

Regular Town Board Meeting

4-11-19

Members Present: Supervisor Nayer, Councilperson Miller-Simmons, Councilperson Gansowski and Councilperson Wolf. Councilperson Mettler was absent.

A motion was made by Councilperson Gansowski and seconded by Councilperson Wolf to waive the reading of the minutes of March 14, 2019 Board Meeting & Public Hearing and accept the minutes as written. Motion was carried.

Announcements: Check the Town Website and the Copake Connection.

Correspondence:

From Stephen Hoppe, Chairperson, Board of Ethics – A letter recommending the appointment of Chris Simmons to fill the vacancy of Leonard Barham.

From Grant Langdon – A notice of Petition to censure Paul Czajka.

From Jon Strom, Chairman Z.B.A. – A letter recommending the appointment of Alternate Member Dionisio Fontanta as a full member to fill the unexpired term of Frank Peteroy.

From the Town of Hillsdale – Notice of a Public Hearing on purposed Local Law # 1 of 2019 “A Minor Project”.

From Steve Lottmann, Divisional Comptroller, Charter Communications – A letter summarizing the ACH payments for the Cable TV Franchise for 2018 of \$29,767.91.

From Kevin Egan, Director, Government Affairs, Charter Communications – announcing they will be launching a video-on-demand fitness subscription channel for premium yoga and fitness.

From Kevin Egan, Director, Government Affairs, Charter Communications – announcing they will be ceasing Channel 489 “LOVE” on April 4, 2019.

Department Head/ Committee Report:

Chris Quinby, Copake Parks & Recreation announced that the Easter Egg Hunt is on Saturday, April 20, 2019 at 11:00 am.

Public Forum: Grant Langdon advised the Board that he paid to have the Hamlet Fire Pond built and when he was down there this evening it is a mess with tree limbs down from wind storms and if it is supposed to be a Park the Town should clean it up. Supervisor Nayer said the Park Superintendent is in the process of cleaning up the Town Parks.

A motion was made by Councilperson Wolf and was seconded by Councilperson Gansowski to go into executive session to discuss possible litigation. Motion was carried.

A motion was made by Councilperson Gansowski and was seconded by Councilperson Wolf to return to the regular meeting. Motion was carried.

Supervisor Nayer advised the Board and discussed the litigation pertaining to Mr. Casino's matter and the ruling of the Court of Appeals, the Board has decided not to pursue any further legal actions against Mr. Casino at this time. Mr. Casino has removed twice as much dirt as requested, spent 550 some odd days in jail and has paid numerous fees for the Town's Attorney over the years.

Councilperson Wolf read the following statement from Councilperson Mettler regarding the Casino matter in her absence.

*"At this point, the Town is right to accept the Appellate Division Decision as the conclusion of this long and arduous litigation. While it may be impossible to reach a perfect resolution of this situation, Copake has accomplished what no other Town has done- we have stopped this serial polluter- we have seen him incarcerated and we have overseen the removal of offensive material from the soils of Copake.*

*In concluding this litigation, we should recognize the Copake citizens who brought these concerns to public light, and stayed committed to this fight for well over a decade. We should also acknowledge the previous Boards, who commenced and pursued this lawsuit. This has been a long fight for a principled purpose, and all those who stayed with this fight should be proud of the results."*

Councilperson Gansowski announced that he has been working with the Attorney General's Office regarding the Casino Bridge, and just heard that Mr. Casino is going to pay \$130,000.00 fine for putting the bridge in and he has requested 6 months to pay the fine. Also within the next 3 to 4 weeks on what the Attorney General's Office is going to make Mr. Casino do with the bridge.

