

A regular meeting of the Town of Cochection was held on December 12, 2012 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)

Meeting was called to order by Supervisor Maas with the pledge to the flag at 7:32 PM.

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

OTHERS PRESENT:

Hollye Schulman –Town Clerk John J. Keating –Attorney
Kevin Esselman – Highway Superintendent Gregg Semenetz –CEO
Sharron Cardone –Planning Board Chair George Walter –SPO

RESOLUTION # 52

COCHECTON TOWN BOARD 2012 SEWER BUDGET WAS UNAWARE OF ADDITIONAL EXPENSES

On motion of Councilperson Grund, seconded by Councilperson Richardson, the following resolution was
WHEREAS, the COCHECTON TOWN BOARD when adopting the 2012 SEWER budget was unaware of additional expenses , (Repair of pumps, removal of sludge, and generator costs associated from Hurricane Sandy) 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 9060.800 HEALTH INSURANCE in the amount of \$2000.00 be transferred to line SS 8130.400 CONTRACTUAL-SEWER OPERATIONS so that line SS 8130.400 shows \$24,000.00 and line SS 9060.800 shows \$16,500.00

ADOPTED- AYES: 5 NAYS: 0

Supervisor Maas
Councilpersons Richardson, Grund, Schulman and Story

RESOLUTION # 53

COCHECTON TOWN BOARD CHANGED INSURANCE CARRIERS FOR HEALTH INSURANCE FOR TOWN HIGHWAY DEPARTMENT EMPLOYEES

On motion of Councilperson Richardson, seconded by Councilperson Schulman, the following resolution was
WHEREAS, the COCHECTON TOWN BOARD has changed insurance carriers for health insurance for the town Highway Department employees, therefore a Health Trust account has to be opened whereby the employees will be able to draw off to cover their deductibles, and therefore,
BE IT RESOLVED that the TOWN OF COCHECTON BOARD authorizes the Supervisor to open the Health Trust Account for the employees who are insured by this high deductible health insurance plan

ADOPTED- AYES: 5 NAYS: 0

Supervisor Maas
Councilpersons Richardson, Grund, Schulman and Story

RESOLUTION # 54

SUPERVISOR AND HEALTH BENEFITS ADMINISTRATOR NEED TO BE AUTHORIZED TO HAVE A FSA BUYOUT

On motion of Councilperson Richardson, seconded by Councilperson Schulman, the following resolution was
WHEREAS, the COCHECTON TOWN BOARD has changed insurance carriers for health insurance for the town employees the Supervisor and Health Benefits Administrator need to be authorized to have a FSA Buyout to equal ½ if the Health Insurance Deductible to be paid to the employee monthly for the first 10 months of each plan year from the pay roll account. Within the same paycheck that FSA Buyout amount will be deducted from the employees gross pay pre-tax as provided in the town's cafeteria plan and deposited in the Health Trust Account fund for the Insurance plan year 12/1/12 to 11/30/13. This buyout is only available to Highway Department employees enrolled in the high deductible plan, therefore,
BE IT RESOLVED that the TOWN OF COCHECTON BOARD authorizes the Supervisor and Health Benefits Administrator to fund the Health Trust Account for the employees who are insured by this high deductible health insurance plan.

ADOPTED- AYES: 5 NAYS: 0

Supervisor Maas
Councilpersons Richardson, Grund, Schulman and Story

Supervisor explained how this will work.

Local Law # 1 of 2012 – Road Use and Preservation Law—this was discussed

Councilperson Schulman asked about the weight of a truck as opposed to the number of trucks. Supervisor explained what the difference was, and how the law would kick in after a project came before the Code Enforcement Officer

RESOLUTION # 55**ADOPT LOCAL LAW # 1 OF 2012 ROAD USE AND PRESERVATION**

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

WHEREAS, at a meeting of the Town Board of the Town of Cochection, Sullivan County, New York held at the Town hall in the Town of Cochection, County of Sullivan, State of New York on the 10 day of October 2012, a public hearing having been had at the Town Hall in Lake Huntington, Sullivan County, New York, at 7:30 PM to consider the enactment of a proposed local law: Local Law No. 1 of the year 2012. A local road use and preservation law, and

