

A regular meeting of the Town of Cochection was held on April 11, 2012 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 7:31 PM.

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

OTHERS PRESENT:

Hollye Schulman –Town Clerk
John J. Keating –Attorney entered at 7:45 p.m.
Sharron Cardone – Planning Board Chair
Rosemary Barile –DCO
Kevin Esselman –Highway Superintendent
Gregg Semenetz –CEO entered at 8:00 p.m.
Eileen Hennessy –Tax Collector

MOTION: On motion of Councilperson Story, seconded by Councilperson Richardson, the following motion was to approve the minutes of March 14, 2012 and be accepted as submitted. All voted in favor.

MOTION: On motion of Councilperson Grund, seconded by Councilperson Schulman the following motion was to approve for payment the bills on abstract # 4 in the following amounts.

General Account	Voucher # 144-176	\$5,129.12
Debit Card Account	Voucher # 177	\$39.99
Sewer Account	Voucher # 178-180	\$1,769.25
Lighting District	Voucher # 181	\$554.58
Highway Account	Voucher # 182-190	\$20,462.88

Voucher #'s 145, 148, 152, 153, 170 and 174 are noted as splits between funds, same voucher.

Voucher #'s 144-151 are noted as PREPAID on 3/14/12, and 4/4/12. All voted in favor.

Presentation by: Archangel Airborne – proposed triathlon. Stuart Hersch has not arrived at this time, will address this issue later.

Quotes for Old Town Hall exterior Painting: There were two quotes submitted. 1. John's Handyman Service in the amount of \$2,340.00 plus the \$350.00 for option # 3 on his proposal for a total of \$2,690.00. 2. Homer Spangler in the amount of \$5,600.00.

RESOLUTION # 17

ACCEPT THE QUOTE SUBMITTED BY JOHN'S HANDYMAN SERVICE

On motion of Councilperson Richardson, seconded by Councilperson Schulman, the following resolution was WHEREAS, the Old Town Hall is in need of painting and staining, and

WHEREAS, the Supervisor acquired two quotes, the lowest one being from John's Handyman Service in the amount of \$2,690.00 including option # 3 on his proposal, therefore

BE IT RESOLVED, that the Town Board accepts the quote submitted by John's Handyman Service in the amount of \$2,690.00

ADOPTED: AYES: 5 NAYS: 0

Supervisor Maas

Councilpersons: Richardson, Grund, Schulman and Story

CORRESPONDENCE:

Letter from the Allyson Whitney Foundation re: the foundation being turned down by the Sullivan West High School to use part of their property for the event that was planned, after the foundation went through all of the school's requirements.

Sullivan County: Litter Pluck date will be April 28th and litter pluck trash will be accepted until May 6th, to allow each community an opportunity to participate

e-mail from Grace van Hulsteyn asking to have gas drilling on the agenda, she was told through an e-mail the agenda has been set, and she will be allowed along with anyone else to comment at the last Public Comment session which allows for comment on any topic.

Letter from Robin Solvan: re; hydrofracking gas drilling and "the health, safety and welfare" of the Town of Cochection Residents as well as other issues. A reply letter will be sent

Engineering Properties –re: basement completion. This will be discussed later

Letter from the NYSDEC –notifying the Town about the violations at the Little Joseph Realty Mine located on State Route 97

SLAC meeting –Aileen Gunther was the guest speaker

Sullivan County –Most towns are self funding – this will be discussed later

Received a check from Time Warner Cable in the amount of \$10,028.79 for the franchise fees

Letter from Ag & markets re: Dog Control Officer Inspection Report completed March 20, 2012 Town of Cochection rated a satisfactory

Letter from DOT letting town know the Skinner Falls Bridge has been closed by the PA DOT for an unspecified time

Time Warner Cable advising that the construction planned for the Town of Cochection has been completed

Received proxy for the annual meeting of NYMIR

Dept. of Taxation and Finance advising information re: the 4 franchise org. in our Town

Sullivan County DPW advising snow watch will end on March 25th.

