

**REGULAR MEETING, TOWN OF COCHECTON, OCTOBER 9, 2013  
BID OPENING CHIPPER**

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A meeting of the Town of Cochection was held on October 9, 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 Richard Schulman  
Councilperson Anna Story absent

**OTHERS PRESENT:**

Hollye Schulman – Town Clerk  
Kevin Esselman – Highway Superintendent  
Gregg Semenetz -- CEO  
Eileen Hennessy –Tax Collector  
Sharron Cardone –Planning Board Chair

During the work session David Bodenstein from Mike Preis Insurance gave a short presentation on NYMIR and the fact that the Town has been with them for a long time --and he presented a check to the Town in the amount of \$612.50 for being a loyal customer.

Supervisor mentioned that Councilperson Story is not here due to illness and wished her a speedy recovery.

**BID OPENING CHIPPER**

Town Clerk read the legal notice placed in The River Reported September 26, 2013

One bid received.

Bid from Marshall Machinery Inc. and it was in the amount of \$37,742.50 for a Morbark Beaver M12R chipper

Councilperson Richardson said he would support purchasing a 12” Chipper

**RESOLUTION # 72-A**

**ACCEPT BID SUBMITTED BY MARSHALL MACHINERY INC. FOR MORBARK BEEVER M12R CHIPPER**

On motion by Councilperson Richardson, seconded by Councilperson Grund, the following resolution was to accept the bid presented by Marshall Machinery Inc. in the amount of \$37, 742.50 for the Morbark Beaver M12R chipper.

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

**RESOLUTION # 73**

**LOCAL LAW # 1 of 2013 ENTITLED “CODE OF THE TOWN OF COCHECTON”**

On motion of Councilperson Richardson, seconded by Councilperson Grund, the following resolution was WHEREAS, a public hearing was held the 25th day of September, 2013 by the Town Board of the Town of Cochection, notice of which was given as required by the Municipal Home Rule Law, the Open Meetings Law and the Town Law of the State of New York:

WHEREAS, at said public hearing the Town Board considered the enactment of proposed Local Law No. 1 – 2013, entitled A LOCAL LAW TO PROVIDE FOR THE CODIFICATION OF THE LOCAL LAWS, ORDINANCES AND CERTAIN RESOLUTIONS OF THE TOWN OF COCHECTON INTO A MUNICIPAL CODE TO BE DESIGNATED THE “CODE OF THE TOWN OF COCHECTON”; and

WHEREAS, all interested persons were given an opportunity to be heard with respect to the enactment of said local law;

NOW, THEREFORE, BE IT RESOLVED, that Local Law No. 1 – 2013, be enacted as follows:

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

**RESOLUTION # 74**

**TOWN OF COCHECTON REQUIRED BY NEW YORK STATE UNIFIED COURT SYSTEM TO AUDIT JUSTICE COURT RECORDS**

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

WHEREAS, the Town of Cochection is required by the State of New York to have the local Justice Court records audited annually, and

WHEREAS, the accounting firm of Cooper, Arias & Co. LLP under contract with the Town of Cochection conducted an annual audit F Y 2012, and

WHEREAS, included in the annual audit was a review of the Town Justices’ Court records as required by the State of New York Unified Court System, and

THEREFORE BE IT RESOLVED, that the duly elected Town Board does hereby accept at annual audit FY 2012 preformed by Cooper, Arias & Co. LLP as fulfilling the requirement of the local justice records audit

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

**RESOLUTION # 75**

**CORRECTION TO ABSTRACT # 9**

On motion by Councilperson Grund, seconded by Councilperson Richardson, the following resolution was WHEREAS, the Cochecton Town Board when it approved Abstract # 9 on September 11<sup>th</sup>, 2013 was unaware that voucher # 407 in the amount of \$90.22 was not added up in the total in General Accounts, and therefore BE IT RESOLVED, that the total on General Accounts on Abstract # 9 should read \$26,685.46 instead of \$26,595.24 to correct this omission

