

Copake Economic Advisory Board

November 20, 2007

Minutes of Meeting

Present

Charles Dodson

Shawn McClain

Chris Quinby

Leslie Wood

Marcia Peteroy

Neal Klein

Bob Sacks

Linda Gabaccia

Excused

Milbrey Zelley

Bevin Harrington

Absent

John Spencer

Public

Howard Blue

Harvey Weber

Frank Peteroy

Diane Cinque

Old Business

Minutes of the Previous Meeting

Shawn McClain asked that the minutes be corrected by addition of the cost of legal advice provided by the Town Attorney's office into the Board's discussion on Copake Community Day solicitation/freedom of speech policy. A motion was made to approve the minutes as amended by Neal Klein. This was seconded by Shawn McClain. Approved unanimously.

Personnel Record Form

Vanna Hotaling asked that Personnel Record Forms be filled in.

Reports

Grant Writers

Hillsdale and Ancram board members responded that they were in favor of the joint office but asked what the nature of the office would be, the costs, the organization of it. Salaries for a grant writer appear to range around \$40,000 for a full time person. Charles Dodson provided a report on the work toward this position. There was discussion on how the CEAB could support this and make it happen. The Shared Municipal Services Incentive Program is not appropriate for this endeavor since it is only for consolidation of town resources. Charles Dodson agreed to continue discussions with the other towns. Leslie Wood and Charles Dodson agreed to work together to explore possible grants to support this effort.

Status of Copake Tour Maps

Bob Sacks agreed to oversee printing of the Fall Foliage Tour Maps without a year date.

CEAB Openings, December

Starting in December we will have three people whose terms are up: Neal Klein, Bevin Herrington and Leslie Wood. In addition, John Spencer will retire due to his election as Copake Justice. Leslie Wood will advertise positions available in our two local newspapers. Letters of intent are due December 11th. The next meeting will be December 18th. At that meeting we will interview candidates. If existing members would like to be considered, they are requested to submit a letter of intent as well.

Copake Community Day Policy

Charles Dodson was asked to supply a report on “No Smoking” and “No Solicitation” in Copake Memorial Park. He supplied a narrative (attached) and a set of appendices (available in Town Hall) that show the information regarding this issue. A thorough exploration of all codes, regulations and minutes regarding the issue of “No Solicitation” in the Copake Town Park was given by Charles Dodson. Chris Quinby made a motion to remove the “No Solicitation” sign from the town park. Shawn McClain seconded. Charles Dodson suggested that the motion be amended to include the report that was made. There was no objection to the withdrawal of the motion by any of the members. Chris Quinby made the motion: “Based on extensive research this board recommends that the Town Board remove the ‘No Solicitation’ sign from the town park”. The Board requested this recommendation be sent to the Town Board one week prior to the Town Board’s next meeting.

New Business

Grants and Conservation Resources Advisory Committee

There is a resolution in the town board minutes to establish monies for the purchase of lands that become available and are earmarked by the Conservation Resources Advisory Committee as they become available. The issue is that the CEAB and CRAC are both advisory only, not able to establish funds. Bob Sacks and Linda Gabaccia shared that the intent of the town board was to ask us for recommendations on ways that funds could be raised.

Internship Program for High School Students

Neal Klein shared his research on Internship Programs. Businesses he spoke with shared that there are jobs available in town. Bob Sacks reminded us that this board discussed this two years ago. At that time the problem was that students did not tend to be interested in work. Neal Klein made a motion that “Shawn McClain invite the new Superintendent of Taconic Hills to visit the CEAB’s January 15th meeting.” Marcia Peteroy seconded. Carried unanimously.

Tabled Items

Alternative Fuels, on request
Farmer’s Assistance, on request
Business Directory, on request
Monitoring Copake’s Budget
Broadband Communications
Website

Copake Comprehensive Plan

Adjournment

Shawn McClain made a motion to adjourn. This was seconded by Chris Quinby.
Minutes respectfully submitted by Leslie Wood

Attachments

REPORT ON “NO SMOKING” AND “NO SOLICITATION”
COPAKE MEMORIAL PARK

1. NO SMOKING

**ARTICLE V Use of Tobacco Products in Parks [Adopted 7-13-2006 by
L.L. No. 6-2006]**

§ 172-25. Use prohibited.

The use of tobacco products, whether by smoking, chewing, pipe or other procedure or mechanism, is prohibited in the public park and recreational building located at 305 Mountain View Road in the Town of Copake.

