

Town Board Meeting

3/13/14

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

Supervisor Nayer requested the agenda be altered to give the Highway Superintendent a chance to address the Board first due to the need to get back to checking the roads.

Highway Superintendent Gregory advised that the Town is okay at this point with the snow portion of the budget for the calendar year, it will depend on how next winter begins in November and December. Announced Cleanup Day will May 17th for 9:00 am to Noon and the list of items that are acceptable will be posted at the Town Hall and on the Town Website. Thanked Skip from Busy Beaver Tree Service for volunteering their bucket truck to assist with the Town's decorations. Superintendent Gregory requested the Board adopt the Snow and Ice Policy that he sent to the Board for review. Councilperson Paciencia stated that he and Superintendent Gregory had a conversation regarding pages 20 through 22, the words "should be" should be changed to stronger words like "will be" or "must be" and give Bill the ley way to make these changes to stronger verb action statements.

A motion was made by Councilperson Paciencia and seconded by Councilperson Miller-Simmons to accept the Snow & Ice Policy with Councilperson Paciencia's recommendations. Motion was carried.

Highway Superintendent Gregory advised the Board that we received bids for tree removal from Busy Beaver Tree & Stump Removal and The Haupt Tree Company, Inc. and bids for road construction material from A. Colarusso & Son, Inc., Gro Max LLC, Amenia Sand & Gravel and Red Wing Properties Inc. Superintendent Gregory recommended that the Board accept all the bids received to give the Town the option to use another vendor if there is a shortage of an item.

A motion was made by Councilperson Mettler and seconded by Councilperson Winchell-Sweeney to accept the bids received from Busy Beaver Tree & Stump Removal and The Haupt Tree Company, Inc. for tree removal, and the bids received from A. Colarusso & Son, Inc., Gro Max LLC, Amenia Sand & Gravel and Red Wing Properties Inc. for road building materials per the recommendation of Highway Superintendent Gregory. Motion was carried.

The Board thanked Highway Superintendent Gregory and his Department for the great job they have done this season.

A motion was made by Councilperson Mettler and was seconded by Councilperson Paciencia to waive the reading of the minutes of the Regular Meeting 1/9/2014 and Special Board Meeting 1/23/2014 and to accept the minutes as written. Motion was carried.

Announcements:

Thanked Gerald Roberts for constructing the drop off box for flags that need to be retired and the American Legion Post 1160 for disposing of them properly.

Saturday, March 15th at 10:00 am there is a presentation sponsored by the Conservation Advisory Committee on Copake's Natural Resources.

Saturday, March 15th at 10:30 am at the Roe Jan Community Library there will be a presentation Hooked

on Llamas.

Sunday, March 16th at 2:00 pm the Roe Jan Historical Society will have a presentation on Trains in the Roe Jan Area at the Museum.

March 22nd the Friends of Taconic State Park will be sponsoring a welcome spring benefit at the Grange Hall.

Saturday, April 19th at 11:00 am the Copake Park Commission will be hosting their Annual Easter Egg Hunt at the Copake Memorial Park.

Saturday, April 19th 5:00 pm – 7:00 pm The Copake Fire Company will be holding a Chicken BBQ at the Copake Fire House. Tickets are available from any Fire Company Member or the Town Clerk's Office. We are still accepting names of Veterans that lived in Copake and served in the Vietnam or Korean Wars that need to be added to the monuments.

Please log on to the Town's Website for an updated list of events going on in our area.

A thank you to Joe LaPorta and Russ Davis for assisting with the repairs to the Town Memorial Clock.

Correspondence:

From Iseman, Cunningham, Riester & Hyde, LLP – a letter advising that RM Greens, Inc. will be applying for a liquor license with the N.Y.S. Liquor Authority.

From Aquatic Control Technology – a letter advising that the Copake Lake Conservation Society Inc. plan to continue aquatic weed and algae management at Copake Lake.

From Dancer's Marina – a notice of their intent to reapply for a liquor, wine and beer license.

From Department of Army – a copy of a letter to Mitchell Cohen requesting additional information regarding their proposal to construct a boat slip.

From Thomas Kane, Chairperson, Hillsdale/Copake Fire District – a copy of a letter to C.E.O. Ferratto advising their concerns of not receiving significant information on the proposed scope of the Catamount project.

