

Regular Town Board Meeting

2/11/2016

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

A motion was made by Councilperson Mettler and seconded by Councilperson Sullivan to waive the reading of the 1/14/16 meeting minutes and accept them as written. Motion was carried.

Announcements:

Copake Fire Company Chicken BBQ Saturday, March 26 tickets are available at the Town Hall.

Volunteers are needed to help deliver Meals-on-Wheels in the Copake/Hillsdale area weekdays between 11:15 and noon. Anyone interested please contact the County Office for the Aging or Supervisor Nayer.

The Town has a list in the Town Hall of people that live alone that are to be contacted during a storm or an emergency to make sure that they are okay. Anyone who knows of someone who should be added to this list please contact the Town Clerk's Office.

Correspondence:

From Deborah Goldberg – a letter proposing the Town of Copake and T.S.P.O.A. pursue a 501 3 C together.

From Roberta Roll, Chairperson Copake Hamlet Revitalization Taskforce – an email requesting Peter Kelly be appointed to the Taskforce to fill a vacancy.

From Shannon Hotaling – a letter of resignation as Code Enforcement Clerk effective March 1, 2016.

From Michael Kostszewski – a letter of resignation as Code Enforcement Officer effective February 27, 2016.

From Craig Surprise, Assessor – a letter requesting \$1,500.00 be used out of the reval account to bring in Robert Hilbert for an additional five days.

From the Department of the Army – a copy of a letter to Linda Cooper, Regional Director, NYS Office of Parks, Recreation and Historical Preservation regarding Permit Application Number NAN-2015-00966-USH.

From Michael M. Bradway, Park Superintendent – a letter requesting approval to spend funds from 7140.472 Park Contractual for materials for normal park maintenance expenses.

Public Forum: None

Department Head Report:

Lindsay Lebrecht handed out information on a piece of playground equipment that the Park Commission would like permission to apply for a grant to use to purchase this equipment.

Councilperson Mettler questioned if we received Mr. Pollack's resignation from the Taskforce?
Supervisor replied no that we have not.

A motion was made by Councilperson Gansowski and was seconded by Councilperson Sullivan to accept Michael Kostszewski as Code Enforcement Officer effective February 27, 2016 and Shannon Hotaling as Clerk to the Code Enforcement Officer effective March 1, 2016 with regrets. Motion was carried.

The Board agreed to put a Public Notice in the paper for the following vacancies: Code Enforcement Officer Clerk, Conservation Advisory Committee Member, Part-time Summer Park Employee and an Alternate Member to the Z.B.A.

Highway Superintendent Gregory advised the Board that the Town opened two bids for Road Building Materials and one for Tree work. Superintendent Gregory requested that the Board accept all three of the bids for 2016.

A motion was made by Councilperson Gansowski and seconded by Councilperson Mettler per the recommendation of Highway Superintendent Gregory to award the bid for Road Building Materials to Amenia Sand & Gravel and A. Colarusso & Son, Inc. and the Tree Work bid to The Haupt Tree Company Inc. Motion was carried.

Supervisor Nayer discussed the possibility of setting up a Capital Improvement Fund and a Highway Equipment Fund.

A motion was made by Councilperson Mettler and was seconded by Councilperson Gansowski to have Attorney Dow look into the Town Board's options in setting up these accounts and report back at the next meeting. Motion was carried.

Supervisor Nayer reported that he discovered that there were 13 street lights out in the Lighting District, reported them to the NYSEG and they have been repaired. If anyone see a light out either notify NYSEG or call the Town Hall with the information.

The Board set a special meeting for February 25, 2016 starting at 6:00 pm for the purpose of conducting interviews for a Code Enforcement Clerk, Director and Asst. Director for the Summer Playground Program.

Highway Superintendent Gregory announced the Annual Cleanup Day will be Saturday, May 21, 2016 at the Highway Garage from 9:00 am – Noon. Supervisor reviewed the list of items that are prohibited and what items have a limit on.

A motion was made by Councilperson Sullivan and was seconded by Councilperson Gansowski to authorize the Parks & Recreation Commission to apply for a grant for playground equipment. Motion was carried.

The Board discussed Assessor Surprise's requesting \$1,500.00 be used out of the reval account to bring in Robert Hilbert for an additional five days due to the fact that he needs additional help. Supervisor Nayer stated he was uncomfortable presenting this request to the Board and asked the Board Members to consider approving this request provisional that the Board Members meet with Assessor Surprise to better understand why he needs this extra help.