The complete Town Code Article V is provided in Appendix A.

2. No Solicitation

“No Solicitation” does not occur anywhere in the Town Code of Copake. On-line and paper copies have been searched. Neither has been updated for this year.

Missing update 1 is L.L. No.1-2007 which establishes exemption amounts for real property taxes for alternative exemption for wartime veterans.

Missing update 2 is L.L. No. 2-2007, a new Article III, Chapter 12, which establishes training and attendance policy for Planning Board and Zoning Board of Appeal Members.

Missing update 3 is L.L. No. 3-2007 which amends the Penalty Provisions of the Town Code in several places.

These are not relevant to this discussion.

The Copake Town Board minutes from January, 1981 - November, 2007 have been read looking for a “No Solicitation” clause for the park. Nothing has been found. However, read on.

From appendix A, note that Article IV of Chapter 172 of the Town Code shows two adoption dates, **8-11-1988** and **12-13-1990**; paragraph 172-18,

amended **1-7-1998**; paragraph 172-21, amended **6-13-1996**; and Article V adopted **7-13-2006**.

Item 1

Town Board minutes - September 9, 1982 - "Copake Recreational Rules and Regulations" were adopted. A copy is provided by Appendix B. "No Solicitation" does not appear.

Item 2

Town Board Minutes - 7-14-1988 and 8-11-1988 discussed and adopted L.L #3 and L.L. #4.

L.L. #3: Use and Regulation of Copake Memorial Park.

L.L. #4: Regulation of stopping, standing, and/or parking in Copake Memorial Park.

No copy of either L.L. has been found. However, note that one of the adoption dates for Article IV of Chapter 172 is 8-11-1988.

Item 3

Town Board Minutes - 9-11-1990 Discussion of L.L. #1-1990, "Use and Regulation of the Copake Memorial Park within the Town of Copake." Adopted 12-13-1990 and is the current Town Code on the subject. See appendix A. "No Solicitation" does not appear.

Item 4

Paragraph 1-3, Article I, Adoption of Code, Chapter 1 - General Provisions, 6-13-96 notes that:

§ 1-3. Repeal of enactments not included in Code.

All local laws and ordinances of a general and permanent nature of the Town of Copake in force on the date of the adoption of this local law and not contained in such Code or recognized and continued in force by reference therein are hereby repealed from and after the effective date of this local law.

Thirteen exceptions to this repeal are noted in the Paragraph 1-4 given in Appendix C. None of the thirteen exceptions apply to the Rules and Regulations in the Park. Therefore nothing has been lost to this point.

Item 5

Town Board Minutes - 1-7-1998

"That we the members of the Town Board of the Town of Copake do hereby adopt the attached revised rules and regulations governing the Copake Memorial Park." There is no attachment. HOWEVER, this date is the same date on the last amendment to Paragraph 172-18 in the Town Code.

Item 6

No reference in the Town Board Minutes occurs after 1-7-1998 to Copake Memorial Park Rules and Regulations.

Item 7

From Town Attorney's Office.

"I (*Sonya Smelyanski*) discussed your questions with Carl Whitbeck and he informed that the courts have found anti-solicitation laws generally unconstitutional and unenforceable. The rule adopted by the Town Board in the early 1990's should be considered unenforceable, especially since it was never incorporated into the Town's Code."

Item 8

Town Board Minutes 10-12-2006

Ethics Committee is "working on a policy for Copake Day and revising the Town Code."

This is not accurate. The committee chair reported that the committee attaches to reports of cases they have heard and sent to the Town Board, suggestions for reviewing/changing/improving the associated conditions that gave rise to the case.

Item 9

Town Board Minutes 11-9-06

Policy Committee will be working on Copake Community Day.

7-12-07

Policy Committee will have a Copake Day Policy "in place before the end of the year in time for the beginning of meetings by the Copake Community Day committee in January". This is not accurate. However, see appendix E.

10-11-07

Policy Committee submitted a draft Policy Manual to the Town Board.

Item 10

Town Board Minutes 7-12-2007

Chris Quinby asked that the Town Board appoint a liaison to the Copake Community Day committee when they resume meeting in January.

Item 11

Copake Memorial Park Rules & Regulations document shown in Appendix D turned up in Town Hall with no date, source or signature. Inquiries are on-going regarding its source, but so far no information is available.

C. Dodson

(Appendices are available in the Town Hall copy of these minutes.)