

TOWN BOARD  
SATURDAY APRIL 9, 2011

Present:

Supervisor Crowley  
Councilman Sacks  
Councilman Kiernan  
Councilman Tompkins  
Highway Superintendent Gregory  
Attorney Rapplelea  
Deputy Supervisor LaPorta

Absent:

Councilwoman Gabaccia

Supervisor Crowley opened the meeting at 9:00 a.m. with 22 people present.

Revenue/Appropriation Analysis Report handed out to Department Heads.

Linda Scheer representing the Healthcare Consortium gave a presentation about Foundation for Community Health which is a grant she manages through the Health Care Consortium. This grant is available for residents from Copake and Ancram. It's to help residents financially with prescription medications. It offers prescription medication up to \$250 per month per person. To be eligible residents must have an income at or below 300% of the Federal Poverty guideline, cannot be eligible for Medicaid, and must have exhausted all other local resources for funds. Each applicant is required to complete and sign an application form at the Healthcare Consortium. Call 822-8820 to make an appointment.

2011 Annual Federal Poverty Guidelines:

Household size 1- is \$32,670 and below an average family of 4 - \$67,050, this is for Copake and Ancram residents only. If these moneys aren't used they go back to the foundation and the following year they would say we don't need it, and we would lose it. In March 2010, congress passed the Health Care Reform law, the Patient Protection and Affordable Care Act. The law created a temporary program until January 2014 that makes coverage available for individuals who have a pre-existing medical condition, have not had insurance for six months, and who are legal US residents.

Flyers will be at the Town Clerks Office.

Virginia Martin Democrat election Commissioner and Jason Nastke Republican Election Commissioner from Columbia County Election board. This is the time of year they look at poll sites, proposing election district road changes in Copake. We're trying to increase efficiency in the election and also save money.

There is a limit on the numbers of voter's per district, Copake district #1 has 869 voters district #2 has 1367 voters. They're proposing to take Copake Lake Neighborhood and Camphill Neighborhood and put them in district #1, that would even out the two districts

and alleviate the congestion. 279 voters will be moved from district #2 to district #1 at the Town Hall. District #1 would increase to 1148 voters at the Park Building.

This should help to alleviate the long waiting lines.

We're looking at adding more booths and inspectors.

Jeff Nayer, the new way of voting was confusing to seniors and Camphill Village residents, that's what made the long lines. I think you should have had six booths instead of the three.

Ms. Martin, you can only have two live ballots out at a time, paper ballots are very risky, it's important the inspectors see where every ballot is at all times.

This year we're going to allow four booths, we may add extra two inspectors at district #1.

#### Presidential Estates

Attorney Rappleyea received the engineer's report.

Jason Shaw, representing Presidential Estates, presented a \$5,000 check for escrow account for the Presidential Estates Water Waste System, Copake Lake.

Mr. Shaw, have evaluation from Clark Engineering on the proposed system, most issues have already been addressed by the DEC. We still need to work out the money for security. Under the transportation corporation we're supposed to post for the town, I'm hoping that can be done soon so the board can agree to sign the consent to formation of transportation corporation.

Councilman Sacks, when we approve the transportation portion that is no way affecting Planning Board they have to do their process.

Mr. Shaw, I don't think the Planning Board has any jurisdiction over this.

Marcia Becker, if you're approving the transportation corporation, at the same time are you approving the waste water system? No.

DEC approves the system.

Attorney Rappleyea, as far as the permit for the operating and design - that's DEC. There is still a question about a site plan review. The Transportation Corporation must be formed.

Jason Shaw, you have 26 households that as the warmer months come that will be paying higher and higher amounts. DEC is reviewing this in a comprehensive way. This is their expertise, the application has been in front of them for months. They will only issue the permit to the transportation corporation without the formation they won't issue permit. The town engineer has already looked at this, he's had extensive comments. When they sit down, 90% of those issues raised by him will be resolved. I don't legally see the Planning Board having jurisdiction over this. What level of expertise is the Planning Board going to bring to this project beyond the review that's been done?

Let them get this approved and post the security.

Councilman Sacks, I would be more comfortable if the Planning Board signed off.

Jason Shaw, all the town board has to do is consent to Transportation Corporation.

Wayne Miller, is there a speedy permit tied in with this? Yes. Then DEC will be monitoring the permit on going.

Attorney Rappleyea, the site plan review process isn't going to look at the design; it's what on the outside.

Jason Shaw, the main thing now is to get the board to approve the Transportation Corporation; we still have to get the speedy permit and building permit. Supervisor Crowley, when the Transportation Corporation goes to get the building permit it will be up to the building department to give them permit or they will need a site plan review. They're asking us to approve this so they can go to the building department. The Lawyers need to sit down and figure the security bond, next month we can look at it. Councilman Kiernan, DEC gives permit, they must comply with town regulations.

Supervisor Crowley will hold a special meeting on April 28, 2011 at 6:00 p.m. to address Presidential Estates.

