

Regular Town Board Meeting

July 11, 2019

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

A motion was made by Councilperson Mettler and seconded by Councilperson Gansowski to waive the reading of the minutes of June 13, 2019 Board Meeting and the minutes of the July 1, 2019 Special Board Meeting and accept the minutes as written. Motion was carried.

Announcements: Check the Town Website and the Copake Connection.

Correspondence:

From Michael Latham, Director, New York State Agriculture and Markets – A letter regarding AML ss305-a (1) review concerning the Town of Copake's Zoning Ordinance and its Application to Copake Valley Farm, Columbia County Agricultural District # 1.

From Kevin Egan, Director, Government Affairs Charter Communications – a notice as of July 9th Charter will launch video-on-demand fitness subscription channel.

From Grant Langdon – a letter regarding his petition to censure D.A. Paul Czajka.

Department Head/Committee Report: None

Public Forum: None

New Business:

The following Resolution was offered by Councilperson Gansowski and was seconded by Councilperson Wolf:

Agreement between the Highway Superintendent of the Town of Copake, NY and the members of the Town Board.

Pursuant to the provisions of Section 284 of the Highway Law, we agree that moneys levied and collected in the Town for the repairs and improvement of highways, and received from the State for State Aid for the repairs and improvement of highways, shall be expended as follows:

General repairs: The sum of \$269,000 shall be set aside to be expended for primary work and general repairs upon 53.48 miles of town highways, including sluices, culverts, and bridges having a span of less than five feet and boardwalks or the renewals thereof.

General repairs to include: The trimming or removal of dead or dangerous trees. The purchase and application of aggregates (gravel, drainage stone, road sealing stone, gabions etc.). The purchase and

application of blacktop. The purchase and installation of culvert pipes. The purchase and application of dust control/road stabilization calcium. The repair/replacement of road signs. Purchase of diesel and gasoline fuels. Other miscellaneous projects.

Permanent Improvements: The sum of \$185,999.39 shall be set aside to be expended on the Permanent Improvements of town highways. Work shall include blacktop shimming and single seals of oil and stone.

- (a) Breezy Hill Road, commencing at North Mountain Road and ending at the town line. Cost to cover a single seal of oil and stone on the road surface, rental of chip machine, and compaction roller.
- (b) Catamount Road, commencing at State Route 23. Cost to cover a two inch overlay of cold mix motor pave on the road surface, rental of paving machines, and compaction roller.
- (c) Cemetery Road, commencing at North Mountain Road and ending at State Route 344. Cost to cover a single seal of oil and stone on the road surface, rental of chip machine, and compaction roller.
- (d) Maple Street, commencing at Anthony Street and ending at the town line. Cost to cover a single seal of oil and stone on the road surface, rental of chip machine, and compaction roller.
- (e) Miles Road commencing and ending at State Route 344. Cost to cover a single seal of oil and stone on the road surface, rental of chip machine, and compaction roller.
- (f) Mountain View Street, commencing at State Route 344 and ending at the dead end. Cost to cover a single seal of oil and stone on the road surface, rental of chip machine, and compaction roller.
- (g) North Mountain Road, commencing at State Route 22 and ending at State Route 344. Cost to cover a single seal of oil and stone on the road surface, rental of chip machine, and compaction roller.
- (h) Old 22, commencing at State Route 22 and ending at State Route 22. Cost to cover a single seal of oil and stone on the road surface, rental of chip machine, and compaction roller.
- (i) Odyssey Farm North Road, commencing at State Route 22 and ending at the dead end. Cost to cover a single seal of oil and stone on the road surface, rental of chip machine, and compaction roller.
- (j) Orphan Farm Road, commencing at State Route 22 and ending at the dead end. Cost to cover a single seal of oil and stone on the road surface, rental of chip machine, and compaction roller.
- (k) School Road, commencing at State Route 22 and ending at Yonderview Road. Cost to cover a single seal of oil and stone on the road surface, rental of chip machine, and compaction roller.
- (l) Valley View Road, commencing at State Route 344 and ending at High Valley Road. Cost to cover a single seal of oil and stone on the road surface, rental of chip machine, and compaction roller.

