

A recessed meeting of the Town of Cochecton was held on July 29, 2011 at 6:30 PM at the Cochecton Town Hall with the following members present:

Meeting was called to order by Supervisor Maas with the pledge to the flag at 6:30 PM.

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

**OTHERS PRESENT:**

Brian DuBois – Highway Superintendent

Reason for the recessed meeting was so that the board may hear from Attorneys David and Helen Slottje regarding their views on gas drilling and what options towns have.

Attorneys David and Helen Slottje are from the Community Environmental Defense Council, Inc., which is a pro bono, public interest law firm. As stated, their goal is to protect rural agricultural communities from High Impact Industrial Uses. Although the DEC can't refuse permits to any drillers, DEC can review what a community says and set certain restrictions when drilling. State Law DLL 230303(2) states that localities cannot regulate, but localities wishing to do so can prohibit gas drilling because prohibition is not regulation. There are case laws regarding mining industries which state this, but at this point, there is NO CASE LAW for gas drilling. The attorneys state that the definition for High Impact Industrial Use can change from town to town, but generally, 4 criteria of 12 must be met in order to prohibit these uses. Some criteria would include (1) truck traffic, (2) more than 2 acres of impervious surface- which would create run-off, etc., (3) requirement to build out on infrastructure, (4) over 1000 HP fossil fuel generators (fumes, Diesel emissions), (5) deleterious substances (hazardous toxic waste), etc... There were many questions from the board that both attorneys answered. Supervisor Maas asked Helen Slottje what they could do to help our town. Helen Slottje stated that they could possibly help with prohibition to help protect the community, but the Defense Council's focus is on banning gas drilling.

David and Helen Slottje finished their presentation at 8:05 PM.

**PUBLIC COMMENT:**

Allan Rubin understands that language was removed from the Comprehensive plan and thanked the board for all their work. He also stated that he doesn't want to be in a town where gas comes into the area and then we regret it. We should protect our town first just like Tusten, Highland and Lumberland are doing and then have the option to change and open the door to gas drilling later as it becomes safe and impacts are known.

Claudine Luchsinger asked about the millennium pipeline road damage. How much was paid. This was discussed and the town received \$125,000.

Joe Manasari stated that he is glad that the town talks to all the members of the community and not just the people in the room.

Jane Roth stated that the IDA is giving out grant money and wanted to know if the town can retrieve some money from there. This was also discussed.

Mrs. Fidler stated that there were damages to Fred White Road and the whole road was ruined. She states that three years later, there has still been nothing done to repair that road.

No one else wished to comment.

**OLD BUSINESS:** Nothing to discuss at this time.

**NEW BUSINESS:**

1. **Levy garbage pick-up:** Now this property owner has an additional violation against him. The cost will be relieved on the property owner's tax bill with interest if he does not pay the bill. (He has not paid the previous bill at this time)
2. **Unsafe building** – Buff and Shortcut Road – CEO spoke with the property owner who said he would take care of the situation by Monday. If it is not done by Monday, the town will begin work there on Wednesday.
3. **New Park** – The playground was inspected by the insurance company and there are no problems.

**MOTION:** On motion of Councilperson Grund, Seconded by Councilperson Richardson, the following motion was to sign the lease for the new playground. All board members voted in favor.

4. **Byway Sign** – The community signs are expected to be available around 8/18. The County has agreed to store them for a while until communities are ready.
5. **Parking Lot** – We contracted for asphalt in the amount of \$47,600.00 to finish the upper parking lot and entrance at 74 Smales Road. It was offered to the town to complete the whole upper and lower parking lot this year and we will be allowed to pay for the lower lot next year. There was some discussion and all seemed agreeable to this. After Supervisor Maas has more information, he will contact and poll the board.
6. **Response** – Supervisor asked Councilperson Richardson to address a few letters that the town has received regarding gas drilling. Supervisor Maas read a paragraph from one letter which generated much discussion. Councilperson Schulman stated that he feels by taking a neutral stand we are allowing gas companies to come into the area. Councilperson Richardson reviewed point by point the specifics of the paragraph and explained how it was all incorrectly stated in the letter. He stated that we should move forward and pass these plans and we should commit to continue to talk about this gas drilling issue. He does not believe we should just pass the laws and say ok, it's done.

Supervisor Maas mentioned that he received a response letter from unclaimed funds. There is a 90 day waiting period to find out the amount of money that is in the fund. Now we just need to wait.

Supervisor Maas also mentioned he received another FOIL request and has been working on that.

**MOTION:** On motion of Councilperson Grund, seconded by Councilperson Richardson, the following motion was to adjourn this meeting. Time: 8:52 p.m. All board members voted in favor.

Please note the Town Clerk was absent and the minutes were taken by Councilperson Story, who also transcribed them and submitted them to the Town Clerk.

Respectfully Submitted,

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Hollye Schulman, Town Clerk