From Columbia County Youth Bureau – a letter advising that the Town of Copake is not represented on the Columbia County Youth Advisory Board and anyone interested in serving in this capacity should contact Supervisor Nayer.

From Empire State Development – a notice of a Public Hearing to be held at the Columbia County Office Building, 401 State Street, Hudson, New York on Wednesday, March 12, 2014 10:00 am to 11:00 am regarding the General Project Plan of the New York State Urban Development Corporation Hurricane Irene and Tropical Storm Lee Flood Mitigation Capital Project in Columbia County.

From Edward Horowitz – a letter requesting the Town petition the State of New York to lower the maximum speed limit on Columbia County Route 7 between Bettman Lane and the Copake/Ancram Town line.

From Margaret Hosier – a letter of resignation as Part-time Court Clerk.

From Margaret Wormley, Treasurer Board of Trustees, Roeliff Jansen Community Library – a letter thanking the voters of Copake for approving the increase in taxes collected annually for the Library and

requesting the Town to send a single payment this year instead of the quarterly payments to improve their cash flow.

From Clark Engineering & Surveying, P.C. a letter advising the Town of their merger with Ryan-Biggs Associates, P.C.

From Commonwealth of Massachusetts, Department of Telecommunications & Cable – a copy of a letter to Ms. Marlene H. Dortch, Secretary, Federal Communications Commission regarding the matter of Charter Communications, Inc., Petition for Determination of Effective Competition in Wales, Ma. (MA 00338); 3 Massachusetts Franchise Areas and 11 New York Franchise Areas; Westport, Ma (MA 02790); 29 Massachusetts Franchise Areas and 1 New Hampshire Franchise Area, CSR-8558-E, CSR-8559-E, CSR-8560-E, CSR-8561-E.

From N.Y.S.D.E.C. – A copy of the SPDES Permit Modification DEC #4-1032-00017/00007 (SPDES #NY 0268569) Berkshire Mountain Club at Catamount which is effective February 10, 2014 which expires on January 31, 2017.

Meaghan Cullighan, a Graduate Student at Bard Center for Environmental Policy as well as earning a dual degree at Pace Law School did a presentation on Hydraulic Fracturing, transportation and storage of by products and its possible effects on the environment and the legal issues around moratoriums in New York State.

Public Forum: Lindsay LeBrecht questioned if anyone knew what Charter Communications plans are for this area? No one knew of any new work being done in the area.

Department Committee Reports:

Planning Board meeting was mainly about the proposed Catamount Development. They will be scheduling a Public Hearing for this development at their next meeting.

ZBA also had a Public Hearing regarding the proposed Catamount Development and the hearing remained open.

C.E.O. Ferratto commented on the meeting they had with an engineer for the New York Department of Code, the Hillsdale Fire Department and his office regarding the fire safety issues for the proposed Catamount Development.

Councilperson Paciencia reported that the Ethics Board met Tuesday and the next meeting will be the second week of April. They started talking about the draft of the ethics policy and Town Attorney Dow will be joining the Board in April to review the draft.

Assessor's Office is continuing to help residents with their exemptions.

Supervisor Nayer reported for the Park Superintendent that the snow slid off one of the solar panels and broke the fence surrounding the air conditioning units and the panel boxes for the solar system.

Summer Youth Program signups will be two Saturdays in May.

Councilperson Winchell-Sweeney reported that the CAC has a presentation this Saturday at 10:00 am on Copake's natural resources and their regular meeting this month will be this Saturday at 9:00 am instead of the fourth Saturday of the month.

Councilperson Paciencia reported that the Environmental Committee met a month ago and this month's meeting was canceled.

Roberta Roll read the following report on the Hamlet Revitalization Taskforce:

The Copake Hamlet Revitalization Task Force has continued to meet twice a month, and has made progress on a number of initiatives.

1. We have continued to pursue funding in order to hire a planner to help us create a Copake Hamlet Plan. The plan will include signage, community spaces and streetscape design, building design standards, development opportunities and standards, and utilities planning. We issued a Request for Information to several planning agencies in order to assess our costs better. We have acquired some of the funds needed through Greenway and the Rheinstrom Foundation and have applied to Berkshire Taconic Foundation's Greener Pastures Fund for some of the remainder.

