

A regular meeting of the Town of Cochecton was held on September 12, 2012 at 7:00 PM at the Cochecton Town Hall with the following members present:  
(Between 7:00 PM and 7:30 PM for the purpose of auditing bills)  
Meeting was called to order by Supervisor Maas with the pledge to the flag at 7:30 PM.

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

OTHERS PRESENT:  
Hollye Schulman – Town Clerk Kevin Esselman – Highway Superintendent  
John J. Keating --Attorney Gregg Semenetz –CEO  
Sharron Cardone ---Planning Board Chair

During the work session Carol Roig made a presentation re: Sullivan Alliance for Sustainable Development, Inc. (renewal energy). This is a state wide program. Would like the town to share information re: the energy use for all the town buildings (electric and # 2 fuel oil) and also what all trucks, and other equipment use as far as gasoline, diesel or other fuels that might be used (propane etc.) They would also like the town to make a commitment to them re: green energy etc. Steve Stuart mentioned that the electric use from all meters from the NYSE&G for a period of 2 years. Supervisor Maas reminded him we moved into the New Town Hall a year and a half ago. Also fuel, diesel and gasoline can be gotten from the supplier for the past 2 years. The Town Board members will think about the proposal and have the Attorney look over the Climate Smart Communities Model Pledge for Community Adoption. This was discussed.

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

Town Clerk read the legal notice for fuel bids which was published in the Sullivan County Democrat on August 17<sup>th</sup>.

There were two bids submitted:

- 1. Ultra Power
- 2. County Petroleum

Ultra Power bid  
Journal of Commerce Sept. 5, 2012

PRODUCT	POSTED DELIVERED	FIRM PRICE DIFFERENTIAL	TOTAL BID
Sulfur Diesel	\$3.5280	\$ -.01	\$3.5180
#2 Heating Oil Tank wagon Unleaded	\$3.5345	\$+.09	\$3.6245
Regular Gasoline Tank wagon	\$3.1655	\$+.1700	\$3.3355

County Petroleum  
Journal of Commerce Sept. 4, 2012

PRODUCT	POSTED DELIVERED	FIRM PRICE DIFFERENTIAL	TOTAL BID
Sulfur Diesel	\$3.5630	\$ .10	\$3.6630
#2 Heating Oil Tank wagon Unleaded	\$3.5695	\$ .05	\$3.6195
Regular Gasoline Tank wagon	\$3.1955	\$ .20	\$3.3955

**MOTION:** On Motion by Councilperson Richardson, seconded by Councilperson Grund, the following motion was to accept the bid from Ultra Power for diesel and gasoline. All board members present voted in favor

Note the difference is in the Firm Price Differential with Ultra Power being minus \$ -.01 for diesel and plus \$0 .1700 for gasoline

**MOTION:** On motion by Councilperson Richardson, seconded by Councilperson Grund, the following motion was to accept the bid from County Petroleum for # 2 fuel oil. All board members present voted in favor

Town Clerk read the legal notice for ice control sand published in the Sullivan County Democrat on August 17<sup>th</sup>

There were 5 bids received for ice control sand

- 1. E. Tetz & Sons Inc FOB price \$12.00 Delivered price \$17.00 per ton
- 2. Deckelman LLC Delivered price \$15.27 per ton
- 3. R. & H. Gorr Delivered price \$14.73 per ton
- 4. Liberty Sand & Gravel Delivered price \$13.95 per ton Price is based on fuel not exceeding \$4.50 a gallon in the event fuel is higher a surcharge will be assessed.
- 5. Gary Myers Excavation Inc. Delivered price \$16.85 per yard

No decision made on Ice control sand –Highway Superintendent wants to check the quality of the sand before a decision is made. He will make his recommendation to the Town Board at the recessed meeting Sept. 26<sup>th</sup>