PUBLIC COMMENT:

Dennis Nearing, Nearing Road, asked about the staining and painting of the Old Town Hall, since there was a large difference in the quoted price to do the job. Should know what paints or stains are going to be used. This was discussed

No one else wished to comment.

COMMITTEE REPORTS:

Route 97 Pull-off: Councilperson Richardson, he had nothing to report, however the Supervisor had some information. Permits are in place for the blacktop apron and sign etc. this does not include at this time the planting of flowers, that will require an additional permit and permission

Youth Commission: Councilperson Grund – monthly meeting was April 3, 2012; the events planned were trip to Great Wolf Lodge May 5, April 15 movie the “Lomax” at the Callicoon Theater

April 22 trip to Ross Park Zoo

Horseback riding planned for May 19th

June 10, swimming, bowling, tennis, etc. at the Villa Roma rafting camping July 29-30

There might be another opening on the Youth Board, will know more next month

Office of The Aging: Councilperson Schulman –gave a report re: SLAC meeting he attended on Friday

Litter Pluck: Councilperson Story – she has been contacting people and has bags for them to use. Litter Pluck is April 28th – May 6th, bags can be taken to the transfer station at any time, but should note that they are from Litter Pluck. The garbage can be picked up any time before April 30th

Website: Councilperson Story –updated website as new information came in. She will put the hours for the Preservation Society on the website. Also will put the Planning Board Chair e-mail on the website

DEPARTMENT HEADS:

SUPERVISOR/ DEPUTY SUPERVISOR (Gary Maas) present

- Submitted written report:

1. Monthly Financial Report

Bank Information:

Deposited \$100.00 UDC check

Deposited \$1037.50 Judicial fees

Deposited \$1740.00 Judicial fees

Deposited \$722.54 Town Clerk fees

Deposited \$10,028.79 Time Warner Franchise check

Deposited \$2,559.13 IDA check

Made transfers as needed

2. Activity

Meeting with Millennium Pipeline

Computer set up for highway

Attended Supervisors meeting

Meetings & Calls with CEO, Highway supt., FEMA, Dan Sturm, George Conklin

Attended MMTF training for implementation of Road Use Agreement

Called and met with Ross Winglovitz on completing community room

Meeting with representatives from Jeff Bank

CONTRACTUAL		\$5,500.00
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Abstract #1	\$ 0.00	
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Abstract #2	\$456.88	\$5,043.12
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Abstract#3	\$634.15	\$4,408.97
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Abstract #4	\$225.08	\$4,183.89
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HIGHWAY SUPERINTENDENT: (Kevin Esselman) present

Submitted written report:

- We spent time in the beginning plowing and sanding.
- I attended a Delta work session in the Town of Tusten. Also made a trip up to Albany to speak with our county representatives to keep or increase our C.H.I.Ps money. I and a few other Superintendents went to Cortland for a tour and demonstration of Suit Kotes lab and facilities.
- With the nice weather we were able to replace culvert pipes on all the roads that will be paved. It was a total of 585 feet of pipe.
- The men have also been out ditching and cutting brush.

Highway Superintendent report continues:

- Now we've been out grading our gravel roads with crusher run.
- My contractual balance - \$752.36

- Worked 171 hours

HWS wants to put out a bid for blacktop and stone.

RESOLUTION # 18:

TOWN CLERK TO PLACE LEGAL NOTICE FOR STONE AND BLACKTOP

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

WHEREAS, the Highway Department is in need of stone and blacktop to perform their duties,

NOW BE IT RESOLVED, that the Town Clerk place legal notices for blacktop and stone bids for the Highway Dept. and

BE IT FURTHER RESOLVED, that the bids shall be returnable by May 8, 2012 to the Town Clerk's office and they will be opened at the regular town board meeting on May 9, 2012

ADOPTED: AYES: 5 NAYS: 0

Supervisor Maas

Councilpersons: Richardson, Grund, Schulman and Story

Highway Superintendent asked about purchasing a new truck to replace # 28 which is over 20 years old. He would like to purchase a tandem which would be able to sand and plow at the same time therefore saving time and fuel and wear and tear on the truck. Looking at a 14' body, the sander would be placed by back real wheels. There was some discussion and the Highway Superintendent will, along with the Attorney, make up the specs for the truck

