

Regular Town Board Meeting

4/14/2016

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 Mettler to waive the reading of the minutes of the 3/10/16 regular meeting and accept them as written. Motion was carried.

Announcements: The Wheelman will be holding their annual ride Friday, April 15<sup>th</sup> starting at the Auction House at 3:00 pm, Summer Park Program sign ups begin Saturday, April 16<sup>th</sup> from 9:00 am – Noon and again on Saturday, May 21<sup>st</sup>, Copake Cleanup Day is Saturday, May 21<sup>st</sup> 9:00-Noon at the Copake Highway Garage, Columbia County Hazardous Waste Day is on September 10<sup>th</sup> at the Greenport County Highway Garage from 8:00 am – Noon, the Town still has openings on the Conservation Advisory Committee and ZBA Alternate Member.

Supervisor Nayer thanked the Copake Fire Company for their rapid response and dedication Tuesday for a smell of propane in the Town Hall. Supervisor Nayer also thanked the Community Rescue Squad for their rapid response and care for a recent call at the home of the Town's Santa Claus and saved his life. We are very fortunate to have the Rescue Squad so close.

Correspondence:

From Code Enforcement Officer Heim – a letter advising that upon inspection of Performance Auto Property he recommends the renewal of their Motor Vehicle Storage Permit.

From Lowell James Davenport, President Columbia County Farm Bureau – a letter sharing their concerns on Solar Farms and encouraging Town Boards to attend an informational workshop on "Renting Land for Land-Based Solar Arrays".

From FEMA – a letter to Mr. Spencer S. Hall regarding removing the structure located on lot 554 and 555, 1228 Lake View Road, Taconic Shores Subdivision, Copake, New York 12516 from the Special Flood Hazard Area and the Federal mandatory flood insurance requirement does not apply.

From Christie Hegarty – a letter of resignation from the Agricultural Advisory Committee.

From Peter Cipkowski, Roeliff Jansen Historical Society – a letter requesting permission to install an air conditioner in the Museum, the Historical Society will pay for the installation and all future cost related to the operation of this unit.

From Michael Alberg – a letter expressing his disappointment with the meeting with the Town's Assessor over the new assessments.

From Tony & Janice LaPorta – a letter questioning how a vacant piece of property could triple in value in one year and asked the Town Board to look into his removal.

From Michael Bradway, Park Superintendent – a letter or resignation as Park Superintendent effective 4/30/16.

From Nelson R. Alford, Hillsdale Town Attorney – a notice of Public Hearing on a Local Law adopting an Aquifer Overlay District on April 12, 2016 at 6:30 pm.

From Patricia Placona President, Roeliff Jansen Community Library – letter announcing a ceremony on April 16<sup>th</sup> at Noon officially naming the entrance road to the Library as “Flavia Bristol Drive”.

From Grant Hermans – a letter expressing his displeasure in the way the Town’s current way of clearing the sidewalks.

From Bill Mulrein President, Taconic Hills Little League – requesting permission to install and maintain a batting cage at the Copake Park.

From Howard Blue of the Committee to Save the Bash Bish Inn Flag – a letter requesting the Town consider displaying the Bash Bish Flag in the Town Hall.

From Solitude Lake Management - a letter of notification of a lake management program for Copake Lake.

From Patricia Placona, Roeliff Jansen Community Library - a letter reviewing the last five year’s growth and the next five years plans for the library.

Presentation:

Lindsay LeBrecht representing the Committee to Save the Bash Bish Flag listed the Committee members and reviewed the history of the Bash Bish Flag over the past 100 years. In 2015 when the grandchildren of the Head Waiter who saved the flag when the Inn burned read the story about the Bash Bish Inn fire on the Copake History Facebook Page, they returned the flag to one of the current Committee Members and requested it be given an appropriate home in Copake. The Committee is raising funds to have the flag restore and prepared for displaying as a 2x4 or 4x5 which significantly reduces the size of the flag and no tax payer’s funds will be used. The committee agrees that the best place to display the flag would be the Copake Town Hall and requested the Board establish an Ad Hoc Committee made up of five citizens from different areas around Copake and to look into what is displayed in the Town Hall, establish a criteria, and be the decision makers of what items should be accepted by the Town or not. In closing, the Committee would like the Board to consider these recommendations. Councilperson Gansowski questioned if it would be in the same format as the flag on display on the wall that flew during a combat mission in Afghanistan. Lindsay replied the Committee had not made the final decision on the size or shape. Councilperson Gansowski questioned if the Historical Society was interested in displaying the flag. Lindsay stated that she did not think that they had heat or air conditioning. Howard Blue added that the public’s access to the Historical Museum is less than 50 hours a year where the Town Hall is open many more hours and is used by a lot of people. Supervisor Nayer stated that he sees this as more of an historical item and questioned if the Library or the School had been approached? Mr. Blue responded that the School is afraid of it getting damaged do to a leak and the Library has too many large windows which would cause fading. Councilperson Miller stated that most people come to the Town Hall to conduct business and unless it was near where people dispose of the torn flags, Councilperson Miller does not think people will notice it. Supervisor Nayer stated we do not know what the size will be and second of all we now create a thing of where do we go when some else brings in something else

that is connected to Town for any reason, this is more Museum based and the Museum does have a conditioned space in the back of Museum. Councilperson Mettler stated that the Committee is asking the Board if they would accept this flag as a gift, they are not looking for advice on an alternate site that maybe interested in displaying the Flag. It is a gift the with no strings attached and not costing the Town anything, so the only question before the Board is if the Town Board is interested in accepting this gift. Councilperson Mettler agreed with Supervisor Nayer that the Board should take some time to think about the Committee's offer. Personally, the Town is being offer a hundred year old flag that flew over an elegant hotel in Copake that was unlike any other hotel or resort In the Tri-State area. This flag represents a time in Copake when the Town's economy was thriving and tourism was a major part of economy and this is a symbol of the glory days of Copake. In closing Councilperson Mettler stated that she thought the flag would be a great addition to the Town Hall and also the Town Board should consider forming an Ad Hoc Committee. Supervisor Nayer stated that the Board would table this matter until a later date and was totally against forming a Committee to decide what should or shouldn't be displayed in the Town Hall.

Department Head & Committee Reports: None

Public Forum:

Buddy Sinisi met with the Assessor as the Board recommended and got no answers from him. Supervisor Nayer reviewed the steps that will follow the meeting with the Assessor leading up to Grievance Day.

Councilperson Sullivan apologized for missing the flag presentation as she was attending a wake for Deb Simonsmeier who work very hard with Senator Marchione to secure funding for the Rapid Care Center in Copake.

New Business:

Town Attorney Dow reviewed the contents of Proposed Local Law # 1 of 2016 Entitled: "Town of Copake Commercial Solar Energy Installation Moratorium Law". Councilperson Mettler questioned on page # 3 it states that if there has been any land use permits issued prior to April 1<sup>st</sup> they will be revoked. Supervisor Nayer stated that there has been none issued and there are no pending projects.

A motion was made by Councilperson Mettler and was seconded by Councilperson Miller-Simmons to accept the Proposed Local Law # 1 of 2016 Entitled: "Town of Copake Commercial Solar Energy Installation Moratorium Law" and schedule a Public Hearing and Special Meeting for Wednesday, April 27<sup>th</sup> at 8:00 am. Motion was carried.

Supervisor Nayer and Town Clerk Proper went over the Emergency Management Plan and update names and phone numbers of contact people.

Supervisor Nayer received a request from the Taconic Hills Little League asking permission to erect a batting cage in the Town Park behind the row of pine trees between the swings and the concession stand. They will pay for the cage and erect the cage at no cost to the Town. They will have their own liability insurance and will name the Town as an additional insured.

A motion was made by Councilperson Mettler and was seconded by Councilperson Gansowski to authorize the Taconic Hills Little League to install a batting cage in the Town Park at no cost to the Town. Motion was carried.

Roe Jan Historical Society has requested permission to install a split unit air conditioner in the Historical Museum, they have bid the unit and will be paying for all of the cost related to installation and operation of the unit. The Historical Society will be taking over paying for the electric for the Museum saving the Town about \$1,200.00 per year.