**RESOLUTION # 37****BUDGET TRANSFER FOR DOG CONTROL OFFICER UNEXPECTED BILLS**

On motion of Councilperson Grund, seconded by Councilperson Story, the following resolution was,  
 WHEREAS, the COCHECTON TOWN BOARD when adopting the 2012 budget was unaware of additional expenses, (veterinary and kennel bills) that could not be accounted for in line A 3510.400 (CONTRACTUAL – DOG CONTROL OFFICER) and needs to fund the line with additional funds for current and future bills, therefore,  
 BE IT RESOLVED that budget line A 3510.401 (DOG ENUMERATION CONTRACTUAL) in the amount of \$800.00 be transferred to line A3510.400 (CONTRACTUAL-DOG CONTROL) so that line A 3510.400 shows \$2,300.00 and line A3510.401 shows \$200.00

**ADOPTED: AYES 4 NAYS 0** Councilperson Schulman absent

Supervisor Maas

Councilpersons: Richardson, Grund and Story

**RESOLUTION # 38****BUDGET TRANSFER SEWER PLANT OFFICER**

On motion of Councilperson Richardson, seconded by Councilperson Grund, the following resolution was,  
 WHEREAS, the COCHECTON TOWN BOARD when adopting the 2012 budget was unaware of additional expenses, (Repair of pumps and removal of waste) that could not be accounted for in line SS 8130.400 (CONTRACTUAL – SEWER OPERATIONS) and needs to fund the line with additional funds for current and future bills, therefore,  
 BE IT RESOLVED that budget line SS 1930.400 (JUDGEMENT AND CLAIMS) in the amount of \$2000.00 be transferred to line SS 8130.400 (CONTRACTUAL-SEWER OPERATIONS) so that line SS 1830.400 shows \$22,000.00 and line SS 1930.400 shows \$0.00

**ADOPTED: AYES 4 NAYS 0** Councilperson Schulman absent

Supervisor Maas

Councilpersons: Richardson, Grund and Story

**MOTION:** On motion of Councilperson Story, seconded by Councilperson Grund, the following motion was, to accept the minutes of August 8, 2012 and be accepted as submitted. All present board members voted in favor

**MOTION:** On motion of Councilperson Richardson, seconded by Councilperson Story, the following motion was to approve payment of bills on abstract # 9 in the following amounts.

General Account	Voucher # 361-393	\$25,762.56
Debit Card Account	Voucher # 394	\$68.00
Sewer Account	Voucher # 395-400	\$16,686.27
Lighting District Account	Voucher # 412	\$525.17
Highway Account	Voucher # 401-411	\$12,371.42

Voucher #'s 362, 365, 375, 390 and 391 are noted as splits between funds, same voucher

Voucher #'s 361-372 are noted as PREPAID on 8/13/12, 8/27/12 and 8/30/12

All present board members voted in favor.

Attorney asked the Board to set a Public Hearing re: Local Law # 1 of 2012 Road Use for the next regular Town Board Meeting October 10, 2012 at 7:00 p.m.

**RESOLUTION # 39****TOWN CLERK TO ADVERTISE PUBLIC HEARING FOR PROPOSED LOCAL LAW # 1 OF 2012 ROAD USE AND PRESERVATION**

On motion of Councilperson Richardson, seconded by Councilperson Story, the following resolution was  
 WHEREAS, there is a Proposed Local Law # 1 of 2012 regarding road use and preservation, and  
 WHEREAS, this requires a legal notice to be published in the official newspaper for the town, and  
 BE IT RESOLVED, the Town Clerk is hereby authorized to place the legal notice in the Sullivan County Democrat

**ADOPTED: AYES 4 NAYS 0** Councilperson Schulman absent

Supervisor Maas

Councilpersons: Richardson, Grund and Story

**CORRESPONDENCE:**

MMTF requesting \$25.00 from each MMTF town to cover additional expenses. Councilperson Richardson said he was not in favor of sending any more money for this project

Dept. of Taxation – Data collection survey taking place

NYS DOT requesting electronic transfers for C.H.I. P. S. money

John Bonacic – DEC regs. for gas drilling – Governor not pushing DEC – may be looking into health impact

Hudson Valley----Luncheon Sept. 27 ?????