**ADOPTED: AYES: 4**

**NAYS: 0** Councilperson Story absent

Supervisor Maas

Councilpersons Richardson, Grund, and Schulman

**MOTION:** On motion of Councilperson Grund, seconded by Councilperson Richardson, the following motion was to approve the minutes of September 11, 2013, and September 25, 2013 and be accepted as submitted. All present board members voted in favor. Councilperson Story absent

**MOTION:** On motion of Councilperson Schulman, seconded by Councilperson Grund, the following motion was to approve the bills to be paid on Abstract # 10 in the following amounts:

General Account	Voucher # 440-462	\$4,397.41
Sewer Account	Voucher # 463-464	\$210.30
Lighting District Account	Voucher # 473	\$1,100.58
Highway Account	Voucher # 465-472	\$17,743.67

Claim #'s 446, 451 and 461 are noted as splits between funds, same voucher.

Voucher #'s 440-448 are noted as PREPAID on September 18<sup>th</sup> and 23<sup>rd</sup>, 2013. All present board members voted favor. Councilperson Story absent.

**CORRESPONDENCE:**

Robin Slovang –postcard, inviting the town to save our water and beer, at the Heartland Brewery

Hudson Valley Pattern for Progress: Celebrating the Valley's Visionaries; November 7, 2013 at 5:30 p.m.

Anthony's Pier 9 in New Windsor, NY

DEC: Notice of Availability of State Grant Funds

Chris Gibson: Symposium Rural Broadband Monday October 21<sup>st</sup> at 9:00 a.m. at the Sullivan County Community College

Inventory sheet received from the Highway Superintendent

Recreate NY: Smart Buyout Home Program

Catskill Hudson: Health match recruits doctors to rural community

NYS Unified Court System: requesting Justice Court record audit—This is done by our Independent Auditors

MVP Health Care: Notification renewal of rate increase for 2014 –Single \$460.73, Double \$921.46 Family \$1,197.91 approx. 8% increase

Sullivan County Treasurer's Office: Clean-up tonnage Senator John Bonacic: his Senate District grant available – maximum will be \$100,000.00 – State and Municipal Facilities Capital Program

Laurie McFadden: let town officials know she can provide Legal Services to Non-profit, Tax-exempt and Mission-driven organizations

NYS Professional Women of Sullivan County: announcing their choices: 2013 Women of the Year: Danielle Gaebel and Jennifer Bitetto. 2013 Community Service Award—Anna Milucky. This will be held on November 3<sup>rd</sup> at the Eagle's Nest in Bloomingburg, NY

The Bagel Capital Festival Inc. Monticello (The Bagel Capital) asking for support for this event

MVP Health Care: advising changes due to the Affordable Care Act (ACA) new replacement policy and new premium rates effective 2014

NYSERDA: Thanking the board for adopting the Climate Smart Community Pledge

Sullivan County Office of Aging- Deborah Allen: announcing a Public Hearing on October 16, 2013 at the Ted Stroebele Recreation Center at 9:00 a.m. looking for input from the communities --registration and free continental breakfast

**PUBLIC COMMENT:**

Joan Glase, Cross Road: Thanked the Town Board and Highway Superintendent for purchasing a smaller chipper, and not the larger one

No one else wished to comment

**COMMITTEE REPORTS:**

Pull Off: Councilperson Richardson – had nothing to report, but the Supervisor mentioned the sign was knocked off, he has it in his office and will reattach it with longer bolts

Youth Commission: Councilperson Grund reported on events held and upcoming events, they are working on events for 2014. Have a good sign up for the tricky trunk to be held on October 26<sup>th</sup> at the lower Town Hall Parking lot and the park. Hoping to do some different events next year and go different places than in the past

