

COPAKE TOWN BOARD  
PUBLIC HEARING  
June 12, 2010

PUBLIC HEARING LOCAL LAW # 3

Supervisor Crowley opened the Public Hearing at 8:30 a.m. with 13 people present.

The purpose of the hearing is Local Law # 3 establishing no parking zone in front of the Key Bank building on Route 7A.

Supervisor Crowley read Local Law.

John Keeler, in favor of law.

A motion was made by Councilman Sacks seconded by Councilman Tompkins the hearing be closed at 8:35 a.m. Motion carried.

PUBLIC HEARING LOCAL LAW # 4

Supervisor Crowley opened the hearing at 8:45 a.m. with 20 people present.

The purpose of the hearing is Local Law # 4, establishing a process, procedure, and authority to collect fees from applicants before certain Town Boards.

Town Clerk Hotaling read Local Law.

Harvey Weber, fees, why if you have a non conforming lot that existed before zoning you would have to pay \$100 fee to the ZBA, another fee to the Taconic Shores, for example a \$400 shed cost you another \$165 its regressive tax. Why are we taxing people twice?

Supervisor Crowley, I agree but its in our zoning. We could have our lawyer look at it.

Marcia Becker, remember you're paying a consultant \$1000 a month with the Comp Plan, and he suggested you don't change anything until the plan is complete.

Jeff Nayer, it's not a ZBA opinion, we need to go through the zoning page by page.

Supervisor Crowley, asked Attorney to give an opinion by next meeting.

Marcia Becker, read the following memo:

The Copake Planning Board requests that the enactment of Local Law #4 be tabled and the Public Hearing remain open until the Planning Board whose function and procedure would be directly changed by it has a chance to review, study and comment on its impact.

Jeff Nayer, ZBA haven't looked at it, suggest table the Public hearing.

Joe LaPorta, whose paying for what, if someone is to start business in town I don't feel the taxpayer should be paying this.

Councilman Sacks, this law is written for everybody not just businesses. I'm against the law as written I would be for it by changing one word, the applicant shall be required to establish, change to *may be* required, which leaves it up to the board's.

Supervisor Crowley, would the Planning Board have the right to waive the fees. Attorney Rappleyea no.

Lindsay Lebrecht, by using may and leaving up to interpretation could open up a can of worms. You need to be specific in what you're saying.

A motion was made by Councilman Sacks seconded by Councilman Tompkins to leave Public Hearing open and continue July 8, 2010, at 7:15 p.m. Motion carried.

Attorney Rappleyea will get changes to the Town Board , Planning Board and ZBA for their recommendation.

## REGULAR MEETING

### PRESENT

Supervisor Crowley  
 Councilman Kiernan  
 Councilman Sacks  
 Highway Superintendent Gregory  
 Attorney Rappleyea

### ABSENT

Councilwoman Gabaccia  
 Councilman Kiernan

## ACTION ITEMS

Supervisor Crowley

Talk to Ron Piper, cleaning park

Check with Assemblyman on West Copake Fire House

Respond to Camphill

Contact Sheriff on time clock

Councilman Sacks

Talk to Ray Doherty, parking in park

Contact ZEO motor vehicle storage

Postpone approval of minutes till the July meeting.

## CORRESPONDENCE

1. Zoning Enforcement Officer – recommend issue of permits to Del’s Auto, Jim’s Auto Body, Davis Auto Body, H&D and Performance Auto.
2. Highway Superintendent Gregory, closing of Cambridge Road.
3. Preferred Country Properties, current market conditions in Columbia County.
4. John Keeler, thank you to Superintendent Gregory and staff on trimming and saving trees on Yonder View Road. Darlene Balducci for her continuing efforts to keep it clean of trash.
5. Copake Fire District, Chief Randi Shadic – support of proposal to incorporate a 1.699 acre parcel of land as a gift from its current owner Alice Belt to the Town.

Attorney Rappleyea there are four different ways to go about this.

1. Boundary line adjustment.
2. Call it a subdivision and go through the process.
3. Town declares itself immune from Zoning.
4. Refer to ZBA

Correspondence continued

6. Camphill Village – would like to present a master plan they have on infrastructural needs for the next 15-20 years.

Supervisor Crowley will respond.

7. Bruce Kute - letter of intent to open the Copake Inn.
8. Department of Army – authorizing Columbia County Engineering Department proposed work on County Route 7 and 7A.

