

REGULAR MEETING, TOWN OF COCHECTON, JUNE 12, 2013
BID OPENING CHIPPER

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A meeting of the Town of Cochection was held on June 12, 2013 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)

Supervisor Gary Maas
Councilperson Larry Richardson
Councilperson Edwin Grund
Councilperson Anna Story absent

OTHERS PRESENT:

Hollye Schulman – Town Clerk
Kevin Esselman –HWY Superintendent
Gregg Semenetz –CEO

During the work session Maya Aron - Rep: for Aflac Insurance gave a presentation and explained how the Aflac policies work. Need 3 people to form a group and whatever Insurance a person starts with that policy stays with that person for life as long as the premiums are paid. If a disability policy is purchased it will pay up to 70% of your salary for 3 months or 6 months or even a year depending on what is picked when the policy is taken out. They offer many different policies and a person can pick just the ones they need. If a cancer policy is purchased the children in the families are on the policy free of additional charge. She will be here on June 19th to speak to any town employees re: the insurance and sign them up if 3 or more are interested; and to provide additional information.

Supervisor Maas opened the meeting with the pledge to the flag at 7:31 p.m. with pledge to the flag.

BID OPENING: Chipper

Town Clerk read the legal notice that was published in the River Reporter on May 30, 2013.

There was only one bid from Marshall Machinery for \$52,558.25

Supervisor Maas wants to defer voting on the bid until the full board is present

Both Councilperson Schulman and Councilperson Richardson think the town needs a chipper, but not an 18” chipper they both feel a smaller one would be sufficient

Supervisor will defer the vote until the full board is present

RESOLUTION # 47

NOTICE OF CLAIM

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

WHEREAS General Municipal Law, §53 requires towns to file a certificate with the Secretary of State designating the Secretary of State as an agent for service of a notice of claim; and WHEREAS, General Municipal Law, §53 requires the certificate to include the applicable time limit for filing the notice of claim and the name, post office address and electronic mail address, if available, of an officer, person, for the transmittal of notices of claim served upon the Secretary as the town’s agent; and WHEREAS, pursuant to General Municipal Law, §50-e(1)(a), the applicable time limit for the filing of a notice of claim upon a town is 90 days after the claim arises, or in the case of a wrongful death action, 90 days from the appointment of a representative of the decedent’s estate; **Now therefore Be It RESOLVED, that the Town Board of the Town of Cochection, County of Sullivan designates Hollye Schulman, in her capacity as Town Clerk, to receive notices of claims served upon the Secretary of State by mail at P.O. Box 295, Lake Huntington, New York 12726(post office address) and email at cochectiontownclerk@hvc.rr.com (if available).**

BE IT FURTHER RESOLVED, that the Town Board hereby directs the Town Clerk to file the required certificate with the Secretary of State informing him or her of the town’s designation and applicable time limitation for filing a notice of claim with the town on or before July 14, 2013.

ADOPTED – AYES 4 NAYS – 0 Councilperson Story absent

Supervisor Maas

Councilpersons: Richardson, Grund, and Schulman

Supervisor Maas read the Order of the Town Board re: closing of the road for the Day on the Lake, this order will be part of the following resolution

RESOLUTION # 48

ROAD CLOSING JULY 13, 2013, LAKE HUNTINGTON FIRE COMPANY AND DAY ON THE LAKE

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

WHEREAS, the Lake Huntington Fire Company and Cochection Day on the Lake committee is sponsoring an event called “Cochection Day on the Lake” on July 13, 2013, and

WHEREAS, In order to protect the assemblage and activities, it is necessary to close off to traffic State Route 52, between Nearing Road and County Road 116, then up County Road 116 to the intersection of Smales Road, in the Hamlet of Lake Huntington for a parade at 11:30 A.M. to 12:30 P.M. and County Road 116 between Smales Road and Mitchell Pond East, during the event from 11:30 A.M. until 4:00 P.M. and

BE IT FURTHER RESOLVED, that the Town Board hereby authorizes and directs that an Order be entered to this effect, pursuant to Vehicle and Traffic Law Sec. 1660.

ADOPTED – AYES 4 NAYS – 0 Councilperson Story absent

Supervisor Maas

Councilpersons: Richardson, Grund and Schulman

ORDER OF THE TOWN BOARD

Pursuant to Sec.1660 of the VEHICLE and TRAFFIC LAW.

At a meeting of the Town Board of the Town Cochection, Sullivan County, New York held at the Town Hall in the Town of Cochection, County of Sullivan, State of New York on the 13 day of June, 2012.