Office of the Aging: Councilperson Schulman: National Prescription Drug Take-back Day. October 26<sup>th</sup> from 10 a.m. -2 p.m. No needles or liquids will be accepted. 4 locations Fallsburg Police, Liberty Police Catskill Regional Hospital Lobby, and Monticello at the Ted Stroebel Center w/ Monticello Police. Affordable Care Act – Free individual assistance provided by MISN (Maternal-Infant Services Network). Contact information 1-800-453-4666 or 845-561-3575. Cornell Cooperative Extension November 4 from 3:30 -5:00pm for Caregivers and the general public; how to balance caregiving while tasked with the holiday “to do list”. Sullivan County Senior Safety Day hosted by TRIAD Wednesday October 16, 2013 from 10-1 p.m. at the Ted Stroebele Recreation Center in Monticello

Web Site: Councilperson Story no report not present

DEPARTMENT HEADS:

SUPERVISOR: (Gary Maas)

Submitted a written report:

1. Monthly Financial Report

Bank Information:

- Deposited \$ 100.00 UDC check
- Deposited \$170.00 Judicial fees
- Deposited \$1,227.00 Judicial fees
- Deposited \$1,773.55 Town Clerk fees
- Deposited \$107,901.32 CHIPS
- Deposited \$6,204.22 Mortgage Tax
- Deposited \$29,602.00 State Aid
- Deposited \$7,000.00 UDC Tag Grant
- Made transfers and deposits as needed

2. Activity

Calls with Cooper Arias, Karen Mannino, Travis Odell, UDC, Mike Pries, General Code,  
Got new page for codification noting UDC assistance with grant money  
Worked on 2014 Budget, also addressed ATV accident. Federal Emergency Action Plan updated

CONTRACTUAL		\$ 5,500.00
Abstract #1	\$ 11.89	\$4,988.11
Abstract #2	\$ 287.91	\$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
Abstract#7	\$ 119.65	\$ 3,514.41
Abstract#8	\$ 207.90	\$ 3,306.51
Abstract#9	\$ 122.90	\$ 3,183.61
Abstract#10	\$ 65.00	\$ 3,118.61

Worked 85 hours

HIGHWAY SUPERINTENDENT: (Kevin Esselman)

- Patched on both paved and gravel roads.
- Did some ditching around town.
- Did some more paving around town. Would like to thank the Towns of Highland, Fremont and Callicoon for their help.
- Picked up new sander and started fabricating it to the truck.
- Had to replace the clutch and kingpins in truck # 27
- I attended a Highway school in Lake Placid.
- Started a tree project on Erhley Rd., going to be renting a dozer and cutting the high banks off.
- Did the Legal Notice for the chipper and sent it to the paper and Anna.
- Received 340 gals of Diesel Fuel, used 369 gals.
- No gas delivery used 89.8 gals
- Worked 160 hrs.
- Contractual balance is \$ 244.18

Councilperson Schulman asked the HWY Superintendent about the tree project. HWY Superintendent said he is going to cut back the high spots on Tyler Road, and cut back the trees so the sun can get in and it will also make it easier for the plow to get the snow off the road.

Councilperson Richardson asked if the project would go beyond the town’s right-of way. HWY Superintendent said no it wouldn’t. He also asked about the Shared Municipal agreement. HWY Superintendent said some towns have gone beyond what is in the agreement. Most HWY Superintendents are not happy with the way it is written. The HWY Superintendents tell their men what work needs to be done and they go and do it (even if it is to help another town with ditching etc.) Dave Bodenstein from Mike Preis Insurance also had a comment about this agreement last month, as did the Attorney—she felt there should be some language to provide protection for the town in this agreement

Supervisor asked about truck # 27. HWY Superintendent said it is a 1992 and that is the one the new plow is going to be put on

HWY Superintendent also told the board he has entered all the town roads into the computer, this way he can keep track of what roads are getting repairs and upgrades