We will also be submitting a grant application to First Niagara this month. We have also requested monies from Senator Kathleen Marchione's office. We appreciate the visit Supervisor Nayer and Councilperson Mettler made to her office. It seems they both made a very good impression and set the tone for her relationship with Copake. Our next step is to disseminate a Request for Proposal to various planning agencies.

2. As part of our Bike Copake initiative, we are organizing a second annual Roe Jan Ramble Bike Tour for Saturday, Sept. 20, 2014. Last year's ride, sponsored by the Town, attracted 75 riders, who received free T-shirts and "wrist band bonuses" from town businesses. This year, we are proposing to invite Hillsdale and Ancram to join in sponsoring the ride. In addition, the Task Force endorses the proposal to make it a pledge ride, in which riders would pay a small registration fee and pledge to raise money prior to the ride. We would like to use this year's ride to raise money for the Copake Falls to Hillsdale extension of the Harlem Valley Rail Trail. We will promote the "wrist band bonuses," which will benefit businesses throughout the Roe Jan area. The ride will begin and end in the Copake Hamlet. The Town will not make money from the ride, but neither will it cost the Town anything. (In the future, if the ride were to get bigger, Kirk Kneller of Brad Peck's Insurance, advises us that there might be a nominal cost for insurance).

I am requesting on behalf of the Task Force, that the Town co-sponsor this year's ride. Hillsdale has agreed and we have not had a definite response from Ancram yet. We hope you will support this biking initiative, which will help build economic strength, community, and help raise funds for the HVRT extension, which will benefit the area. Also bike related, we are again going to participate in the Wheelmen Ride in conjunction with the annual Copake Auction Bicycle Auction. This will take place on Friday, April 11.

3. We have been pursuing avenues for opening a Rapid Care Medical Center in Copake for over a year now and it looks like we may be making significant progress. We will keep you advised as things develop.

4. The Taskforce has been working with the Census Bureau to create census designated places in Copake. This designation makes it easier to generate population and income statistics used to draft grant proposals. Typically a CDP delineates an area of closely settled population with residential and commercial development. Working closely with the Census Bureau, we have created CDP's for Copake Hamlet, Taconic Shores and Copake Falls.

5. The Taskforce will host a Film Series at the Grange this spring. The theme is gangsters, and each film will be introduced by our very own John Pollok who, in his legal career, came to know many of the people on whom the movie characters were modeled. Stay tuned for more details on dates and times.

7. The Copake Front Porch Market is moving forward and we will open early this spring.

8. The Taskforce is continuing to work on initiatives that will create cooperation and clarity within the town government, in the interface between government and citizens, and in the residential and commercial populations of the town.

New Business:

Supervisor Nayer asked the CAC if they could put together a pros and cons list on Hydraulic Fracturing for the Board. Attorney Dow explained to the Board that they can pass another Local Law for a moratorium to give the Board time to look into an affirmative actions regarding hydro fracking. A discussion was held on what options and time frames the Board had on this matter.

A motion was made by Councilperson Mettler and was seconded by Councilperson Winchell-Sweeney to introduce the following Local Law and to schedule a Public Hearing for April 10, 2014 at 6:30 pm:

A LOCAL LAW ENTITLED: "Extension of Town of Copake Natural Gas Mining Moratorium Law"

Be it enacted by the Town Board of the Town of Copake as follows:

Section 1 TITLE

This law shall be known as the "Extension of Town of Copake Natural Gas Mining Moratorium Law". It may be cited as "Town of Copake Local Law No. 4 of 2014" or "L.L. 4 of 2014".

Section 2 LEGISLATIVE INTENT

The Town Board of the Town of Copake is authorized by the State of New York to regulate and control land use within the Town of Copake and has the duty to protect the health, safety and welfare of Town residents. Article 23, Title 27 of the Environmental Conservation Law of New York State authorizes a local government to enact zoning regulations which determine permissible uses in zoning districts. This moratorium addresses zoning and planning regulations only, and does not regulate or attempt to regulate the actual operations of the oil, gas and solution mining industries or interfere in any manner with the extractive mining process for natural gas.