RESOLUTION # 19

HIGHWAY SUPERINTENDENT TO GET PAPER WORK FOR SPECS FOR LEGAL NOTICE

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

WHEREAS, the Highway Superintendent has requested to purchase a new truck and the legal notice will require the specs for the bidders, and

WHEREAS, the Highway Superintendent, along with the Attorney, will get this information to the Town Clerk for the legal notice, at which time she will place the legal notice in the Sullivan County Democrat, the official newspaper for the town for FY 2012, and

BE IT FURTHER RESOLVED, the bids shall be returnable by May 8, 2012 and they will be opened at the regular Town Board Meeting on May 9, 2012

ADOPTED: AYES: 5 NAYS: 0

Supervisor Maas

Councilpersons: Richardson, Grund, Schulman and Story

Highway Superintendent asked permission to attend the Highway School in Ithaca, NY June 13th.

MOTION: On motion of Councilperson Richardson, seconded by Councilperson Grund the following motion was to allow the Highway Superintendent to attend the Highway School in Ithaca, NY June 13th

All voted in favor

TOWN CLERK: (Hollye Schulman)

Submitted a written report:

- I took care of the regular duties of the Town Clerk
- Attended the OSTCA meeting held in Monticello, plans for the NYSTCA Conference were discussed, as well as topics (posting to the website) some are and some are not there yet. Also discussed was the requirement for the official undertakings. The Town of Cochection has been filing the official undertakings for several years already.
- The UDC check # 2341 in the amount of \$100.00 received 3/29/ 2012 and turned over to the Supervisor the same day
- I issued 3 permanent, 1 temporary, 1 replacement and 1 renewal handicapped parking permits in the month of March
- I have had some inquiries re: burning permits, which are no longer issued, unless you live in one of the towns that are in the Parks System. No burning is allowed from March 16th through May 14th due to the increased risk of wildfires. This information is available on the DEC web site.
- I provide telephone #'s for different departments. I have received telephone calls for the Tax Collector, Assessor, CEO, Bookkeeper and Justice Court
- Contractual balance: \$6,090.77

CODE ENFORCEMENT OFFICER: (Gregg Semenetz)

- Submitted a written report:
- Issued 4 permit, no renewals, 1 C of O's and 3 municipal search letters, 1 notice of disapproval
- Worked 80 hours
- Traveled 687 miles
- Revenues: \$772.00
- Expenses \$484.64
- Contractual Balance: \$3,684.49

Most violations at the Summer Community are being addressed. Also gave an update on the unsafe buildings –who has responded etc.

TAX COLLECTOR: (Eileen Hennessy)

- Submitted a written report:
- Collected Taxes = \$2,219,215.88

- Paid out to Supervisor Gary Maas \$1,153,719.20, paid to County Treasurer Ira Cohen \$1,060,133.24
- Balance \$5,915.01
- Balance in checkbook \$5,438.77
- .01 to keep checkbook open for a total of \$5,438.78
- Worked 46 hours in March
- 2012 - collected 81.96% and 2011 - 81.54%
- Contractual Balance: \$3,331.33

HISTORIAN: (K.C. Garn) not present

Submitted a written report The Supervisor went over his report

Have had the opportunity to use the new website along with my new email address. I received two inquiries so far through the website and both were answered. One gentleman's question caused me to do some research in the County Clerk's office, but I was able to answer his question. It appears the email address will be a convenient way for people to make their inquiries.

A mother and daughter from New Jersey, looking into some Cochection history relating to the Bischoff family, were referred to me by the Tusten Historian. They were interested in church records from the church in Cochection Center as well as Lake Huntington's Presbyterian Church. Fortunately, copies of those records were given to me a year and a half ago by Mrs. Hallock of Narrowsburg and some are available online. They found the records helpful and spent a fair amount of time looking through them. They wished to see the inside of the church in Cochection Center and I made arrangements for them to do that.

