

TOWN BOARD
FEBRUARY 10, 2010

PRESENT;

Supervisor Crowley
Councilwoman Gabaccia
Councilman Sacks
Councilman Tompkins
Highway Superintendent Gregory
Attorney Rappleyea
Accountant Torchia

ACTION ITEMS

Councilman Sacks, Check with Fire Department about picnic area
Plaque for Randi Shadic
Councilwoman Gabaccia, Check with Alice Belt about picnic area
Contact State Police about sub-station
Supervisor Crowley – Talk with Sheriff about resident Deputy fuel
Talk with county about sub-station

ABSENT:

Councilman Kiernan

Supervisor Crowley opened the meeting at 7:00 p.m. with 25 people present.

A motion was made by Councilman Sacks seconded by Councilwoman Gabaccia to accept the minutes of December 11, 2010. Motion carried.

A motion was made by Councilman Sacks seconded by Councilwoman Gabaccia to accept the minutes of December 15, 2010. Motion carried.

A motion was made by Councilwoman Gabaccia seconded by Councilman Sacks to accept the minutes of December 20, 2010. Motion carried.

A motion was made by Councilwoman Gabaccia seconded by Councilman Sacks to accept the minutes of December 30, 2010. Motion carried.

A motion was made by Councilman Tompkins seconded by Councilman Sacks to accept the minutes of January 4, 2011 with the following correction. Executive session: not personnel - to discuss hiring and interviews. . Motion carried.

A motion was made by Councilwoman Gabaccia seconded by Councilman Tompkins to accept the minutes of January 5, 2011. Motion carried.

A motion was made Councilwoman Gabaccia seconded by Councilman Sacks to accept the minutes of January 17, 2011. Motion carried.

CORRESPONDENCE

ZEO Officer Ferratto recommended approval of Jim's Auto Body, Davis Auto Body, Del's Auto Body, and Performance Auto Body for Motor Vehicle Storage Permits. H&D Enterprises for Junk Yard Permit.

A motion was made by Councilwoman Gabaccia seconded by Councilman Tompkins to approve Del's Auto Body, Jim's Auto Body, Davis Auto Body, and Performance Auto Motor Vehicle Storage Permit for year 2011. Motion carried.

A motion was made by Councilwoman Gabaccia seconded by Councilman Tompkins to approve H&D Enterprises for Junk Yard Permit for 2011. Motion carried.

1. Edgremont Planning Board – public hearing Feb. 14th on application of Mariner II, LLC.
2. Roeliff Jansen Historical Society – request for burglar alarm in church museum.
3. Harvey Weber – thank you to Copake Police for their expertise with a break in at Taconic Shores.
4. Lillian Becker – consider reducing the speed limit on Sky Farm and reconsider providing a safer means of crossing the street by adding a cross walk at 227 Sky Farm Road.
5. Harvey Weber – would like to be part of committee to revise the Policy Manual.
6. Association of Towns – training school and annual meeting will be held February 20 – 23 at the Hilton New York & Towers, New York City.
7. Ron Piper – bid of \$600 to shampoo rugs in the Town Hall.

A motion was made by Councilman Tompkins seconded by Councilwoman Gabaccia to hire Ron Piper to shampoo the rugs in the town hall. Motion carried.

8. Randi Shadic – effective January 1, 2011 he will be stepping down as the Chief of the Copake Fire District.
9. Charter Communication –effective January 18, 2011 monthly premium programming pricing increase.
10. Department of Army – application from Steven Krajci, Golf Course, for permit section 404 of the Clean Water Act.
11. Ed Horowitz – thanked Ms. Varney from Copake Police for her help when he was stuck in a snow bank.
12. Assemblyman Marc Molinaro ascends to assembly Minority Leader Pro Tempore.

13. Copake Park Commission – new officers for 2011, Diana Jamieson, Chairperson, Barbara Filipovits, Deputy Chairperson, Joan Spencer, Secretary, Stacy Smith, Public relations. Request appointment of Ralph Platt.