The Town of Copake has legitimate goals and aims to protect the community, cultural, historical, recreational and environmental resources within the Town and the Town Board believes that studying this issue is necessary so that zoning regulation with respect to natural gas mining is formulated so as to protect the town from potential negative impacts. Changes in the mining industry have given the Town of Copake sufficient reason to believe that additional study and examination of necessary land use regulations relating to natural gas mining is warranted. Therefore, the Town Board, through this local law, declares a six-month moratorium on natural gas mining and activities ancillary to natural gas mining in the Town of Copake

It is the intent of the Town Board that, during this six-month moratorium, the Town of Copake will further examine whether additional local zoning regulation is necessary and the extent of such regulation. If such local zoning regulation is necessary, the Town Board may determine the appropriate rules and regulations to ensure comprehensive uniformity, fairness and consistency in such regulations. Further, the Town Board will utilize the moratorium period to further examine the significant environmental issues relating to natural gas mining within the Town of Copake.

Section 3 DEFINITIONS

NATURAL GAS MINING: For the purposes of this Local Law, the term “natural gas mining” shall mean the extraction from the earth of natural or petroleum gas in a non-liquid or gaseous state, whether under pressure or otherwise contained, and whether or not the product of conversion from liquefied natural gas or liquefied petroleum gas.

PERSON: For the purposes of this local law, the term "person" shall include an individual, society, club, firm, partnership, joint venture, corporation, LLC or other business venture or association of persons, and the singular shall include the plural number.

Section 4 SCOPE AND CONTROL

A. For the period of six months following the effective date of this local law, natural gas mining, and activities associated with or in furtherance of natural gas mining, including but not limited to the receipt, transfer, storage, processing or disposal of fluids or other substances utilized in natural gas mining, shall not be permitted uses in any zoning district within the Town of Copake.

B. For the period of six months following the effective date of this local law, no new natural gas mining facilities or operations, or facilities for activities associated with or in furtherance of natural gas mining, including but not limited to the receipt, transfer, storage, processing or disposal of fluids or other substances utilized in natural gas mining, or expansions beyond existing such operations or facilities, shall be permitted in the Town of Copake.

C. For the period of six months following the effective date of this local law, no person shall commence or carry on any new natural gas mining activity or operation, establish any new natural gas mining facility or operation, establish or commence any new facility, operation or activity associated with or in furtherance of natural gas mining, including but not limited to any facility for the receipt, transfer, storage, processing or disposal of fluids or other materials utilized in natural gas mining, enlarge or expand any existing such facility, operation, or activity, or commence the development or

construction of any such operation or facility, unless such person is in possession of a valid permit issued by the Town of Copake therefor, pursuant to the granting of a variance as provided in section six of this Local Law.

D. During the effective period of this Local Law:

1. Neither the Town Board, Planning Board or Zoning Board shall consider and/or approve any site plan, special use permit or other permit, variance or other application which would allow for the establishment, implementation, placement, construction or development of any new natural gas mining facility or operation, or of a facility for any activity associated therewith or in furtherance of natural gas mining, including but not limited to any facility for the receipt, transfer, storage, processing or disposal of fluids or other materials utilized in natural gas mining, or the enlargement of any such existing natural gas mining facility, operation, or activity within the Town of Copake.

2. The Building Inspector or other town officer shall not consider and/or issue any land use or building permit or other permit which would result in the establishment, implementation, placement, construction or development of any new natural gas mining facility or operation, or of a facility for any activity associated therewith or in furtherance of natural gas mining, including but not limited to any facility for the receipt, transfer, storage, processing or disposal of fluids or other materials utilized in natural gas mining, or the enlargement of any such existing natural gas mining facility, operation, or activity within the Town of Copake.

C. If, within six months from the effective date of this Local Law, the Town Board adopts a local law relating to natural gas mining, the moratorium imposed by this local law and the provisions of this local law provided to be in effect during such moratorium shall expire immediately on the date the Town local law relating to natural gas mining takes effect in accordance with Section 27 of the Municipal Home Rule Law, unless the local law adopted relating to natural gas mining imposes or continues the moratorium imposed by this local law.

Section 5 EXCEPTIONS.

The lawful use of any premises on the effective date of this local law operated under a permit issued by the Town of Copake or other appropriate state or federal agency may be continued, provided that such use, if prohibited under this Local Law, shall not be enlarged or extended beyond the existing location and operation.

Section 6 VARIANCES.