Notification re: Town share of workmen's comp will be \$27,775.00

Time Warner Cable – notification of channel changes

Work permit for Scenic Byway Sign – received Councilperson Richardson asked the Highway Superintendent if the apron can be put in. Highway Superintendent thought next week or the week after they could do the work

Town Clerk gave information concerning executive sessions

Civil Service requesting updated contact information re: Health Benefits Administrator to access their web site

Association of Towns –letting town know the 2013 dues will be \$800.00

State of Emergency Management – check s received were \$3,513.42 and \$30,517.52 waiting on an additional check (FEMA work after Hurricane Irene)

**PUBLIC COMMENT:**

Dottie Schlegel New Turnpike Road, mentioned an unsafe building on New Turnpike B  
Claire DiSanto State Route 52, asked about the follow up re: Gasko Meyer noise situation. CEO will address this during his report  
No one else wished to comment

**COMMITTEE REPORTS:**

Route 97 Pull-off: Councilperson Richardson –Gunther’s office helpful in getting the permit to us

Youth Commission: Councilperson Grund reported on what the Youth Board has done had 48 youth attend the Wayne County Fair, October 13 there will be a trip to Roba’s farm, Corn maze, pumpkin canon and other activities for the children. A trip to Radio City is planned for Nov. 17<sup>th</sup>- sign up will be Oct. 17<sup>th</sup>. Harvest Festival Oct. 27<sup>th</sup>, this is a Halloween tricky trunk to be held at the Ambulance Park-Playground.

Office of the Aging: Councilperson Schulman absent -- no report.

Web Site: Councilperson Story –added meeting agenda and minutes with links to the upcoming meeting page. Removed expired information from news alerts. Added contact information to youth page. Added Town Board and Planning Board minutes. Made corrections to the school page and our community page. Added Fuel Bid and Ice Control Sand Bid to legal notices. Added proposed local law # 1 with appendix to news alerts. Worked 6 ¾ hours

**DEPARTMENT HEADS:**

**SUPERVISOR:** (Gary Maas)

Submitted a written report:

1. Monthly Financial Report
    - Bank Information:
    - Deposited \$100.00 UDC check
    - Deposited \$1,480.00 Judicial fees
    - Deposited \$970.00 Judicial fees
    - Deposited \$1,293.58 Town Clerk fees
    - Made transfers as needed
  2. Activity
    - Calls with Dave Bodenstein, Tom Bose, Dan Strum, Dean Smith, Dick Martinkovic, Ethan Cohen, Danette Mall, Theresa Martin –Dept of Labor and responded, Dept. of Taxation, Dept. of Unemployment
    - Meeting with CEO on finishing basement
    - Meeting with Loren Pratt on Workers Comp.
    - Meeting with new Superintendent of Sullivan West
    - Meeting with George Walter
    - Worked on UDC Grant for Codifying Local Laws, and handed out budget request and worked on budget
- |              |          |            |
|--------------|----------|------------|
| CONTRACTUAL  |          | \$5,500.00 |
| Abstract # 1 | \$ 0.00  | \$5,500.00 |
| Abstract # 2 | \$456.88 | \$5,043.12 |
| Abstract # 3 | \$634.15 | \$4,408.97 |
| Abstract # 4 | \$225.08 | \$4,183.89 |
| Abstract # 5 | \$655.07 | \$3,528.82 |
| Abstract # 6 | \$ 58.00 | \$3,470.82 |
| Abstract # 7 | \$106.60 | \$3,364.22 |
| Abstract # 8 | \$139.50 | \$3,224.72 |
| Abstract # 9 | \$150.60 | \$3,074.12 |

**HIGHWAY SUPERINTENDENT:** (Kevin Esselman)

Submitted written report:

- Finished cleaning up brush from the storm at the end of July
- Still continue to patch our roads. Also been taking advantage of the dry conditions by cutting the shoulders down and cleaning out ditches
- Had a few minor equipment repairs, but were able to do most of the work ourselves
- Worked with Hollye on my fuel and sand bids
- Ordered and picked up our new welder
- Rented a dozer for two days and did some work on the Mill Road. Also reestablished the ramp on the sand pile to get ready for deliveries
- The new truck was delivered to Amthors on the 27<sup>th</sup>, did an inspection on it, and it’s in the garage having the equipment installed. With any luck we should have it within 4-6 weeks
- Also handed in my budget request for 2013
- Worked 160 hours
- Contractual Balance: \$576.652