A motion was made by Councilperson Sullivan and seconded by Councilperson Gansowski to authorize the Roe Jan Historical Society to install a spit unit air conditioner in the Historical Museum at no cost to the Town. Motion was carried.

A motion was made by Councilperson Mettler and was seconded by Councilperson Gansowski to accept Christy Hegarty's resignation from the Copake Agricultural Advisory Committee with regret. Motion was carried. Councilperson Mettler stated that the reason Mrs. Hegarty was resigning was because her family is moving out of the Town and she was a valuable Chairperson to the Agricultural Advisory Committee.

A motion was made by Councilperson Miller-Simmons and was seconded by Councilperson Mettler to accept with regrets Michael Bradway's resignation as Copake Park Superintendent effective April 29, 2016 due to family issues he needs to address. Motion was carried.

Old Business:

Comprehensive Plan Workshop has been scheduled for May 4, 2016 at 7:00 pm and will be open to the Public but there will not be any Public comment.

Old Business:

Mr. Surprise has met with many people over the reval for ten minute meetings, now he will review the information and if there were changes made they will send new impact notices to the homeowners involved, if not you can come in after May 1<sup>st</sup> to view the Tentative Tax Rolls after reviewing the books if want you can meet with Assessor prior to Grievance Day.

A motion was made by Councilperson Miller-Simmons and was seconded by Councilperson Gansowski that per the recommendation of the Code Enforcement Officer, to authorize the renewal of the Temporary Motor Vehicle Storage Area Permit for Performance Auto to expire on December 31, 2016. Motion was carried.

Zoning Revision Meeting was last month and the tabled any action until next month.

Town Attorney Dow reviewed the different processes to establish Reserve Accounts. Following a discussion on types of reserves, amounts, process needed to expend these funds and the availability to use these funds in an unforeseen emergency situation, a motion was made by Councilperson Miller-Simmons and was seconded by Councilperson Sullivan to table any action until next month's meeting. Motion was carried.

Budget:

The Board reviewed the AUD prepared by Town's Accountants and their recommendations of having enough money in unexpended balance to pay 6-8 month of bills which would equal around \$600,000.00 - \$800,000.00. We currently have \$1,772,329.00 in unexpended funds in our General Fund and \$266,374.00 on the Highway side of the budget.

A motion was made by Councilperson Miller-Simmons and seconded by Councilperson Gansowski to allow \$500.00 petty cash and \$500.00 to stock the snack train for the Summer Park Playground Program. Motion was carried.

#### Councilperson Reports:

Councilperson Mettler stated that both Senate and Assembly are in recess now and hopefully when they return on May third they will soon after act on Waterway Designation Legislation. The Hamlet Taskforce helps publicize the Big Wheel Ride because it is a lovely thing that happens in the Town. Also the Hamlet Taskforce and the Bike Copake Committee are working on this year's Roe Jan Ramble.

Councilperson Sullivan reported that the Planning Board did not meet due to nothing on this month's agenda and she has not received anything on the Ethic's Board Meeting.

Councilperson Miller-Simmons there was no Park Commission Meeting this month.

Councilperson Gansowski reported that the ZBA received an application for a salt water pool located at Copake Lake. Supervisor Nayer stated that application was withdrawn.

#### Public Forum:

Lindsay LeBrecht questioned if the Solar Moratorium would have any effect on someone who installed a system and produced more electric than they needed and the excess was sold back to the utility company. Town Attorney Dow stated that this Moratorium would not have any effect on incident sale or distribution of excess electricity generated shall not deem it a commercial solar system.

Councilperson Sullivan announced that the Taconic Hills Drama Club will be doing Beauty & the Beast at Taconic Hills this weekend.

A motion was made by Councilperson Mettler and seconded by Councilperson Miller-Simmons to go into executive session to conduct interviews for Park Superintendent. Motion was carried.

A motion was made by Councilperson Miller-Simmons and seconded by Councilperson Gansowski to come out of executive session and return to the regular meeting. Motion was carried.

A motion was made by Councilperson Mettler and was seconded by Councilperson Miller-Simmons to appoint William Gregory as Park Superintendent beginning on April 30<sup>th</sup>. Motion was carried.

The Board agreed to re advertise for part-time Park Employees in the paper.

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

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

Respectfully submitted,