**TOWN CLERK:** (Hollye Schulman)

- Submitted a written report;
- I took care of the regular duties of the Town Clerk
- Attended the OSTCA meeting September 18, in Liberty, had a round table discussion as the guest speaker was an hour late due to unforeseen business in her office. There was some discussion regarding the budget; some towns are just starting the process. The guest speaker was from EZ-pass. The towns that are providing this service are doing a brisk business and making money for their towns. EZ- pass is also now available at some retailers.
- Legal notice was sent to The River Reporter by the Highway Superintendent for the 12" chipper, and he also sent a copy to me.
- The UDC check # 3294 in the amount of \$100.00 received 9/26/2013 and turned over to the Supervisor the same day
- I issued 3 handicapped parking permit
- I provide telephone #'s for different departments. I have received telephone calls for the Tax Collector, Assessor, CEO, Bookkeeper and Justice Court, and I had people wanting to pay their School Taxes, and asking where they should vote for the Primary.
- I have corrected my contractual balance which was reported last month as \$4,900.55 however it should have been \$4,495.64
- Worked a total of 114 ¾ hours
- Contractual balance: \$4,363.65

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

- Worked 80 hours, total mileage 473
- Issued 3 permits, 0 renewals
- C of O's issued:2, Notice of disapproval: 1, Municipal search letters: 2
- Appearance tickets: 0
- Revenues in the amount of \$350.00
- Expenses: \$310.15
- Contractual balance: \$1,905.15

CEO mentioned smaller projects are picking up, people want to finish the projects before winter. CEO is in contact with the property owner with the 2 unsafe structures on CR 116, he has provided the property owner with the names of several contractors. The buildings had not at this time been made safe and secure. He thinks it will be a slow process. Also the straw bale house is underway again after a slow-down, again he thinks this will be a slow going project

**TOWN ATTORNEY:** (Karen Mannino) not present

Submitted written report which the Supervisor went over

- Research SEQRA; draft proposed EAF; draft proposed Neg. Dec; draft proposed resolutions for lead agency status and Neg. Dec.
- Final research/review of SEQRA documents and email to Supervisor and CEO
- Attended Board meeting
- Revised proposed IMA for Shared Services
- Review SEQRA requirements for 9/25 meeting
- Attended recessed board meeting

**TAX COLLECTOR:** (Eileen Hennessy)

- Submitted a written report
- Balance in checkbook is \$0.28 as of October 9, 2013
- Contractual balance: \$3,067.22
- Worked 4 hours

Tax Collector needs to purchase envelopes needed to send out the property tax bills in January.

There was some discussion regarding the use of a credit card and how it works to pay the property taxes. It would not take long to set up the program, but she might need a different computer

**RESOLUTION # 76**

**AUTHORIZE THE TAX COLLECTOR TO PURCHASE ENVELOPES**

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

WHEREAS, the Tax Collector requires additional stamped envelopes to perform her duties as tax collector, and to be able to send out the tax bills for FY 2014, therefore

BE IT FURTHER RESOLVED, she is hereby authorized to make said purchase

**ADOPTED: AYES: 4**

**NAYS: 0** Councilperson Story absent

Supervisor Maas

Councilpersons Richardson, Grund, and Schulman

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

(Assessor Clerk was present; she mentioned the data collection project going smoothly, have had a lot of calls regarding the STAR program)

Assessor submitted written report: which the Supervisor went over

Old Business:

1. As of this writing, Terri has finished 14 map sections at this time.
2. I am officially back in the office!
3. By now everyone who has the Basic Star exemption, should have received a letter from the State.

New Business:

Nothing new to report!

Data Collection project

Sept			
Terri	77	982.52	
Linda	60.4	\$770.70	
		\$1,753.22	\$15,684.82
September			
	1355.4	\$2,518.36	
Terri Fountain		\$88.88	
Lorry King			
Total		\$88.88	
Balance		\$2,429.48	
Assessor Hrs.: 26.75 Clerk: 18.75			

PLANNING BOARD CHAIR: (Sharron Cardone)