**RESOLUTION # 40****AUTHORIZE SUPERVISOR TO WRITE CHECK TO PAY FOR NEW TRUCK WHEN IT IS PICKED UP OR DELIVERED**

On motion by Councilperson Richardson, seconded by Councilperson Grund, the following motion was WHEREAS, the Town has purchased a new truck for the Highway Department, and WHEREAS, it needs to be paid for when picked up or delivered, and therefore BE IT RESOLVED, that the Supervisor is hereby authorized to write the check when truck is picked up or delivered

**ADOPTED: AYES 4 NAYS 0** Councilperson Schulman absent

Supervisor Maas

Councilpersons: Richardson, Grund and Story

**TOWN CLERK:** (Hollye Schulman)

- Submitted a written report; \$1,637.78 in fees for August, 2012
- I took care of the regular duties of the Town Clerk
- There was no OSTCA meeting in August
- I scanned information to the bookkeeper for a request from the NYS Dept. of Labor regarding certified payrolls, contracts and change work orders for the New Town Hall
- Completed 1 FOIL request in August
- The UDC check # 2613 in the amount of \$100.00 received 8/30/2012 and turned over to the Supervisor the same day
- Issued one marriage license, 2 Transcripts of Death and 1 Transcript of Birth in August
- There were 6 handicapped parking permits and 1 temporary permit issued in the month of August
- There is a state wide ban on residential burning due to the dry conditions -- issued on July 13<sup>th</sup> by the Governor; the ban is in place for 90 days
- I provide telephone #'s for different departments. I have received telephone calls for the Tax Collector, Assessor, CEO, Bookkeeper and Justice Court
- Worked a total of 131 3/4 hours in August
- Contractual balance: \$4,544.94

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

- Submitted a written report : Worked 80 hours, traveled 650 miles
- Issued 6 permits. 0 renewals
- 1 C of O's issued
- 1 Notices of disapproval
- Municipal search letters 2
- Appearance tickets issues: 0
- Revenues \$1,360.48
- Expenses \$415.93
- Contractual Balance: \$1,527.90

Building is still strong: Have 2 new and 7 more permits in the pipeline. Cell Tower –road in place – pad poured—moving along. Jim Hughson Excavating, Inc. is working cleaning up the debris from the Nasar property. Basement finishing – proposal coming in –2 quotes for each phase –approx. \$3.00 per square foot – the floor will need sealer and 2 additional coats. 2 logging permits issued. CEO will address the unsafe building on New Turnpike B which Dottie Schlegel mentioned during public comment.

Noise law was modified with the new zoning and only addresses new issues before the Planning Board. Town Board may want to have a stand alone law regarding noise levels. This was discussed

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

- Submitted a written report
  - Prosecute Justice Court matters (two dates)
  - Attended monthly meeting
  - Worked on Local Law # 1 of 2012
  - Worked on and settled Verizon Article 7 matter
- I will be taking the Proposed Local Law # 1 to the County for the 239 review tomorrow

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

No report submitted:

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

Submitted written report: **Old business:** Field review of sales and new construction continues

On Tuesday 8/21/12 I attended a meeting on countywide assessing. This meeting was predicated by our President Renee Osomek, it was a complete waste of time. It was agreed by a majority of Assessors that the County is looking to consolidate services, so let them consolidate on their end.

**New Business:** Discussed the recent permits and CO's from Building dept. with CEO. I will be attending a course on Blueprints on Monday Sept. 10<sup>th</sup> in Newburgh. The week of September 10<sup>th</sup>, the State will be doing a review of our vacant lands for the Full Value measurement Survey. I have been in touch with Mr. Reed and we will be meeting soon.

