

Public Hearing & Regular Town Board Meeting

June 11, 2015

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

Supervisor Nayer opened the Public Hearing at 6:45pm with 40 people present. The purpose of the Public Hearing was to discuss the renewal of Charter Communications for a Cable Franchise in the Town of Copake.

A few people in the audience commented that they wish there were other choices in providers.

Wayne Miller questioned how many residents in the Town of Copake actually subscribe to Charter? Supervisor Nayer responded that they have 547 homes in the Town hooked to their service.

Supervisor Nayer closed the Public Hearing at 6:49pm.

The regular June meeting followed at 7:00 pm.

A motion was made by Councilperson Mettler and was seconded by Councilperson Winchell-Sweeney to waive the reading of the minutes of the May 14, 2015 and accept the minutes as read. Motion was carried.

Announcements: Summer Entertainment Schedule is on the Town's Website starting with the Ghent Band on June 20th at 6:00 pm.

Correspondence:

From CDPHP – a notice of proposed premium rate change for 2016.

From NYSDOT – a copy of a letter to Dean Knox, Columbia County DPW advising that the conditions on County Route 7 in the Town of Copake do not support a lower maximum speed limit.

From G. Michael Eisenstadt and Joyce G. Hearst – a letter requesting the Town's Zoning Officer to look into the number of one family homes that are being rented by the day that is in violation of the Town's Zoning Laws.

From Grant Dinehart Langdon – a letter requesting the Town Board support a Legislative form of Government instead of the current Board of Supervisors.

Presentation:

Command Sargent Major Gary Flarety, Director of Veteran's Services for Columbia County presented Edith Froggatt six medals that her late husband Private First Class Frank Froggatt had earned serving in WWII. Following a short reception the regular meeting resumed.

Public Forum:

Lindsay Lebrecht applauded Supervisor Nayer for his effort to stop the throwing of advertising papers on people's lawns and hopes that this practice stops soon.

Grant Dinehart Langdon requested the Town Board to pass a resolution supporting the County Government change to a Legislative form of Government.

Department Head Reports:

Highway Superintendent Gregory reported that they have been grading, graveling, blacktopping, and they collected 13 tons of trash at Cleanup Day.

Supervisor Nayer reported that Gary Singh was in front of the Planning Board this month with plans to open a bar & restaurant. Also the Park Superintendent is getting things ready for the summer entertainment events.

Councilperson Winchell-Sweeney reported that the ZBA is still working on the Ben Meir application.

Councilperson Miller-Simmons reported a good turnout for both summer program signups.

Councilperson Mettler reported that the Agricultural Advisory Committee will be meeting next Tuesday.

Councilperson Miller-Simmons reported that the Parks & Recreation Commission is requesting \$250.00 from their account to purchase prizes and games for the Family Fun Day and money to purchase food for the summer events. The Commission is looking into updating some of the playground equipment and looking at different funding options.

Councilperson Miller-Simmons report that the LURC is hoping to be done within the next two or three meetings.

Councilperson Mettler reported that the Taskforce met last night with Place Alliance and addressed concerns the Taskforce had with the proposed plan and the final Hamlet Plan will be present immediately following the August Town Board Meeting. Bike Committee is working on the new biking brochure and have it out by the beginning of July and the Roe Jan Ramble will be in September.

New Business:

A motioned was made by Councilperson Winchell-Sweeney and was seconded by Councilperson Sullivan to authorize the rebidding of the crack sealing of the Town Hall Parking Lot and place the bid notice in both papers. Motion was carried.

Supervisor Nayer reported that N.Y.S.E. & G. will be doing a review of all of the street lights in the Town of Copake.

Councilperson Mettler reported that the Comprehensive Plan Committee will be revising the matrix of all the goals and actions that were recommended to reflect what has been accomplished, what is yet to be completed and what the Committee's recommendations are to the Town Board. This report should be available to the Town Board within the next 10 days to 2 weeks.

The Board discussed the change of the September Board Meeting due to the State Primary is schedule for that Thursday. The Board decided to move the Town Board Meeting to Saturday, September 12th at 9:00am.

Supervisor Nayer advised that Columbia Green Media Corporation feels that they have a right under the Constitution to distribute the shopping flyers in front of homes. The County does have a local law that

may be used to stop them doing this but the County's Attorney does not feel the law will hold up in court. The Board has asked the Town's Attorney to look into a possible local law that could be adopted to prevent these from being left in the Town of Copake.

Old Business:

Councilperson Winchell-Sweeney reported that the Association of Towns is more than willing to come down and do the training for the Town as long as the date does not co-inside with their summer training schedule. There would be no cost to the Town as long as the training was open to other Towns.