PRESENT: GARY MAAS, Supervisor; LARRY RICHARDSON, EDWIN GRUND and RICHARD SCHULMAN
Councilpersons

In the matter of the Application of the Lake Huntington Fire Company and the Cochection Day on the Lake committee of the Town of Cochection, Sullivan County, New York for an Order blocking certain movement of traffic during its parade and assemblage and activities on July 13, 2013 pursuant to Sec.1660 of the Vehicle and Traffic Law.

WHEREAS, the Cochection Day on the Lake Committee of the Town of Cochection has requested that the Town Board close off to traffic on State Route 52, between Nearing Road and County Road 116, then up County Road 116 to the intersection of Smales Road in the Hamlet of Lake Huntington for a parade from 11:30 A.M. to 12:30 P.M. and County Road 116 between Smales Road and Mitchell Pond East, during the event from 11:30 A.M. until 4:00 P.M. in the Hamlet of Lake Huntington during its assemblage and activities on July 13, 2013, and

WHEREAS, the Town Board has after consultation and due deliberation upon the facts and circumstances in this regard and agrees to the requested road closing.

IT IS HEREBY **ORDERED** that the Town Board hereby direct that State Route 52, between Nearing Road and County Road 116, then up County Road 116 to the intersection of Smales Road in the Hamlet of Lake Huntington be closed for a parade at 11:30 A.M. to 12:30 P.M. and County Road 116 between Smales Road and Mitchell Pond East be closed off from 11:30 A.M. to 4:00 P.M. during the Day on the Lake assemblage and activities on July 13, 2013, to all traffic except emergency vehicles, and

IT IS **FURTHER ORDERED** that signs or other markings giving notice hereof and detour information shall be posted by the Highway Superintendent.

Dated: June 12, 2013

ADOPTED – AYES 4 NAYS – 0 Councilperson Story absent

Supervisor Maas

Councilpersons: Richardson, Grund, Schulman and Story

MOTION: On motion of Councilperson Richardson, seconded by Councilperson Grund, the following motion was to accept the minutes of May 8th as submitted. Town Board members Councilpersons: Richardson, Grund and Supervisor Maas voted in favor. Councilperson Schulman abstained as he was not present at this meeting

MOTION: On motion of Councilperson Richardson, seconded by Councilperson Grund, the following motion was to accept the minutes of May 16th as submitted. All Town Board members present voted in favor.

MOTION: On motion of Councilperson Schulman, seconded by Councilperson Grund, the following motion was to approve bills on abstract # 6 for payment as follows:

General Account	Voucher # 240-277	\$15,464.83
Debit Card Account	Voucher # 278	\$221.00
Sewer Account	Voucher # 279-284	\$6,235.57
Lighting District Account	Voucher # 285	\$529.88
Highway Account	Voucher # 286-302	\$48,076.75

Claim #'s 246, 253, 255, 262, 272, 273 and 278 split between funds, same voucher.

Claim #'s 240-248 are noted as PREPAID on May 12th, 18th, and June 6th, 2013

All Town Board members present voted in favor.

CORRESPONDENCE:

Sullivan County Public Health—requesting to use some office space in the Town Hall a few times a month. This was granted

NYMIR: has paid what was owed to the town

Accident at Ambulance Park: 8 year old broke her arm (slipped on the grass)

NYS Dept. of Transportation: advising that applications are available for transportation enhancement projects

Sullivan County Div. of Planning and Environmental Management: NYS Ag District Eight year review.

UDC: Project Review Committee –Identification of Parcels Recommended for Protection or Public Use

NYS DEC: Climate Smart Community Pledge. They are not happy with the Town of Cochection resolution # 29 (Supervisor read the entire letter)

Town of Tusten: Letter of intent (in the process of adopting amendments to its zoning law based on the Town's updated Comprehensive Plan of 2007

Time Warner Cable: programming changes and improving internet speeds

Jeff Bank: the Town of Cochection application for remote deposit capture has been approved

NYSE&G: the NYS public Service Commission has approved up to \$2 million to assist eligible business, municipalities, large residential establishments, agribusinesses and farms affected by Hurricane Sandy

NYS Dept. of Taxation and Finance Office of Real Property Tax Services: letting the town know the appointed assessor term expires September 30, 2013

Delaware Liquor License Services: Re: CAFÉ @ COCHECTON CENTER, INC. had changed the application will be changed to SIX OLD COUNTY Inc. dba Heinle's General Store

Correspondence continues:

Supreme Court of Sullivan County: Notifying of foreclosure and sale of the Michael Roizin property through the Eastern Savings Bank, FSB. CEO mentioned the violations notices are on file