Worked 32 hours my Clerk worked 28 hours

Contractual balance: \$2,499.20

**PLANNING BOARD:** (Sharron Cardone Chairperson)

- Planning Board Meeting 8/30/12
- Meeting was opened by me at 7:30 PM all members were present
- Minutes of July meeting was approved.
- Read correspondence from Town of Cochection supervisor Gary Maas. Three things were outlined – First, monthly reports for Planning Board need to be done and received on the Monday preceding the Town Board meeting. Second, need updated contact information for all members to avoid confusion in the future. Third, need to review escrow accounts with Hollye to return monies due back to the clients.
- In respects to monthly reports – I was not at the Planning Board meeting in July due to weather conditions and therefore I could not do a report on this. I did however request that my deputy supervisor Earl Bertsch do a report and send it to Hollye for the Town Board meeting. Regarding updated phone numbers etc – my # is known by the Board members and Lauren as well. I did send an email to Anna Story to correct the web site to show my phone #. Last I did speak to Hollye and we need to set up time to do the escrow accounts and I work till 4:30 and can not take time off work to do this during working hours. We will try and work out something.
- No other correspondence was received
- OLD BUSINESS:
- Coffee Creations – At last month's meeting – problem with # of parking spots on premise and DPW's concern with backing up into roadway was discussed and decision by client to not have any parking at premise but to have off road parking only were introduced. At this month's meeting this was further discussed and apparently you can park off road as long as you are not over the white line. Vote to approve based on this was done – need super majority vote to pass – since no super majority 4 for and 3 against – approval was denied.
- Since not approved Jim advised clients to come back with a new proposal. This was met with disapproval from Client and other board members.
- Discussion then held with Neal leading the way on how to get this approved with a super majority vote – Neal first suggested that Coffee Creations maybe speak to other businesses in the area to see if maybe they could have their customer's park in their lots and walk to Coffee Creations. This was not a consideration by Coffee Creations as problem with Insurance – what if someone slipped and fell in someone else's lot while going to Coffee Creations? The lot owner would not want to take on this responsibility for a business that is not their own.
- Neal then suggested limiting parking at premise to one employee car to be parked along side the building with the understanding that they would have to back into the space which would be a legal move. The suggestion also limited the amount of seating space to two tables with not more than 8 chairs inside or out until such time as they can show evidence of a contractual area for parking.
- Motion to this effect was presented and this time had a super majority vote – 5 for and 2 against (Jim Crowley and me).
- Motion passed and approval for Coffee creations based on Neal's motion was given.
- No New business

The Parking issue – who owns the property if over the white line

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

Submitted a written report:

Average flow 23,054 for the month of August, Percentage of C.B.O.D. removal 94% for the month of August and Percentage of T.S.S. removal was 96.2% for the month of August. Worked 83 1/2 hours, expenditures \$15,121.43 Contractual Balance: \$959.58

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

Submitted a written report: Worked 13 hours, had 1 dog at large call, 1 dog bite call; Contractual Balance: \$423.60 contractual and Enumeration Balance: \$1,000.00

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

No report submitted: He did however leave a document from 1932 for a two week period for payroll for the Highway Dept. Supervisor mentioned Ralph Calkin also has some information for the town

Councilperson Richardson mentioned that the UDC approved \$14,000.00 for projects. There were more requests than money allows as always.

**UDC:** (Larry Richardson)

- The Upper Delaware Council held its regular meeting on Thursday September 6. The office has been upgraded with new computers and software part of which was funded through a grant from the Norcross Wildlife Foundation. We also have upgraded our lighting.
- Tag grant applications requesting \$44,485 dollars was received against a budgeted amount of \$32,000 +.
- A special meeting was held on Tuesday September 11, to review the requests and make recommendations to the full Council.
- The personnel sub-committee has made a tentative selection for the resource specialist position to replace David Soete who is retiring at the end of September. Dave has been with the Council since 1989.
- A letter was sent to Pa Governor Corbett thanking him for visiting the area and raising the awareness of what the Upper Delaware River area has to offer.
- The Project Review report noted that Soete had seen where Pennsylvania is coming out with a 23 page "concept paper" to change the drilling regulations to make them more strict to protect its water quality.
- A presentation was made to the UDSB by people representing the City of Port Jervis on a proposed Whitewater Park.

