

A meeting of the Town of Cochection was held on October 12, 2011 at 7:00 PM at the Cochection Town Hall with the following members present:

(Between 7:00 PM and 7:00 PM for the purpose of auditing bills)

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

**OTHERS PRESENT:**

Hollye Schulman – Town Clerk  
John Keating – Attorney entered at 7: 49 p.m.  
Brian DuBois – Highway Superintendent  
Gregg Semenetz –CEO entered at 7:51 p.m.  
Eileen Hennessy –Tax Collector

**RESOLUTION # 53**

**CITIZENS COMMITTEE TO REVIEW AND ASSESS THE POTENTIAL IMPACTS OF HEAVY INDUSTRIAL ACTIVITY WITHIN THE TOWN OF COCHECTON**

On motion of Councilperson Grund, seconded by Councilperson Story, the following resolution was  
WHEREAS, The Town Board of the Town of Cochection upon passing *Resolution # 43* on August 10, 2011 specifically noted that gas drilling [as a part of Heavy Industrial Activity] is an “unsettled area of law and fact”, and  
WHEREAS, new information continues to be available concerning the activities associated with certain Heavy Industrial related activities, and  
WHEREAS, the State of New York’s Department of Environmental Conservation has recently issued revised draft regulations for Natural Gas drilling in the Marcellus Shale formation, and  
WHEREAS, the State of Pennsylvania is experiencing ever increasing, similarly proposed, gas drilling and exploration also in the Marcellus Shale Formation from which important information may be obtained, therefore  
BE IT RESOLVED, that the Town Board of Cochection does hereby appoint a citizens committee hereby known as the ***Zoning Advisory Committee*** to serve at the pleasure of the Town Board, and therefore  
BE IT FURTHER RESOLVED, that the committee shall initially consist of six members whose terms shall expire December 31, 2011 although additional members may be added as deemed necessary, and therefore,  
BE IT FURTHER RESOLVED, that said Committee will hold open public meetings and issue a monthly activity report at each regularly scheduled Town Board monthly meeting, and therefore  
BE IT FURTHER RESOLVED, that the Town Board will consider the recommendations from the Zoning Advisory Committee should a majority of its members so agree and determine whether changes should be made in the current Zoning Regulations to permit, not permit or permit with restrictions Heavy Industrial Activities within the Town of Cochection

**ADOPTED: AYES: 5**

**NAYS: 0**

Supervisor Maas

Councilpersons Richardson, Grund, Schulman and Story

Councilperson Richardson explained the above resolution to the public.

Supervisor has asked for names from Allan Rubin to serve on the committee. He was given Allan Rubin, Grace Van Hulsteyn, and Mike Labron. Allan also provided alternates: Jane Roth, Claudine Luschsinger. The Supervisor named the other committee members. They are Pauline Johnson, Earl Bertsch and Peter Grosser; he did not name any alternates. At this time Allan Rubin and Pauline Johnson are the contact persons at this time.

Councilperson Richardson hopes that the committee comes with an open mind.

**MOTION:** On motion of Councilperson Richardson, seconded by Councilperson Grund, the following motion was to appoint the six persons mentioned above to the Zoning Advisory Committee: Allan Rubin, Grace Van Hulsteyn, Mike Labron, Pauline Johnson, Earl Bertsch and Peter Grosser. All voted in favor.

**RESOLUTION # 54**

**HIGHWAY SUPERINTENDENT REQUEST FOR MONEY TRANSFER**

On motion of Councilperson Grund, seconded by Councilperson Story, the following resolution was  
WHEREAS, the COCHECTON TOWN BOARD has received a request from the Highway Superintendent to transfer money so he can purchase sand for the coming winter, now  
BE IT RESOLVED that \$20,000.00 be transferred from line DA 5110.400 (General Repairs Contractual) to line DA 5142.400 (Snow Removal Contractual) so that line DA 5110.400 now reads \$105,000.00 and line DA 5142.400 reads \$100,000.00

**ADOPTED: AYES: 5**

**NAYS: 0**

Supervisor Maas

Councilpersons: Richardson, Grund, Schulman and Story

**MOTION:** On motion of Councilperson Story, seconded by Councilperson Grund, the following motion was to approve minutes of September 14, 2011, and be accepted as submitted. All voted in favor.

