

Special & Regular Town Board Meeting

April 9, 2015

Members Present: Supervisor Nayer, Councilperson Miller-Simmons, Councilperson Winchell-Sweeney, Councilperson Mettler and Councilperson Sullivan.

A motion was made by Councilperson Miller-Simmons and seconded by Councilperson Winchell-Sweeney to go into executive session to conduct interviews. Motion was carried.

A motion was made by Councilperson Winchell-Sweeney and was seconded by Councilperson Miller-Simmons to come out of executive session. Motion was carried.

No action was taken.

A motion was made by Councilperson Sullivan and was seconded by Councilperson Winchell-Sweeney that the meeting be adjourned. Motion was carried.

The regular meeting of the Copake Town Board followed at 7:00 pm.

A motion was made by Councilperson Miller-Simmons and was seconded by Councilperson Winchell-Sweeney to waive the reading of the 3/12/15 and 3/18/15 Meeting minutes and accept them as written. Motion was carried.

Announcements:

Assemblymember Barrett will be at Dad's Diner on Friday, April 10th from 11:30 – 1:30 pm for anyone who would like to speak to her. Saturday, April 11th there will be a ribbon cutting ceremony for the new section of the Rail Trail at the Orphan Farm Road entrance at 1:00 pm. Sunday, April 12th Roeliff Jansen Historical Society will be featuring Paul McBride, Independent Scholar is particularly interested in Mohican relationships with early settlers as well as with the members of the Iroquois Nation. Free admission and refreshments. Friday, April 17, 2015 at 3:00 p.m. local bicyclists are invited to join the "Great Bicycle Ride"- an annual event in Copake, where local riders join the Wheelmen who come to Copake for the world famous Antique Bicycle Auction at Copake Auction. Saturday April 18th from 10 am to 3 pm Roeliff Jansen Community Library is hosting a Fair as a way to aid local organizations during National Volunteer Week, April 12-18. Saturday May 2nd – Sunday May 3rd everyone who lives or has a business in the Town of Copake is invited to a weekend-long workshop to discuss and plan the future of the Hamlet of Copake sponsored by the Copake Hamlet Revitalization Task Force. Copake Annual Cleanup Day May 16, 2015 9:00 am – Noon at the Town of Copake Highway Garage, 47 School Road. 2015 Copake Park Summer Program Signups Saturday May 30 Open exclusively to Copake residents June 6 Open to residents & non-residents 10am-12pm (or until program is at capacity).

Correspondence:

From Veronique Fabio, Secretary Copake Zoning Board of Appeals – A letter requesting another thirty days to study the topic of Special Use Permits.

From Aquatic Control Technology – a letter advising that the Copake Lake Conservation Society plans to continue aquatic weed and algae management at Copake Lake in 2015.

From Gurbrit Singh DBA Copake Sports Bar, Inc. 1682 County Route 7A, Copake, New York has applied for a Liquor, wine and beer license.

Public Forum: None

Department Head Report:

Copake Park & Recreation Commission Easter Egg Hunt was a success.

Councilperson Winchell-Sweeney advised that the CAC is scheduled to meet on April 18th.

Councilperson Mettler reported that the CHRT met last night and are working on the April 17th Bike ride starting at the Auction House at 3:00 pm, the Bike Team sub-committee is working on a new Bike Copake Brochure which we hope to have it public by Memorial Day and the Columbia County Department of Tourism is going to bear part of the cost of the printing, and are getting ready for the Copake-by-Design Workshop on May 2nd and May 3rd and asked people to check out the Facebook Page CopakebyDesign for more information on the weekend workshop.

New Business:

Supervisor Nayer announced that he and the Town Clerk's Office will be updating the Senior Safety Checklist that the Town uses to check on during bad storms or State of Emergencies. Supervisor Nayer will be attending the R.J. Young-at-Hearts meetings and the Office for the Aging Luncheons.

Councilperson Mettler will speak to the members of the Comprehensive Planning Committee to schedule an open workshop to review how many of the goals have been met that were set in the Comprehensive Plan.

The Town Board tabled scheduling the Public Hearing for the renewal of the franchise for Charter Communications until next month's meeting.

Supervisor Nayer reviewed the two bids received for the Surveillance System from Safeco Alarms (\$12,515.00) and S & F Technology (\$13,166.90). Both companies are reliable and both bid the same equipment. The Grant the Court received was for \$12,120.00 so the Town Board will have to authorize using \$395.00 from another account to make up the difference.

A motion was made by Councilperson Winchell-Sweeney and seconded by Councilperson Sullivan to award the contract to the Safeco Alarms with the lowest bid of @12,515.00. Motion was carried.

Supervisor Nayer reported that Highway Superintendent Gregory has advised him that the speed sign that the Town Police Department received through a grant is in need of approximately \$1,500.00 and \$2,000.00 in repairs. Supervisor Nayer requested permission to declare the sign as surplus and he will try to see if a police department is interested in it.