A motion was made by Councilman Sacks seconded by Councilman Tompkins to accept the minutes of March 15, 2011 with the following corrections.

Pg. 3 like to add *it is prudent* that the town *looks*

Pg 4 *will* not *dose*

Pg 5 *states* not *sates*

Pg 8 *Baer* not *Baird*

Motion carried.

A motion was made by Councilman Sacks seconded by Councilman Tompkins to accept the minutes March 25, 2011. Motion carried.

#### CORRESPONDENCE

Copake Park Commission – request to approve expenditure of \$300 for Ron Piper to clean and polish the floors.

A motion was made by Councilman Sacks seconded by Councilman Tompkins to authorize Ron Piper to clean and wax floor at the park building at a cost of \$300.00. Motion carried.

Jeanne Mettler, Comprehensive Planning Committee – Town Meeting Saturday June 4, 2011 at 9:30 a.m. in the Town Hall. In recent conversation, you asked whether our committee would recommend that a Zoning Review Committee be formed now. In our view, the process for selecting such a committee should commence after the June 4<sup>th</sup> meeting. We think that the Zoning Review Committee should have at least eight to twelve members, membership of the committee should include members who have significant experience with Copake's Zoning Ordinance and at least two of its members be chosen from our Comprehensive Plan.

Historical Society – request to put an alarm system in the town owned museum. The following are the only ones who have authority to speak for the board or take actions not approved by the board:  
Clara Van Tassel President, Robin Bruce, Vice President, Jane Peck, Secretary, Noel Fair, Treasurer, Directors, Peter Jensen, Robert Hunter, Sally Laing, Jane Dwy, David Silvernail, and Jean Peck.

Egremont Planning Board – Public Hearing April 14, 2011 at 7:00 PM at the Egremont Town Hall on proposed changes to the Egremont Zoning Bylaws.

Veronique Fabio – resignation form Park Commission.

Hilarie Thomas – resident on Snyder Pond Road, concerns with the closing of County Rt. 7 at Robinson dam during repairs. There has never been a posted speed limit and as the population of Copake has grown so has the speeds. The proposed closing of County Rt. 7 will act to exacerbate these issues, and I feel Snyder Pond Road will become the primary detour for people trying to head to the Transfer Station or to town itself. What kind of provisions has the County made to ensure the safety of town residents when traffic is detoured from County Rt. 7 onto these smaller roads? Will we see an increase in the patrol of the Town of Copake police force during the closing?

Supervisor Crowley, spoke with Ms. Thomas, the detour during the repairs will be all County Roads, and they will be marked with signs. Contacted Copake Police Chief, Sheriffs and State Police about increasing patrol on Snyder Pond Road. If the speed limit is not posted its 55 mph.

Dean Knox – Tentative work schedule start - Co. Rtes. 7/7A rehab and Brown's Dam Bridge Replacement, Copake. They will likely begin preliminary mobilization work later this week or early next.

Work on replacement of Browns Bridge (including the actual closure of the bridge) will begin the first or second week in May.

## PUBLIC FORUM

Marcia Peteroy – what does it take to have a sign Shared Roadway, I've seen them around?

Highway Superintendent will look into what signs could be posted on Snyder Pond Road.

John Keeler – why aren't we using double sided coping, locks are not on dumpsters, what have we done with merging with other towns internally?

Supervisor Crowley, will talk to Ron and make sure the dumpsters are locked. I've talked with Supervisor Basin from Ancram. We've looked into merging the court system and other things. The problem is you need both towns to agree and it also needs a public referendum.

Mr. Keeler, why don't we bid the waste pick up?

Supervisor Crowley, we can next year.

Jeff Nayer, West Copake Firehouse; why can't we sell it and use the money some where else. It would be more cost efficient to have the storage at the highway garage.

John Keeler, have Assessor look at it and see what its worth.

Lindsey Lebrecht, we have 26 families in the Presidential Estates, this is a financial hardship with this situation with their septic. Delaying is costing every family significant money. There is so many checks and balances that come after the board's approval of the

Transportation Authority Corp. I hope at your next meeting or this meeting you approve the Transportation Corporation so you can get some movement on this.

Supervisor Crowley, I'm not going to approve until I have the proper security bond in place. That has to be finalized between the two attorneys.

Attorney Rappleyea, once the engineers get together with a plan and cost, Attorney Shaw and I will decide whether it will be a cash deposit, 2 year bond or 3 year. We can't do that till we know what the numbers are.

Supervisor Crowley, asked Councilman Sacks about the building committee and how the presentation went with the plaque for Randi Shadic.

Councilman Sacks, I was out of town last week. It's an ongoing process. They're meeting regularly. I will be giving the plaque to John DeRocha, it would have been nice if one of you volunteered.

Supervisor Crowley, if you bring the plaque I'll make the next meeting.

#### WEST COPAKE FIREHOUSE

Councilman Tompkins, I'd like Attorney Rappleyea to explain the legal process.