A motion was made by Councilman Sacks seconded by Councilwoman Gabaccia to appoint Ralph Platt to the Copake Park Commission. Motion carried. Supervisor Crowley abstained.

14. Assemblyman Molinaro – new requirements by state on Outdoor Wood Boilers.
15. Highway Superintendent Gregory – requesting membership on the Ethic Board. Councilwoman Gabaccia, legally a town employee must be on the board.
16. Copake Planning Board – determined that approval of the Wastewater System for The Presidents Estates should occur simultaneously with approval of application by HHD Development Corporation to the Copake Town Board for a formation of a transportation Corporation.

Supervisor Crowley, will there be an Escrow account?

Marcia Becker, it applies to the board so you do what ever you do.

Supervisor Crowley, if it needs a town engineer they will need to set up an escrow account.

Attorney Rappleyea, the final review and application comes to the board under the transportation law. They will provide us with engineering to show how its built and what it will cost. A proposal for a bond to be in place so that if the transportation corporation ever fails, the town is then required to take over the system; the bond is there to run it so it doesn't cost the town any money.

Councilman Sacks, they'll bring the engineering report to this board, who has the expertise to understand it is what it is.?

Attorney Rappleyea you will hire.

Supervisor Crowley, we will have to ask them to create an escrow account.

PUBLIC FORUM

Jeff Nayer, Randi Shadic put many years in as chief, suggest we write a letter.

Councilman Sacks will do a plaque for Mr. Shadic.

Marcia Becker, when is Ralph Shadic coming back as Building Inspector.

Joe La Porta, should be coming back within 2 weeks, as long as his health is ok.

Councilman Sacks, we should have a contingency plan, it's been 4 months and we're paying three salaries, I feel we should have a plan.

Jeff Nayer, I have talked with Ralph and he plans on coming back, he could work out of his home if necessary.

Supervisor Crowley, he's served the town for many years we can discuss at the March meeting.

Lindsey LeBrecht, Joe did volunteer his time in December.

George Filipovits, I heard we're thinking of doing away with our Ethics Board and turning over to County. I think that's a mistake.

Supervisor Crowley, that was one of the recommendations our Attorney gave us.

Councilwoman Gabaccia, this was born from a meeting when comments were raised about the board operating under open meeting law and following foil procedure. I was involved with the creation of the Ethics Board and served as there liaison for several years. This issue was addressed early in their meetings which also involved the Town's Attorney Mr. Thiemann. They have been operating under OML and resumed meetings. There have been no cases. They have been following the rules and operating legally. I've been very proud to work with this group.

Councilman Sacks, we didn't ask the Attorney to look into the County Ethics Board, we asked if they were operating under OML.

Attorney Rappleyea, if I didn't give you what you asked for, I apologize, my understanding was you ask me to take a look at it and see if there were any short comings and if there were what recommendations might there be, and that is what I gave you.

Councilman Sacks, Howard Blue's question was were they operating under OML and about transparencies should the results be open.

Supervisor Crowley, put off till March meeting it will give everyone time to look it over.

Councilwoman Gabaccia, they will be meeting in March and I recommend that everyone come to the meeting to see how they are operating. We need to appoint Bill Gregory so they can operate legally.

A motion was made by Councilman Sacks seconded by Councilwoman Gabaccia to appoint William Gregory to the Ethics Board. Motion carried.

ACTION ITEMS

Councilman Sacks, Building Oversight Committee will be meeting Friday at 7:00 p.m.

NEW BUSINESS

Report from Accountant Michael Torchia.

All board members were e-mailed draft of Annual Financial Report and copy of trial balance.

Accountant, is there any question on the Annual Report?