A motion was made by Councilperson Miller-Simmons and was seconded by Councilperson Sullivan to approve Assessor Surprise's request to use \$1,500.00 from the reval account to bring Robert Hilbert for an additional five days due to the fact he needs additional help provisionally that the Board Members speak with Assessor Surprise to better understand why he needs additional help. Motion was carried.

Councilperson Mettler reviewed discussion on Zoning Workshop dates and how these workshops would be presented. Councilperson Mettler proposed having Nan Stoltzenberg of Community Planning and Environmental Associates who was the Town's Consultant to the Land Use Review Committee facilitate this workshop. Ms. Stoltzenberg has agreed to do this but will need approximately a month to prepare the presentation and it will cost about \$700.00. This workshop will be a public meeting but only Town Boards, Department Heads, Committees, Taskforce and Commissions will be able to participate. The Town Clerk will send notices out to all Liaisons, Department Heads, Boards, Committees, Taskforce and Commissions advising them of this workshop.

A motion was made by Councilperson Miller-Simmons and was seconded by Councilperson Sullivan to set the Zoning Workshop for Monday, March 21, 2016 from 7:00 – 9:00 pm. Motion was carried.

Resolution:

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

To Amend and Correct the Town of Copake Policy Manual

WHEREAS, the Town Board of the Town of Copake finds that from time to time it is in the interests of the Town for the Town Board to propose and act promptly upon a Resolution and a five day waiting period for action can be adverse to the interests of the Town; and,

WHEREAS, a change to the nominating process for the Ethics Board was previously approved, on January 8, 2015, as an addendum to the Town Policy Manual; and

WHEREAS, the Town Board finds that the position of Ombudsman has been vacant for an extended period and was utilized minimally by the residents of the Town, and is not needed; and

WHEREAS, to the extent that the Highway Department's union contract differs from provisions of the Town Policy manual, the union contract controls, and it is desirable that the Policy Manual reflect as much; and

WHEREAS, the Town's stated policies with respect to health care may now or at some time in the future be superseded by controlling federal, state, or other law or regulation; and

WHEREAS, the charts and Appendices to the currently available printed and online version of the Town Policy manual may not accurately reflect the committees, boards, officials, employees, and other entities and relationships that currently exist within the Town government and organization; and

WHEREAS, the Town Board finds it useful and in the interest of the residents, employees, and officials of the Town to adopt as Town Policies and reflect in the current and available version of the Town Policy Manual the above findings and changes;

NOW, THEREFORE,

BE IT RESOLVED, that subdivision E. (Resolutions) of section IV. (Conduct of Town Board Meetings) of the Town of Copake Policy Manual is amended to read, in its entirety, as follows:

All proposed resolutions to be voted on shall be provided in writing and attached to the scheduled meeting agenda five days prior to the meeting, unless the resolution is of an emergency nature. The foregoing notwithstanding, a resolution may be considered and voted upon by the Town Board even if not attached to the agenda, if the Town Board votes to waive the five day notice. All resolutions to be voted on shall be read in their entirety after which a 15 minute question and comment period shall be open to the general public prior to the final vote. If modified, the resolution must be read in its final proposed form before vote.

BE IT FURTHER RESOLVED, that having previously been adopted on January 8, 2015 as an addendum to the Policy Manual, paragraph 1. of subdivision A. (Citizen Board, Committee and Commission Appointments) of section V. (Citizen Participation) of the Town of Copake Policy Manual is amended to read, in its entirety, as follows:

1. The entire membership of each board, committee and commission serves as the nominating committee for its new members.

BE IT FURTHER RESOLVED, that subdivision B. (Citizen Ombudsman) of section V. (Citizen Participation) of the Town of Copake Policy Manual is eliminated and removed in its entirety, and Appendix C. (Town Primary Organization Chart) is to be revised to reflect the elimination of such position.

BE IT FURTHER RESOLVED, that paragraph 2 of section VI. (Human Resources) of the Town of Copake Policy Manual is amended to read, in its entirety, as follows:

When the provisions of this manual differ from those of the Town of Copake's Highway Department's most current contract with the Teamsters Local 294, then Highway Department employees are bound by the provisions of their contract, a current copy of which is available in the Town Clerk's office.

BE IT FURTHER RESOLVED, that sub-paragraph a. of paragraph 1 (Health Insurance) of subdivision C. (Benefits) of section VI. (Human Resources) of the Town of Copake Policy Manual is amended to read, in its entirety, as follows:

Full time employees are eligible for health insurance after six months of continuous full time employment, or as may be shortened by statute, law, or regulations. This time period may be waived for any person receiving health insurance benefits coverage from the Town who transfers from one eligible position to another.

The Town Clerk/Tax Collector and the Superintendent of Highways are eligible immediately upon taking office.

