

Regular Town Board Meeting

3/10/2016

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

A motion was made by Councilperson Gansowski and seconded by Councilperson Sullivan to waive the reading of the minutes of the 2/11/16 regular meeting and the minutes of the 2/25/16 special meeting and accept them as written. Motion was carried.

A motion was made by Councilperson Miller-Simmons and seconded by Councilperson Gansowski to enter into an executive session to discuss litigation. Motion was carried.

A motion was made by Councilperson Mettler and was seconded by Councilperson Gansowski to return to the regular meeting. Motion was carried.

A motion was made by Councilperson Mettler and was seconded by Councilperson Gansowski to authorize Town's Attorney Victor Meyers to file a Notice of Cross Appeal in the matter of Town of Copake vs. 13 Lackawanna Properties, LLC Salvatore Cascino and Copake Valley Farm, LLC. Motion was carried.

New Business:

Supervisor Nayer reviewed the history of the Reval and the steps that were taken from 2011 to the present. Supervisor Nayer emphasized that the figures in the Impact Notice that were sent out were generated from the State that is mandated, it is a hypothetical letter that tells you your taxes will go up or down. Do not bank on these figures as Supervisor Nayer stated this information is not accurate. Supervisor Nayer urged the tax payers to schedule a meeting with the Assessor to review how he determined your assessment. If then you are still not satisfied, you should appear in front of the Board of Assessment Review. Councilperson Sullivan questioned why the Town was going from 82% to 100%. Supervisor Nayer explained that if the Town is below 100% the County adjusts the amount that the Copake Taxpayers have to pay which ends up to be more than what a Town at 100% pays. If we don't go through with this reval the Town of Copake could go back down to 60% and we will be hit harder. Councilperson Miller-Simmons added that there are a number of these properties that are not correct. Supervisor Nayer stated that the Town has invested \$80,000.00 or \$100,000.00 over the last three years and by doing this reval in house we saved another \$100,000.00. If any member of Public does not understand this process he will try to answer these questions, after that we will open up the first Public Forum.

Hilarie Thomas, does the Town have to go through with this reval, because honestly there are a lot of inaccuracies and errors? Supervisor Nayer replied that he did not know if the Town could or not, 2/3rds of the Town went down and they would not be happy if the Town opted to not proceed with the reval. Supervisor Nayer will look into what options the Board has and the Board will review these options.

Bruce Silkin what is the figure of the Town's total assessed value compared to what it was prior to this reval? Supervisor Nayer answered that the Town was at \$452,000,000.00 and we are now at

\$776,880,155.00 if no adjustment are made. Mr. Silkin asked when was the \$452,000,000.00 figure reached? Supervisor Nayer stated that there hasn't been a reval in this Town since maybe the early '90s, this figure has been changed as homes have been added over the years. Attorney Dow added that the Town's total assessment value went up 72% so if an individual's assessment went up more than 72% they will see an increase in the percentage of what they will pay in taxes, if their assessment went down then they're percentage that they would pay would go down.

Dean Atwood asked what was keeping the Town from just going to 100% valuation. Supervisor Nayer stated that the State requires Towns to do a reval in order to go to a 100%. Mr. Atwood why couldn't the Town continue to increase the percentage slowly like they have been doing over the past years. Supervisor Nayer stated that is not the way a revaluation is done. Mr. Atwood questioned if the Town Board would consider throwing the reval out. Supervisor Nayer stated that the Board will be looking at all of their options and are not prepared to make a decision at this time.

Phillip Muller met with the Assessor and tried showing him sale comparisons for the area and said he did not want to see them now, maybe after May 1st after the tentative rolls come out. He was only interested in recent appraisals and fire insurance policies at this time. Mr. Muller asked to see records of previous sales that he based this reval on and Mr. Surprise stated that those records are on his computer and he could not see that information? Mr. Muller added that when he went on the State's website they indicated that this information has to be provided to anyone who asks. Supervisor Nayer stated he did not know the answer to that question and will find out.