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

General Account	Voucher # 450-478	\$5,632.41
Escrow Account	Voucher # 459-482	\$7,474.83
Sewer Account	Voucher # 483-486	\$2,985.90
Lighting District Account	Voucher # 487	\$543.81
Highway Account	Voucher # 488-491	\$13,964.13

Claim #'s 450, 460 and 462 are noted as splits between funds, same voucher.  
Voucher #'s 450-458 are noted as PREPAID on 9/15/2011. All voted in favor.

#### **CORRESPONDENCE:**

Three updates from Time Warner Cable re: channel changes

Notice re: retirement payment- papers have been filed and have received a reply back

Three e-mails from Allan Rubin

Letter -- Government Office of Aging Public Health safe driving class to be held Oct. 19, 2011 from 10:00 a.m. – 1:00 p.m.

Allan Rubin also thru e-mail sent a map of gas wells etc. in PA. showing where problems were in relation to the gas wells.

NYSE&G- re: the town changed the service for the electric – reason was to save money

Allan Rubin e-mail re: Bradford County Commissioner's letter to Gov. Corbett

Brief – Gov. Center meeting with Supervisor, Highway Superintendent re: FEMA – papers sent out waiting for the kickoff meeting

Scenic Byways – Heavy Industry traffic

E-mail from Heather Jacksy- re: as part of the planning process for the Upper Delaware plan they have identified the NYS&W Railroad as an essential part of the river corridor. Meeting was held on September 28 in Tusten at the Library. Possibly could be for trails (walking etc.)

UDC TECH assistant grant – paper work submitted

Letter – Dave Soete and Bill Rudge, re: run off at the pond across from the mining operation on State Route 97. ; DEC is checking into this issue

Attorney John J. Keating – Unsafe Building need a board resolution authorizing him to move forward with the Order.

#### **RESOLUTION # 55**

##### **NOTICE OF ORDER AND NOTICE OF HEARING**

On motion of Councilperson Richardson, seconded by councilperson Grund, the following resolution was  
WHEREAS, the town deemed unsafe the building located at 630 CR 116 known as Tax Map SBL 12.-1-35, and  
WHEREAS, the board has authorized the Attorney to move forward, along with the CEO in notifying the owner of the Notice of Order and Notice of Hearing, now therefore  
BE IT RESOLVED that the following is an accurate and true Notice of Order and Hearing that will be sent to the property owners

##### **NOTICE OF ORDER AND NOTICE OF HEARING**

TO: LENNOX BAILEY and MYRTLE BAILEY, P.O. Box 1685, New York, New York 10013, owner of record in the Office of the Sullivan County Clerk

PREMISES: Two Story Single Family Building and Small Out Building located on 630 CR 116, Cochection, Town of Cochection, New York, bearing Tax Map SBL 12-1-35.

STATEMENT OF PARTICULARS: The Town Board of the Town of Cochection has found that a building or structure on your premises, a two story single family building and small out building located and described above, is unsafe and dangerous to the health, safety and general welfare of the public and that the building or structure violates the Town of Cochection Local Law #2 of 1986, "Unsafe Buildings Law" as follows: collapsed roof, unstable wall structure and the entire structure is in poor condition.

##### **ORDER**

In accordance with Town of Cochection Law #2 of 1986, "Unsafe Building Law", it is hereby ORDERED that the said building or structure be either made safe and secure or removed, and that the securing removal of said building or structure shall commence within thirty (30) days of the service of this notice and it shall be completed within sixty (60) days thereafter.

##### **NOTICE OF HEARING**

In case the owner and such persons having an interest in the property or structure as herein prescribed wish to contest this order, that a hearing shall be held at the **New Town Hall in Lake Huntington**, Sullivan County, New York, before the Cochection Town Board on **November 9, 2011, at 7:30 PM.** At which hearing evidence shall be received concerning the condition of said buildings and premises, and at which hearing you shall have the right to contest the findings and this Order of the Town Board. In the event such owner or persons having an interest shall fail to contest this order and fail to comply with the same, the Town Board will cause the removal of such building or structure and that the Town will asses all cost and expenses incurred by the town in the removal of such building or structure against the land on which such building or structure is located at the same time and in the same manner as general Town taxes.

