29.08

Worked 35 hours, Clerk worked 63 1/5 hours Terri worked 21 hours (some of the hours worked by Linda and Terri are for Data Collection

Contractual Balance: \$3,431.93

PLANNING BOARD CHAIR: (Sharron Cardone) not present

Planning Board meeting of February 28, 2013

- Meeting was opened by me at 7:30 PM- all members were present.
- Minutes of the January meeting were approved.

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Planning Board report continues:

- Correspondence – Neal mentioned a meeting regarding future plans for Route 17 – he will forward more information on this to me.
- Public Hearing on the Bernas subdivision was opened – no members of the public were present. Public Hearing was close.
- Old Business – Bernas subdivision - Mr. Bernas is subdividing a 110.26 acre parcel into 2 parcels. 16.60 acres and 93.66 acres. – Motion for final approval with Town of Cochection as lead agency and negative declaration was made and approved.
- Earl, George Walters and George Blaso attended the training session at the Government Center. Certificates will be sent by Sullivan County Planning to Hollye.
- New Business – None
- Other Business – I inquired if anyone heard any info regarding the article 78 – no one has heard anything.
- Questions arose regarding any new zoning pages –I will find out if any and if so will have them sent to the board members.
- Meeting was adjourned at 8:00 PM.

SEWER OFFICER: (Michael Walter) not present

Submitted a written report:

- Average flow of 39,784 gallons per day for month of February
- Obtained 90.9 % C.B.O.D. and 66.6 % T.S.S. removal for February
- Spent a total of 64 1/2 hours attending to sewer district affairs in February
- Expenditures: \$1,102.55
- Contractual Balance: \$18,727.74

DOG CONTROL OFFICER: (Rosemary Barile) not present

Submitted a written report; The Supervisor went over the report

Worked 8 hours

Contractual balance of \$3,000.00

Enumeration Contractual Balance: \$500.00

HISTORIAN: (K. C. Garn) not present

No report received

UDC: (Larry Richardson)

- The Upper Delaware Council held its regular meeting on Thursday March 7. There were no reports from the Operations or Project Review Committees having been cancelled due to inclement weather.
- Vice-Chairman Andrew Boyar filled in for the missing Jeffrey Dexter. DEC Representative Bill Rudge advised that the agency will be restructuring its hunting and fishing license program to reduce the number of licenses one must obtain. The new program is to begin in February 2014. The DEC will also be seeking input for its Open Space Plan that is due to be reviewed. Only properties that have been identified in the Plan can be purchased with state funds.
- NPS Superintendent McGuinness discussed the funding cuts his department is dealing with. As a result, the UDC funding is being reduced by \$12,500. It should be remembered that the UDC has continued to operate at its 1988 funding level of \$300,000. The UDC is operating with three staff members rather than the four people it has had. The Plan envisions a staff of five.
- The WURM Committee had an excellent presentation by DR. Kolesar dealing with proposed changes in water releases from the NYC Reservoirs. The proposed changes are referred to as “pulse” releases. These pulse releases would be used to cool the waters in the main stem of the Delaware as far south as Lordville. These releases would be used to relieve the thermal stress on the trout. Thermal stress occurs when the river water reaches 75°F. Much of the fishing in the northern reaches of the River is considered at a World Class level. By extending this great fishing further down river, the potential for economic benefits to the region is great. It should be noted that this “banked” cold water would not necessitate increasing the water levels in the impoundments and thus increase the risk of flooding downstream. The recorded presentation is available on YouTube if anyone is interested.
- The Annual Awards Banquet has been set for April 28. Since this is the 25th year of operation for the UDC, it would be nice if we could get some Board members to attend.
- Actions taken:
 - Approved Resolution 2013-07: Support for “Lordville Thermal Stress Relief Protocol”
 - Approved a letter to Town of Delaware commenting on their proposed Zoning Law Amendments
 - Approved the quote from Kittatinny Canoes to provide rafts for the annual raft trip.

TOWN BOARD:

(Councilperson Story) – Not present

(Councilperson Schulman) – Nothing to report

(Councilperson Grund) - Nothing to report

(Councilperson Richardson) - mentioned the need to have rules for the Town Hall use

(Supervisor Maas) Nothing more to add

OLD BUSNISS:

1. Basement completion – discussed , cabinets have been installed, plumber coming soon
2. Unsafe buildings Pines on hold for now. CEO has gotten no response from the letters he sent out.
3. Phone service –concluded
4. Codify Local Laws – Tag Grant –received three books and General Codes suggestions for possible wording changes. Town Board will look over and decide what language if any they would like to change. Will recess to March 21st at 6:30 p.m. for a work session on this matter
5. Generator for Sewer Dept.—generator on hold for now, building needs to be addressed first
6. Article 78 –taken care of earlier, Supervisor authorized to sign off
7. Clean up days – need tonnage from County, will hopefully have information by the next meeting

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NEW BUSINESS:

- 1. Re-levy for unsafe building – taken care of earlier (Lenox Bailey)
- 2. Computer server security – being looked at, server will be moved into the vault and have a battery backup -

PUBLIC COMMENT:

Joan Glase, Cross Road, thanked the board for passing the Climate Smart Communities Pledge. There was some discussion

MOTION: On motion by Councilperson Grund, seconded by Councilperson Richardson, the following motion was to move into executive session to discuss a personnel matter. Time 9:09 p.m. All board members present voted in favor

Others present: Town Clerk

MOTION: On motion by Councilperson Grund, seconded by Councilperson Richardson, the following motion was to move out of executive session. Time 9:20 p.m.

While in executive session no decision made.

MOTION: On motion of Councilperson Richardson, seconded by Councilperson Grund, the following motion was to recess this Town Board meeting; to March 21st at 6:30 p.m. to discuss the Codification of the Town of Cochection Local Laws and any changes to language that might be decided on. Also to interview a potential interim Attorney. Time 9:21 p.m. All board members present voted in favor.

Respectfully Submitted, _____
Hollye Schulman, Town Clerk