

Regular Town Board Meeting
July 12, 2012

Members Present:

Supervisor Nayer
Councilperson Winchell-Sweeney
Councilperson Miller-Simmons
Councilperson Mettler

Members Absent:

Councilperson Gabaccia

Supervisor Nayer opened the Public Hearing for Local Law # 1 of 2012 entitled "A Local Law Transferring Ownership of a Vehicle to the Copake Fire District" at 6:45 PM with 8 people in attendance.

Gloria Lyons questioned if the Town advertised the availability of this vehicle to the Public and other local fire departments. Supervisor Nayer advised Gloria that the Copake Fire District approached the Town asking the Town to donate this vehicle to the District.

Supervisor Nayer closed the Public Hearing at 6:49 PM. The Regular Town Board Meeting followed at 7:00 PM.

A motion was made by Councilperson Winchell-Sweeney and seconded by Councilperson Miller-Simmons to waive the reading of the Regular Town Board Meetings June 14, 2012 and approve the minutes as written. Motion was carried. Councilperson Mettler abstained.

A motion was made by Councilperson Mettler and seconded by Councilperson Miller-Simmons to waive the reading of the Special Meetings June 20, 2012 and approve the minutes as written. Motion was carried.

A motion was made by Councilperson Mettler and seconded by Councilperson Winchell-Sweeney to waive the reading of the Special Meetings July 9, 2012 and approve the minutes as written. Motion was carried. Councilperson Miller-Simmons abstained.

A motion was made by Councilperson Miller-Simmons and seconded by Councilperson Mettler to waive the reading of the Special Meetings July 10, 2012 and approve the minutes as written. Motion was carried.

Supervisor Nayer advised that the next Regular Town Board Meeting will be on Saturday, August 11, 2012 at 9:00 AM. Also last night at the Columbia County Board of Supervisor's Meeting a resolution was passed to accept the bid for the repair work on the Maple Lane Bridge starting this month and should be completed by this fall.

Correspondence:

From Joseph J. Martens, New York D.E.C. – a letter responding to the Town’s inquiry of the funding for the work on the Bash Bish Creek.

From Eileen P. Vining, Clerk, Egrmont Planning Board – a Notice of Decision on Amendment of Special Permit for Mariner Tower II, LLC and AT&T.

From Brad Peck Insurance – a donation from the entry fees from the Copake Community Day 5K race and a letter requesting Town Board to decide where to donate the monies.

From Victor Meyers, Law Offices of Rapport Meyers LLP – advising the Board that Appellate Division has denied Casino’s motion for a stay pending the appeal.

Public Forum:

Harvey Weber announced that the Columbia County Office for the Aging have received the Farmer’s Market Coupons and available to eligible seniors.

Department Head’s Reports:

Frank Peteroy, Chairman of the Z.B.A. reported they closed one public hearing, have two more scheduled and one new application.

Councilperson Miller-Simmons reported that the Summer Youth Program is going great.

Karen DiPeri, Member of Copake E.A.B. reported that they spent most of last month’s meeting discussing the Copake General Store and working on a flyer for them. Also the E.A.B. is discussing the Town’s Website.

New Business:

Supervisor Nayer reported that the Town is moving ahead on correcting the veteran’s names that are missing from the plaques. Rus Davis, President of the Copake Community Service Inc., which is a not-profit 501C organization will be handling the funds for this project for the Town.

A motion was made by Councilperson Miller-Simmons and was seconded by Councilperson Winchell-Sweeney to donate the \$557.00 that Brad Peck Ins. raised from the Copake Community Day 5K Race to the Veteran’s Plaque Project. Motion was carried.

The Copake Park & Recreation Commission discussed having the Park Rededication in December following the Light Parade. The Park Commission is looking for volunteers to work on the history of last thirty years of the Park.

Old Business:

Troy Defense was the highest offer (\$4,201.00) out of three for the Police Firearms. They are an FFL Dealer and are holding the firearms for now.