General Code: Notifying the Code books will be shipped late July. Two came with the proposal, and the town has ordered three additional books

RAMM Environmental Services, Inc.: re: indoor Air Quality – Sick Building Syndrome – Survey, Testing and Laboratory Analysis

PUBLIC COMMENT:

Allan Rubin, New Turn Pike Road, Would like the edited version of the Climate Smart resolution. Town left some issues out of the resolution passed, he would also like the DEC letter posted on the website; (this will not happen)

Joan Glase, Cross Road, said she agrees with both Councilpersons Schulman and Richardson as far as a chipper is concerned, an 18” chipper is not warranted. HWY Superintendent how it could be used year round and he feels renal is expensive, (two men go get it and only used approx. 5 hours a day)

Councilperson Schulman – feels town needs a chipper, but not an 18” chipper

No one wished to comment.

COMMITTEE REPORTS:

Route 97 Pull off: Councilperson Richardson nothing to report. The sign is not ready yet (it may have to be picked up by the Town)

Youth Commission: Councilperson Grund reported there will be a bake sale, car wash June 30th at Gasko Meyer. There are two openings on the Youth Board

Office of the Aging: Councilperson Schulman, no meeting there isn’t anything to report

Website: Councilperson Story (Not present) Supervisor went over her report –Added May 8 and May 16 agenda with links to the upcoming meetings page, removed expired notices in News Alerts, updated Supervisor’s letter. Added Tentative Tax Roll to home page, and links on the assessor’s page. Added youth events to the youth page and calendar. Removed expired legal notices, and added new legal notices

Worked 5 hours

DEPARTMENT HEADS:

SUPERVISOR: (Maas)

Submitted a written report:

1. Bank information

Deposited \$100.00 UDC check

Deposited \$1,825.00 Judicial fees

Deposited \$150.00 Judicial fees

Deposited \$906.05 Town Clerk fees

Deposited \$1,000.00 NYS Youth reimbursement

Deposited \$378.00 Scrap Metal from MORTONS (Cleanup Days)

2. Activity

Calls with Cooper Niemann (Andy Arias), Karen Mannino, San Strum, Scott Samuelson, Alexandra Bourne, George Conklin, and Dean Smith

Attended Supervisor’s meeting

Meeting with Maya Aron, Anna Milucky

Clean up Days with members of the board

Finished last revision for General Code

CONTRACTUAL		\$5,500.00
Abstract #1	\$ 11.89	\$4,988.11
Abstract #2	\$278.91	\$4,700.20
Abstract #3	\$576.92	\$4,123.28
Abstract #4	\$154.12	\$3,969.16
Abstract #5	\$160.50	\$3,808.66
Abstract# 6	\$174.60	\$3,634.06

HIGHWAY SUPERINTENDENT: (Kevin Esselman)

- Worked with Karen on the Legal Notice for the chipper and sent it out to the River Reporter.
- Continue to ditch on roads that we expect to pave.
- Went up to Hamden, Delaware where the Cornell Local Roads Program held a class Powers & Duties of Local Highway Officials.
- Sent two trucks over to the Town of Delaware to help them pave
- Paved Forman road and would like to thank the towns of Delaware, Tusten, Highland and Lumberland.
- Mowed the sides of the roads.
- Went down to the Town of Lumberland and helped them pave.
- Worked 160 Hrs.
- Contractual balance -- \$2,018.34

RESOLUTION # 49

FUEL BID TO BE ADVERTISED

On motion by Councilperson Richardson, seconded by Councilperson Grund, the following resolution was WHEREAS, the Highway Superintendent needs to advertise for fuel bids from August 1, 2013 through July 31, 2014 to have enough fuel to perform the duties of his dept., and NO THEREFORE BEIT RESOLVED, the fuel bids shall be advertised in The River Reporter, and bids shall be in the Town Clerk's office on July 11, 2013, and will be opened at the regular Town Board Meeting on July 12, 2013

ADOPTED – AYES 4 NAYS – 0 Councilperson Story absent

Supervisor Maas

Councilpersons: Richardson, Grund and Schulman

TOWN CLERK: (Hollye Schulman)

- Submitted a written report; collected \$1,202.03 in fees for May
- I took care of the regular duties of the Town Clerk
- I attended the OSTCA meeting in Bethel on May 15th. The guest speakers were Cullen O'Brien from C.T. Males his company helps municipalities with large projects to make sure things are done correctly. Susan O'Rourke, Director of Marketing from NYMIR, she is willing to speak to the supervisor re: the official undertakings and to make sure the resolution match the bond coverage. (Whenever the Town changes policy the bond and resolution must match). If official undertakings are not signed the person in that position can lose their job.
- The UDC check # 3085 in the amount of \$100.00 received 5/30/2013 and turned over to the Supervisor the same day
- Issued 3 handicapped parking permits
- 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 questions regarding cleanup days. I also had questions about grievance day
- Worked a total of 128 hours
- Contractual balance: \$5,204.20