New Business:

Councilperson Miller-Simmons reported on the meeting at the R.J. Library that Councilperson Mettler and she attended. The meeting lasted about two hours and they were asked about ten questions and the main question being are there things that could be improved or changed that would make the Roe Jan Community a better place to live? There were people from Ancram, Copake and Hillsdale and we had a really nice conversation and really interesting to hear the different perspectives depending on where you lived in the Roe Jan Community. There will be 5 more similar meetings on May 1<sup>st</sup> at Taconic Hills Library, May 11<sup>th</sup> at the Ancram Fire House, May 18<sup>th</sup> at the Hillsdale Fire House, May 29<sup>th</sup> at the Copake Fire House and June 18<sup>th</sup> at the Our Lady of Hope Parish Hall. Councilperson Miller-Simmons recommends anyone that can, please try to attend one of these meetings, it will be well worth your time.

Supervisor Nayer advised that the Columbia County I.T. Department has come in to assess our current computer's and they will be working with us to do the Computer upgrades from the money that we had budgeted this year for this project.

Late Item:

A motion was made by Councilperson Gansowski and seconded by Councilperson Wolf to approve the following settlement agreement for an Article 7 tax certiorari proceeding, at the indicated revised assessment amount, and to authorize the Town's attorney to execute a settlement agreement accordingly. Mark Maljanian and Nicole Landaw, Index No. 10473-16 Parcel No. 155.-1-66: \$375,000. Motion was carried.

Old Business:

Councilperson Wolf reported that the Broad Band Committee is looking into other Municipalities that have Consolidated Communications Cable TV in there municipalities and to see if there has been any problems.

Town Attorney Dow advised the Board that Consolidated Communications has agreed to all of the terms that Spectrum has in the current franchise.

**Budget:**

Supervisor Nayer advised that we had to spend \$1,800.00 on updating our network that is close to 18 years old.

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

**FROM**

Highway Fund Balance                 \$80,000.00

**TO**

DA5130.2 (Equipment)                 \$80,000.00

**FROM**

General Fund Balance                 \$175,000.00

**TO**

DA5130.2 (Equipment)                 \$175,000.00

Transferred to pay for new mower and Highway Truck Previously approved by Town Board. Motion was carried.

**Appointments:**

A motion was made by Councilperson Gansowski and seconded by Councilperson Wolf to appoint Dionisio Fontanta as a full member to fill the unexpired term of Frank Peteroy that will expire on December 31, 2020. Motion was carried.

A motion was made by Councilperson Wolf and was seconded by Councilperson Gansowski to appoint Chris Simmons to the Board of Ethics to fill the vacancy created when Lenard Barham resigned. This term will expire on 12/31/2020. Motion was carried.

**Councilperson Report:**

Councilperson Wolf reported that the Planning Board had three major projects that consumed most of their meeting, Copake Camping Resort, Proposed Craryville gas station/convenience store and Mr. Casino.

Supervisor Nayer added that the Planning Board needs to look very closely at the campground that is requesting to be open year round.

Councilperson Gansowski questioned if allowing the campground to be open year round would that lead to a trailer park?

Councilperson Miller-Simmons advised that the Summer Playground Director will be conducting interviews for summer councilors on Friday at 5pm at the Park Building.

Councilperson Gansowski met with Trout Unlimited with Councilperson Mettler, Highway Superintendent Gregory and Deputy Superintendent Holdridge about replacing the Town culverts and bridges. There is a lot of funding available to municipalities to complete these replacements. The data on the Copake culverts has been completed and our data should be available in a few weeks. Also the ZBA only had one case this month.

Public Forum:

Chris Quinby, Copake Parks & Recreation Commission reminded the Board Members to drop off their Easter Baskets at the Park around 9:00am.

Lindsay LeBrecht asked who would get the \$130,000.00 fine that Mr. Casino will be paying for the bridge. Councilperson Gansowski believes it will go back to the State.

Councilperson Miller-Simmons congratulated the Copake Lake Conservation Society 2018 All-star award from Constant Contacts. This award represents 10% most successful Constant Contacts Customer Base.

A motion was made by Councilperson Gansowski and was seconded by Councilperson Wolf that the bills from the General Abstract # 4 and the bills from the Highway Abstract # 4 be paid. Motion was carried.

A motion was made by Councilperson Wolf and was seconded by Councilperson Gansowski that the meeting be adjourned. Motion was carried.

Respectfully submitted,