

TOWN BOARD  
PUBLIC HEARING  
JULY 8, 2010

PRESENT:

Supervisor Crowley  
Councilwoman Gabaccia  
Councilman Sacks  
Councilman Tompkins  
Councilman Kiernan  
Highway Superintendent Gregory  
Attorney Tal Rappleyea

PUBLIC HEARING LOCAL LAW #4:

Supervisor Crowley opened the hearing at 7:15 pm with 28 people present. The purpose of the hearing is to hear comments concerning establishing a local law to charge consultant fees to Planning Board, ZBA, and Town Board applicants.

Joe LaPorta: Set up escrow account?

Attorney Rappleyea: If the Planning Board or ZBA would require extra consulting work for an applicant – engineer, surveyor, etc., an escrow agreement would be established between the town and the developer and an escrow account would be established. This would be a case-by-case analysis. The town can only charge the developer what they actually spend. Town holds money in Trust & Agency account. Any leftover would be refunded to developer. This is an alternative to burdening the taxpayer for these costs.

Supervisor Crowley: Checked with County, Copake is only town that does *not* do this presently.

Jeff Nayer: This is up to each individual board on a case-by-case basis to make their own decision?

Attorney Rappleyea: That is correct.

Chris Grant: Read letter from Planning Board opposing Local Law #4. Also stated his personal concerns regarding the local law and potential compromises to the Planning Board or ZBA decisions and, therefore, to public safety.

Councilman Kiernan: This local law will help to reinforce the points that Chris Grant just mentioned, correct?

Councilwoman Gabaccia: The local law does not provide flexibility.

Attorney Rappleyea: The point to the law is that the Planning Board or ZBA cannot proceed until escrow is in place.

Chris Grant: All we're asking is that there be flexibility – if the Planning Board or ZBA feels the need to hire a consultant in the best interest of the town, they would like to be allowed to do so.  
Attorney Rappleyea: This law does not prevent that.

Supervisor Crowley closed the public hearing at 7:40 pm.

PUBLIC HEARING LOCAL LAW #5:

Supervisor Crowley opened the hearing at 7:40 pm.

The purpose of the hearing is to hear comments concerning establishing No Parking Zone at Copake Memorial Park.

Councilman Sacks: Questioned how this law will affect using the grass for parking during special occasions.

Supervisor Crowley: Town will issue letter to allow parking on the grass for special occasions such as Community Day.

Supervisor Crowley closed the public hearing at 7:45 pm.

PUBLIC HEARING: DONATION OF BELT LAND TO TOWN OF COPAKE:

Supervisor Crowley opened the hearing at 7:45 pm.

Attorney Rappleyea: This would not be a local law but a resolution.

Fire Chief Randi Shadic: Attended Planning Board meeting. Mrs. Belt was directed to the ZBA on the 22<sup>nd</sup> of the month. If approved, the donation of land can be completed.

Joe LaPorta: Why not exempt the town from this procedure and complete it tonight?

Councilman Sacks: Bad habit to suspend town laws especially when not necessary. This can be done properly within 10-12 days.

Alice Belt: I would rather do things following the rules.

Supervisor Crowley closed the public hearing at 7:55 pm.

## REGULAR MEETING:

Supervisor Crowley opened the regular meeting at 7:55 pm with 28 people present.

## PRESENT:

Supervisor Crowley  
 Councilwoman Gabaccia  
 Councilman Sacks  
 Councilman Kiernan  
 Councilman Tompkins  
 Highway Superintendent Gregory  
 Attorney Tal Rapplelea

Supervisor Crowley financial reports and department reports are available.

Motion made by Councilman Sacks, seconded by Councilman Kiernan to approve the minutes of June 12, 2010. Minutes approved with the correction to page 6: *"we don't have fire hydrants"* and *"we support"*, not w. Councilwoman Gabaccia abstained. Motion carried.

## CORRESPONDENCE

- 1 E-mail from Leslie Wood, EAB: Requesting a resolution be passed tonight regarding the Copake sign replacement.
- 2 Virginia Ward, Beacon Town Clerk: Congratulating town on success of Community Day.
- 3 Hudson River Greenway: Congratulating town on approval of funding for \$6,530 to Town of Copake for Comprehensive Plan.
- 4 Chase Booth: Concern regarding drinking water at Copake Lake.  
 Councilman Tompkins: Would like Harvey Weber to follow up with Steve Winkley on the contamination of the drinking water.
- 5 Jeanne Mettler, Comprehensive Planning Committee: Updating board. Committee has secured two grants. Workshop: Saturday, July 31<sup>st</sup> @ 9:30 am, Park Building.  
 Thursday, August 19<sup>th</sup> @ 7 pm. Consultant will be present.  
 Zoning Review Committee: recommend the formation but not until after July 31, 2010 meeting and after they have the opportunity to discuss the results of that meeting with the board on August 19, 2010.
- 6 Key Bank: Will donate \$1,000 to two organizations - \$500 each. Asking Supervisor to recommend other organizations in addition to the two Key Bank has. Then citizens will select. Recommendations: Copake Lake Conservation Society, Roe Jan Food Pantry, Jeffrey's Journey, Community Rescue Squad.
7. Assemblyman Molinaro: Councilwoman Gabaccia read letter of support to Commissioner Ash for extension of Rail Trail.
8. Andy & Patricia Phesay: Councilwoman Gabaccia read letter regarding neighbor's neglect of property. Supervisor Crowley: ZEO Ferratto will look into it.