Fran Miller asked why Mr. Surprise was not in attendance at this meeting. Supervisor Nayer replied that Mr. Surprise had an informational Meeting in February and no one showed up, so Supervisor Nayer advised him not to come tonight. Supervisor Nayer advised if the Public wanted to have another Public Informational Meeting, he will have someone from the State, County and Mr. Surprise present. Mrs. Miller asked how did the Assessor arrive at the value of the particular parcels. When Mrs. Miller called the Assessor's Office to ask that question she was advised that Mr. Surprise could not come to the phone and the State skewed it and to call the State. Mrs. Miller gave examples of homes that sold on her road for \$40,000.00 and \$108,000.00 recently and asked who went and looked at these properties and who goes to these properties and makes the assessment? Supervisor Nayer responded that the Town hired Data Collectors who were trained by Mr. Surprise to physically measure these properties.

Buddy Sinisi after sending the data letters back with corrections that there is no way to know if the Assessor made these corrections or made mistakes entering the data, how do we get to see this information, do we have to Foil it because he has stated to other people that he does not have disclose this information. Supervisor Nayer responded that the State monitors some of the data entries and Mr. Surprise got a letter from the State that 133 parcels have to be relooked at because technically they said he double dipped, there is human error, it does happen. Supervisor Nayer stated he does not know if the Assessor has to show the data information or not.

Peter Ugenti questioned how extensive was the training that the Data Collectors received. Supervisor Nayer said they were trained by the Assessor but does not know the particulars. Mr. Ugenti stated his house was built in the 1800's and he has not had the money to do any upgrades but his assessment has more than doubled.

Fred Miller stated that he spent a lot of time talking to the State about the rights the property owners have regarding seeing the Assessor's information and they stated that he must provide a copy of the work sheet for your property if you request it even thou the Assessor stated that he did not have to provide this information. Mr. Miller also stated that the Homeowners Association that he belongs to has 70 acres of DEC Wetlands that cannot be used for any purpose but the assessment on this property went from \$55,000.00 to \$430,000.00. Assessor Surprise stated that the Association would have to prove to him that this land is DEC Wetlands while the Town has this information hang on the wall from when the subdivision was originally approved. Supervisor Nayer will look into Mr. Miller's questions.

Councilperson Miller-Simmons advised the Public that everything that has been brought up tonight is the same thing that the Town Board Members are going through also, we are not exempt from any of this.

Hilarie Thomas asked if a referendum could be put up in November to vote the reval down. Supervisor Nayer stated that he did not believe a referendum was an option and the 2/3 of the people that went down are not going to vote to have the reval thrown out. Town Attorney Dow will look into this matter.

Edward Haskin, would it be possible to put this reval on hold until these question and options can be look into and could the Board have some weekly update or meetings for the Public so they know the status until this matter is resolved. Supervisor Nayer stated that they would have to have special board meetings and he is not available every week to do that, He took last week off from his regular job to work on this matter and only has so much time to put into this job. We are working on trying to find answers to these questions and look into all of the options the Town has.

Public Forum:

Hilarie Thomas expressed her concerns regarding the additional traffic and heavy trucks traveling Snyder Pond Road when the County closes down County Route 7A for the Bridge replacement this summer. Can the Town Board please request additional patrols to enforce the weight and speed limits on Snyder Pond Road? Supervisor Nayer will speak to the Sheriff regarding these concerns.

Announcements:

Thanked Sheriff's Department for allowing a convict to come in and paint the majority of the interior of the Town Hall, K.I.S.S. shredding program is going at the Town Hall from 3/14-3/31, Copake Fire BBQ 3/26, Easter Egg Hunt at the Park 3/26 at 11:00 am sharp, Copake Cleanup Day May 21st 9:00 until Noon at the Highway Garage, Hazards Waste Day at the Columbia County Highway Garage in Greenport is 9/10 8:00 until Noon, the ZBA still has opening for an Alternate Member and there is also an opening for a Conservation Advisory Member.