A motion was made by Councilperson Mettler and was seconded by Councilperson Winchell-Sweeney to declare the speed sign as surplus equipment and authorize Supervisor Nayer to contact local police departments to see if any they would be interested in it. Motion was carried.

A motion was made by Councilperson Miller-Simmons and was seconded by Councilperson Mettler to authorize Supervisor Nayer to enter into the following Intra-Municipal Cooperation Agreement:

This Inter-Municipal Cooperation Agreement is made this 9 day of April, 2015 by and between the County of Columbia, the towns of Ancram, Austerlitz, Canaan, Chatham, Village of Chatham, Claverack, Clermont, Copake, Gallatin, Germantown, Ghent, Greenport, Hillsdale, Kinderhook, Village of Kinderhook, Livingston, New Lebanon, Village of Philmont, Stockport, Stuyvesant, Taghkanic, Village of Valatie and City of Hudson. Each party hereto is a municipal corporation (hereinafter referred to as party/parties) created under the laws of the State of New York. This agreement is authorized pursuant to Article 5-G of the General Municipal Law.

WHEREAS, each of the parties desire cooperation and assistance by and between their respective Superintendent of Highways and Highway Departments for Public Works and including, but not limited to, the general maintenance, construction and repair of municipal roads, highways, bridges and property.

NOW THEREFORE, for good and valuable consideration both tangible and intangible, each party hereto agrees as follows:

1. Each party herein is authorized to provide services and assistance to another party or parties to this agreement when requested by a party hereto. Such assistance, however, may only be provided to the extent that such assistance does not interfere with or materially diminish the level of services provided by the assisting party to its' own residents or is deemed inappropriate, by the Superintendent of Highways of the assisting party.
2. Although providing assistance by way of manpower and equipment is permissible, no party to this agreement may gift any materials or parts to the other parties.
3. Each party to this agreement warrants to the others that it maintains its own liability, property damage, motor vehicle and workers compensation insurance and each municipality will hold the others harmless and indemnify the other(s) for its own acts or the acts and omissions of its employees.

This agreement will commence on April 15, 2015 terminating on the 15 day of April 2020. Any party may cancel and exclude itself from this agreement upon thirty (30) days' notice to the others.

Should one or more parties cancel this agreement, said cancellation does not impair the validity of this agreement by and between the remaining parties.

Motion was carried.

Councilperson Mettler on behalf of the CHRT and the Bike Team, a sub-committee of the CHRT requested the Town of Copake Sponsor the Roe Jan Ramble again this year. The CHRT is requesting the Towns of Ancram and Hillsdale to co-sponsor this event also. Councilperson Mettler emphasized that there will be no cost to the Towns for sponsoring this event. It is a free ride to the riders and they receive a free T-shirt which is paid for through donation from local businesses. Riders can get sponsors and raise money which will go to the Rail Trail extension the same as last year.

A motion was made by Councilperson Mettler and was seconded by Councilperson Miller-Simmons that the Town of Copake sponsor the 3rd Annual Roe Jan Ramble and that this event will be covered by the Town of Copake Insurance at no additional cost to the Town. Motion was carried.

Old Business:

A motion was made by Councilperson Miller-Simmons and was seconded by Councilperson Winchell-Sweeney to adopt the updated Town of Copake Emergency Plan. Motion was carried. Councilperson Sullivan question if the occupancy posting at the Park Building of 300 people was correct for an emergency situation? Supervisor Nayer explained that the larger number was for people sitting in chairs and the lower number was for people and tables.

The Board tabled any action on the Special Use Permit issue to allow the ZBA another thirty days to study the pros and cons on this matter.

Councilperson Mettler advised the Board that she is still gathering information on the Ethics Board's recommendation for training for all of the Town's Boards, Committees and employees on Professionalism and dealing with the Public. Councilperson Mettler contacted Chris Anderson of the Association of Towns, he recommended a lady named Ronnie Travers who is the president of a firm known as Public Sector H.R. Councilperson Mettler contacted her and advised that the Town would be interested in doing something in the fall and asked her for an agenda of what would be involved in this training. Ms. Travers will supply the information requested for the Town to review and will also speak to Mr. Anderson as the Association will pay for this type of training. The Board tabled any action on this matter until we hear back from Ms. Travers.

