

Town Board Meeting

1-10-19

Members present: Supervisor Nayer, Councilperson Miller-Simmons, Councilperson Mettler, Councilperson Gansowski and Councilperson Wolf.

A motion was made by Councilperson Wolf and was seconded by Councilperson Gansowski to waive the reading of the minutes of the Yearend Meeting 12-27-18 and the minutes of the Organizational Meeting 1-2-19 and accept them as written. Motion was carried.

Correspondence:

From the Copake Planning Board – a letter advising the Town Board that due to heavy agenda for their 1/3/19 they were unable to address the Advisory Report on Proposed Local Law to make lot mergers subject to Planning Board review.

From Kevin Egan, Director, Government Affairs Charter Communications – announcing they will be dropping WGN America from their lineup effective January 2nd.

From Timothy Stalker, Chairman, Columbia County Planning Board – a letter stating the CCPB finds that Proposed Local Law of 2018 entitled “A Local Law Authorizing the Copake Planning Board to Approve Lot Mergers” has no significant county-wide or intercommunity impacts associated with it.

From Lee Heim, Copake Code Enforcement Officer – a letter advising that the following locations are in compliance with their existing junkyard or motor vehicle storage permits: Davis Auto Body, Jim’s Auto Body, Del’s Auto, Performance Auto and H & D Enterprises LLC.

Department/Committee Reports: None

Public Forum: None

New Business:

A motion was made by Councilperson Mettler and was seconded by Councilperson Gansowski to approve the Copake Snow & Ice Policy for 2019. Motion was carried.

Following a brief discussion of the condition of the 11 years old primary copier in the Town Hall, a motion was made by Councilperson Mettler and was seconded by Councilperson Wolf to authorize Supervisor Nayer to purchase a new Copystar CS-3212i Copier with the sorter attachment for \$2,399.00 and sign up for the Service Contract for \$461.00 per year. Motion was carried.

A motion was made by Councilperson Mettler and seconded by Councilperson Wolf to declare the Town’s old Copystar EF2540 as surplus equipment and authorize Supervisor Nayer to advertise it for sale on the Auction International Website. Motion was carried.

A motion was made by Councilperson Miller-Simmons and was seconded by Councilperson Wolf to approve the renewal of Davis Auto Body, Jim’s Auto Body, Del’s Auto Body and Performance Auto

Body's Motor Vehicle Permits for 2019 and H & D Enterprises LLC Junkyard Permit for 2019 per the recommendation of Town's Code Enforcement Officer. Councilperson Gansowski questioned if Performance Auto Body Shop is in compliance with terms set forth in restrictions of his Motor Vehicle Storage Permit? Supervisor Nayer advised that he had met with the Town's Code Enforcement Officer and that all of the applicants were in compliance. Motion was carried. Councilperson Gansowski abstained.

Supervisor Nayer explained that the number of non-resident children that are attending the Copake Summer Park Program is much higher than the neighboring Towns and with the increase in the minimum wage, Supervisor Nayer proposed to raise the fee for non-resident children to participate in the Summer Park Program from \$150.00 to \$300.00 for the six week program.

A motion was made by Councilperson Gansowski and was seconded by Councilperson Mettler to authorize the increase in the non-resident fee for the Copake Park Summer Program from \$150.00 per child to \$300.00 per child. Motion was carried.

Councilperson Mettler question the statement on the front of the Court Audit stating that "The Town Board is responsible for the Justice's Accounting records and Justice's case records reporting to the State". We were always told that there was a division between the Courts and the Town Board. On page # 2 it states "Upon review of the Court records for pending cases for both Justices, it was noted that there were a number of pending cases from the 1990's and 2000's. We recommend that the Court take action to resolve cases that are outstanding for multiple years at most". On page # 5 it states "How many cases are shown as pending for 90 or more days, 507." Councilperson Mettler questioned if there was any burden on the Town Board to say to the Court what is up with this, why are these cases still open from the 1990's? Councilperson Wolf questioned Supervisor Nayer how we should proceed looking further into the reason there are so many open cases. Supervisor Nayer responded that he does not run the Judges, they have their own thing, he does not know the law about it, and he does not know the Boards responsibility about the Audit. The Board agreed to move forward with adopting the Court Audit and put this topic back onto the agenda under old business.

A motion was made by Councilperson Mettler and was seconded by Councilperson Miller-Simmons to accept the Court Audit prepared by Sickler, Torchia, Allen & Churchill, CPA. Motion was carried.

Supervisor Nayer reported that he has completed the 2018 Audit of the Planning Board, Zoning Board of Appeals, Building Department and Town Clerk/Tax Collector and everything was found to be in order.

Supervisor Nayer asked the Board to eliminate the Environmental Committee as they have not met in a long time and the Conservation Advisory Committee handles environmental issues so there is no longer a use for this Committee.

A motion was made by Councilperson Gansowski and seconded by Councilperson Mettler to have Town Attorney Dow prepare the necessary paper work for the abolishment on the Environmental Committee. Motion was carried.

Old Business:

Supervisor Nayer advised the Board that he has deposited \$550,000.00 in the T.D. Bank and as the rest of the C.D. accounts come due we will continue to move the money over to the T.D. Account.

Supervisor Nayer advised that we are mandated by the Department of Labor to do Workforce Violence and Sexual Harassment training and if anyone wants the phone number, he would be glad to give it to and you to deal with it. Councilperson Wolf offered to talk to the Department of Labor to get some answers. Councilperson Wolf's only concern is if there is an incident involving someone who was not trained that should have been and then what? Councilperson Miller-Simmons just wants to know who would be responsible in this situation.

A motion was made by Councilperson Wolf and seconded by Councilperson Gansowski to approve the following dates for the Workforce Violence and Sexual Harassment Trainings, 1/23 at 9am, 1/24 at 6pm, 1/26 at 9am and 2/7 at 6pm. Motion was carried.

Supervisor Nayer advised that Berkshire Cable Corp. d/b/a Consolidated Communications is requesting a television franchise to provide cable tv for the Town of Copake. Town Attorney Dow explained that if you already have a cable tv company in your Town you have to hold a Public Hearing within 60 days of receiving the new franchise request and you have to make a decision within six months of the Public Hearing. Unless there is a good reason the Board is supposed to grant the franchise. Supervisor Nayer's concerns are if they will supply free cable to the municipal buildings as Spectrum does and does the existing contract with Carter Communication say that we cannot issue another franchise? Attorney Dow stated no, that Charter Communications cannot prevent another cable tv company from applying for a franchise. Supervisor Nayer also questioned if the Town could issue a one year franchise to see if they are going to do a good job and what will the Town's revenue be? Attorney Dow explained there must be a level playing field, you can not favor one company over another. Councilperson Miller-Simmons questioned why Consolidated Communications wants this franchise? Attorney Dow answered that they cannot sell to customer's in Copake without this franchise.

A motion was made by Councilperson Wolf and seconded by Councilperson Miller-Simmons to set a Public Hearing for Thursday, February 14 at 6:45pm for Consolidated Communication request for a cable tv franchise in the Town of Copake. Motion was carried.

Budget Transfers:

A motion was made by Councilperson Gansowski and seconded by Councilperson Mettler to authorize the following transfer:

FROM

A9060.8 (Medical Insurance) \$6000.00

TO

A5010.1 (Highway Super Salary) \$6000.00

Motion was carried.

A motion was made by Councilperson Miller-Simmons and seconded by Councilperson Mettler to authorize the following transfer:

From

Street Light Fund Balance \$334.76