A motion was made by Councilperson Mettler and was seconded by Councilperson Miller-Simmons to sell the surplus Police Firearms to Troy Defense for a price of \$4,201.00. Motion was carried.

The remaining surplus Police Equipment that could not be recycled within the other Town Departments went on the Auction International Inc. website and was sold to the highest bidder. The total income from all of the surplus equipment sold on the auction site was approximately \$14,000.00.

Supervisor Nayer announced that we did not get any bids for the repairs to the Park Ice Skating Rink.

A motion was made by Councilperson Winchell-Sweeny and was seconded by Councilperson Miller-Simmons to re-advertise for bids for the work on the Park Ice Skating Rink. Motion was carried.

The Board set a public Workshop for the Comprehensive Plan for Wednesday, July 25th at 6:30 PM at the Town Hall. The Board deferred the Policy Manual Workshop until after Nancy, Sean and Larry has time to work on the IT portion of the manual.

Appointments:

Councilperson Mettler reviewed the mission statement for the Copake Hamlet Revitalization Committee and reiterated that in no way was this Committee formed to replace any of the present ATC or CEAB Committees the Hamlet Revitalization Committee has a different task.

A motion was made by Councilperson Winchell-Sweeney and was seconded by Councilperson Miller-Simmons to appoint Hugh Davis, Nancy Schultz, Roberta Roll, Jerry Kraus and John Pollok to the Copake Hamlet Revitalization Committee. Motion was carried.

Councilperson Mettler will be the Town Board Liaison for the Copake Hamlet Revitalization Committee.

New Business:

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

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 Lakeview Road, a Town Road between the Copake/Taghkanic Town Line and Columbia County Route 7.

Resolution # 16	Supervisor Nayer	yes
Dated July 12, 2012	Councilperson Winchell-Sweeney	yes
Copake, New York	Councilperson Miller-Simmons	yes
	Councilperson Mettler	yes
	Councilperson Gabaccia	absent

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

Local Law No. 1 of 2012

A Local Law Transferring Ownership of a Vehicle to the Copake Fire District

Be it enacted by the town board of the Town of Copake as follows:

Section 1. Title: This local law shall be entitled “A Local Law Transferring Ownership of a Vehicle to the Copake Fire District.”

Section 2.

A. Transfer of vehicle ownership. The town of Copake hereby transfers without consideration to the Copake Fire District, a public corporation as such term is defined in subdivision one of section sixty-six of the general construction law, ownership of a 2003 Chevy Tahoe vehicle owned by the Town and formerly used by the Copake Police Department.

B. Public purpose requirement. This transfer is in furtherance of the public purpose of enhancing the mobility and readiness of the fire company operating within the Copake Fire District and the Town of Copake.

C. Transfer conditioned upon acceptance. The transfer of ownership described herein shall be effective upon the written acceptance of such transfer by the recipient Copake Fire District within sixty days of the effective date of this law, and if no such acceptance has been so made, the transfer shall be null and void and the ownership of the vehicle shall remain with the Town.

D. The supervisor is authorized to carry out the actions necessary to complete the transfer described herein.

Section 3. Supersession pursuant to Municipal Home Rule Law. To the extent to which this law may expand the authority of the Town to dispose of property pursuant to subdivision two-a of section sixty-four of the New York Town Law by authorizing the making of a gift or conveyance for consideration less than market value, this local law is expressly intended to supersede any lack or omission of authority to make gifts or conveyances for consideration less than market value that may be implied by such subdivision, pursuant to the authority granted by paragraph (i), and subparagraph d(3) of paragraph (ii), of subdivision one of section ten, and section twenty-two, of the New York Municipal Home Rule Law.

Section 4. Effective date: This local law shall take effect immediately upon filing with the Secretary of State.