- Submitted a written report: SEPTEMBER 27<sup>th</sup> 2013
- Meeting opened by me at 7:30 all members except Earl Bertsch and George Blaso were present. Neal Halloran came in a little late.
- Minutes for the August 2013 meeting were approved and June minutes were tabled till next month.
- Correspondence: Read email I received from Heather at Sullivan County Planning Regarding the new NYS SEQR changes sent out by the NYS DOS. The new model short and full environmental assessment forms (EAF) are scheduled to become effective on 10/7/13. Within the next few weeks the final short and full EAF workbooks and online fill-able versions will be posted to the DEC website. I am going to see if can get on the website and print this out for the next meeting.
- New Business:
- Lawrence Molinaro lot improvement was held – Gary Packer presented it – Adding .057 acres to lot – this is to correct a driveway encroachment. Seems driveway was on neighbors’ property so the Molinaro’s are adding a piece of property to their lot. Lot improvement was approved –all in favor.
- Old Business: Need to get a copy of the original Comprehensive plan as what we have is the Addendum and need to have both.
- Other Business:
- Started going over and looking at Zoning – did pages 1 to 6. One of the mentions made by Neal was on Page 7 on Driveways – mentions individual driveways but no mention of Shared driveways. Other issues also discussed.
- Jim Crowley bought up the fact that the zoning laws etc have already been looked at by the planning board and that suggestions were previously made and taken under consideration by the Town Board. Town spent a lot of money redoing the zoning laws. He felt that if we do not have an agenda that there is no reason for us to meet just to go over laws that have already been changed. He will come to the meetings when there is an agenda but not if nothing is on the books. Other members agreed with this. I mentioned that I was told by board to meet even if no agenda and to review again the laws.
- Meeting was adjourned at 8:30

Planning board chair explained she did not have a car for 5 months. Supervisor asked her about escrow accounts, as he would like to finalize them if they are finished. Supervisor needs authorization from her to refund any monies not used for the projects. The Planning Board Chair said she will be on vacation the month of January and there will be no meeting. She also asked about attending the Association of Towns Training School for 2014 in February. She was told the board would think about it and let her know at the next meeting

Councilperson Richardson was disappointed in the attitude of the planning board members, if there is nothing on the agenda they can always look over the Zoning Law and become familiar with it so applicants don’t have to sit and wait until it is looked up and an answer given. The Board members should know what the answer is. The cut off to be on the agenda is around the 15<sup>th</sup> of the month

SEWER OFFICER: (Michael Walter)

- Submitted a written report:
- Average flow of 29,078 for month of September
- 97.7 gallons per day for month of September
- Obtained 98.1% T.S.S. removal for September
- Worked 67 ½ hours in September

**Sewer report continues:**

- Expenditures \$210.30
- Contractual Balance: 1,754.59

New motor had been installed at the Sewer Plant, and running really well. I need to sign up for classes in November and they start in January

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

Submitted a written report: Supervisor went over the report

Opening budget \$2,620.74

2 lost dog calls

License renewals forms mailed - 18

Worked 8 hours

Contractual balance: \$2,620.745

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

Submitted a written report: Supervisor went over the report.

- I had numerous emails from a John Ballow who inquired of his ancestors, James Curtis and Paul Hartmann. He and his family were anxious to know where those two gentlemen had lived as he presumed them to have been farmers
- James Curtis bought 164 acres in 1886 just north of the intersection of Route 97 and County Route 114 and, most probably lived in the Curtis/Drake house. Paul Hartmann bought a big piece of property in 1897 which became "Hartmann Farm". There was a Hartmann Road which used to run to the right off of Cross Road just past the first house after the cemetery and ran, I believe, to the farm. If you drive down in there you can see how that property, which is still being 'hayed', has been farmed for some time. I'm told that the property extended all the way north to the New Turnpike.
- Mr. Ballow also wanted to know where these people were buried. Our records show they were buried in the East Cochection Cemetery. I gave him directions to all the above locations.
- Enjoy the fall season and have a great meeting!