- The NPS is digitalizing its records dealing with substantial conformance reviews of the Towns/Townships along the river. This will be helpful when the UDC begins the review of local zoning and sub-division ordinances. It has been a very long time since the towns were deemed in conformance and an updated review needs to be done to assure that changes or amendments over the years would not change those findings.
  - Although Buckingham Township is not a member of the Council, we have been invited to make a presentation before their Planning Commission.
  - NYS DEC has issued new River Herring Regulations that prohibit the taking of said fish from the Delaware.
  - Actions taken:
    - Approved the new 5-Year Plan: FY 2013-2017
    - Approved a resolution showing appreciation for David B. Soete's work on behalf of the Council
- During the special UDC meeting the Tag Grants were discussed. Recommendation was for \$7,000.00 to move forward with codifying our laws. (Of course this isn't a guarantee that we will get that much money for this project)

**TOWN BOARD:****(Councilperson Story)**

Nothing to add at this time.

**(Councilperson Grund)**

Nothing at this time

**(Councilperson Richardson)**

Asked about the fuel sharing which was mentioned at the last Town Board meeting. Supervisor said the school is still interested. Councilperson Richardson also requested to have gas drilling issue put on the agenda for next month. Supervisor mentioned the Board is waiting on DEC regs. Will take this request into consideration

**(Councilperson Schulman)** not present

**(Supervisor Maas)**

Nothing more to add at this time

**OLD BUSINESS:**

1. MMFT update – Local Law # 1 of 2012 – Public Hearing set for October 10, 2012 at 7:00 p.m.
2. Pull-off Route 97 for byway – discussed earlier
3. Basement completion and generator –met with CEO and some contractors proposals coming in. Generation quote for partial services and not fully automatic turn on if there is an outage. There was some discussion One propane 20 KW 100 AMP switch approx. \$11,000.00 -\$12,500.00 will need to be put out for bids
4. Unsafe buildings –some being worked on the newest one on New Turnpike Road was discussed earlier
5. NIMS –next Tuesday at 6:30 p.m. in the Sullivan West Central School Library
6. Phone service –will go with Mike Egan ( he installed the phone service we have now)

**MOTION:** On motion by Councilperson Richardson, seconded by Councilperson Grund, the following motion was to have Mike Egan through Transtel –VOIA upgrade the phone service at the Town Hall (74Smales Road). All board members present voted in favor

7. Operation of Sewer Plant –will be discussed at the recessed meeting
8. Workers Compensation –pending
9. Health Ins. MVP—need to hear back
10. Codify Local Laws – Tag Grant—will start the process on Sept. 20<sup>th</sup>.

**NEW BUSINESS:**

No new business at this time

**PUBLIC COMMENT:**

The following persons spoke: Allan Rubin, Grace Van Hulsteyn, Brenda Selden, Joan Glase, Richard Ross, Jennifer Young (from the Town of Bethel), Robin McClernon, Leslie Valunis, Ken Schliefe. All wanted the town board to ban gas drilling or at least have a moratorium. Issues were clean water; air, health, and safety of the community all issues that were previously presented to the board over a period of more than 2 years. Some of these letters which were given to the Town Clerk and are on file in her office if anyone wishes to review them. Mr. Rubin had a petition which he said had over 500 signatures. This information was presented on a disk to the Town Clerk. Dottie Schlegel mentioned an unsafe building on New Turnpike Road B. and she also asked about a fall cleanup. Supervisor told her we don't have one and there is no money in the budget for one.

Peter Grosser – doom and gloom regarding gas drilling, he does not think gas drilling is all bad.

Neal Fitzgerald—government isn't too good about taking care of us—bad drugs.

Leslie Valunis mentioned good job on cleanup on West Shore.

Councilperson Richardson mentioned the UDC in 1989 the DEC was monitoring the Barns landfill leaching.—were getting reports, but reports ended when DEC had no money

Supervisor will take into consideration having gas drilling on the agenda for next months meeting

Councilperson Richardson mentioned that on Sept. 29<sup>th</sup> the County is having a Household Hazardous Waste Collection from 12:30 -- 4:30 p.m. you must pre-register

**MOTION:** On motion of Councilperson Richardson, seconded by Councilperson Grund, the following motion was this Town Board will recess until Sept. 26<sup>th</sup> at 6:30 p.m.. Time 9:50 p.m.

**ADOPTED: - AYES: 4**

**NAYS: 0** Councilperson Schulman absent

Supervisor Maas

Councilpersons: Richardson, Grund and Story

Respectfully Submitted,  
Hollye Schulman, Town Clerk

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