General Fund 2010 unappropriated fund balance is \$168,000, that's up from prior year reason:

1. 2009 the town borrowed \$100,000 to cover shortages that were going to occur. If you didn't borrow you would have had about \$59,000 negative in the general account.
2. Spending freeze in you did in 2009 and continued in 2010 you spent about \$38,000 less then you budgeted in 2010. So you didn't have to dip into the \$100,000.
3. Revenues fell about what we had budgeted, except certain revenues dropped off justice accounts up \$37,000 from what we budgeted and building permits came in \$10,000 higher. Because of this that \$100,000 is falling to fund balance.

Councilwoman Gabaccia, which years funds did we pay the \$100,000 back?
Michael, we borrowed in 2009 and paid back in January of 2010.
Councilman Sacks, I have many questions will call to have a meeting with you.

Discussion followed on fuel reimbursement from the County Deputy and Rescue Squad, suggest they be billed monthly.

Accountant Torchia, the surplus in the general fund at the end of 2010 was \$168,000. Highway fund unappropriated \$169,000, but remember there's a fund called General Long Term Debt. In 2009 there was a \$72,000 liability that the town had which is unpaid vacation and sick time for the highway employees. You have a \$79,000 liability that's not funded in your budget anywhere. You have about \$80,000 surplus in Highway.
Lindsay LeBrecht, if county has fuel in the area why are they using our fuel for Resident Deputy?
Supervisor Crowley, the agreement was the town pays for the Deputy's fuel.
Will talk to Sheriff and see what can be done.

Supervisor Crowley, liability insurance due in April. Insurance agent said you might get better bids if you bid it for every two or three years.

A motion was made by Councilwoman Gabaccia seconded by Councilman Sacks to bid the liability insurance for a three year period. Motion carried.

Supervisor Crowley, the time clock is not working and the company will charge \$159.00 for technical support. The board decided to not spend the money for technical support as the time clock has not been working efficiently. Employees will continue with time sheets.

Supervisor Crowley, the Historical Society asked for internet access at the museum; they need the Town Board to authorize it as it our building.
Councilwoman Gabaccia, I understand that they will be paying for the service. They also would like alarm system. I got a call from director of the society she said it's in the charter that because it's a municipal building we have to provide the system. I don't know the details of that.
Councilman Tompkins, Highway Superintendent is looking into alarm systems now; asked if he could add the museum maybe we could get it at a lower cost.

A motion was made by Councilwoman Gabaccia seconded by Councilman Tompkins to give the Historical Society authorization to proceed with installing internet service at the museum with the funding coming from the society itself or participating towns. Motion carried.

Supervisor Crowley, we have farmers market in the summer, and I thought the piece of property that was given to the town by Alice Belt for water supply would be a nice spot to put picnic tables for people to sit read or what ever. I talked with insurance agent, and he said it would not increase liability insurance. The area is 1.6 acres.

Councilwoman Gabaccia, we could ask the Fire Department and Alice if they have a problem with it.

Councilwoman Gabaccia will talk to Alice, Councilman Sacks will talk to Fire Department.

OLD BUSINESS

Supervisor Crowley, Policy Committee letter from Harvey Weber, Jeff Nayer verbally expressed interest.

Councilwoman Gabaccia, I think you should have a board member on it.

Jeff Nayer, I don't think so because it goes to board for vote.

Councilman Sacks, I think you should have five on committee. Will put on website.

Attorney Rapplelea, truck bond, the process is close to being done. A resolution is prepared subject to permissive referendum that authorizes the town to go forward with financing. After 30 days is over, we can go ahead with the closing.

Councilman Sacks, is it Salisbury Bank?

Supervisor Crowley, yes at 1.97.

Councilman Sacks, the rate is far below anyone else's, I think it behooves us to put money in their bank.

Councilwoman Gabaccia, in both times when we borrowed money neither bank had a depository relationship with us and they beat our own bank. We should consider moving funds there.

Councilman Sacks, in our code book, 31-8 we, by are own law, we're supposed to use Key Bank. We need to address our law, we're ignoring it.