## PUBLIC FORUM:

Carol Sacks: Planning Board recommends collection proceeding against Cassino, what is happening there.

Councilwoman Gabaccia: Will give lawyers a call this week, were waiting for the final decision.

Diana Jamison: people using dumpster at park for personal use. Supervisor Crowley, put lock on dumpster.

People are using and selling pot at the park, also relieving themselves on the building.

Supervisor Crowley, asked Commissioner Nayer to talk to Officer Lopez about the situation and let the Sheriffs and State Police be aware.

Diana Jamison: finding condoms and papers at the park, also taking advantage of the dug out. I don't think we want the Copake Park to be know as the place to go for certain activities.

Frank Peteroy: We endorse the sign program in principal not in detail, to keep it moving we would like it Italic. On behalf of the Town of Copake I'd like to thank Michael Peschel for he's donation. Recommend the sign not be smaller than it is now. There are a few details that need to be worked out.

Chris Quinby: At the meeting last night everyone went through the options and everyone voted on it.

The Town Board gave approval for the Economic Advisory Board to put up the sign up.

Assemblyman Molinaro: Stop by to say hello.

## ACTION ITEMS:

Supervisor Crowley, talked to Ron Piper on the park, he and Ralph have worked it out.

Assembly Molinaro about the West Copake Fire House, if sell it in June will we have to wait for you to come back in session. Answered no.

Letter sent to Camphill, waiting for response.

Sheriff did report on time clock, dead issue.

Councilman Sacks: Talked with Ray about parking at park. He had several suggestions.

## OLD BUSINESS

Motor Vehicle Storage: Ed Ferratto, I recommend issuing of permits knowing there were still minor issues rather than have them operate without one, they are working on the issues.

I recommend you issue permits tonight.

Councilwoman Gabaccia: has Jim's or Performance Auto got a dismantlers license at this point?

Ed Ferratto, I don't believe they have.

Councilwoman Gabaccia: my concern here is environmental, I think the board should consider this in granting the permits.

Ed Ferratto: I think you need a dismantlers permit if you're a junk yard, motor vehicles storage dose not require it by the state. My recommendation to board prior to having the committee I suggested they have definition to these particular areas. My recommendation fell by the wayside. Am I going to measure that there 4 feet distances between the cars and its only 3' 6" am I not going to give them their permit it seems observe to me at this point when the pass five years I've worked for the town this has been an issue. They been operating out of compliance as far as I'm concern but the board has done nothing to back me up. I think the best thing to do at this point is to give them there permits and let them operate legally.

Councilman sacks, the bottom line to this is the majority of people think it's an eye sore, I've been trying for five years just to have it tidied up, and I've been unsuccessful. I don't know how to achieve it.

Joe La Porta: I've been involved with this with four Supervisors, if you go to a grocery store you find groceries, pharmacy medicine auto body you find cars, this may be offensive to people but your putting your personally feeling first. If they did not want this they should never have zoned it business. You're trying to change something they've been giving permits for 20 years or more, and we were trying to bring everyone to the same area.

Councilwoman Gabaccia: what about the environmental issue, if they had a dismantlers license someone would be checking on them

Joe, Jim said he would get a dismantlers permit if he has to.

Supervisor Crowley: if you require Jim then you have to require the others also. Ed with law the way its written are they in compliance. Ed yes.

Ed Ferratto: years ago when the permits were first issued each had to be in compliance for their particular site. Every business not the same.

John Keeler: town law says your not suppose to be working on cars outside.

Supervisor Sacks, I will not vote to issue permits.

Councilman Tompkins, where are you in the area of enforcement, do you issue tickets with warnings.

Ed, I'm doing the best I can with the hours I have. I have other complaints.

Councilman Tompkins: this is a priority you should be addressing it.

Councilman Sacks: were talking about 2 shops you work nine hours a week, were asking to prioritize on the two shops.

Supervisor Crowley: will table the permits.