WHEREAS, all persons having had an opportunity to be heard and all persons desiring to be heard having been duly heard. A full text of the proposed law is available at the Office of the Cochection Town Clerk, 74 Smales Road, Lake Huntington, New York, and

WHEREAS, this matter is a SEQR Type 1 Action which has been duly reviewed and the Member Towns of MMTF Board have issued a Positive Declaration under SEQR, prepared and adopted a DGEIS and FGEIS and published a Findings Statement concluding that consistent with social, economic and other essential considerations from among the reasonable alternatives available, the Town action will avoid or minimize adverse environmental impact to the maximum extent practicable, and that adverse environmental impacts will be avoided or minimized to the maximum extent practicable by adoption of the Road Preservation Program, those mitigating measures which were identified as reasonable and practicable, and,

WHEREAS, DEPM has reviewed and approved this action.

NOW THEREFORE BE IT RESOLVED, that the Town of Cochection hereby adopts Local Law No. 1 of the year 2012. A local road use and preservation Law.

Certified by Hollye Schulman,

Town Clerk, December 12, 2012

ADOPTED- AYES: 4 NAYS: 1 Councilperson Schulman

Supervisor Maas

Councilpersons Richardson, Grund and Story

MOTION: On motion of Councilperson Grund, seconded by Councilperson Schulman, the following motion was to approve the minutes from November 7, 2012, November 14, 2012 and December 4, 2012 and be approved as submitted. All voted in favor.

MOTION: On motion of Councilperson Grund, seconded by Councilperson Schulman, the following motion was to approve the bills on Abstract # 12 in the following amounts:

| | | |
|---------------------------|---------------------|-------------|
| General Account | Voucher #'s 511-538 | \$49,344.59 |
| Sewer Account | Voucher #'s 539-544 | \$5,968.84 |
| Lighting District Account | Voucher # 545 | \$580.63 |
| Highway Account | Voucher #'s 546-553 | \$87098.15 |

Claim #'s 513, 515, 519, 521, 522 and 546 are noted as splits between funds, same voucher.

Prepaid claims were paid on November 16th, 23rd and 26th, 2012

All voted in favor.

CORRESPONDENCE:

Letter from General Code: Codifying Town Laws, table of content approval by the town and an invoice for completion of this stage of the project

Sullivan Chamber of Commerce, The Town's choice for the Pride award

Time Warner Cable: Program changes. Supervisor also mentioned that he is working on the phone application for the Town Hall

Letter New York State Electric and Gas re: the responses of local utilities to Hurricane Sandy letter to Aileen Gunther and Scott Samuelson –how power was restored, and your recognition of the work done by the men and women on the ground is appreciated

E-mail: regarding NYS& Local Retirement system—invoices are going to be online

Letter: Monica Brennan –Workmen's Comp EBS RMSCO—decision made to divest the Worker's Compensation line of business and cease these claims administration operations in 2013—will require a new administrator

NYS and Local Retirement System Legislation creating Tiers 5 & 6

PUBLIC COMMENT:

Richard Hofer, Daub Road, asked about permits regarding Local Law # 1 of 2012 would it hurt local businesses. Supervisor explained the law does not affect local businesses. It would take a certain amount of traffic before the law would kick in. CEO mentioned large projects it would take 95 trips a day to trigger the law

COMMITTEE REPORTS:

Route 97 Pull-Off: (Councilperson Richardson) crusher run will be put down next year at a cost of approx. \$182.00 for 20 ton

Youth commission: (Councilperson Grund) did not attend; Eileen Hennessy gave an oral report. Wendy Kraack will be leaving at the end of the year. Scheduled tubing and ice skating. Discussed the rules and regulations are being worked on. Parents or guardians need to read and sign the attendance sheet; if child does not attend after signing up for an event and there is a cost involved, they will have to pay. This was discussed

Office of the Aging (Councilperson Schulman) reported on the high cost of saying goodbye. Cost of caskets etc.

Web Site: (Councilperson Story) added September Planning Board minutes, added Nov. 7 and Nov. 14 agendas and resolutions with links to upcoming meetings. Added Town Board Minutes to board page. Placed legal notices to news alerts. Added notices to news alerts page; removed expired youth events from youth page. Changed Supervisor's message on home page and added special meeting. Worked 8 hours.