Councilperson Winchell-Sweeney had some additional information on the Lighting District matter and stated that they are still gathering more information for the Board. Councilperson Winchell-Sweeney did not feel there was enough information to take any action tonight. Attorney Dow explained that there are a couple of ways to dissolve Districts if the Town Board does decide to do so. Under the Town Law there is a dissolution section and under the General Municipal Law there is another section of dissolution of Districts. We first have to go back to see how the organization documents were established for the District. Councilperson Mettler stated she sees this as two questions, one being does the Board think that this is a good thing to dissolve the Lighting Districts and second question would be how is it done and how hard is it to do. Councilperson Mettler and Councilperson Winchell-Sweeney both felt that we don't have enough information yet to make a decision. Supervisor Nayer stated that he did not see this as unfair taxes for the people who live in the Lighting Districts. There are two things here, now that we are talking about considering dissolving the District is there enough support from the Board and the other thing Supervisor Nayer asked Councilperson Winchell-Sweeney, is that she owns a house in the Light District and he believes that because she owns a house in the Light District and as a Board Member if this is passed she stands to get a financial gain out of this because her Light District Tax will be gone, that technically Supervisor Nayer feels she should recuse herself from this as it appears that there is a financial aspect in this part. It is not something that we intentionally do but we are bound by certain rules and regulations. Councilperson Winchell-Sweeney fully disclosed that her house is in fact in the Lighting District and as far as anyone thinks that that is the Councilperson motivation, it is not. Councilperson Mettler added that would almost preclude any of us from making any decisions about the Town we all benefit one way or another because we all live in the Town. Councilperson Mettler feels it is Councilperson Winchell-Sweeney's decision whether this matter is a conflict of interest or not and we should not get to that point yet, we should continue this discussion and exploration of this issue and

then when we have a good sense of what is involved then we deal with these more prickly problems. Supervisor Nayer stated he was not making Councilperson Winchell-Sweeney do anything, he was just recommending, number one and number two it is her credibility not his. Councilperson Mettler further stated that on behalf of Councilperson Winchell-Sweeney she did not feel we should be questioning her credibility or anyone's credibility in a Public Meeting not based on anything that happened here tonight. Supervisor Nayer stated people could perceive what they want to perceive and he just thinks whenever there is a doubt of anything he opts out. Councilperson Winchell-Sweeney stated she will advise everyone how much taxes she does pay now verse what she would be paying if the Light District was dissolved and again she stated that this is not her motivation. The Board tabled any action on this matter until next month.

Attorney Dow advised the Board that he had just received today from the Columbia County Ag & Farmland Protection Board advising the Town Board that they generally support the Town of Copake's Agricultural and Farmland Protection Plan but they do have some suggestions. Attorney Dow will distribute their recommendations to the Board Members for their consideration. Attorney Dow will follow up with the County's suggestions and report back at the Board's next meeting.

Appointments:

A motion was made by Councilperson Miller-Simmons and was seconded by Councilperson Sullivan to appoint Edgar Masters, William Kiernan, Christie Hegarty, Lia Babitch, Max Morningstar and Matthew Linehan to the Copake Agricultural Advisory Committee. Motion was carried.

The following resolution was offered by Councilperson Mettler and was seconded by Councilperson Winchell-Sweeney:

That we the members of the Town Board of the Town of Copake do hereby petition the Department of Transportation of the State of New York, pursuant to Section 1622.1 of the Vehicle and Traffic Law to establish a lower maximum speed at which vehicles may proceed on County Rt. 7A (Center Hill Rd.) from Vernon Road South approximately one mile to the intersection of County Rt. 7A & County Route 7A in the Town of Copake.

Resolution # 8	Supervisor Nayer	yes
Dated April 9, 2015	Councilperson Miller-Simmons	yes
Copake, New York	Councilperson Winchell-Sweeney	yes
	Councilperson Mettler	yes
	Councilperson Sullivan	yes

Budget:

Supervisor Nayer stated that all the Board Members have a copy of the AUD for 2013 & 2014, there is a copy in the Town Clerk's Office and a copy on line on the Town's Website for review. Any questions please contact Supervisor Nayer.

A motion was made by Councilperson Miller-Simmons and seconded by Councilperson Sullivan to authorize the following Budget Transfer: from A1355.44 (Assessor) \$1,232.85 to A1010.47 (Town Board) \$1,232.85. Motion was carried.

Also the Town has received a check from Camphill Village for \$5,250.00 as a donation to the Town as they are a not for profit who does not have to pay taxes.

Councilperson Report: None

Public Forum:

Stosh Ganzowski questioned if anyone knew when the section of the Rail Trail connecting Hillsdale and Copake would be open? Councilperson Mettler replied that she thought it would be sometime this year but is not positive.

Lindsay LeBrecht requested that if the Board does decide to proceed with the dissolution of the Light District, the Board should give the residence a chance to decide if that is what they want and how will it affect everyone else's taxes. Councilperson Mettler stated that the tax rate would be approximately \$.03 per thousand. We will get all of the information and put it in to perspective.

Carrol Gansowski questioned what the motivation for considering the dissolving of the Lighting Districts? Councilperson Winchell-Sweeney responded that there are parcels that are assigned to the Lighting District that are not being taxed and there are parcel that are not in the Lighting District that are being taxed. By next month we will have more information to share with the public.

A motion was made by Councilperson Winchell-Sweeney and was seconded by Councilperson Miller-Simmons that the bills from Highway Abstract # 4 and the bills from thee General Abstract # 4 be paid. Motion was carried.

A motion was made by Councilperson Winchell-Sweeney and seconded by Councilperson Sullivan that the meeting be adjourned. Motion was carried.

Respectfully submitted,