Councilperson Mettler stated that she thinks that Councilperson Sullivan should be following through with the Ethics Board as she is now the Board Liaison.

Councilperson Mettler is waiting for N.Y.S.E. & G. to verify the inventory of the lights before discussing the lighting district further. Supervisor Nayer clarified that the light at the entrance to the Park belongs to the Town and is not part of the lighting district.

Resolutions:

The following resolution was offered by Councilperson Miller-Simmons and was seconded by Councilperson Mettler:

WHEREAS, the State of New York has required each local government unit to file a Government Efficiency Plan with the New York State Division of Budget (DOB), and

WHEREAS, the County of Columbia is seeking to be the lead governmental unit for filing the plan on behalf of participating municipal entities within such County,

NOW, THEREFORE,

BE IT RESOLVED, that the Town of Copake hereby agrees to work with the County of Columbia and submit ideas for the plan which will save at least one percent (1%) of the 2014 combined tax levy amount of all participants, and

BE IT FURTHER RESOLVED, that the Town of Copake agrees to make its best effort to implement the Plan beginning in 2017 to 2019, and

BE IT FURTHER RESOLVED, that the Town Board authorized the Town Supervisor to certify the Government Efficiency Plan.

Resolution # 9	Supervisor Nayer	yes
Dated June 11, 2015	Councilperson Miller-Simmons	yes
Copake, New York	Councilperson Winchell-Sweeney	yes
	Councilperson Mettler	yes
	Councilperson Sullivan	yes

The following resolution was offered by Councilperson Miller-Simmons and was seconded by Councilperson Mettler:

WHEREAS, the Town of Copake and Charter Communications Entertainment I, LLC (hereinafter “Charter”) are currently parties to an existing franchise agreement that authorizes Charter to provide cable communications services, including television service, to residents and otherwise within the Town of Copake, and

WHEREAS, such existing franchise agreement is set to expire on or about October 19, 2015, and Charter has sought to renew such franchise agreement, and

WHEREAS, under State and Federal law, renewal of such franchise agreement requires approval by the Town Board of the Town of Copake of the proposed Franchise Renewal Agreement following a duly noticed public hearing on the proposed renewal, and

WHEREAS, the Town of Copake has fully complied with applicable law, including the noticing and holding of such public hearing and has found the renewal of the cable services franchise agreement, as set out in the document entitled “A Franchise Renewal Agreement between The Town of Copake, County of Columbia, State of New York and Charter Communications Entertainment I, LLC, I/k/a Charter Communications” (which is appended to this Resolution) to be in the interest of the Town of Copake and its residents,

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Copake grants approval to the above-described “Franchise Renewal Agreement between The Town of Copake, County of Columbia, State of New York and Charter Communications Entertainment I, LLC, I/k/a Charter Communications”, and

BE IT FURTHER RESOLVED, that the Town of Copake agrees to enter into such Agreement with Charter for a period of ten (10) years, as set out in such Franchise Renewal Agreement document, and the supervisor is authorized to execute such documents as necessary to carry out the purposes of this Resolution.

Resolution # 10	Supervisor Nayer	yes
Dated June 11, 2015	Councilperson Miller-Simmons	yes
Copake, New York	Councilperson Winchell-Sweeney	yes
	Councilperson Mettler	yes
	Councilperson Sullivan	yes

Councilperson Sullivan questioned if the franchise has always been for a ten year period? Supervisor Nayer stated yes.

Lindsay Lebrecht questioned why the Town does not get any Franchise money from Satellite Companies? There is no knowledge a Franchise Tax on Satellite TV carriers.

Budget:

A motion was made by Councilperson Sullivan and was seconded by Councilperson Miller-Simmons to authorize the following transfer:

From: A1110.4 (Court Contractual) 395.00

To: A1110.2 (Court Equipment) 395.00

Motion was carried.

A motion was made by Councilperson Sullivan and seconded by Councilperson Mettler to authorize the Copake Parks & Recreation Commission to spend up to \$250.00 from their Park Commission fund for games and prizes for Family Fund Day. Motion was carried.

Councilperson Report:

Councilperson Miller-Simmons advised that the photo release forms have been completed for the Summer Program.

Public Forum:

Marcia Peteroy questioned why the September meeting is going to be on a Saturday instead of the third Thursday? Supervisor Nayer stated that he would gone on the third Thursday. Marcia also questioned if the ad package Columbia Green Media is distributing the same package that comes in the Register Star? Yes it is.

A motion was made by Councilperson Winchell-Sweeney and was seconded by Councilperson Mettler that the bills from Highway Abstract # 6 and the bills from General Abstract # 6 be paid. Motion was carried.

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

Respectfully submitted,