Resolution # 12	Supervisor Nayer	yes
July 11, 2019	Councilperson Miller-Simmons	yes
Copake, New York	Councilperson Mettler	yes
	Councilperson Gansowski	yes
	Councilperson Wolf	yes

Supervisor Nayer reported that our Town Website is back up and running after it was attacked by malware.

Supervisor Nayer sent in a letter of support to Lisa, HVRT in support of the \$400,000.00 Grant they are applying for to proceed over Route 22 where the old railroad bridge was.

Supervisor Nayer met with a Boy Scout who is looking to do a project and he is proposing to raise the funds and construct a Picnic Table that will be wheel chair friendly and donate it to the Park.

A motion was made by Councilperson Mettler and was seconded by Councilperson Miller-Simmons to okay the proposed Boy Scout Project to raise funds and construct a Picnic Table that will be wheel chair friendly and donate it to the Park. Motion was carried.

Supervisor Nayer advised that the RFP for the Skate Board Park repairs will be going out next week.

Resolutions:

The following resolution was made by Councilperson Wolf and was seconded by Councilperson Miller-Simmons:

To Approve the Application of Berkshire Cable Corp. d/b/a Consolidated Communications for a Cable TV Franchise in the Town of Copake

WHEREAS, the Town Board has before it a proposed franchise agreement with Berkshire Cable Corp. l/k/a Consolidated Communications (hereinafter "Consolidated") with an expiration date of December 27, 2025 and,

WHEREAS, the Town Board has had discussions and negotiations with Consolidated in connection with such agreement, and

WHEREAS, the Town Board has determined that the services to be provided by Consolidated will improve cable television service for the residents of the Town of Copake and that the franchise agreement complies with the standards and requirements of the New York State Public Service Commission, and

WHEREAS, Consolidated has committed to working with the Town of Copake to address any issues or concerns raised by the residents of the Town so as to provide the best possible cable television services, and

WHEREAS, a public hearing was held in connection with the proposed franchise agreement at the Copake Town Hall, 230 Mountain View Road, Copake, New York on February 14, 2019 at 7:00 p.m. at which members of the public appeared and made comments in connection with the proposed agreement.

WHEREAS, the Town Board has determined that the execution of the franchise agreement, as negotiated between the Town and Consolidated, is in the best interest of the residents of the Town of Copake,

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Copake that the franchise agreement between the Town of Copake, Columbia County, New York and Berkshire Cable Corp. l/k/a

Consolidated Communications be and the same is hereby in all respects approved in such form as filed with the Town Clerk as the final draft of the franchise renewal agreement, and

BE IT FURTHER RESOLVED, that the Town Supervisor be and hereby is authorized to execute the franchise agreement on behalf of the Town of Copake and to take any further action which may be necessary in order to finalize this matter.

Resolution # 11	Supervisor Nayer	yes
July 11, 2019	Councilperson Miller-Simmons	yes
Copake, New York	Councilperson Mettler	yes
	Councilperson Gansowski	yes
	Councilperson Wolf	yes

The following resolution was made by Councilperson Mettler and was seconded by Councilperson Gansowski:

To Appoint Lynn C. Hotaling for a Six-year Term as Assessor

WHEREAS, New York State Real Property Tax Law section 310 provides that the term of office of assessor shall be six years and that the terms for appointive assessors shall commence on the first day of October, nineteen hundred seventy-one and each sixth year thereafter, which directs that a term shall commence on October 1, 2019; and

WHEREAS, On January 11, 2018, Lynn C. Hotaling was appointed as the Town of Copake Sole Assessor, effective January 15, 2018, to fill the vacancy in the position of assessor arising from the resignation of the previous assessor; and

WHEREAS, the Town Board of the Town of Copake desires to re-appoint Lynn C. Hotaling for a full term as assessor,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Copake hereby appoints Lynn C. Hotaling as the Town of Copake's sole appointed assessor, for a term of six (6) years, commencing October 1, 2019 and terminating September 30, 2025.

