

Special Town Board Meeting

7/22/16

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

The purpose of the meeting will be to entertain a resolution to authorize the Hamlet Taskforce to apply for a grant and any other matter that may come before the Board.

Public Forum:

Dr. George Beneke thanked the Board for considering this resolution. Mr. Beneke went onto review some of the history of the booming business in the hamlet in the 50's & 60's and brought up a lot of pro's to having spur trail connecting to the Rail Trail.

Edgar Masters agreed with Dr. Beneke's comments and stated that he did not see any down side of passing the resolution before the Board.

Roberta Roll thanked the Board for having the special meeting on such short notice and emphasized how important this resolution is to the Town, by applying for this grant we are one step ahead of many other Towns in the State. Councilperson Sullivan questioned that if this is a matching grant, will the Town have to come up with \$40,000.00 either in cash or labor? Supervisor Nayer stated we do not know that. Ms. Roll replied that yes that is the way this matching grant works.

Supervisor Nayer expressed his concerns with this resolution.

1. I don't like things at the last minute, everyone knows that. I would of liked more time to study this.
2. There are a lot of moving parts that are not connecting to me, I have expressed concerns about monetary values in our Budget, I am not looking to put any money in the budget for this plan, with the Hamlet Plan we were told previously that when the plan was done we wouldn't have to put any Town Funds towards it and the Town had to put \$20,000.00 in and a lot of people were not happy.
3. I don't want to get into a trap where we find out later that we have to use Town Funds to finish this plan. There are a lot of people that like the Hamlet the ways it is.
4. Spoke to Walt Keirnan yesterday and they want \$75,000.00 to give the Town an easement plus he wants a stockade fence along the entire trail for this project at the Town's expense. Where are these funds as well as the maintenance cost going to come from?
5. The Cow Tunnel planned to use to go under New York State Route 22 may not be approved by D.O.T.

Councilperson Mettler stated that Ms. Roll and the Taskforce were very upset for having to come to the Board at such a late date with this resolution. They are all volunteers and have worked very hard on this proposal as well as other successful projects in the past. If we don't do this this application this year there are 12 other municipalities in Columbia County that will trying for the same funds next year. Dr. Beneke and Councilperson Mettler have been talking to William Keirnan since 2011 regarding the land needed for this proposal, had an appraisal done pro bono and stated it was worth \$5,000.00 per acre, the Town Assessor said \$500.00-\$750.00 per acre and when the Conservation Easement is completed it

will nothing worth anything to anyone but the Town for this proposal. D.O.T. had made a decision in 2011 after meeting with Frank Peteroy that the Cow Tunnel is not an approved structure for a pedestrian trail. The Taskforce believes that if they contact the Senator's and Assemblyman's Office there may be a different ruling come down on the Cow Tunnel. Columbia Land Conservancy has agreed to go with members of the Taskforce and Walt Keirnan to speak to D.O.T. about the Cow Tunnel concerns.

Councilperson Gansowski spoke in favor of this proposed spur connecting the Hamlet of Copake to the Rail Trail. This is the first step to possibly making this a reality, if we get the grant and we don't feel we can proceed, we don't. Also the idea of fencing both sides of the trail is not a good idea, it will take away too much from the experience of using the trail.

Councilperson Miller-Simmons didn't want to designate in this resolution that we were looking at only one thing specific.

The following resolution was offered by Councilperson Mettler and seconded by Councilperson Gansowski:

**RESOLUTION AUTHORIZING APPLICATION FOR FUNDS FROM THE NEW YORK STATE DEPARTMENT OF STATE FOR FUNDING UNDER THE LOCAL WATERFRONT REVITALIZATION PROGRAM FUNDED UNDER THE NYS ENVIRONMENTAL PROTECTION FUND, AND UPON APPROVAL OF SAID REQUEST TO ENTER INTO AND EXECUTE A PROJECT AGREEMENT WITH THE STATE FOR SUCH FINANCIAL ASSISTANCE TO THE TOWN OF COPAKE, NEW YORK FOR THE BASH BISH BROOK REVITALIZATION STRATEGY**