**RESOLUTION # 55 continues:**

Dated: October 12, 2011

BY ORDER OF THE TOWN BOARD OF THE  
TOWN OF COCHECTON

HOLLYE SCHULMAN, TOWN CLERK

**ADOPTED: AYES: 5 NAYS: 0**

Supervisor Maas

Councilpersons Richardson, Grund, Schulman and Story

**PUBLIC COMMENT:**Brenda Seldin, Wanted to know who chose the Zoning Advisory Committee members. ; Supervisor said he chose one side with input from others, and Allan Rubin chose the other side.Peter Grosser, Mill Road Asked if correspondence was available to the public. Yes.Jerold Yavarkovsky, Schmidt Lane, Thanked the board for their support for the Youth Commission. The State continues to cut back funding. He also mentioned several events coming up. Harvest Festival, and Tricky Trunk at the old firemen's field on Oct. 29<sup>th</sup>, he also motioned that parents come up to him and thank the youth commission for all they do for the children. Many whom could not afford to take their children to a ball game, movie or any of the other activities provided for the youth with the help of the town. Supervisor Maas thanked the Youth Commission for all the work they do.Susan Pierce, CR 116, Several things, 1. the transfer station is only open a limited # of hours, and it is difficult for someone that works to get there; wanted to know if the town could have it open longer; She was told that the town only leases the space to the Dept. of Solid Waste; they set the hours not the Town Board. 2. She loves the new Park – could there be signs put in place-- no dogs? She was told to speak to the Ambulance Corp. as it is their property. 3. Building next to her on Lake Shore has broken windows, owned by a Veterinary, keeps drugs related to the business there, and kids have been going in there. The Code Enforcement Officer will look into this issue.

No one else wished to comment:

**COMMITTEE REPORTS:**

Youth Commission: Councilperson Grund reported that Jerold pretty much said it all, Councilperson Grund also mentioned that Jerold's term is up December 31, 2011, and he will be retiring from the Youth Commission.

Office of The Aging: Councilperson Schulman, there is a meeting at the Daniel Pierce Library in Grahamsville for care gives the second Tuesday of each moth at 6:00 p.m. There is also a meeting Nov. 16, 2011 from 3:00 – 5:00 p.m. re: new perspective death, dying and grief. October 19 there is a Tirade meeting.

Web Site: Councilperson Story Worked 5 ¼ hours in September, made updates to website as necessary, Eileen Hennessy contacted me with some information that needed to be place on the website and I made all additions and corrections. Removed and added information to the News alerts. I also added minutes to the website. I still need Planning Board minutes from May thru August. I can show Lauren how to send them to me in a different format sot that I can access them, but I request that she does not scan them in a PDF format because it comes crooked and looks un-professional.

**DEPARTMENT HEADS:****SUPERVISOR:** (Gary Maas)

Submitted a written report:

## 1. Monthly Financial Report

Bank Information:

Deposited \$100.00 UDC check

Deposited \$850.00 Judicial fees

Deposited \$1070.00 Judicial fees

Deposited \$1342.58 Town Clerk fees Deposited \$1,136.81 insurance refund NYMIR

Deposited \$179.00 for debit card

Deposited \$29,602.00 NYS aid

Made transfers as needed

## 2. Activity

Picked up signs in Barryville for Upper Delaware Scenic Byway

Meetings &amp; Calls with John Weber, Danette Mall, Highway Supt., John Keating,

Made deposits and transfers as needed

Meeting with FEMA on Hurricane Irene damage

Arranged stripping of parking lot around new town hall

Went to Town Park dedication

## 3. CONTRACTUAL \$5,500.00

Abstract #1

Abstract #2 \$701.54 \$4,798.46

Abstract #3 \$457.34 \$4,341.12

Abstract #4 \$111.71 \$4,229.41

Supervisor's report continues:

Abstract #5	\$850.35	\$3,379.06
Abstract #6	\$268.74	\$3,110.32
Abstract #7	\$130.74	\$2,979.78
Abstract #8	\$320.91	\$2,658.87
Abstract #9	\$99.54	\$2,559.33
Abstract # 10	\$126.56	\$2,432.77

**HIGHWAY SUPERINTENDENT:** (Brian DuBois)

- Submitted written report, Repair & maintenance as needed
- Replaced crossing pipe on the following roads: Fred White 15"X 40' poly, Brook Road 15"X 40' poly, Dailey road 15" X 40' poly Skinners Falls road 12" X 40' poly
- Replaced driveway pipe on the following roads: Olsen Road 15" X 33' poly, Forman Road 12" X 30' poly, Mohn Road 12" X 27' poly, Skipperene Road 15"X 20' galvanized
- Brook Road: Ditching & blacktop paving
- Contractual Balance: \$671.00

Presented two quotes 1. Sullivan Overhead Doors in the amount of \$2,650.00. 2. Cindymarc Door Corp DBA/ Forgatch , Open Sez Me, and M&I in the amount of \$3,000.00. To replaced overhead door in the Highway Garage.

**RESOLUTION # 56**

**ACCEPT QUOTE FROM SULLIVAN OVERHEAD DOORS**

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

WHEREAS, there is a need to replace an overhead door in the Highway Garage, and

WHEREAS, the Highway Superintendent having received 2 quotes, now therefore

BE IT RESOLVED, that the quote from Sullivan Overhead Doors was the lowest at \$2,650.00, and

BE IT FURTHER RESOLVED, that the Highway Superintendent is authorized to purchase the overhead door form Sullivan Overhead Doors in the amount of \$2,650.00

**ADOPTED: AYES: 5 NAYS: 0**

Supervisor Maas

Councilpersons: Richardson, Grund, Schulman and Story

Highway Superintendent also mentioned he called the Ford Company re: the purchase of the new truck and was informed in has left the factory that was one week ago. Also mentioned that Artic Falls Water Co. after being asked many times to change the mailing address they still get it wrong. He also feels that the water for the highway workers should be a new quote. There is no contract with Artic Falls Water Co. He was told to get some quotes for water for the highway barn.

**TOWN CLERK:** (Hollye Schulman)

- Submitted a written report;
- I took care of the regular duties of the Town Clerk
- I attended the OSTCA meeting September 21, 2011 held in Cornwall, Linda Bull from State Archives was the guest speaker, and she reported about the flooding and the fact that some Towns lost records and some towns had to send their records out to be freeze dried. However, she also reported, there is no money available from archives to assist the towns in this regard. Request for aid must be submitted to your insurance or added to the road damage and submitted to FEMA. Ms. Bull also distributed information and preparedness suggestions.
- Flo Santini; District 2 Director handed out information she received at the regional meeting held in Lake Placid; for the 2% property tax cap and explained that local laws must be done to go over the 2% and that includes resolutions by other taxing authorities such as fire districts, etc. One Town Clerk, Town of Nanticoke lost her home and everything (she is the NYSTCA Historian.)
- The UDC check # 2002 in the amount of \$100.00 received 9/30/2011 and turned over to the Supervisor on 10/3/2011
- I issued 1 permanent handicapped parking permit and 1 temporary permit in the month of September
- I'm still receiving telephone calls for the Assessor, Justice Court, CEO, Planning Board etc. Also questions regarding school taxes, as people think the Town sends out the School taxes and the town Tax Collector is responsible for collecting the taxes.
- Contractual balance: \$3,517.33

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

- Worked 80 hours, total mileage 617
- Issued 6 permits, 0 renewals
- C of O's issued 13 Municipal search letters 3
- Appearance tickets: 1
- Revenues in the amount of \$2,091.00 for October 2011
- Expenses: \$361.58
- Contractual balance: \$1,562.08

Things are starting to slow down. Problem Shortcut & Buff Road, property owner is trying to correct.