CODE ENFORCEMENT OFFICER: (Gregg Semenetz)

- Submitted a written report: Worked 80 hours traveled 664 miles
- Issued 6 permits; no renewals, 6 C of O's, 6 Notices of Disapproval, 3 Municipal search letters, no appearance tickets
- Revenues of \$969.00, and expenses of \$464.52
- Contractual Balance: \$3,468.52

CEO mentioned unsafe structure on Mohn Road will be taken down by Jim Klein. Next month the 2 structures on the Bonanza property will be addressed. The unsafe porch on CR 116 will be addressed, (the house is not unsafe just the porch). Trailer on New Turnpike Road sent 2 notices and has gotten no response. Pines up for auction CEO spoke with realtor (River Realty) and made them aware of the violations on the property. Back Taxes are \$307,000 plus without interest and penalties. Property needs to be made secure

TOWN ATTORNEY: (Karen Mannino Acting) not present

Submitted a written report:

Code Review, worked on Friendly Providers Subpoena review/correspondence and call to issuing attorney. Review and comments on Wood Chipper bid -- final draft on Wood Chipper bid /emailed to K. Esselman. Research and email on Board of Assessment Review Question re: Chairman and Secretary same person

TAX COLLECTOR (Eileen Hennessy) not present

Supervisor went over her report: Balance as of June 12, 2013 \$0.28

Her contractual balance \$3,087.02. Worked 4 hours in May

ASSESSOR: (Lorry J. King)

Submitted written report:

- Old Business: The training held for the Board of Assessment review was on Wednesday May 1st, 2013 Board Members T. Leone and L. Keesler attended
- Grievance day was May 28th, we had 3 grievances from taxpayers and 3 grievances from Verizon, for a total of 6 for the year
- New Business: Data Collection project is underway. As of this writing, Terri as finished map sections 1, 7 & 6 and all the photos have been entered into the system, and is continuing to Map section 4 & 5
- We have received our tentative equalization rate, which is 80%
- Spend \$77.91
- Contractual Balance: \$2,986.16

Terri being well received, working on State Route 97 and CR 114, as well as Parsonage Road, photos etc. the process is working great and is right on track. Supervisor asked the Assessor to give him some help with solid waste fee –tax exempt properties, has been asking the county for the last 2 months and hasn't gotten an answer from them yet. 20-24% tax exempt properties in Cochection. Supervisor thanked Assessor for her help

PLANNING BOARD CHAIR: (Sharron Cardone) not present

- No report at this time:

SEWER OFFICER: (Michael Walter) not present

Submitted a written report:

Average flow of 37,158 gallons for month of May; Obtained 98.1% C.B.O.D. and 98.3%, T.S.S. removal for May

Spent a total of 71 1/2 hours attending to sewer district affairs in May

- Expenditures were \$6,235.57
- Contractual Balance: \$10,930.42

Supervisor mentioned the problems at the pumping station on Nearing Road –float and pump not working, getting repaired, water is a big issue going in the manhole, uncovered 3 pipes water from brook going into the sewer plant

DOG CONTROL OFFICER: (Rosemary Barile) not present

Submitted a written report: 1 dog seized, 1 complaint, worked 10 hours

Contractual balance: \$2,789.39

HISTORIAN: (K. C. Garn) not present

A written report was submitted. Supervisor went over the report;

There were no inquiries received this past month for historical information. Although invited from time to time to state historian conventions, I decline because of the cost as well as the time/distance required to attend such meetings. I don't think attendance would benefit the Town in any way.

I continue to work at gathering information about local cemeteries for the County Historical Society.

UDC (Larry Richardson)