Supervisor mentioned that the Skinner Falls Bridge may be closed for three months or longer

TOWN ATTORNEY: (John J. Keating)

Submitted written report:

- Prosecute Justice Court matters (two dates)
- Attended monthly meeting.
- Prepare website contract

Nothing more to add

ASSESSOR: (Lorry J. King) not present

- Submitted written report:

Old Business:

- Continually reviewing of all sales and related inventory

New Business:

- Linda and I attended a training course in Cooperstown on March 30th. It was a very informative course on trending after a reassessment
- The State is proposing to reduce the education requirements for Assessors and County Directors, although this may be fine for Assessors and County Directors whom are seasoned, but the future does not look good for the new Assessor coming into office. I wrote a letter to the Department of Tax and Finance expressing my dissatisfaction to any reduction in the requirements
- I will be attending several education training sessions this year to obtain the necessary 24 credit hours of training as required by the State to maintain certification
- Total expenses: \$399.15
- Hours worked Assessor= 43, Clerk = 36
- Contractual Balance: \$2,921.77

PLANNING BOARD CHAIR: (Sharron Cardone) PLEASE NOTE THIS REPORT WAS GIVEN AT THE BEGINNING OF THE DEPT. HEADS REPORTS.

- Submitted a written report:
- Planning Board meeting of March 29th 2012
- Meeting was opened at 7:30 all members except Joe Manaseri were present.
- Minutes from December meeting were finally approved.
- Public Hearing for the Brody & McKeegan simple subdivision was opened. - No members of the public where here for this issue. - Public Hearing was closed.
- Old Business
- Subdivision for the Brody & McKeegan lot was discussed. Driveway site distance that we requested was put on the maps. - 2 lot subdivision was approved with a negative Dec after a review of the short form environmental impact statement. All were in favor.
- New Business
- No new business to attend to
- Other Business
- Earl and Jim attended the training session at the Government center on SEQR basics and Farmland Protection.
- I mentioned that the Santana's would be at the April meeting for a special use permit for the Ambulance Building in Lake Huntington that they want to make into a coffee shop. I also mentioned to the Board that we did not have a clear picture of what was being developed at the prior Heinle's building that the Santana's purchased and are developing. Seems to be many different views on what was going to be in the building and whether or not there is a change from what the building was used for before. I told the members that I would

Planning Board report continues:

contact our code enforcement officer to see he had knowledge of all that was going to be in the building. I stated that I would also contact the Santana's to speak to them as well.

- Nothing else was discussed and the meeting was closed at 8:30

Reported on her attendance at the Association of Towns Training School, and the classes she attended and what she gained from them.

SEWER OFFICER: (George Walter) not present

Submitted a written report

Average flow of 40,450 gallons per day for month of March

Obtained 99% C.B.O.D. and 99% T.S.S. removal for March

Spent a total of 75 ½ hours attending to sewer district affairs in March

Expenditures \$204.41

Contractual Balance: \$19,051.33

DOG CONTROL OFFICER: (Rosemary Barile)

Submitted a written report:

- Opening Balance \$944.05
- Expenditures \$64.35 mileage \$200.00 Humane Society
- 2 dogs seized
- Worked 29 hours
- Yearly inspection was done and the Town passed
- Received \$50.00 dog redemption fee, received \$20.00 dog license fee (which is turned over to the Town Clerk)
- I will be addressing the board to discuss changing our fee schedule for redeemed dogs and contracting with a secondary shelter
- Contractual Balance: \$679.70

DCO explained her request for changes to the fee schedule, and the need for a second shelter. Middletown Humane Society no longer issues licenses and they no longer collect a redemption fee. However the town is charged \$100.00 for each dog taken there. And our fee schedule is only \$30.00 per first day and \$20.00 for each day after. The Town is losing money.