BE IT FURTHER RESOLVED, that subparagraph e. of paragraph 1 (Health Insurance) of subdivision C. (Benefits) of section VI. (Human Resources) of the Town of Copake Policy Manual is amended to read, in its entirety, as follows:

The Highway Superintendent may waive the six month waiting period (or shorter period as may be set by statute, law, or regulation) for an employee's health insurance to begin if the employee is transferring from another department within the Town or from another municipality.

BE IT FURTHER RESOLVED, that the Town Clerk is directed to revise the charts comprising Appendices B through E of the Town Policy Manual to eliminate non-existent entities from such charts and to accurately reflect the committees, boards, officials, employees, and other entities and relationships that currently exist within the Town government and organization.

BE IT FURTHER RESOLVED, that the Town Clerk is directed to conform the master and online versions of the Town of Copake Policy Manual to reflect the changes and corrections stated above in this Resolution, and to incorporate such changes and corrections in such printed versions of the Policy Manual as may be distributed in the future.

Resolution # 5	Supervisor Nayer	yes
Dated February 11, 2016	Councilperson Miller-Simmons	yes
Copake, New York	Councilperson Mettler	yes
	Councilperson Sullivan	yes
	Councilperson Gansowski	yes

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

To adopt a Shared Services Agreement between the Town of Copake and the NYS Department of Transportation (“NYS DOT”) for the year 2016

WHEREAS, the Town of Copake has received from the New York State Department of Transportation a proposed “Shared Service Agreement” which would enable the Town and NYS DOT to share certain equipment and services for the maintenance of State and Municipal Roads; and,

WHEREAS, entering into such agreement is intended to increase efficiencies and reduce costs to both parties and is therefore found to be in the interest of the Town; and

WHEREAS, pursuant to General Municipal Law section 99-R, such an agreement may be entered into by the governing board of any municipal corporation;

NOW, THEREFORE, BE IT RESOLVED, that the Shared Services Agreement attached hereto is hereby adopted; and

BE IT FURTHER RESOLVED, that the Supervisor is authorized and directed to take all necessary steps to execute such Agreement on behalf of the Town.

(Attach copy of Shared Services Agreement)

Resolution # 6	Supervisor Nayer	yes
Dated February 11, 2016	Councilperson Miller-Simmons	yes
Copake, New York	Councilperson Mettler	yes
	Councilperson Sullivan	yes
	Councilperson Gansowski	yes

Budget:

A motion was made Councilperson Gansowski and seconded by Councilperson Mettler to authorize the following transfers to close out 2015:

From:

A1220.4 (Supervisor Contractual) 81.16

To:

A3510.4 (Control of Dogs) 81.16

Motion was carried.

Supervisor Nayer reported that the fourth quarter sales tax was up 5 ½% from last year to \$161,664.10 making the total up \$1,047.95 from 2014. Supervisor Nayer also reported that from 1/1/15-2/5/15 the Highway spent \$70,500.00 on winter storms compared to this year for the same time period we spent \$13,386.00.

A motion was made by Councilperson Sullivan and was seconded by Councilperson Gansowski to authorize Park Superintendent Bradway to spend funds from 7140.472 Park Contractual for materials for normal park maintenance expenses. Motion was carried.

Councilperson Report:

Councilperson Mettler updated the Board that we are still waiting to hear from Senator Marchione and Assembly Member Barrett's offices regarding the waterway designations.

Councilperson Sullivan reported that the Ethic Board has changed their meetings to every other month.

Councilperson Gansowski reported that the ZBA had 4 Public Hearing and Frank Peteroy was reappointed.

Public Forum: None

A motion was made by Councilperson Sullivan and seconded by Councilperson Miller-Simmons to go into executive session to conduct an interview for the Code Enforcement Position. Motion was carried.

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

Appointments:

A motion was made by Councilperson Miller-Simmons and was seconded by Councilperson Mettler to appoint Lee Hiem as Code Enforcement Officer effective February 29, 2016 at an annual salary of \$18,500.00. Motion was carried.

A motion was made by Councilperson Gansowski and seconded by Councilperson Sullivan to appoint Peter Kelly to the Copake Hamlet Revitalization Taskforce. Motion was carried.

A motion was made by Councilperson Sullivan and was seconded by Councilperson Miller-Simmons to reappoint Harvey Weber to the Columbia County Office for the Aging Advisory Committee. Motion was carried.

A motion was made by Councilperson Miller-Simmons and seconded by Councilperson Gansowski that the bills from General Abstract # 2 and the bills from Highway Abstract # 2 be paid. Motion was carried.

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

Respectfully submitted,