

## Regular Town Board Meeting

11-13-14

Members Present: Supervisor Nayer, Councilperson Miller-Simmons, Councilperson Winchell-Sweeny and Councilperson Mettler.

A motion was made by Councilperson Miller-Simmons and seconded by Councilperson Winchell-Sweeney to waive the reading of the October 9, 2014 Regular Town Board Meeting and the October 18, 2014 Public Hearing for the 2015 Budget and Special Town Board 2015 Budget Meeting. Motion was carried. Councilperson Mettler abstained.

A motion was made by Councilperson Winchell-Sweeney and seconded by Councilperson Miller-Simmons to accept the minutes of the October 9, 2014 Regular Town Board Meeting and the October 18, 2014 Public Hearing for the 2015 Budget and Special Town Board 2015 Budget Meeting as written. Motion was carried. Councilperson Mettler abstained.

Announcements: Adopt a Christmas Tree Program, 11/22 Special Informational Meeting on the Town's Revaluation Process at 10:00 am, 11/27 Thanksgiving Dinner at the Copake Memorial Park Building at 2:00 pm sponsored by the West Copake Reformed Church, 11/28 1:30 – 6:30 pm American Red Cross Blood Drive at the Copake Memorial Park Building, 12/13 Copake Park & Recreation Commission Annual Light Parade starting at 5:30 pm and Bon Fire following, The Dinehart Bridge (Singing Bridge) weight limit has been temporarily been lower to 5 tons due to the need for repairs.

Correspondence:

From Hilarie Thomas, Chairperson of the ZBA - a letter recommending the Town Board to appoint Adam Reznikoff to the ZBA to fill out the unexpired term of Ralph Shadic and appoint David Goldman as the Alternate Member to ZBA.

From Columbia County Public Works – a notice of the reduction of the posted weight limit on the Dinehart Bridge on County Route 7A to 5 tons.

From James Kerbin, Sue Evans and Priscilla Price – a letter expressing their concerns of short term rentals in the Rhoda Pond area.

From Marc Gross – a letter expressing his concerns of the short term rentals at the Ben Meir's properties.

From Andrew Gilchrist, Tuczinski, Cavalier & Gilchrist, P.C. – a letter regarding the Berkshire Mountain Club at Catamount Ski Area.

From Leanne Schreiber – a letter to Mr. Ferratto and Mr. Nayer regarding a neighboring homeowner on Snyder Pond that is renting their home as a short term rental property.

From Roberta Roll, Chairperson Hamlet Taskforce – an email advising the Taskforce's recommendation to hire Place Alliance to work with the Taskforce to create a Hamlet Plan.

From Leonard Barham, Chairperson of the Board of Ethics – a letter requesting William Gregory be appointed on an interim basis until his appointment can be formalized for a new term.

From William Newcomb, Chairperson of the Board of Assessment Review – a verbal recommendation to reappoint Debra Cohen to another term on the B.A.R.

From Andrew Gilchrist, Tuczinski, Cavalier & Gilchrist, P.C. – a copy of a letter to the Copake ZBA regarding the Berkshire Mountain Club at Catamount Ski Area and requested the entirety of the letter be read into the Zoning Board record.

From Linda Senk – a copy of a letter to Leonard Barham, Chairperson of the Ethics Board requesting a review of the process of denying Berkshire Mountain Club.

From Risa Maynard – a copy of an email sent to Hilarie Thomas requesting the ZBA take a revote on the Berkshire Mountain Club application.

From Jacquie Burdick – a copy of an email sent to the Copake ZBA requesting them to consider a revote on the Berkshire Mountain Club application.

Copies of 16 letters to the Copake ZBA requesting a revote of the Berkshire Mountain Club application.

From Nelson Alford Jr., Law Offices of Guterman Shallo & Alford, PLLC – a letter advising that the Town of Hillsdale will hold a Public Hearing on November 4, 2014 at 6:00 pm on its proposed Local Law # 2 of the year 2014.

From N.Y.S.D.E.C. – a copy of notice of completed application for adjustable stream diversion structures Catamount Ski Center.

Public Forum: None

Department Head Reports:

Hilarie Thomas, Chairperson Copake ZBA once again requested permission to have Independent Council represent the ZBA.

Ed Ferratto, C.E.O. report they are very busy.

Leonard Barham, Chairperson Ethics Board advised the Board that they have the latest version of the proposed revisions of the Ethic Code for review.

Councilperson Winchell-Sweeney reported that the CAC will be meeting Wednesday Night.

Councilperson Mettler read the following report on the Roe Jan Ramble:

The second annual Roe Jan Ramble was co-sponsored by the towns of Copake, Ancram and Hillsdale. 130 riders participated- this was almost twice the number who rode the first year.

28 Local businesses from the three towns contributed so that every rider received a free tee-shirt. 26 local businesses also participated in the “Wristband Bonus” program which entitled riders to certain discounts and perks at local stores and restaurants throughout the weekend. 39 businesses were included overall.