A. The Zoning Board of Appeals retains the power and sole discretion to vary or adapt the strict application of the requirements of this Local Law in the case of unnecessary hardship, difficulties with the area or use requirements of the zoning regulations or circumstances that would unconstitutionally deprive the owner of all economically viable and productive use of the lands involved, provided the application is consistent with the intent of this Local Law.

B. An application for a variance shall be governed by and subject to the requirements and procedures generally applicable for a variance application in the Town of Copake. In addition, any costs, including expert consulting fees, incurred by the Town shall be paid by the Applicant immediately upon request. The applicant may be required to place into escrow funds sufficient to ensure the payment of any such costs, as the Zoning Board of Appeals shall direct. Failure to provide such escrow funds or to promptly pay any costs incurred by the Town in connection with the variance application may result in denial or suspension of the application.

C. All decisions on granting or denying such variances shall be made by the Zoning Board of Appeals solely, after determining whether or not the requested variance is compatible with the Comprehensive Plan of the Town and the Town zoning regulations. Unless the applicant can prove that the requirements for the proposed variance are satisfied, the Zoning Board of Appeals shall, as appropriate, deny the application.

Section 7 ENFORCEMENT.

This local law shall be enforced by the Zoning Enforcement Officer of the Town of Copake, or such other zoning enforcement or law enforcement individual(s) or agency as designated by the Town Board. It shall be the duty of the enforcement individual(s) to advise the Town Board of all matters pertaining to the enforcement of this local law and to keep all records necessary and appropriate to the office and to file the same in the office of the Town Clerk.

Section 8 VIOLATIONS.

A. In addition to the criminal penalties and other remedies set forth in Town Law section 268, any person violating any of the provisions of this local law shall be guilty of a violation and upon a conviction thereof, be subject to a civil penalty of no less than five hundred dollars (\$500.00) and no more than five thousand dollars (\$5,000.00) per day for this violation. Each day's violation shall constitute a separate and additional violation. An action may be commenced in a court of competent jurisdiction to recover such penalty. In addition thereto, violations of this local law shall be subject to being restrained by injunctive relief.

B. The provisions of this section are expressly intended to supersede the penalty provisions of Town Law section 268, as authorized by section ten of the Municipal Home Rule Law. If a penalty provision of this section shall be adjudged by any court of competent jurisdiction to be invalid, then a person convicted of violating any provision of this local law shall be subject to the maximum penalties that may be imposed pursuant to section 268 of the New York Town Law.

Section 9 SEQRA CLASSIFICATION.

As a land use moratorium, this local law shall be classified as a Type II action for the purposes of SEQRA. As such, SEQRA does not apply to the enactment of this moratorium.

Section 10 CONFLICT WITH OTHER LAWS.

This Local Law is enacted pursuant to the provisions of the Town Law and section 10 of the Municipal Home Rule Law of the State of New York. During the duration of times that this Law is in effect, it shall take precedence over and shall be considered controlling over contrary laws, ordinances and provisions including, but not limited to, provisions in the Code of the Town of Copake and the statutes set forth in the New York Town Law related to zoning and subdivisions. Specifically, this Law is intended to supersede Town Law Sections 130, 261, 262, 263, 264, 265, 267, 267-a, 267-b, 267-c, 268, 269, 274-a, 274-b, 276, 277, 278 and 279.

Section 11 SEVERABILITY.

If any clause, sentence, paragraph, section, article or part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operations to the clause, sentence, paragraph, section, article, or part thereof directly involved in the controversy in which such judgment shall have been rendered.

Section 12 EFFECTIVE DATE.

This Local Law shall become effective immediately upon filing with the Secretary of State.

Discussion:

Councilperson Paciencia stated being uncomfortable voting on an issue of this kind when it was not on the agenda advance of tonight's meeting and the Town needs to gather more information on Hydro Fracking from the Industry before we can make an intelligent decision. If the moratorium is for three months to gather more information then Councilperson Paciencia would be in favor of this motion.

Motion was carried.

A motion was made by Councilperson Winchell-Sweeney and was seconded by Councilperson Paciencia to introduce the following Local Law and to schedule a Public Hearing for April 10, 2014 at 6:30 pm:

Local Law No. 2 of 2014

Providing for a Separate Listing of Library Tax Levies on Real Property Tax Bills

Section 1. Purpose.