Resolution # 10	Supervisor Nayer	yes
July 11, 2019	Councilperson Miller-Simmons	yes
Copake, New York	Councilperson Mettler	yes
	Councilperson Gansowski	yes
	Councilperson Wolf	yes

Councilperson Mettler commented that two years ago there were lines of people waiting to grieve their taxes and this year apparently there were only two tax payers there and I think that is a good sign.

The following resolution was offered by Councilperson Mettler and was seconded by Councilperson Gansowski:

WHEREAS, the Harlem Valley Rail Trail Association is applying to the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) for a grant under Title 9 of the Environmental Protection Act of 1993 for a park project to be located between Orphan Farm Road and Black Grocery Road, a site located within the territorial jurisdiction of this Board; and

WHEREAS, as a requirement under the rules of this program, said not-for-profit corporation must obtain the "approval/endorsement of the governing body of the municipality in which the project will be located";

NOW, THEREFORE, BE IT RESOLVED, that the Town Board, of the Town of Copake hereby does approve and endorse the application of the Harlem Valley Rail Trail Association for a grant under Title 9 of the Environmental Protection Act of 1993 for a park project known as Harlem Valley Rail Trail Route 22 Crossing and located within this community.

Resolution # 9	Supervisor Nayer	yes
July 11, 2019	Councilperson Miller-Simmons	yes
Copake, New York	Councilperson Mettler	yes
	Councilperson Gansowski	yes
	Councilperson Wolf	yes

Budget:

A motion was made by Councilperson Wolf and was seconded by Councilperson Miller-Simmons to authorize the following Budget Transfer:

FROM

A8020.478 (Recodification) \$518.00

TO

A1910.43 (Insurance) \$518.00

Motion was carried.

Councilperson Report:

Councilperson Wolf reported that there were no Planning Board or Ethic's Board meetings in July. The Broad band Committee chose not take any position on the Consolidated Communications Franchise for Cable TV.

Councilperson Mettler reported that a new Hamlet Sign was put up on Route 22 north of the 7A Intersection. The money for the sign was raised by Copake Community Service Inc. by grants of the Bank of Greene County, Hudson River Bank & Trust, Key Bank, Columbia Memorial Health and a small donation from the Copake Front Porch Market. Also yesterday there was a meeting facilitated by the Copake Hamlet Taskforce of Businesses from throughout the Town of Copake at the Copake Grange attended by around 20 people. They had a chance to look at a website that was designed by a Copake Resident Gregg Larson who is a website designer. It was very well received and everyone attending thought that the formation of a Copake Business Association will be a great benefit to our area and help promote tourism. The consensus of the people at the meeting was to get the website up and running and waive any dues at this time. Roberta Roll, Chairman of the Taskforce emphasized that this is not a Town of Copake Group, they a private Association.

Councilperson Gansowski reported from the Copake ZBA Meeting that the proposed year round camping at the former K.O.A. will not be happening and they will be adding additional campsites. Also

himself, Highway Superintendent Gregory and members of Trout Unlimited met and visited the 18 bridges that they had listed and whittled the number down to 4 that they felt were a priority.

Councilperson Miller-Simmons nothing.

Supervisor Nayer stated that the Summer Program is in its second week, everything is going well. Also Supervisor Nayer has requested a Deputy Sheriff at the next Planning Board Meeting. Last week Spectrum was digging a trench across the Park lawn without permission from anyone from the Town. They were told to stop digging and put the lawn back the way it was prior to their arrival.

Public Forum: None

A motion was made by Councilperson Wolf and seconded by Councilperson Miller-Simmons to go into Executive Session to discuss possible litigation and to conduct interviews. Motion was carried.

A motion was made by Councilperson Mettler and seconded by Councilperson Wolf to return to the Regular Meeting. Motion was carried.

A motion was made by Councilperson Gansowski and was seconded by Councilperson Wolf to appoint River Street Planning and Development to work with the Town regarding the Waterfront Revitalization Design Plan. Motion was carried.

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

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

Respectfully submitted,