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

1. Monthly Financial Report

Bank Information:

Deposited \$ 100.00 UDC check

Deposited \$790.00 Judicial fees

Deposited \$ 1400.00 Judicial fees

Deposited \$ 1164.82 Town Clerk fees

Made transfers and deposits as needed

2. Activity

Calls with Chris Decker, John Keating, Sharon Cardone, Tom Bose, Dan Sturn, Dick Martinkovic, Ethan Cohen, Danette Mall, George Conklin, Cochection Oil, Earl Birch, Dan Hust, Steve Israel, Kevin Esselman, George Walter, Fire Dept., Sullivan County DPW, Cooper and Neiman, Thunder 102, numerous calls to and conference calls NYSEG.

Worked and many calls with Bridget in keeping up with keeping records up to date

Meeting with Joanne Baker with new Insurance Plan

Meeting with FEMA in regards to Hurricane Sandy, George Walter, Joe Manaseri, CEO, Aileen Gunthers office (pre storm meeting), contacted everyone in NIMS pre-storm with contact info.

Worked on Budget and Tax Cap to submit to state comptroller.

Calls and letter NYMIR regarding Article 78

| | | |
|-------------|-----------|------------|
| CONTRACTUAL | | \$5,500.00 |
| Abstract #1 | \$ 0.00 | |
| 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 |
| Abstract#10 | \$ 162.00 | \$2,912.12 |
| Abstract#11 | \$ 239.12 | \$2,673.07 |
| Abstract#12 | \$ 252.18 | \$2,420.89 |

HIGHWAY SUPERINTENDENT: (Kevin Esselman)

- Submitted a written report:
- Finished debris clean up from hurricane Sandy
- We installed the remainder sanders in the trucks. Had to sand the roads due to a couple of storms.
- Had a meeting in Monticello with F.E.M.A.
- Took scrape metal out to Liberty. Handed Hollye \$398.00 dollars
- Continue to ditch and patch on the roads
- Put up our seasonal signs. Also installed the stop signs on Schalck and Fred Whites road.
- My contractual balance is - \$163.75
- Worked 160 HRS

Worked on FEMA project information

TOWN CLERK: (Hollye Schulman)

- Submitted a written report:
- I took care of the regular duties of the Town Clerk collected \$7,457.44
- I attended the OSTCA meeting held in Wurtsboro, NY. The guest speaker was from C.T. Males and Associates. He gave a slide presentation re: green energy and explained what his company does for municipalities and other entities such as school districts etc. and how to help save on electric cost etc.
- The UDC check # 27840 in the amount of \$100.00 received 11/30/2012 and turned over to the Supervisor the same day
- Issued 2 permanent and 2 temporary 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 school tax questions.
- Helped the Supervisor and Highway Superintendent with some matters
- Worked a total of 117 hours
- Contractual balance: \$3,866.68

CODE ENFORCEMENT OFFICER: (Gregg Semenetz)

- Submitted a written report:
- Worked 80 hours, traveled 616 miles, issued 2 permits, no renewals, 1 C of O's, no notice of disapproval, 8 municipal search letters, 1 appearance ticket
- Revenues \$750.00, expenses \$427.21
- Contractual Balance: \$338.22

CEO mentioned that things are picking up and may be working on # 11 in single family homes and may have 12, but that may be next year. Cell Tower site work completed, drainage has been addressed site still not operational and

there is no completion date. Unsafe building on Nearing road –will have until spring to work on the removal—cost is a factor and it can be buried on site. Property owner willing to remove the structure

TOWN ATTORNEY: (John J. Keating)

- Prepare and prosecute Justice Court matters (two dates)
- Attended monthly meetings
- Assist Court Clerk with dog control matters
- Work on Local Law # 1 of 2012

Have made up the municipal shelter agreement provision to keep for another year. Needs to be signed by the Supervisor and Town of Bethel

MOTION: On motion of Councilperson Richardson, seconded by Councilperson Grund, the following motion was to authorize the Supervisor to sign the municipal shelter agreement, and forward to Town of Bethel for signature. All voted in favor

TAX COLLECTOR: (Eileen Hennessy)

- Submitted a written report:
- balance in checkbook \$0.13
- worked 5 hours in November
- Contractual balance: \$2,881.94

Ordering envelopes this week for 2013 tax bills. I will do legal notice for insertion in tax bills. Update to the Allen Tunnel program.