9. District Attorney, Beth Cozzolino – receipt of letter requesting they investigate criminal case or cases against Mr. Cascino. District Attorneys Office is not an investigatory agency, you may contact any police agency with information regarding crimes for investigation, I will await the results of their criminal investigating and proceed accordingly.
10. Councilman Tompkins read letter from Jeanne Mettler, Chair of CPC - in the course of their work they have learned the office of Park, Recreation and Historic Preservation is soliciting grant applications, acquisition funds might be used to purchase the land behind the Town Hall which is now for sale. Supervisor Crowley reclude himself from reading the letter.
11. Columbia County Environmental Management Council – DEC proposed to adopt regulations covering Outdoor Wood Boilers.
12. Eric Alberta and Valerie Hoyt – requesting two no parking zones be established and signs posted on corner of route 344 and on Cemetery Road in Copake Falls.
13. Councilman Tompkins read letter from Laberge Group – grant alert 2010 NYS Park Grants, listed four grants available. Encourage the board to phone them to discuss park development project with their Grants and Community Development professionals. Supervisor Crowley reclude himself from reading the letter.

Councilman Sacks, heritage in this area is farming; we could suggest we want to create a heritage park which is agricultural.

## **PUBLIC FORUM**

John Keeler – have you received bids for buses for the summer program? Supervisor Crowley, when I last spoke to Bridgett she has not received them yet.

What is the status on the West Copake Fire House? Supervisor Crowley, we decided we weren't going to do anything. Mr. Keeler, I understood you were going to go through the mechanics with State legislator. Councilman Sacks, I advised against that we need to wait for the Comprehensive Plan results for intentions on the property.

Supervisor Crowley will check again with Assemblyman.

Mr. Keeler, status of shared services with other towns. Supervisor Crowley, had discussion with Supervisor Basin will be sitting down with ideas, Supervisor Grafton doing legal research.

Mr. Keeler, painted signs on Jim's Auto, Ed Ferratto, the last I heard the board was going into executive session on it.

Mr. Keeler, what about the repairs on the town buildings.

Mr. Keeler, are we going to have to borrow money this year? Supervisor Crowley, accountant recommends we have a budget workshop after the first of July. We're fine at this point.

Jeff Nayer, on the time clock Councilman Sacks said it was misplaced and it was dropped. What do we do about it, its missing and its tax payer's money? Councilman Sacks, I'll pay for the clock, will that resolve it? I think it's a political item. Jeff Nayer its not a political issue its responsibility to the taxpayer.

Councilman Sacks, I returned the clock I have no record, I will gladly reimburse the town for the clock.

Councilman Tompkins, have an independent agency look at it and if they have no record of it it's the end.

Supervisor Crowley, when and if the Comptroller does a true and complete audit, I suggest to cover ourself we can ask the Sheriffs Department to look into in, they will contact vendor and that way we reported it lost.

Supervisor Crowley, I will contact the Sheriffs Department.

Lindsay LeBrecht, I attended the Planning Board meeting, I will support anything that can be done to have her donate the piece of land with the pond on it to the town. A letter of thanks should be sent to her, she should not have to incur any cost for donating land for such a worthy cause.

Morris Ordovery, do we have inventory on the wood burning boiler in our town?

Supervisor Crowley, by law they must register with the town. If you see anything that is not in compliance call our ZEO.

Harvey Weber, put a document on wood burning boilers in town boards boxes, there are changes per the state.

I support Councilman Sack's idea of having land used as antique agriculture.

Marcia Peteroy, the no parking on 344, I support, but part of the reason is due to rail trail ect. the parking was cut down. I think it's not right the park does not have discount for locals.

Councilman Sacks will contact Ray Doherty to discuss the parking situation.

Marcia Becker, parking has come up at the Comprehensive Planning.

Charles Dodson, could you notify the Comprehensive Planning Committee when you will be meeting with Camphill Village on their presentation.

#### ACTION ITEMS

Councilwoman Gabaccia, letter sent to Comptroller about audit.

Councilman Tompkins, spoke with Attorney on Craryville store.

Attorney Rappelyea fence has to be erected, within the next year certain things to secure etc.

#### NEW BUSINESS

Councilman Sacks, we don't have fire hydrogen here we need the pond and depend on them.

Fire Chief Shadic, the use of this pond as a source of fire suppression; water has existed as an informal agreement with property owners for years. Removal of our availability to use the pond would be a hazard. Mrs. Belt while in process of selling her property came to the company to offer the pond. Without the pond it would create a large void in fire protection in the down town area.

We support the project and any thing that can be done, we would support merging with parking lot.

Attorney Rappelyea, the easiest and quickest way to obtain the property is to simply grant town self immunity, you can do this with a public hearing.

A motion was made by Councilman Sacks seconded by Councilman Tompkins to hold a public hearing at the next meeting to grant self immunity to Zoning Laws for Mrs. Belt to donate the pond and land to the town.

Motion carried.

Leslie Wood, why wouldn't you go to Zoning Board.

Attorney Rappelyea, it would take at least two months.

Marcia Becker, I believe it has to go through subdivision process.

Supervisor Crowley, if the town grants immunity from zoning it doesn't have to.

Attorney Rappelyea if the town grants immunity, the action will be immune from the process.

#### OLD BUSINESS

Motor Vehicle Storage Permits, ZEO inspected the locations and recommended the following.