The electors of the Town of Copake having authorized a tax levy for the funding of an annual contribution to the operating budget of the Roeliff Jansen Community Library, the Town Board hereby finds that it is in the best interest of the taxpayers of the Town of Copake to be informed on their local real property tax bills of the amount which is to be levied for such purpose.

Section 2. Itemization of tax levy for library purposes.

A new section 204-7.1 is added to the Copake Code, as follows:

§ 204-7.1. Itemization of tax levy for library purposes.

- A. All real property tax bills or statements issued by or on behalf of the Town of Copake pursuant to section nine hundred twenty-two of the New York State Real Property Tax Law shall separately list the amount of the tax levy authorized to be contributed to the Roeliff Jansen Community Library.
- B. The failure to separately list such amount in any such statement, or the failure of the addressee to receive the same, shall not in any way affect the validity of the taxes or interest prescribed by law with respect thereto.

Section 3. Effective Date.

This local law shall take effect immediately upon filing with the Secretary of State.

Motion was carried.

A motion was made by Councilperson Miller-Simmons and was seconded by Councilperson Winchell-Sweeney to introduce the following Local Law and to schedule a Public Hearing for April 10, 2014 at 6:35 pm:

Local Law No. 3 of 2014

Providing for Participation of Alternate Members of the Zoning Board of Appeals

Section 1. Purpose.

It is, from time to time, difficult to obtain or maintain a quorum on the Zoning Board of Appeals, which can subject an applicant to an unanticipated and undue delay in the consideration and disposition of an application. Furthermore, proceeding with a quorum but less than a full complement of members can impose an undue burden on an applicant by requiring approval of three out of three, or three out of four members present, a more difficult burden than the three-fifths approval that is required when the full board is present. In order to promote timely and consistent handling and standards for the consideration and determination of applications, it shall be the policy of the Town of Copake to allow the participation of an alternate member of the Zoning Board of Appeals whenever one or more of the Board's regular members is unable to participate in a matter, whether because of a conflict of interest or an absence, whatever the cause.

Section 2.

The introductory paragraph of section 232-28 of the Copake Code is amended to read as follows:

A Zoning Board of Appeals, which shall have a minimum of five members and one alternate member, shall be appointed in accordance with § 267 of the Town Law of the State of New York. **Notwithstanding any limitation contained in such section or elsewhere, the chairperson of the Zoning Board of Appeals shall be authorized to designate an alternate member to participate in any meeting, vote, action, or proceeding of the Board in place of a member who is unable to participate due to a conflict of interest or absence, provided that such alternate shall have been in attendance for any public hearing in relation to the matter at issue or otherwise familiarized himself or herself with the relevant record**

prior to casting a vote in the determination or disposition of a matter. The administration, purpose and powers of the Zoning Board of Appeals shall be governed by such section of the Town Law as follows:

Section 3. Supersession of New York State Town Law.

This local law is enacted pursuant to the provisions of section 10 of the New York Municipal Home Rule Law and section 10 of the New York Statute of Local Governments. It is the express intent of the Town Board, pursuant to § 10 of the Municipal Home Rule Law, to supersede the provisions of New York Town Law section 267 as it relates to the participation of alternate members of a zoning board of appeals and may limit such participation to instances of a conflict of interest.

Section 4. Effective Date.

This local law shall take effect immediately upon filing with the Secretary of State.

Motion was carried.

A motion was made by Councilperson Mettler and was seconded by Councilperson Paciencia That the Town of Copake sponsors the 2nd Annual Roe Jan Ramble with the understanding that other Towns may also sponsor. Motion was carried.

A motion was made Councilperson Miller-Simmons and was seconded by Councilperson Winchell-Sweeney to approve the Court Audit performed by The Town Accounting firm. Motion was carried.

Old Business:

The Board discussed with the Town Attorney on how to handle the lack of membership on the Economic Advisory Board. Marcia Peteroy one of the only two members remaining feels that other committees were formed and are doing the same tasks that were originally assigned to the E.A.B. and that is why there is no longer an interest for people to volunteer to serve on the E.A.B. There was a discussion on how to go about thanking the previous members for what they have done and list their accomplishments.

A motion was made by Councilperson Winchell-Sweeney and was seconded by Councilperson Paciencia to introduce the following Local Law and to schedule a Public Hearing for April 10, 2014 at 6:45 pm:

Local Law No. 5 of 2014

Repeal of Chapter 13 of the Code of the Town of Copake and

Dissolution of the Economic Advisory Board

Section 1. Legislative Findings.