**Whereas**, the Copake Comprehensive Plan, adopted in 2011, recognized that "Management of all water resources is a...top priority", and specified that the Town should "Protect lakes and bodies of water"; and

**Whereas**, the Bash Bish Brook begins at a spring in the Town of Mount Washington in Massachusetts and falls over Bash Bish Falls then continues into New York State through the Taconic State Park into Copake Falls and Copake before flowing into the Roeliff Jansen Kill in Ancram; and

**Whereas**, in 2012 , in order to implement the Comprehensive Plan and in order to address the economic needs of the Hamlet of Copake, the Town Board established the Copake Hamlet Revitalization Task Force; and

**Whereas**, the Copake Hamlet Revitalization Task Force recognized that cycling can be an economic catalyst to the Town, and has implemented a bicycling initiative which has resulted in an increase in the number of bicyclists who visit the Town, and

**Whereas**, in 2015, the Town of Copake adopted the Copake Hamlet Design and Development Plan, which develops a framework for the Hamlet's further growth and development and which encourages economic revitalization of the Hamlet; and

**Whereas**, the Hamlet Plan recommends the building of a "spur trail connection to the Rail Trail" since it would be a "tremendous asset to the Hamlet as it would provide a crucial connection to one of the region's top recreational features..." and

**Whereas**, in June 2016 the New York State Legislature passed legislation designating the Bash Bish Brook as an “inland waterway” which makes the Town eligible to participate in New York Coastal and Inland Waterways programs

**NOW BE IT RESOLVED:**

That Jeffrey Nayer as Supervisor of the Town of Copake, New York is hereby authorized and directed to file an application for funds from the New York State Department of State in an amount not to exceed \$40,000 for funding under the Local Waterfront Revitalization Program funded under the NYS Environmental Protection Fund, and upon approval of said request to enter into and execute a project agreement with the State for such financial assistance to the Town of Copake, New York for the Bash Bish Brook Revitalization Strategy.

Councilperson Sullivan had to excuse herself from the meeting to go to work.

Supervisor Nayer was concerned that if were to approve this resolution as written that we would be locking the Town into the spur only, if something else comes up we would not be able to consider anything else. Supervisor Nayer will not link himself into matching funds that might cost us anything. He has a problem with the wording at the beginning and the end because I don’t want to put ourselves into a trap. Supervisor Nayer suggested taking out the words “spur trail” from the sixth paragraph and did not agree with the opening statement where it says “financial assistance to the Town of Copake”. He does not want to commit to something where if the matching grants do not come in and the Town will then be liable for making up the monetary difference. Also Supervisor Nayer wants to be sure that if we apply for this grant and decide that we do not want to accept the grant, we can get out of it.

Councilperson Mettler assured Supervisor Nayer that applying for this grant does not commit the Town in any way that they have to take it if the Town is awarded the grant.

Edgar Masters explained that they have had two of these grants at the Copake Falls Iron Works in Copake Falls and if you are selected in the grant process the next step is you have to match the money which can be in kind services and if you don’t you can stop the grant. If you do raise the money and complete the plan, then you apply to the State for reimbursement for grant amount. Edgar suggested taking the words “spur trail” out and simply say “connection to the Rail Trail”.

A motion was made by Councilperson Mettler and seconded by Councilperson Gansowski to amend the resolution to omit the words “spur trail” out of the resolution. Motion was carried.

The following amended resolution was offered by Councilperson Mettler and was seconded by Councilperson Gansowski:

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Resolution # 13	Supervisor Nayer	yes
Dated July 22, 2016	Councilperson Miller-Simmons	yes
Copake, New York	Councilperson Mettler	yes
	Councilperson Sullivan	absent
	Councilperson Gansowski	yes

A motion was made by Councilperson Mettler and was seconded by Councilperson Gansowski to go into executive session to discuss possible litigation. Motion was carried.

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

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

Respectfully submitted,