1. Dell's Auto – issue permit
2. Jim's Auto Body – issue permit
3. Davis Auto Body – issue permit
4. H&D – issue permit
5. Performance Auto – issue permit.

Councilman Sacks, I don't think Jim's has a six foot fence or a gate. At Lindigs I counted about 15 cars in front. I need the ZEO to tell me why they are in compliance.

Supervisor Crowley will put off till next month. Councilman Sacks will contact ZEO.

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

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

Dated at Copake New York	Supervisor Crowley	yes
June 12, 2010	Councilman Sacks	yes
Resolution # 13	Councilman Tompkins	yes
	Councilwoman Gabaccia	absent
	Councilman Kiernan	absent

Closing of Cambridge Road at the intersection of Fidance Road.

Councilman Sacks, legally we do not have to inform the people on the road, but I feel we have an obligation to tell them.

Highway Superintendent Gregory, I met with everyone on the road and they were all in agreement.

A motion was made by Councilman Tompkins Seconded by Councilman Sacks to close Cambridge Road at the intersection of Fidance Road. Motion carried.

A motion was made by Councilman Sacks seconded by Councilman Kiernan to accept Local Law # 3 of 2010, NO PARKING ZONE ALONG THE WEST SIDE OF COUNTY ROUTE 7A between the entrance and exit driveways of the Key Bank. Motion carried.

COMMITTEE REPORTS

Park Commission, Ralph Platt, ask for permission to purchase garbage cans.

A motion was made by Supervisor Crowley seconded by Councilman Sacks authorizing the Park Commission to purchase garbage cans for the park building. Motion carried.

Banners need to be replaced. Councilman Sacks go to Vista Print.com and bring us back numbers.

Scott Preusser appointed Deputy Chairman.

A motion was made by Councilman Sacks seconded by Councilman Kiernan to accept the Bi-Laws for the Park Commission. Motion carried.

There will be two soda machines at the Park this year. Would like to look at purchasing our own next year.

Movie Night July 2<sup>nd</sup> , Circus July 5<sup>th</sup>, Bowling Tournament tonight and tomorrow for Jeffrey Journeys.

Visited Railroad Street Youth Program in Great Barrington its an amazing program for youth. Invited us to attend. We would like to start a program like this at the park, we also feel its needed.

Supervisor Crowley, let me know what you need from the County as far as programs go.

Ralph, people are parking on the lawn at the park.

Supervisor Crowley, suggest we post no parking signs.

A motion was made by Supervisor Crowley seconded by Councilman Tompkins we post no parking signs unless authorized.

Councilman Sacks I would like time to think about and look into it.

Supervisor Crowley, asked Attorney Rappleyea to write up a Local Law on no parking at the park. Schedule a public hearing on law at next meeting.

Ralph, Scott Swanson wrote a letter asking the board to look into the duties of cleaning at the park.

Supervisor Crowley, send letter to me and I will talk to Ron Piper.

When someone rents the building they are to give you a separate check of \$100 for cleaning deposit. If they leave the building the way they found it the check is to be returned.

Leslie Wood Economic Advisory Board

Actively involved in extending the rail trail.

Around the Clock involved in several projects.

1. Revitalization of 7A
2. Shag Bark donation of trees
3. Sidewalk, bike lanes, street light and furniture.
4. Businesses downtown
5. Copake Inn to reopen
6. Working with Sunoco and Planning Board to find out what is standing in the way for him to upgrade his building. It turned out to be a misunderstanding, and I think it has been resolved.
7. Copake General Store no solution, he's asking a ridiculous price to buy or rent.
8. Supporting restoration of the clock
9. Flower boxes and planters around town
10. Highway Superintendent Gregory repaired the bulletin board.
11. Farmers Market on second and fourth Saturdays.
12. Looking into funding for food desert.
13. Revitalization of hamlet signs have funding

Community Day - Chris Quinby, advertising is out, pray for a nice day.

#### DEPARTMENT HEADS

Highway Superintendent Gregory

Chips funding secured

Copake Cleanup Day - 19 loads of trash

#### COUNCILMAN REPORT

Supervisor Crowley

Welcome Gary and Kathy Reinhart, Copake KOA Campground to community, grocery store open to public.

Comprehensive Planning Board received \$2,500 grant from Rheinstrom Corporation.

Meeting at County on revitalization and Sole Assessor.

New Business, Local Oceans, product making its way into local restaurant.

Talked with Congressman Murphy office on money for solar, the earliest we could expect a decision on appropriation is November or December.

A motion was made by Councilman Sacks seconded by Councilman Tompkins the bills form highway abstract # 6 and general abstract #6 be paid. Motion carried.

Joan Spencer thanked the community and Park for their support of Jeffrey's Journey.

Card will be sent to Ms. Wopat to let her know the community is thinking of her and her son.

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