Correspondence:

From Columbia County Department of Public Works – a letter advising that that Dinehart Bridge on County Route 7A going over the Roe Jan Kill will be closing later this spring for approximately 5-6 months for bridge replacement.

From Brad Peck Inc. - a letter advising the recent wind damage claim will not be covered do to a change by the Town on the deductible years ago.

From Robert Haight, Chairman of the Copake Planning Board – a letter requesting the Town Board establish a moratorium for a minimum of six months on the construction of commercial solar parks.

From NYSDEC Division of Environmental Permits – a copy of a letter to the Lynch Family Trust Property regarding a public hearing notice that needs to be placed in the Town’s Official Newspaper.

From Park Superintendent Bradway – letters requesting Ryan Gregory, Eric Bradway and Derek Delamater be hired as part-time park maintenance employees at an hour rate of \$10.00 per hour.

From Dancer’s Marina – a notice that they will be renewing their on premise liquor license.

From the Greens – a notice that they will be renewing their on premise liquor license.

From Roberta Roll – an email advising that John Pollack is resigning from the Copake Hamlet Task Force.

Department Reports: None

New Business:

A motion was made by Councilperson Gansowski and was seconded by Councilperson Miller-Simmons to cancel the Independent Code Enforcement Contract as it is no longer need. Motion was carried.

The Insurance agent is looking into options on the Park property to reinstate the coverage that was changed years ago.

Supervisor Nayer asked Councilperson Mettler to work on dates for the workshop on the Town’s Comp. Plan for the next meeting.

A motion was made by Councilperson Sullivan and seconded by Councilperson Miller-Simmons to award the bid for additional security cameras to Safeco Alarms with adjustment to the number and location of cameras to stay within the Court Grant money for this project. Motion was carried.

A motion was made by Councilperson Mettler and was seconded by Councilperson Gansowski to accept John Pollack’s resignation from the Copake Hamlet Taskforce with regrets. Motion was carried.

A motion was made by Councilperson Mettler and was seconded by Councilperson Sullivan to authorize Town Attorney Dow to look into what would be needed to establish a six month moratorium on commercial solar farms. Motion was carried. The Board agreed to have a special meeting if they need to move forward on this matter do to pending applications.

The Board tabled discussion on establishing reserve funds until Attorney Dow has a chance to forward information to the Board to review.

Budget:

A motion was made by Councilperson Miller-Simmons and was seconded by Councilperson Mettler to authorize spending of up to \$1,500.00 for grass seed for Park. Motion was carried.

Councilperson Report:

Councilperson Miller-Simmons reminded that the Park Commission is still in need of Easter Basket donations for the Easter Egg Hunt.

Councilperson Mettler updated that we are still waiting for the Waterway Designation Bills that are in the Senate and the Assembly.

Public Forum:

Bob Haight questioned why the informational meeting was scheduled prior to the Impact Letters being sent out. It would of made more sense to have it after the mailing so the questions asked tonight could of addressed by the Assessor. Supervisor Nayer advised this is how the State sets the order of events for a reveal. Mr. Haight also questioned why is the burden of proof on the tax payer, Mr. Haight's house is a brand new house and the Assessment has doubled in two years. Supervisor Nayer will talk to the Assessor to see about another public informational meeting.

Appointments

A motion was made by Councilperson Sullivan and seconded by Supervisor Nayer to appoint Derek Delamater, Eric Bradway and Ryan Gregory as part-time Park maintenance employees at a rate of \$10.00 per hour. Motion was carried.

A motion was made by Councilperson Miller-Simmons and was seconded by Councilperson Gansowski that the bills from the General Abstract # 3 and the bills from the Highway Abstract # 3 be paid. Motion was carried.

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

Respectfully submitted,