

Town Board Meeting

Thursday, June 13, 2013

7:00 PM

Members Present: Supervisor Nayer, Councilperson Miller-Simmons, Councilperson Winchell-Sweeney and Councilperson Mettler. Councilperson Gabaccia was absent.

A motion was made by Councilperson Winchell-Sweeney and was seconded by Councilperson Mettler to waive the reading of the minutes of the Special Board Meeting 5/9/13 and the minutes of the Regular Town Board Meeting 5/9/13. Motion was carried.

A motion was made by Councilperson Mettler and was seconded by Councilperson Miller-Simmons to accept the minutes of the Special Board Meeting 5/9/13 and the minutes of the Regular Town Board Meeting 5/9/13 with the correction of the spelling of name "DiPeri" as written. Motion was carried.

Supervisor Nayer announced that the Bridge on Route 23 going across the Claverack Creek will be closed beginning June 24th for approximately two months. Community Day is approaching fast, still looking for not for profits who would be interested in running a carnival booth and they keep the profits. The Copake Fire Department will once again be doing the chicken BBQ for Community Day, tickets are available at the Town Clerk's Office.

Correspondence:

From Lisa DeLeeuw, Executive Director, Harlem Valley Rail Trail Assoc. – an email requesting Councilperson Mettler act as a liaison between Chris Richard, Park Manager and Bill Gregory, Copake Highway Superintendent regarding the erection of signs along the Town Roads.

From Frank Peteroy – a copy of an email to C.E.O. Ferratto thanking him for his prompt response to finalize an old open C.O.

From Deb Cohen – a letter questioning why the Town has not stopped Sal Casino for violating the Town's Zoning Ordinances.

From N.Y.S. Department of Taxation and Finance Office of Real Property Tax Service – advising the Town of Copake that their tentative 2013 equalization rate will be 78%.

From the Town of Mt. Washington Planning Board – a notice of a public hearing on June 6, 2013 to act on three Special Permit Applications.

From Charles and Angela Brink – a letter requesting the Town Board petition the State for a reduction of the maximum speed limit on County Route 7A between the County Transfer Station and the intersection Snyder Pond Road as well as additional signage.

From the Town of Taghkanic Planning Board – a notice of a public hearing on June 4, 2013 for a subdivision application for a lot line adjustment.

From Cathy Reinard – a letter of resignation as chairperson and member of the LURC effective immediately.

From N.Y.S.D.E.C. – a copy of a permit for Taconic Shores Property Owners Association to treat Robinson Pond with Copper Sulfate.

Presentation:

Theresa Mayhew from Cornell University Cooperative Extension Columbia and Greene Counties gave a brief presentation on the Climate Changes and the Hudson Estuary Watershed Resiliency Project.

Public Forum:

Mitchell Khosrova Attorney representing Robert Kitchen spoke before the Board regarding Mr. Kitchen's application to the Z.B.A. for a use variance to slaughter chickens on his property which would be a savings of around \$14,000.00 per year. Mr. Mitchell Khosrova suggested the Board pass something quickly to avoid possible litigation and therefore offered to work with the Town to draft an amendment permitting a slaughter facility in the Town of Copake. The Board agreed to look at recommendations from the Ag and Farmland Protection Committee on this matter and then they would consider looking into possible changes. Councilperson Mettler said she knows that the Ag and Farmland Protection Committee has briefly discussed this issue and Councilperson Miller-Simmons will ask the LURC to also look into this matter and make a recommendation to the Board. Councilperson Winchell-Sweeney asked for clarification on the number of birds Mr. Kitchen was talking about and that the Town Committees consider this issue sooner than later.

Diana Wilson questioned where the blood was going to go during the slaughtering process and hopefully the Public will have an opportunity to comment on this issue. There are some people that have a moral issue with killing animals.

Lindsay LeBrecht stated that we need to support our farmers.

Department Heads and Committee Reports:

C.E.O. office is very busy.

Summer Program had over 50 people sign up so far for the Summer Program.

Ag & Farmland Protection Committee will be working with Nan Stolzenburg, Community Planning & Environmental Associates on their project.

Conservation Advisory Committee will hold its first meeting this Saturday.

On behalf of the Environmental Committee, Diana Wilson advised the Board of the importance of Intermittent Woodland Pools and the Environmental Committee requests the Town Board to pass a local law protecting these Pools. The Board requested the information be forwarded to the Conservation Advisory Committee for their review and input.

Councilperson Mettler reported that the Copake Hamlet Revitalization Taskforce is looking at the ideas of possibly holding another Block Party in August and another Bike Ride in September. If anyone is interested in either of these events and could help, please contact the taskforce. The next edition of the

Copake Connection will be going out next week so if anyone has any notices or articles please get them in as soon as possible.

Chris Quinby, Copake Community Day Chairperson reported that everything is coming together and posters are being distributed.

New Business:

Supervisor Nayer advised the Board that he has requested Rus Davis and Joe LaPorta to work with him on adding the names of veterans from the Vietnam War to Town's Monument and ask the Board to agree to financially support this effort.

A motion was made by Councilperson Miller-Simmons and seconded by Councilperson Mettler to authorize Supervisor Nayer with assistance of Rus Davis and Joe LaPorta to proceed with researching and adding the names to Vietnam War Memorial and get an estimate for the Board on the Town's cost for this project. Motion was carried.