Attorney Rapplelea will look into it.

The following resolution was offered by Councilman Sacks seconded by Councilwoman Gabaccia.

RESOLUTION SUBJECT TO A REFERENDUM TO FINANCE AND EXPEND A SUM OF NOT TO EXCEED \$250,000.00 (TWO HUNDRED FIFTY THOUSAND DOLLARS) TO PURCHASE A 2011 FORD F-230 TRUCK AND A 2011 7600 SERIES INTERNATIONAL DUMP TRUCK

WHEREAS, The Town of Copake hereby determines that in order for the Highway department to properly maintain the roads in the Town of Copake and to perform other necessary functions, a new truck must be purchased, and

WHEREAS, the Highway Superintendent has located a 2011 Ford F-350 pick up truck and a 2011 7600 Series International Dump Truck listed on the NYS bid by Ben Funk, Inc; and

WHEREAS, the Town Board finds it necessary to complete the purchase of such truck with financing through an appropriate Statutory Installment Bond or Bond Anticipation Note.

NOW THEREFORE IT IS HEREBY RESOLVED, that the Town Board of the Town of Copake hereby authorizes the execution of any and all documents necessary to complete the above mentioned purchase by the Town of Copake Supervisor, to arrange the financing thereof through a Bond Anticipation Note not to exceed 5 years in the amount of \$250,000.00 (TWO HUNDRED FIFTY THOUSAND DOLLARS), and it is further

RESOLVED, that the foregoing resolution is made subject to a permissive referendum and shall become binding unless a petition is filed with the Town Clerk of the Town of Copake within 30 days of the adoption of this resolution and in the form prescribed by law.

Resolution # 3	Supervisor Crowley	Yes
Dated February 10, 2011	Councilwoman Gabaccia	Yes
Copake New York	Councilman Sacks	Yes
	Councilman Tompkins	Yes
	Councilman Kiernan	absent

Morris Ordoover sent procedure for foils.

A motion was made by Councilman Gabaccia seconded by Councilman Sacks to accept the procedure for foil. Motion carried.

A motion was made by Councilman Sacks seconded by Councilman Tompkins to appoint Councilwoman Gabaccia liaison to the Ethics Board. Motion carried.

Supervisor Crowley, Standard Work Day Resolution for employees appointed after August 9, 2009.

The following resolution was offered by Councilman Sacks seconded by Councilwoman Gabaccia.

BE IT RESOLVED, that the Town of Copake hereby establishes the following as standard work day for elected and appointed officials and will report the following days worked to the New York State and Local Employee's System based on the record of activities maintained and submitted by these officials to the clerk of this body (see attached)

Resolution # 4	Supervisor Crowley	Yes
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Dated at Copake NY
February 10, 2011

Councilwoman Gabaccia	Yes
Councilman Sacks	Yes
Councilman Tompkins	Yes
Councilman Kiernan	absent

Councilwoman Gabaccia, we've debated back and forth about the Police Department and services available to us. One was possibility of a sub station. I've written a resolution to that effect.

The following resolution was offered by Councilwoman Gabaccia seconded by Councilman Sacks.

WHEREAS, Police Post 801 in Columbia County, which includes the Town of Copake is the only police post without full-time coverage.

AND WHEREAS, there are concerns from the Town Board of Copake regarding our level of coverage.

AND FURTHERMORE, that the Town of Copake seeks to optimize the expenditure of its law enforcement tax dollars by directing those funds in a way which will best serve and protect its citizens

AND ALSO, that the Town of Copake is devoted to investigating and providing for the best coverage for our community within Police Post 801.

IT IS HEREBY RESOLVED, that the Town Board of Copake authorizes the Town Supervisor to contact both the Columbia Board of Supervisors and the New York State Police and request establishment of a full-time sub-station within the Town of Copake and surrounding towns of post 801 to address deficiencies of coverage in Police Post 801.