## NEW BUSINESS

Supervisor Crowley: call from Ken Flood Economic Developing put in a grant for the County to revitalize business hamlets in Copake and Germantown. Read letter of support from the board for the grant.

Sole Assessor, Columbia County were one of four towns that have elected Assessors.

Councilman Tompkins: Barbara where do you stand on Sole assessor.

Barbara: Sole Assessor and reval is two big things to take on at once. Sole Assessor you have one person making the decisions with elected there are three. I will be certified in two weeks.

Lindsay LeBrecht: you should be looking at structure on how the Assessor office is working.

Supervisor Crowley: Sole Assessor is appointed for 6 year term, if someone's elected and they due less than desirable job you cannot fire them. Sole assessor is appointed and must answer to the Town Board.

Councilman Sacks: we desperately need a reval if a Sole Assessors gets this done quicker then I'm for it.

Supervisor Crowley: they have program called CAP where you find another town to do a reval with you and that requires a Sole Assessor the State will reimburse you \$7.00 per parcel if you go with CAP. If the board decided to go to Sole Assessor by law the present Assessors will finish out the year and appoint Sole Assessor in January 2011.

Supervisor Crowley: Attorney will draw up Local Law for sole Assessor and have public hearing in August.

Councilwoman Gabaccia: Mr Cassino facing three felonies and two misdemeanors.

The following resolution was offered by Councilman Kiernan seconded by Councilman Tompkins to accept Local Law # 4 with amendments. *A Local Law establishing a process procedure and authority to collect consultant fees from applicants before certain boards.*

Dated July 8, 2010	Supervisor Crowley	Yes
Copake New York	Councilman Tompkins	Yes
Resolution # 15	Councilwoman Gabaccia	Yes
	Councilman Sacks	Yes
	Councilman Kiernan	Yes

The following resolution was offered by Councilman Tompkins seconded by Councilwoman Gabaccia to accept Local Law # 5 *A Local Law establishing NO Parking Zone at the Copake Memorial Park.*

Dated July 8, 2010	Supervisor Crowley	Yes
Copake New York	Councilman Tompkins	Yes
Resolution #15	Councilman Kiernan	Yes
	Councilwoman Gabaccia	Yes
	Councilman Sacks	Yes

A motion was made by Councilman Tompkins seconded by Councilman Sacks authorizing the Economic Advisory to replace the existing sign at the north entrance form Route 22. Motion carried

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

WHEREAS: the Town of Copake recognizes the importance of the promotion of recreational activities both within our borders and in the neighboring areas to attract tourism and to maintain quality of life beneficial to our residents

AND WHEREAS: the Board further acknowledges that tourism is an essential part of the economic survival of our community

AND WHEREAS: the Town Board of Copake recognizes the importance of intermunicipal cooperation in the achievement of these goals

BE IT HEREBY RESOLVED: that the Town Board of Copake joins the Town Board of Hillsdale in its support of the Harlem Valley Rail Trail Association's grant application with the Department of Parks and Recreation for the expansion of the trail

Dated at Copake New York  
July 8, 2010  
Resolution # 16

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

## DEPARTMENT HEADS

Highway Superintendent Gregory:

No Parking on 344, owner of the land in question addressed the board about the unauthorized parking on Route 344.

Supervisor Crowley: they can issue tickets, put up no trespassing signs.

Jeff Nayer: we cannot issue tickets only if they park off the fog line. If you put no parking on 344 then you need to enforce Miles Road and the Historical Society always parks there.

Councilman Sacks: put up No Parking unless authorized.

Supervisor Crowley: public hearing next month on no parking on Route 344.

Highway Superintendent Gregory, asked the board their direction in non highway related activity, should we continue, in the last three months there's been a lot.

Councilman Tompkins: continue.

Highway reports will be on the web-site.

Thanked Councilwoman Gabaccia for meeting with him and discussing some issues.

Councilwoman Gabaccia: The Court has \$6,500 to \$6,800 in unclaimed exonerated bail money, if we make a good faith effort to find the people who can reclaim these funds the money can revert to the town. Police Department to aid in this.

Supervisor Crowley: ask the judges what they consider to be a good faith effort, check with Court Administration.

Councilman Kiernan: Attended meeting with DEC pertaining to Outdoor Wood Boiler, they were impressed with our law and will use it as guide line.

Councilman Sacks: do we have a health officer?

Supervisor Crowley: most towns fall back on County Health Department.  
Attorney will get qualification for one.

A motion was made by Councilwoman Gabaccia seconded by Councilman Tompkins the bills from the general abstract # 7 and highway abstract # 7 be paid. Motion carried.

A motion was made by Councilman Tompkins seconded by Councilwoman Gabaccia to go into executive session on personnel matter, regarding potential action. Motion carried.

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

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

Respectfully submitted,

Vana S. Hotaling