**UDC:** (Larry Richardson)

- The Upper Delaware Council held its regular meeting on Thursday October 3. Following the roll call, Susan Beecher presented a power point presentation-"Adapting to Changing Climate-Risks & Opportunities for the Upper Delaware Region". The presentation talked about how a change in average temperatures could affect the forest makeup and how invasive species can become more of a problem. Warmer climate can alter the demand for Delaware River water. Lack of snow in the upper reaches can lessen runoff that in turn allows the salt line in the lower basin to move higher up river. More frequent and intense storms are likely. Climate change is real and responsible people must create long term plans on how to deal with the affects.
- It was announced that long time Delaware River Basin Commissioner Carol Collier is retiring and it is hoped that a replacement commissioner will be selected by December. Announced also was the retirement of Dennis J. DeMara, UDC representative and Natural Resource Program Supervisor for PA DCNR's Bureau of Recreation and Conservation.
- Much discussion took place about the government shutdown and what action the UDC needs to take. It was decided that since the UDC has only a small amount of unencumbered funds and cannot be assured that it will be re-imbursed when funding is restored, that the office will shut down on October 25 and staff will be furloughed. Executive Ramie will present a plan for temporary closure at the Operations Committee meeting on October 22.
- The 5K race held earlier as part of the UDC's 25<sup>th</sup> Anniversary was a success with 84 participants.
- Actions taken:
  - Passed Resolution 2013-15: Approving the FY2014 Technical Assistance Grants (*pending full restoration of the Council's funding*)
  - Passed Resolution 2013-16: A letter of appreciation to Dennis J. DeMara
  - Passed draft letter to NYS DOT expressing concern for the new DOT regulation that will allow much larger heavier trucks on NYS Rte 97 that is part of the NYS Scenic Byway System. In the past, these huge vehicles would require special permits, however under the new regulations, permits are no longer required.
  - Voted to send a letter to both Houses' of Congress and the President as well as local congressional representatives pointing out that the mission of the UDC as mandated by Congressional legislation cannot continue without the necessary federal funds.

Councilperson Richardson also mentioned that the UDC may not be sending out the monthly checks due to the Government shutdown. He would not expect the town to cover this

**TOWN BOARD:**

**(Councilperson Story)** absent

**(Councilperson Schulman)** Nothing more at this time

**(Councilperson Grund)** Nothing at this time

**(Councilperson Richardson)** asked about the bookkeeper position as she may have to take a leave of absents due to personal reasons.

**(Supervisor Maas)** explained that since this is his appointment and he needs to feel comfortable with the bookkeeper, he is having Bridget train Dee Dumas as her temporary assistant. Councilperson Richardson inquired how she would be paid. This was discussed. Councilperson Schulman asked if Ms. Dumas was a municipal bookkeeper, he was told no

**REGULAR MEETING, TOWN OF COCHECTON, OCTOBER 9, 2013  
BID OPENING CHIPPER**

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**OLD BUSINESS:**

1. Basement Completion –CEO has opened one quote so far
2. Unsafe Building –discussed earlier
3. Generator for Sewer Dept. –on hold for now
4. Re-levy –Lennox Bailey – will be furnished when the 2014 budget is presented to the County

**NEW BUSINESS:**

1. Fireworks permits – not being worked on at this time

**PUBLIC COMMENT:**

Tax Collector Eileen Hennessy, asked about renaming the Day on the Lake

Shawn Nearing, Mill Road, asked the HWY Superintendent about the truck repairs, is this something new—HWY Superintendent said that his dept. does not have the tools for the repairs. He is using Rob Orr for repairs as he will come to the shop and do them on site. He also asked about the credit card if there is a cost to the town. He was told there is no charge to the town he was told the applicant pay all fees

Councilperson Richardson, would not be in favor of adding a fee on property taxes

No one else wished to comment

**MOTION:** On motion by Councilperson Grund, seconded by Councilperson Richardson, the following motion was to recess this Town Board meeting until October 17, 2013 at 7:00 p.m. for a budget workshop and any other business that may come before the board. Time 8:52 p.m. All present board members voted in favor

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