Attorney Rappleyea, if the town decides its time to sell the firehouse, we can't do it unless we get legislative approval from the state. We would have to prepare a proposed law for them to take a look at and environmental impact, then we pass a resolution requesting the legislative pass that bill. They would then vote on it. Once that law is implemented by legislative, if it is, it will tell us to go ahead and sell and where the money is to be spent.

They can change the local Law.

Councilman Tompkins, if we sell I think we could improve our park with showers, repair tennis court, do a pole barn at the highway for equipment and other improvements. My goal is to sell the firehouse and invest it back into the town.

Councilman Sacks, if we start selling properties, I think we should do as a big picture, 5 year plan.

Supervisor Crowley, Attorney Rappleyea could you get a resolution to us by the 28<sup>th</sup> if a decision is made we could get it in motion.

Marcia Becker, do we need a public hearing for this as it's the town of Copake who owns this.

Councilman Sacks, I agree that the public should have comment on this.

A motion was made by Supervisor Crowley seconded by Councilman Tompkins to have Attorney Rappleyea prepare a resolution for the April 28<sup>th</sup> meeting pertaining to the West Copake Firehouse. Motion Carried. Councilman Sacks voted no.

The Town of Copake received four (4) bids for the ten wheel dump truck.

Supervisor Crowley opened the following bids:

1. Loughbeery May                      \$74,126.00

- 2. Arrow Head Equipment     \$89,677.00
- 3. Everest Equipment         \$82,695.00
- 4. Body King                    \$75,382.00

Our Highway Superintendent needs time to review these bids.

A motion was made by Supervisor Crowley seconded by Councilman Sacks to authorize Highway Superintendent Gregory to accept bid that he recommends. Motion carried.

#### APPOINTMENTS

A motion was made by Councilman Tompkins seconded by Councilman Kiernan to appoint Chris Quinby, Russ Davis, Joe LaPorta and Harvey Weber to the Citizens Committee to Nominate to Ethics Board. Motion carried.

We need to advertise for two open positions on the Ethic's Board.

The following resolution was offered by Councilman Sacks seconded by Councilman Tompkins.

WHEREAS the Town Board of the Town of Copake has received a request to extend the current 40 mph speed zone that exists on Route 22 north of the town line between the Town of Copake to the south and the Town of Hillsdale to the north. The request proposes to extend such speed limit from its current terminus in southward direction to the intersections of Route 22 and Yonderview Road

WHEREAS, it appears to the Town Board of the Town of Copake that such extension is necessary to protect the health and safety of the citizens, residents and visitors of the Town of Copake due to the opening of the new Copake Library known as the Roeliff Jansen Community Library and the additional traffic created thereby, and

WHEREAS, the Roeliff Jansen Community Library is an important and positive aspect of the lives of the citizens, residents and visitors of the Town of Copake.

NOW THEREFOR BE IT RESOLVED, that the Town Board of the Town of Copake hereby requests that the NYSDOT and Columbia County DPW accomplish the aforementioned extension of the speed limit area as set forth above; and it is further

RESOLVED, that the Town Highway Superintendent and/or Town Supervisor are hereby authorized to execute any necessary forms and complete any necessary filings needed to achieve such speed limit area extensions.

Resolution #7  
Dated April 9, 2011  
Copake, New York

Supervisor Crowley    Yes  
Councilman Sacks        Yes  
Councilman Tompkins    Yes  
Councilman Kiernan     Yes

Councilwoman Gabaccia absent

Councilman Sacks, in all my years on the board, several times we have sent requests like this, and they never agree with the town. I do not understand how the town has no weight on their own roads. It makes no sense. I was at a breakfast yesterday and Senator Saland was there, another town had a problem with NYSDOT and the Supervisor asked the Senator for his participation in reversing the decision and it happened. The next time we discuss a road change on speed, we should ask the Senator for help.

Supervisor Crowley, I will call the Senator tomorrow and ask for his support.

Joe LaPorta, the old Roe Jan school is being looked at to make a fitness center and hotel.

#### DEPARTMENT HEADS

Highway Superintendent Gregory, paper work has been sent to FEMA for the December storm, we may recover some funds. Working on clean up from ice storm.

Marcia Becker Planning Board, two site plan reviews, Marion Towers, some houses.

Chris Quinby Community Day, calendar updated weekly, in Town Clerks office.

#### COUNCILPERSONS

Councilman Tompkins, Councilwoman Gabaccia and I completed grant for solar. Ralph Shadic requested that we keep Joe LaPorta in the Building Department till end of month.

A motion was made by Councilman Tompkins seconded by Councilman Kiernan to keep Joe LaPorta on till the end of April in the Building Department. Motion carried.

A motion was made by Councilman Sacks seconded by Councilman Kiernan the bills from general abstract #4 and highway abstract # 4 be paid. Motion carried.

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

Respectfully submitted,