**TAX COLLECTOR:** (Eileen Hennessy)

- Submitted a written report as of October 12, 2011
- Balance in checkbook is \$0.09
- Contractual balance: \$3,023.40

Tax Collector will purchase envelopes needed to send out the property tax bills in January. She had one problem with a school tax bill, where the property owner cut and pasted her name and address to the tax bill, she has sent it back with a note, it must be sent to the School Tax Collector.

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

Submitted a written report: Which is on file at the Town Clerk's office if anyone wished to view it.

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

- Submitted written report
- Attended monthly meeting
- Prosecute Justice Court matters
- Worked on unsafe building matter

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

Submitted written report:

**Old Business:** Field review of sales and new construction continues

**New Business:**

1. Gov. Cuomo layoffs: County Directors and Assessors are affected with the Governors' proposed layoffs due to the PEF contracts. We have been informed that our liaisons' to the State in the Newburgh office will be out of a job come October 19<sup>th</sup>. This is going to be challenging to all of us, as we enter into the New Year. Our local ORPS support has always been the very best. Hopefully, this will not happen.
2. I met with Mr. Weber from Kristt to address the issues we were having with our computers talking together. After many hours of trial and errors, we were able to determine that the computes were too old to do what we had anticipated. It was recommended by the RPS team, that we replace our computers. I have attached three quotes. Tiger Direct: Acer Veriton Desktop, 3.20 GHz, 500 GB Hard drive, 4GB ram, Windows 7 Pro and 19" Monitor ....\$883.50. Dell: OptiPlex 390 3.1 GHz, 500 GB Hard drive, 4 GB ram, Windows 7 Pro and 19" Monitor.....\$1074.95 and Kristt: Nexlink 3125 Tower 3.3 GHz, 250 GB Hard drive, 4 GB ram, Windows 7 Pro and 19" Monitor.....\$1,138.00

Contractual balance: \$2,619.74

Supervisor mentioned that the Assessor felt since Kristt is the provider of the Server, it would be best to go with their computer.

#### **RESOLUTION # 57**

##### **ACCEPT QUOTE FROM KRISTT CO>**

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

WHEREAS, there is a need to upgrade the computers in the Assessor's office, and

WHEREAS, the Assessor has told the Supervisor that her recommendation would be to get the computers from Kristt Co. ; as they provide the server for the town computers, and

WHEREAS, the price of the computers are \$1,138.00 each, and her office needs two one for her clerk and one for her,

NOW THEREFORE BE IT RESOLVED, that the Town will purchase the two complete computers from Kristt Co. for the sum of \$2,276.00 in order for the Assessor and her Clerk to perform their duties

**ADOPTED: AYES: 5 NAYS: 0**

Supervisor Maas

Councilpersons: Richardson, Grund, Schulman and Story

**PLANNING BOARD CHAIR:** (Sharron Cardone) not present

Submitted a written report: Meeting was open by me at 7:30 – all members except, Neal Halloran, George Blaso and Jim Crowley were present.

Minutes of July meeting were approved.

Read information received from County Planning on up coming planning events and also brought in article from the newspaper regarding Public Hearing on DEC's draft and proposed regulations for high-volume hydraulic fracturing used for gas drilling in Marcellus Shale and other areas of the state. Meeting is November 29<sup>th</sup> at Sullivan County Community College at Seelig Theatre. They have both an afternoon hearing from 1 to 4pm and evening hearing from 6 to 9pm. Both Joe Manaseri and Earl Bertsch are going to attend. Even though this is not a meeting set up by the County Planning Board will check with the Town Board to see if credit for attending this meeting can be given. I will let Earl and Joe know.

Old Business – discussed that Cell tower installation should be starting this October and should be completed before cold weather sets in.

Mentioned to the members again the importance of attending classes so that they can get the required hours in. List that Hollye gave me regarding the hours that members have acquired is not correct. Went over this list at July meeting and per Jim Crowley – he attended 2 hours at a class in Eldred and 4 hours at classes in Sullivan County. George Walters said he attended 4 hours at class in Sullivan County with Jim. George Blaso also attended the 2 hour classes in Eldred and the 4 hour class in Sullivan as well. Will have to recheck with Hollye to correct this. No new business. Meeting was adjourned.