MOTION: On motion of Councilperson Richardson, seconded by Councilperson Schulman, the following motion was to approve an amendment to the fee schedule for the redemption of dogs, which is now \$30.00 per day and \$20.00 for each additional day. The Middletown Humane Society charges a \$100.00 fee. They no longer collect the fee which they did in the past and it would be a wash. All voted in favor

The Attorney will help with this amendment

MOTION: On motion of Councilperson Richardson, seconded by Councilperson Grund, the following motion was to have the Attorney draw up a contract for a second shelter with the Town of Bethel; in case the Middletown shelter is full. All voted in favor

UDC: (Larry Richardson)

Submitted a written report: The Upper Delaware Council held its regular meeting on Thursday April 5

- A report was given by Joe Hinkes the Chief Ranger for the NPS covering progress in trying to get all of the emergency responders up and down the river to be able to easily communicate.
- There was continuing discussion about the replacement of the Pond Eddy Bridge and how it might affect river users. At that time river users will not be permitted to pass through the area of bridge construction. How and if you can get people to exit the river at that point is a big concern.
- It was reported that Skinners Falls Bridge is once again closed for repairs. It may be 3 weeks before the repairs are completed.
- Forty-three people attended the River Management Plan workshop in Tusten. The attendance from Cochection was disappointing.
- USGS is budgeting \$500,000 dollars for the next two years to study the effects of climate change in the Delaware Basin area. As the sea level rises the salt line gets pushed farther north. Does that mean that more water needs to be released to keep the line in place? Where will the extra water come from? What will be the effects on invertebrates as the water temperatures change and how will it change the ecology?
- NYS is suing the DRBC claiming that it is a Federal Agency and as such should follow Federal guidelines when formulating drilling regulations.
- Eagle Institute is merging with the Delaware Highlands Conservancy. The NPS would like to encourage the Conservancy to pursue easements in the River corridor for preservation purposes.
- Discussion about Pa passing ACT 13 that allows gas drilling in all areas in Pa. The townships will be punished and subject to law suits should they choose not to comply. As an added penalty, should the court rule in favor of the plaintiff, the township will then be responsible to repay the suing parties legal expenses. The dilemma now becomes, since drilling is not permitted in the corridor, those townships that change their zoning to comply with the state will probably be found no longer in substantial conformance. Should a drilling company seek to drill in the PA side of the corridor, the NPS would seem to have only two options: seek to purchase the land on a willing seller willing buyer basis or take the property through eminent domain. The Park Service would then put restrictions on the property and resell it.
- Awards Banquet is scheduled for April 22 at the Carriage House in Barryville.

TOWN BOARD:

No Town Board members had anything to add at this time

At this time Stuart Hersch, rep: for Archangel Airborne gave his presentation re: a proposed triathlon which he would like to have in Lake Huntington, a swim, bike and run event to be held sometime in August. He will have more information for the next meeting

OLD BUSINESS:

1. New Town Hall – landscaping, --flag pole where to locate and how to light it. This was discussed

RESOLUTION # 20**AUTHORIZE SUPERVISOR TO PURCHASE FLAG POLE AND SOLAR POWERED FLAGPOLE DOWN LIGHT**

On motion of Councilperson Story, seconded by Councilperson Grund, the following resolution was

WHEREAS, the Town Board would like a flagpole and light for the Town Hall, and

WHEREAS, the Supervisor has gotten information regarding the cost for the flagpole \$652.95 and solar light \$84.95 for a total of \$737.90 from The Flagpole Company, and

BE IT FURTHER RESOLVED, that the Supervisor is hereby authorized to purchase both the flagpole and the solar light for the sum of \$737.90

ADOPTED: AYES: 5 NAYS: 0

Supervisor Maas

Councilpersons: Richardson, Grund, Schulman and Story

2. MMTF update: --meeting has been cancelled for tomorrow night
3. Pull-off Route 97 for byway –discussed earlier – permit is in place
4. Water System – has been installed
5. Basement Completion – discussed
6. Old Town Hall – Paint and stain exterior –discussed earlier
7. New Town Hall update: settling and closed account –Justin McElroy should be here sometime next week to complete the job
8. Unsafe Buildings – Nasr was the only one that did not respond
9. NIMS –pending
10. Cochection Cleanup Days –May 19th and 20th.