Resolution # 17	Supervisor Nayer	yes
Dated July 12, 2012	Councilperson Winchell-Sweeney	yes
Copake, New York	Councilperson Miller-Simmons	yes
	Councilperson Mettler	yes
	Councilperson Gabaccia	absent

A motion was made by Councilperson Winchell-Sweeney and was seconded by Councilperson Mettler to commit the \$500.00 budgeted in the Veterans line item to the Veterans Memorial Monuments if it is needed. Motion was carried.

Supervisor Nayer explained that the Town could save a substantial amount of money if we switched to purchasing the LP Gas through State Contract.

A motion was made by Councilperson Miller-Simmons and was seconded by Councilperson Mettler to authorize the Supervisor to switch to a State Contract Vendor for the purchase of LP Gas. Motion was carried.

Councilperson Reports:

Councilperson Miller-Simmons reported that the Copake Parks and Recreation Commission would like to fund from their Special Park Account the Summer Youth Program field trip to the Hudson Movie Plex.

A motion was made by Councilperson Mettler and was seconded by Councilperson Winchell-Sweeney to authorize the funding from the Special Park Account the Summer Youth Program field trip to the Hudson Movie Plex. Motion was carried.

Councilperson Mettle reported last summer, as Chair of the Grants Subcommittee of the Comprehensive Planning Committee, Charles Dodson wrote an application for a

grant which was intended to be submitted to the NYS Office of Community Renewal. The Grant which Charles had conceived and drafted had two components- it was intended to obtain funds to assist us in our zoning review and it was also to have a planning component. Charles put a considerable amount of effort and time into writing the application. The application was completed by Charles but it was never submitted because New York State advised us that the State was coming up with a whole new grant application process.

As it turned out, when the grant application process finally opened up in May of this year, it was under an entirely new format. The application was not the same, the criteria was changed, now there was a consolidated funding application—all online—and the applications were to be considered by Regional Councils.

At this point the old grant application was of no use, we had to start all over.

On June 19, Nancy Schultz and I attended a workshop sponsored by NYS at Columbia Green which was intended to assist us in making a new application. Following our attendance Nancy did a considerable amount of work on seeing whether in fact we could write a competitive application to be considered this year. Nancy also spoke with Charles Dodson and the two of them weighed the advisability of proceeding this year.

In the end, because the deadline was so close at hand (July 16) we all decided that an application would be premature and ill advised.

As the Task Force begins its work, obtaining funds through grants to assist in planning will become critical. By waiting until the next round of grants, not only will the Task Force have the time to collect the data necessary to a viable application but they will also have the time to build consensus amount the critical constituencies in the Town.

Since we will not submit an application by the current deadline of July 16 I wanted to explain why not. And I also want to recognize and thank both Charles Dodson and also Nancy Schultz for their work in this regard. I agree with them that it would have been foolhardy to proceed this year, but that does not negate their considerable efforts on behalf of the Town.

Public Forum:

Lindsay LeBrecht publically thanked Chris Quinby for the job he and his committee did on Community Day this year. Also Lindsay requested the Board seriously think about putting in place a fracking moratorium within the Town of Copake.

The Board requested Attorney Dow to research what would need to be done for this moratorium for the next meeting.

Councilperson Miller-Simmons thanked the DiPeris for the work they did assisting with the promotion of the General Store.

Frank Peteroy advised the Board that he had sent an email to Bernie Kelleher, Columbia County Highway requesting an installation of a paved shoulder from the intersection NYS Rte 22 & East Main St. to the Farm Road intersection on the north side of East Main St. [7A]. Supervisor Nayer said that he would bring this matter up at the next Public Work's Committee Meeting.

Lindsay LeBrecht announced that Taconic Shores Property Owners Association will be hosting the Columbia County Federation of Lakes Meeting on July 20th 10:00 AM at the Boat House.

Harvey Weber requested the Board look into the sidewalk situation in the Hamlet going to the Post Office.

A motion was made by Councilperson Miller-Simmons and was seconded by Councilperson Mettler that the bills from the General Abstract #7 and the bills from Highway Abstract #7 be paid. Motion was carried.

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

Respectfully submitted,