The Economic Advisory Board of the Town of Copake, having been established pursuant to Chapter 13 of the Code of the Town of Copake, enacted as Local Law No. 1 of 2000, provided valuable guidance for the

Town in relation to promoting and assisting in the economic growth and development of the Town of Copake. In the years since its establishment, however, many of the Board original duties have been dispersed to other boards and committees, and the personnel needs of other committees have left the EAB short of members. It is the judgment of the Town Board that it is in the best interest of the Town to dissolve the EAB and remove the provision for its establishment from the Town Code.

Section 2. Repeal of Chapter 13 of the Code of the Town of Copake, entitled "Economic Advisory Committee."

Chapter 13 of the Code of the Town of Copake, entitled "Economic Advisory Committee," is hereby REPEALED.

Section 3. Dissolution of the Economic Advisory Board.

The Economic Advisory Board, established pursuant to Chapter 13 of the Code of the Town of Copake, is hereby dissolved.

Section 4. Effective Date.

This local law shall take effect immediately upon filing with the Secretary of State.

Motion was carried.

The following Resolution was offered by Councilperson Mettler and was seconded by Councilperson Paciencia;

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.7 from the intersection of Bettman Lane to the Copake/Ancram Town Line.

Resolution # 5	Supervisor Nayer	yes
Dated September 12, 2013	Councilperson Paciencia	yes
Copake, New York	Councilperson Winchell-Sweeney	yes
	Councilperson Miller-Simmons	yes
	Councilperson Mettler	yes

Budget:

Supervisor Nayer shared with the Board that the Town is very good financially at the end of the 2013 due to watching our spending and the unexpected increase in revenue. The Board should be aware that we will making the roof repairs to the Museum this year which was budgeted in 2013 and the increase in the price of fuel oil and propane gas this year.

Supervisor Nayer reported to the Board that the ZBA and the Planning Board computers are in need of replacement and the Code Enforcement Office are in need of a second computer. The ZBA and Planning Board computers should be around \$500.00 each and the C.E.O. computer will around \$1,000.00.

A motion was made by Councilperson Miller-Simmons and seconded by Councilperson Mettler to authorize Supervisor Nayer to proceed with the purchase of the necessary computers for these three departments. Motion was carried.

A motion was made by Councilperson Paciencia and was seconded by Councilperson Miller-Simmons to authorize the Parks & Recreation Commission to spend between \$500.00 and \$700.00 for the Annual Easter Egg Hunt. Motion was carried.

A motion was made by Councilperson Paciencia and was seconded by Councilperson Miller-Simmons to authorize Supervisor Nayer to proceed with issuing two \$500.00 checks to the Summer Program Director, one for petty cash and one for the startup of the Snack Train. Motion was carried

A motion was made by Councilperson Paciencia and was seconded by Councilperson Miller-Simmons to waive the \$250.00 spending cap for the Park Superintendent for the annual maintenance materials used for the upkeep and maintenance of the Park. Motion was carried.

Councilperson Reports:

Councilperson Miller-Simmons reported that the Parks & Recreation Commission is in the process of looking over their by-laws and the rules and regulations pertaining to the use of the Park Building. Also Councilperson Miller-Simmons attended a meeting at the Roe Jan Library and a discussion was held on the possibility of Ancram, Hillsdale and Copake Summer Programs could visit the Library together and possibly the Library could get a grant to send someone to the three Town's Summer Programs with books for the children to check out. Also the Library brought up the need for a possible cross walk as the Library is designated as a shelter for the Hillsdale Summer Program in the case of an emergency. The Board discussed of how the Board would proceed with the cross walk request and Councilperson Miller-Simmons will meet with the Hillsdale Town Board to see how they proceeded with their crosswalk.

Public Forum:

Bob Haight explained that the water pollution in Pennsylvania was not caused by the actual fracking, it was due to the failure of an earthen dam and the pollutants entering the river or streams.

A motion was made by Councilperson Miller-Simmons and was seconded by Councilperson Paciencia that the bills from Highway Abstract # 3 and the bills from General Abstract # 3 be paid. Motion was carried.

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

Respectfully submitted,