RESOLUTION # 21**SULLIVAN COUNTY OFFERED COCHECTON RESIDENTS AN OPPORTUNITY TO DISPOSE OF TRASH**

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

WHEREAS, the County of Sullivan has offered the Town of Cochection an opportunity to allow its residents to dispose of trash and other permitted waste, and

WHEREAS, the Town of Cochection is allowed 10.50 tons of trash without any tipping charges, and the Town will be billed by the County for any solid waste delivered in excess of its allotment, and

WHEREAS, the Town of Cochection agrees to the terms set forth in the Municipal Agreement, therefore

BE IT RESOLVED, that the Supervisor is authorized to sign the agreement with the County of Sullivan and inform the County of Sullivan that May 19th and May 20th, 2012 will be the days that the Town of Cochection has set aside as its cleanup days and that trash will be delivered to the County Landfill as soon as possible thereafter

ADOPTED: AYES: 5 NAYS: 0

Supervisor Maas

Councilpersons: Richardson, Grund, Schulman and Story

RESOLUTION # 22**TOWN CLERK TO PLACE DISPLAY AD FOR CLEANUP DAYS**

On motion of Councilperson Richardson, seconded by Councilperson Story, the following resolution was

RESOLVED, that the Town Clerk shall place a display ad in the Sullivan County Democrat advising the residents of the Town Cleanup Days May 19th and 20th from 9⁰⁰ a.m. – 2:45 p.m.

ADOPTED: AYES: 5 NAYS: 0

Supervisor Maas

Councilpersons: Richardson, Grund, Schulman and Story

NEW BUSINESS:

1. Flag Pole –discussed earlier
2. Phone Service –less expensive to go thru Time Warner \$39.00 for 4 lines and \$34.95 thru Universal Connections --pending

PUBLIC COMMENT:

Grace van Hulsteyn, New Turnpike Road, read a letter addressed to the Town Board re: her concerns about gas drilling. She suggested a 1 year moratorium. Her letter is on file at the Town Clerk's office if anyone wishes to view it

Councilperson Richardson stated the Board could impose a moratorium anytime; however there is a time limit and you can not get continued extensions. And there needs to be a good reason.

Peter Grosser, Mill Road, said the DEC regs will be more strict than PA

Councilperson Schulman, Consider a moratorium

Peter Grosser, Mill Road, There most likely would be law suits from land owners –they would consider the board taking away their mineral rights. It would be precipitous to implement a moratorium at this time.

Joan Glase, Cross Road, read her letter addressed to the Town Board; re: her concerns re: gas drilling and the towns having the right to prohibit gas drilling in light of the recent court decisions in NY. Also, asked the board to consider a one year moratorium. Her letter is on file at the Town Clerk's office if anyone wishes to view it

Joseph Manaseri, Smales Road, stated he feels the Town Board is being prudent; don't want to fight a law suit with tax payer money

Robert Berling, New Turnpike Road, read his letter addressed to the Town Board re: his concerns about the health, safety and welfare of the community and the serious threat from gas drilling. He also suggested a one year moratorium. His letter is on file at the Town Clerk's office if anyone wishes to view it

Brenda Seldin, landowner Fosterdale, read her letter addressed to the Town Board re: her concerns of the leasing of land for fracking; feels the Town Board is doing a disservice to the community. She also suggested a one year moratorium. Her letter is on file at the Town Clerk's office if anyone wishes to view it

Tom Bonanza, CR 116, Feels the Town Board has done a good job. He stated that he heard twice today that environmentalist stated that fracking does not cause water pollution. Poor workmanship and inferior products are the cause of gas drilling events.

Councilperson Schulman, the water issue is his biggest concern

No one else wished to comment.

MOTION: On motion of Councilperson Grund, seconded by Councilperson Story, the following motion was to adjourn this Town Board meeting. All voted in favor. Time 10:28 p.m.

Respectfully Submitted, _____
Hollye Schulman, Town Clerk