Resolution # 5
Dated February 10, 2011
Copake, New York

Supervisor Crowley	Yes
Councilwoman Gabaccia	Yes
Councilman Sacks	Yes
Councilman Tompkins	Yes
Councilman Kiernan	absent

Councilwoman Gabaccia thanked Councilman Tompkins for the research he did regarding post 801.

COMMITTEE REPORT

Ethics Board, Flora Bergquist – at the last meeting of the Board of Ethics on Feb. 8th., I was asked to give the following report to the Town Board. We want to give an overview of who we are, how we came into being, what we do and how we move forward. (see attached)

Environmental Committee. Harvey Weber – Feb 19th 10:00 a.m. at town hall presentation on agriculture. Looking into new films.

Councilman Sacks, suggest we advertise to fill the vacancies on Environmental Committee.

DEPARTMENT HEADS

Summer Park Program, Bridgett Roberts – request executive session on personnel issues.

Highway Department, William Gregory – on request from Lillian Becker for reduction of speed on Sky Farm Road, we have added four signs for horse crossing, talked to Chief Lopez and Resident Deputy, it hasn't seemed to work. Suggest you petition State.

The following resolution was offered by Councilwoman Gabaccia seconded by Councilman Tompkins

RESOLVED, that we the Town Board of the Town of Copake do hereby petition N.Y.S.D.O.T to reduce the speed limit on County Route 7 between the intersections of High Meadow and Sky Farm Road.

Resolution # 6	Supervisor Crowley	Yes
Dated February 10, 2011	Councilwoman Gabaccia	Yes
Copake NY	Councilman Sacks	Yes
	Councilman Tompkins	Yes
	Councilman Kiernan	absent

Highway Superintendent Gregory – Alarm Company, will call them and get price adding the museum.

Councilwoman Gabaccia, do we need to address the gas bouy system.

Highway Superintendent Gregory, the system is obsolete it's about 20 years old it could last another three years or go down tomorrow. A new one is about \$14,000 to \$15,000 it would come out of garage account.

Councilman Sacks lets sit down and see where we could transfer some funds.

The town board applauded the highway department on the great job they have done with the roads.

Planning Board, Marcia Becker – board very busy. If you need help with the Presidents Estates let me know.

Park Commission, Diana Jamieson – February meeting canceled due to weather.

Assessor, Craig Surprise – Councilwoman Gabaccia thanked him for the presentation, and meeting with us individually.

COUNCILPERSON REPORT

Supervisor Crowley, Polar Plunge Saturday Feb. 12th. They will be using the West Copake Firehouse for parking.

Met with two people from Board of Elections they are looking at the park building for a possible third district in our town.

Congressman Gibson would like to hold a public meeting in Copake. Recommended a Saturday.

Councilman Sacks, attended the Comprehensive Plan meeting they're doing a great job.

Jeff Nayer, per Russ Davis town clock ahead of schedule.

Supervisor Crowley, Russ Davis has been in contact with Park'n Rec's about having the clock designated a site of historic significance.

A motion was made by Councilman Tompkins seconded by Councilwoman Gabaccia to go into executive session on litigation and adequate supervision at the Summer Park program. Motion carried.

A motion was made by Councilman Sacks seconded by Councilman Tompkins to return to the regular meeting. Motion carried.

A motion was made by Councilman Sacks seconded by Councilwoman Gabaccia the bills from the general #2 and highway #2 be paid. Motrin carried.

A motion was made by Councilman Gabaccia seconded by Councilman Sacks to fund the summer park program from 9a.m. to 2 p.m. for a six week program.

A motion was made by Councilman Sacks seconded by Councilwoman Gabaccia authorizing the Town Attorney to handle two tax cases in the town of Copake. Motion carried.

A motion was made by Councilman Sacks seconded by Councilman Tompkins the meeting be adjourned. Motion carried.

Respectfully submitted,