ASSESSOR: (Lorry King) not present

Supervisor went over her report:

Old Business:

1. Field review of sales and new construction continues
2. ORPS was here on Wednesday November 28th, they were unable to install the updates to the software and have it run properly. The update was cancelled and the software was returned to the backup. They will be doing the leg work for the fix, and it will be installed at another date

New Business:

1. I will be out of the Country on December 13th-23rd. Linda will be here to cover the office on my two Fridays
2. As you are aware, I will be doing an in house data collection project for 2013. The project will take about 1 year to complete. I have provided the Supervisor with a data collector job description for the boards review. We will be hiring someone for this part time position. This data collection project goal will be to have all updated information for every parcel in Town, including vacant land. I will have photos taken from the public right of way and whenever possible, a photo of the back of the improved properties. During the initial first phase of this project, I will be sending letters to the taxpayers to give them an opportunity to correct or amend any errors. When the taxpayer returns the forms, the clerk will be making appointments for the data collector to review the properties. I will be consulting with the Town Attorney on the affirmation the taxpayer will be signing attesting to the facts as presented or corrected.

Contractual balance: \$2,300.48

Town Board needs to advertise for a data collector

MOTION: On motion of Councilperson Richardson, seconded by Councilperson Grund, the following motion was to authorize the Town Clerk to place a help wanted notice in the classified section of the Sullivan County Democrat for a part-time data collector for the Assessor's office. All voted in favor

PLANNING BOARD CHAIR: (Sharron Cardone)

- Planning Board Meeting – Nov. 29th, 2012
- Meeting opened by me at 7:30 – all members were present.
- Minutes of October meeting were approved.
- CORRESPONDENCE: No correspondence
- OLD BUSINESS:
- Article 78 regarding Coffee Creations – will go into executive session with attorney Ira Cohen to discuss this
- Motion to go into Executive session to discuss the above was made and passed – went into Executive session at 7:40PM – came out of session at 8:50PM
- NEW BUSINESS:
- Sheppard simple subdivision - Client cancelled. Should be on agenda for December meeting.
- OTHER BUSINESS:
- Motion made by board to reappoint both myself as Chairperson for 2013 and for Lauren Bunch to remain the Planning Board clerk for the 2013 year as well. All were in favor.
- Nothing else was discussed and meeting was closed at 9:00 p.m.

Councilperson Richardson mentioned that the Planning Board Chair needs to certify to the Town Clerk the members of her board that have completed training (4 hours are required by the state). She said she is working on it. She would like to attend the Association of Towns training school in February. **Roll call vote: Councilperson Schulman would approve Planning Board Chair going to the school. Councilpersons: Richardson, Grund and Story along with the Supervisor voted not to have her attend the training school.**

Supervisor said the board was not authorizing anyone to attend this coming year

Supervisor also mentioned that he is in contact with Ira re: the Article 78 and town has been granted additional time to respond

SEWER OFFICER: (George Walter)

- Submitted a written report: This is George's last report
- Average flow of 31,437 gallons per day for month of November
- Obtained 90.77% C.B.O.D. and 95% T.S.S. removal for November
- Spent a total of 74 hours attending to sewer district affairs in November
- Expenditures \$2,198.57
- Worked 74 hours in November
- Contractual Balance: - \$668.81

George mentioned that there is a need for a larger propane tank at the Sewer Plant, as Cochection Oil had to come and fill the tank every day and a half during the power outage caused by Hurricane Sandy.

Supervisor also introduced Michael Walter the incoming SPO

At this time the Supervisor presented George Walter with a clock in appreciation for this 40 years and one month service to the town.