- Submitted a written report
- The Upper Delaware Council held its regular meeting on Thursday June 6.
- Thomas Murphy JR. Chief P.E for NYC Environmental Protection Bureau of Water Supply presented a power point program detailing some of the history behind the NYC reservoir acquisition and construction. He also shared the decision making process and who the key players are. When it all gets said and done, the NYC attitude is that it is their water. Any water not needed for consumption now or in the future can be given away for other purposes.
- Mr. Murphy emphasized that millions of people down-stream depend on the quantity and quality of the Delaware water: examples residents in Philadelphia and Trenton and in between for drinking water, oyster farmers in the bay for their commerce. He stated that approximately 9 million persons get their drinking water from the City's system, half the population of NYS. The City uses an average of 1.1BGD as compared to 1.5BGD before conservation measures were started some years ago.
- Thomas Fikslin from the DRBC noted that the Delaware River from the Upper section to Trenton is designated as anti-degradation waters. The DRBC has established many water monitoring stations on tributaries to the Delaware to record baseline water quality. Should gas extraction begin, the DRBC will be able to identify if water pollution is occurring and from what source. He noted that currently there is no waste water treatment facility in the Delaware River Basin licensed to process flow-back or fracking production water.
- NPS Superintendent Sean McGuinness provided some visitor statistics. He is working to better identify the visitor impact on the economies of the Upper Delaware. Sean, in a response to questions about the oral history project done by then NPS Historian Mary Curtis some years ago, stated that there are over 100 tapes stored that have not been transcribed. His intention is to have that done, but lack of funds is the problem. He would entertain a volunteer effort to save this history and make it available. If anyone is interested in donating some time, please give the NPS a call.
- Looking ahead, the UDC has through careful monetary monitoring budgeted \$30,000 for our popular Tag Grant Program. Applications would need to be returned to the UDC office by the end of August.
- Actions taken:
 - Approved Resolution 2013-09 Adopting the FY 2014 Budget (full funded)
 - Approved Resolution 2013-10 Adopting the FY 2014 Work Plan for the WURM Committee
 - Approved Resolution 2013-10 Adopting the FY 2014 Work Plan for the Ops Committee
 - Approved Resolution 2013-10 Adopting the FY 2014 Work Plan for the Project Review Committee

There was a brief Executive Session to discuss personnel matters.

TOWN BOARD:

(Councilperson Richardson)

Nothing more to report

(Councilperson Grund)

Nothing to report

(Councilperson Schulman)

Nothing to report

(Councilperson Story)

Not present

(Supervisor Maas)

Mentioned that the litter on State Route 52 to Cochection Center is terrible

OLD BUSINESS:

1. Basement Completion –Scope work quotes on basement walls and electric

Old Business continues:

MOTION: On motion by Councilperson Richardson, seconded by Councilperson Grund, the following motion was to have the CEO get quotes to finish the basement walls and electric.
All Town Board members present voted in favor

2. Unsafe Buildings – discussed earlier
3. Codify Local Laws – Tag Grant – This project is on schedule, and the Code Books should be shipped late July
4. Generator for Sewer Dept. –will be a stick building for now to provide for the generator etc.
5. Re-Levy –Bailey Lennox –will be addressed in Sept. or Oct.
6. Clean up Days –went well and the check for the metal has been received

NEW BUSINESS:

1. Computer server security –JeffNook Computer Repair and Technology Center has submitted a quote of \$550.00 for Router replacement and installation, move server to record room, and installation plus replace central switch equipment plus installation. Note: anyone or all of the above can be done at any time, (None rely on any other being performed before it)

RESOLUTION # 50

COMPUTER SERVER SECURITY ROUTER (INTERNET)

On motion by Councilperson Richardson, seconded by Councilperson Grund, the following resolution was RESOLVED, that the quote presented by JeffNook for replacement and installation to make our internet more secure for the cost of \$550.00 is hereby accepted

ADOPTED – AYES 4 NAYS – 0 Councilperson Story absent

Supervisor Maas

Councilpersons: Richardson, Grund and Schulman

2. Fireworks permits –Day on the Lake: this was discussed, Attorney to look at this issue and it was tabled

PUBLIC COMMENT:

Joan Glase, Cross Road, thanked the HWY Dept. for trimming the trees back at the Fosterdale light, however the town did not do the trimming.

Allan Rubin New Turnpike Road, mentioned that if the town puts the computer equipment in the basement it should be up high.

Ray Evans State Route 52, The trailer at Gasko Meyer is louder than before, insulation has been removed. CEO said the generator runs 2 hours in the morning and 2 hours in the afternoon. Nothing in the Town Code addresses this issue. If the Attorney has something the CEO can address he will do so. CEO is not going to write a violation that cannot be enforced. This was discussed

Jeff Nober, owner of Gasko Meyer stated the insulation was not taken off, it was blown off; it has not been replaced. When it was in place the complaints did not stop, trailer cannot be licensed. Business has grown—now over 50 brands when there used to be only 2, and the kegs need to be refrigerated.

No one else wished to comment

MOTION: On motion of Councilperson Richardson, seconded by Councilperson Grund, the following motion was to adjourn this meeting. Time 9:22 p.m. All Town Board members voted in favor.

Respectfully Submitted, _____
Hollye Schulman, Town Clerk