Supervisor Nayer reported that the carpets were clean and look great. He proposed to have the hallways, Town Clerk's Office and the Copy Room done twice a year and the rest of the building done once a year. Councilperson Miller-Simmons suggested to add the main meeting room to the list of rooms that are done twice a year. Supervisor Nayer felt the meeting room could get by with once a year, if it was bad in six months it could be done more often. The cost would be approximately \$915.00 per year.

A motion was made by Councilperson Miller-Simmons and was seconded by Councilperson Winchell-Sweeney to authorize the carpet cleaning schedule proposed by Supervisor Nayer. Motion was carried.

Supervisor Nayer reported that he has spoken with Supervisor Basin from Ancram and David Vitti from BAS regarding a Building Inspectors Software. BAS has offered to reduce the cost of the program by \$1,500.00 if both Towns purchased it. The final cost would be \$3,400.00 per Town and \$500.00 each year for maintenance. Supervisor Nayer, Supervisor Basin and C.E.O. Ferratto will be meeting with David Vitti on June 19th at 10:00 AM to discuss the program further.

C.E.O. Ferratto advised the Board that the Building fees for Copake are lowest of all the Towns he works for and proposed increasing them at the Organizational Meeting in January.

A motion was made by Councilperson Winchell-Sweeney and seconded by Councilperson Mettler per the recommendation of Highway Superintendent Gregory to declare the 1998 GMC pickup truck as surplus equipment and authorize the Highway Superintendent to advertise the truck for sale. Motion was carried.

Old Business:

Supervisor Nayer stated he did not want to start changing the Town Code until the LURC has completed their work and wanted to know what it was going to cost to make the changes before agreeing to move forward with the work. Councilperson Winchell-Sweeney stated that there were items that need to be changed in the code that the LURC as well as other committees were not going to be addressing that are inconsistent with the State Law. Attorney Dow reviewed some examples of inconsistency in the Town

Code and explained how to correct these. The Board requested a quote to correct these items that Mr. Dow spoke about for the next meeting.

Supervisor Nayer advised that we still have only received one letter of interest for the Citizen Committee to Nominate and for the Board of Ethics. The Board agreed to repost these positions on the Town's Website and Bulletin Board.

Councilperson Mettler advised the Board that Karen and Noah have selected the top three proposals for Town Website Consultants and suggested a special meeting be set to interview and review these proposals with Karen and Noah. A motion was made by Councilperson Mettler and was seconded by Councilperson Miller-Simmons to schedule a special meeting for June 19, 2013 at 7:00 PM to review the three proposals for Town Website Consultant and possible appointment. Motion was carried.

Supervisor Nayer reported that Judge Nichols signed a Temporary Restraining Order on Sal Casino regarding the dumping on his property and preventing him from opening the farm stand.

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

That we the members of the Town Board of the Town of Copake do hereby petition the Department of Transportation of the State of New York, pursuant to Section 1622.1 of the Vehicle and Traffic Law to establish a lower maximum speed at which vehicles may proceed on County Rt. 7A (Center Hill Rd.) from the Columbia County Transfer Station South to Snyder Pond Road in the Town of Copake.

Resolution # 10	Supervisor Nayer	yes
Dated June 13, 2013	Councilperson Gabaccia	absent
Copake, New York	Councilperson Winchell-Sweeney	yes
	Councilperson Miller-Simmons	yes
	Councilperson Mettler	yes

The following Resolution was offered by Councilperson Mettler and was seconded by Councilperson Miller-Simmons;

WHEREAS General Municipal Law, §53 requires towns to file a certificate with the Secretary of State designating the Secretary of State as an agent for service of a notice of claim; and

WHEREAS, General Municipal Law, §53 requires the certificate to include the applicable time limit for filing the notice of claim and the name, post office address and electronic mail address, if available, of an officer, person, for the transmittal of notices of claim served upon the Secretary as the town's agent; and

WHEREAS, pursuant to General Municipal Law, §50-e(1)(a), the applicable time limit for the filing of a notice of claim upon a town is 90 days after the claim arises, or in the case of a wrongful death action, 90 days from the appointment of a representative of the decedent's estate;

Now therefore,

BE IT RESOLVED, that the Town Board of the Town of Copake, County of Columbia, designates Lawrence Proper, in his capacity as Town Clerk of the Town of Copake, to receive notices of claims served upon the Secretary of State by mail at 230 Mountain View Road, Copake, NY 12516.

BE IT FURTHER RESOLVED, that the Town Board hereby directs the Town Clerk to file the required certificate with the Secretary of State informing him or her of the town's designation and applicable time limitation for filing a notice of claim with the town on or before July 14, 2013.

Resolution # 11	Supervisor Nayer	yes
Dated June 13, 2013	Councilperson Gabaccia	absent
Copake, New York	Councilperson Winchell-Sweeney	yes
	Councilperson Miller-Simmons	yes
	Councilperson Mettler	yes

Supervisor Nayer reported that the Town will be receiving \$706.00 from the State for summer recreation program.

Public Forum:

Marcia Peteroy expressed a concern with the speed the vehicles are traveling on Route 7A near their driveway. Supervisor Nayer suggested she contact the Resident Deputy or the State Police.

A motion was made by Councilperson Mettler and was seconded by Councilperson Winchell-Sweeney to enter into executive session to discuss possible litigation. Motion was carried.

A motion was made by Councilperson Mettler and was seconded by Councilperson Miller-Simmons to return to the regular meeting. Motion was carried.

A motion was made by Councilperson Miller-Simmons and was seconded by Councilperson Winchell-Sweeney that the bills from the General Abstract #6 and the bills from the Highway Abstract #6 be paid. Motion was carried.

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

Respectfully submitted,