DOG CONTROL OFFICER: (Rosemary Barile) not present

Submitted a written report –worked 6 hours, had 3 found dog calls, 1 lost dog call
Contractual Balance: \$600.36

HISTORIAN: (K. C. Garn) not present

I haven't received any inquiries during the past month and so there is no news to report.
Hope all of you enjoy a wonderful holiday season and have a Happy New Year

UDC: (Larry Richardson)

- Submitted a written report: The Upper Delaware Council held its regular meeting on Thursday December 6.
 - The Operations Committee reported that the auditors had completed the Annual Financial Audit and it was presented to the Committee by Richard Eckersley. Since the annual audit costs the UDC about \$9,000 dollars, it was suggested that perhaps we could be served by having an annual "review" that could save thousands of dollars. However, it has been determined that the requirement from the Federal Government is one million dollars of income, the requirement from Pa. is \$500,000 dollars and in NYS it is \$250,000 dollars. Since we have operated on a \$300,000 dollar budget since 1988 we will have to continue with our regular full financial audit.
 - Our Annual Report for fiscal year 2012 is now available on the UDC website: www.upperdelawarecouncil.org.
 - The NPS Superintendent McGuinness reported that no drowning occurred in the designated river section. They will continue with the push to get river users to use life vests. They are continuing to try to find a way to target that age group that is most likely to take the risk. During the cold weather months (Nov.-Apr.) life jackets are mandatory when on or in the river.
 - We will be renewing our annual printing contract with Courier Printing since they have agreed to upgrade their system software to better reproduce submitted photos.
 - The Nominating Committee of Jack Niflot, Patricia Jeffers and I submitted a list of candidates for consideration for officers in 2013: Chairperson is Jeffrey Dexter from Damascus, Vice-Chairperson is Andrew Boyar from Highland and Secretary/Treasurer is once again Jack Niflot.
 - Actions taken:
 - Approved a draft letter to Michael Menghini, District Mining Manager for PA DEP withdrawing the UDC request for a public hearing dealing with Holbert Brothers mining permit application.
- (Following a meeting between the PA DEP, Sean McGuinness, Laurie Ramie and Travis O'Dell, the DEP agreed to stipulate actions that would mitigate the concerns of all parties)

TOWN BOARD:

(Councilperson Story)

Nothing to report at this time

(Councilperson Schulman)

Nothing to report at this time

(Councilperson Grund)

Nothing to report at this time

(Councilperson Richardson)

Mentioned he will wait until the January 2013 meeting to give his report on gas drilling

(Supervisor Maas)

Nothing to report at this time

OLD BUSINESS:

1. Base Completion and Generator –Generator should be coming next Monday – electrician to do wiring for the interior. Project moving along

Councilperson Richardson mentioned that perhaps by the early part of next year the Town Board will have in place rules and procedures for use of the community room and meeting room

2. Unsafe Buildings. Discussed earlier
3. Phone service –mentioned earlier –December 18th Time Warner Cable may turn on the service
4. Codify Local Laws – Tag Grant –this project is on track. There are some issues which will be taken care of tomorrow
5. Take another look at Community Action Resolution – pending

NEW BUSINESS:

1. Generator for Sewer Pump Station –404 funds to pay for this. The building at the pump station is rotting on the bottom and will be in need of repair. This was discussed
2. FEMA – request for assistance –updated earlier
3. Article 78 – update earlier

Town Board decided to recess to the year end meeting on December 28th at 6:30 p.m.

MOTION: On motion by Councilperson Richardson, seconded by Councilperson Grund, the following motion was to have the Town place a legal notice in the official newspaper of the town advertising the re-organizational meeting to be held on January 2, 2013 at 7:00 p.m. All voted in favor

PUBLIC COMMENT:

Allen Rubin, New Turnpike Road, Trying to think of some project for the town if gas drilling does not come. Feed hungry – organic farms. Volunteer – tourism wants to apply himself. Also thought about a hiking, biking and cross country skiing path along the river. This was discussed.

Joseph Manaseri, Smales Road, mentioned that as of January 1, 2013 Michael Attianese will be the new president of the Volunteer Ambulance Corp. Joe has served as president for 10 years.

MOTION: On motion of Councilperson Grund, seconded by Councilperson Story, the following motion was to recess this Town Board meeting until December 28, 2012 at 6:30 p.m. Time 9:22 p.m. All voted in favor.

Respectfully Submitted, _____
Hollye Schulman, Town Clerk