The ramble raised over \$15000 for the Rail Trail Extension and that amount was matched by Dyson- bringing us up to \$30000.

The members of the Ramble Committee included: Jon Strom, Chair, Cassandra Miller, Devynn Bessette, James Redmond, Peggy Lewis, Gary Lewis, Jeanne Mettler, Jane Plasman, Lynne Chmurzynski, Ed Werfelman, Chris Quinby and Bart Ziegler.

On the day of the Ramble numerous people from all three towns assisted with registration and helped at rest stops and along the route. These volunteers included Carol Gansowski, Pat Placona, Rose Aulino, Lindsay Lebrecht, Cecele Kraus, Jerry Krauss, Richard Barton, Lisa DeLeeuw, Rus Davis, Tom Carty, Howard Van Lenten, Madeleine Isreal, Mike Citrin and Cathy Redlich. In addition, the Copake Community Service, Inc. assisted with raising funds for the ride.

**New Business:**

Supervisor Nayer spoke to Katie Hotchkiss, an Attorney for the Association of Towns and she advised that a unilateral request is not consider a request by the Zoning Board of Appeals or any other Board, a vote must be taken by the majority of the Board present, that vote was not taken, it was discussed but no vote was taken. The Board was in agreement not to consider the request for an independent council until the ZBA holds a vote on this matter.

A motion was made by Councilperson Winchell-Sweeney and was seconded by Councilperson Miller-Simmons to authorize the advertising for a Dog Enumerator for 2015. Motion was carried.

A motion was made by Councilperson Mettler and was seconded by Councilperson Winchell-Sweeney that per the recommendation of the Hamlet Taskforce to authorize Supervisor Nayer to enter into a contract with Place Alliance to assist the Town in creating a Hamlet Plan not to exceed the cost of \$30,000.00 of which the Town has \$14,000.00 in Grants. Motion was carried.

**Old Business:**

The Board agreed to table until the next meeting the Planning Board's request to transfer the special use permit requests to the Planning Board instead of the ZBA which are done in most Towns to give the Board Members time to look into the pro's and con's before making a decision next month.

A motion was made by Councilperson Mettler and was seconded by Councilperson Miller-Simmons to schedule a Public Hearing for proposed Local Law # 7 of 2014 revising the Code of Ethics for December 11, 2014 at 6:40 pm. Motion was carried.

Edgar Masters, Co-Chairperson of the Agricultural and Farmland Protection Committee advised the Board that the Final Proposed Agricultural and Farmland Protection Plan has been distributed to the Town Board for their review and amendment to the Comprehensive Plan and scheduling of a Public Hearing of the same. Edgar went on to thank the Committee, the Town Clerk's Office and Councilperson Mettler for their work on this document. Also the final draft is available to the public on the Town's Website and Attorney Dow will forward a copy to the Columbia County Planning Board for their review.

A motion was made by Councilperson Mettler and was seconded by Councilperson Miller-Simmons to schedule a Public Hearing on the Proposed Agricultural and Farmland Protection Plan for December 11, 2014 at 6:45 pm. Motion was carried.

**Budget:**

Supervisor Nayer reported that we have received are third quarter tax check for \$168,654.19 which is up 6% from last year. The State Aid Mortgage Tax will end up being a total of \$82,792.10 which is over \$7,000.00 under what we had budgeted and it is down \$33,911.00 that we received last year.

Councilperson Report:

Councilperson Mettler reported that the latest section of the Rail Trail is paved and they will have a kick off sometime in December.

Public Forum: None

A motion was made by Councilperson Miller-Simmons and was seconded by Councilperson Mettler to enter into executive session at 7:32 pm to discuss matters with Code Enforcement Officer and to discuss matters leading to the appointment of a specific person to Zoning Board of Appeals. Motion was carried.

A motion was made by Councilperson Miller-Simmons and seconded by Councilperson Winchell-Sweeney to return to the regular meeting at 9:49 pm. Motion was carried.

Appointments:

A motion was made by Councilperson Winchell-Sweeney and was seconded by Councilperson Mettler to appoint Jeffrey Judd to the Copake Zoning Board of Appeals to fill the unexpired term of Ralph Shadic. Mr. Judd's term will expire on December 31, 2015. Motion was carried.

A motion was made by Councilperson Winchell-Sweeney and was seconded by Councilperson Miller-Simmons to re-appoint Debra Cohen to the Copake Board of Assessment Review. Ms. Cohen's term will expire on September 30, 2019. Motion was carried.

A motion was made by Councilperson Miller-Simmons and seconded by Councilperson Mettler to re-appoint William Gregory to Copake Ethics Board on an interim basis until his appointment can be formalized for a new term. Motion was carried.

A motion was made by Councilperson Winchell-Sweeney and was seconded by Councilperson Miller-Simmons that the bills from Highway Abstract # 11 and the bills from the General Abstract # 11 be paid. Motion was carried.

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

Respectfully submitted,