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

Submitted a written report:

Average flow of 118,238 gallons per day for month of October

Obtained 90% C.B.O.D. for October

Obtained 78.9 % T.S.S. removal for October

Spent a total of 78 hours attending to sewer district affairs in October

Expenditures: \$1,469.80

Contractual Balance: \$13,373.58

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

Submitted a written report:

Opening budget \$1,245.4270 mileage 94 = \$47.47

1 seizure of dog & redemption

1 calls for dog at large

One dog medical care and transfer to shelter

Contractual balance: \$1,372.24

**UDC:** (Larry Richardson)

1. The Upper Delaware Council held its regular meeting on Thursday October 6. Various committee reports were presented with the exception of the Project Review Committee since it was unable to sit a quorum.
2. Bob Tudor from the Upper Delaware River Basin stated that the meeting to finalize their gas drilling regs will be delayed until late November. He said that whatever regulations agreed upon will be open ended in that they will be reviewed at a later date and can be modified. Bob suggested that there may be a pause built into the permitting process so that the process and results can be evaluated in two years. The DRBC will be using a 1 million dollar grant to study the impact of future development including gas drilling on the Delaware River. To take one look at the amount of rain received in our area from Irene and Tropical Storm Lee, the gauge at Montague shows a **1,084%** increase above normal.
3. Pennsylvania Dept. of Conservation and Natural Resources; Dennis Demara presented a list of proposed changes that the Governor is suggesting to support the safety concerns involving gas drilling. Mr. Demara also presented a summary of a study of the *"The Economics Associated with Outdoor Recreation, Natural Resources Conservation and Historic Preservation in the United States"*. One part of the summary states: "An accounting is presented here of the known activities, which can be considered a minimum estimate:  
Jobs= 8.4 million  
Federal state and local tax revenues= \$100 billion  
Total economic activity (equivalent to GDP)=\$1.06 trillion."  
The study was performed by Southwick Associates from Fernandina Beach, FL.

**Actions taken:**

- Approved a letter to the Federal Highway Administration: Pond Eddy Bridge Replacement Project Memorandum of Agreement
- Approved a resolution awarding the printing of the Newsletter to Courier Printing Corporation
- Approved the technical assistance grant applications as recommended by the Project Review Committee
- Approved for payment grant reimbursement requests from Damascus, Lumberland and Cochection.

**TOWN BOARD:**

**(Councilperson Richardson)** Nothing more to add

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

**(Councilperson Schulman)** Black top Parking lot, feels that the stone used should have been smaller, as water will get into the blacktop and freeze and in a few years there will be holes. It does not appear to be sealed.

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

**(Supervisor Maas)** nothing more to add.

**OLD BUSINESS:**

1. New Town Hall – landscaping –Flag pole 20' cost approx \$270.00 and -25'cost approx. \$500.00. Supervisor will look into this matter
2. MMTF – meeting cancelled. Officials will hold a class to implement the MMTF suggestions, Class should be attended by Supervisor, CEO, HWS, Town Board members and Planning Board this is a 6 hour class.
3. Pulloff Route 97 for Byway –pending
4. Transfer Station Lease –Pending – Mc Andrew said it would be a couple of days

**NEW BUSINESS:**

1. Budget workshops, Supervisor feels there needs to be at least 2
2. Computer for Bookkeeper and Assessor - addressed earlier
3. Mike Preis –Health Ins. –Tow Board to look over proposal. CEO explained the insurance proposal as the Town of Callicoon has implemented the policy, however it is being grieved
4. Budget workshop. Meeting will be recessed until Oct. 26, at 6:30 p.m. and also to open sand bids

CEO requested a computer program which would download every code and can be searched more easily and would make his job easier. Cost approx \$500.00 – would like to purchase if he has enough money in his budget for this year.

**PUBLIC COMMENT:**

No one else wished to comment

**MOTION:** On motion of Councilperson Grund, seconded by Councilperson Schulman, the following motion was to recess this Town Board meeting until October 26, 2011 at 6:30 p.m. Time 10:15 p.m. All voted in favor

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