

COPAKE TOWN BOARD

May 8, 2008

At the regular meeting of the Town Board of the Town of Copake the following were present: Supervisor Crowley, Councilperson Gabaccia, Councilperson Sacks, Councilperson Tompkins, Councilperson Kiernan, Highway Superintendent Proper, and Attorney Thiemann.

Supervisor Crowley opened the meeting at 7:30 p.m. with 52 people in attendance.

The following correspondence was read:

1. From COARC – Letter advising town of property changes at 3 Cross Street.
2. Assemblyman Marcus Molinaro - Letter notifying town of 2008-09 CHIPS funding: \$102,282; a 22.94% increase.
3. Assemblyman Molinaro – Letter notify town that he secured a grant to purchase an AED.
4. Columbia Arts Team – Thank you letter for \$1500 donation.
5. Charles Dodson, EAB – Preliminary proposal for possible creation of a Grants Office for Hillsdale, Copake, Ancram.
6. Grant Langdon - Letter expressing concern over one of the Police Commission appointments.
7. Louis Kibler, Citizens Committee to Nominate – Letter recommending appointments to Board of Ethics.
8. Charter Communications – Letter notifying effective June 1, 2008, all charges for Charter Digital Direct will be removed from customer accounts.
9. Law Department – Fax regarding bill providing public employee’s coverage when/if sued by employees in personal injury accidents.
10. Lisa Jarvis – Letter of resignation from Columbia County Environmental Management Council.
11. Bash Bish Corp., Mary Ackley – Letter requesting ZBA grandfather into zoning law the cell tower on their property to be used in the future as necessary.
12. Kevin Thiemann – Letter regarding Copake Ironworks Schoolhouse.

Councilperson Gabaccia read the following correspondence:

1. John Keeler – Letter regarding suggestions to town board for scenic roads and cleaning up lawns.
2. Friends of Copake – Letter to Planning Board regarding Housing Resources development proposal.

Supervisor Crowley opened Public Forum with the following directions: Public Comment period will be held to 15 minutes with no more than 2 minutes per person in order to allow everyone a chance to speak.

Harvey Weber: Should be using everyone’s “positive” energy to get town moving forward.

Mac Simms: Suggestions for board to hold “work shop” - not dealing with public issues, but to come together to work on goals and concerns for the town.

Mibbs Zelly: Citizens of Copake Falls got together to propose revitalization of triangle in Copake Falls. Also asked board to pass a resolution to release funds for Schoolhouse project.

Jean Peck: Expressed importance for the History of Copake to preserve the Schoolhouse.

Chris Grant: Asked about whether the Planning Board will be receiving assistance for training new Planning Board members. Councilperson Kiernan stated he will be contacting someone from state tomorrow and will get back to Planning Board.

Diana Wilson: Expressed opinion that its sad up-to-date windows were put in the Schoolhouse. Supervisor Crowley stated the windows were put in prior to the town accepting the building.

John Keeler: Regarding increase in price of road materials and fuel. Stated the \$15,000 in 2008 budget is for electric, maintenance, and other expenses, not the Schoolhouse.

Jeff Nayer: Asked about money put aside in the past for replacing the courtroom rugs.

Expressed how badly the rugs need to be replaced. Also, regarding the Schoolhouse project, he stressed how everyone involved – Mr. Masters, the Historical Society, the Board, and the town – should be willing to compromise in order to get the job done. Mr. Nayer volunteered to install the heating system at the Schoolhouse free of charge for the town as it is a worthy project.

Eleanor Mettler: The people of Copake gave generously to the Schoolhouse to get the project started. Suggested the Board approve the work to be done on the roof in order to move forward.

Motion made by Supervisor Crowley to approve minutes of April 10, 2008, and April 25, 2008, meetings.

Motion made by Councilperson Gabaccia, seconded by Councilperson Sacks to accept the minutes of April 25, 2008, Special Meeting with the following amendment:

“Councilperson Gabaccia pointed out that the Chairperson of the Ethics Board should not be a member of the Citizens Committee to Nominate.” Motion carried.

Motion made by Councilperson Sacks, seconded by Councilperson Gabaccia to accept the minutes of April 10, 2008, meeting with the following amendments:

*Page 10, paragraph 2 – “Councilperson Sacks said in November, elections will be mandated to go to computer voting **for the disabled** and registration will be the same...”*

*Page 10, paragraph 7– “A motion was made by Councilperson Sacks, seconded by Councilperson Gabaccia to refer Catamount to the Planning Board for the **review** of a Planned Commercial-Industrial District...”* Motion carried.

Supervisor Crowley asked Town Clerk Hotaling to explain the digital recording hardware system being requested for the Town Clerk’s office. Mrs. Hotaling deferred to Councilperson Kiernan for explanation. Cost would be approximately \$2,200 for the recorder and program and laptop which is in the Town Clerk’s budget. Councilperson Sacks questioned the expense of a \$1,000 laptop when there are cheaper ones to be found. Town Clerk Hotaling responded that she had already questioned Computer Consultant, Mr. Carbine, on the price and he highly recommends this type of particular laptop for the program that is going to be used on it.

Motion made by Supervisor Crowley, seconded by Councilperson Sacks to approve the purchase of the recording system and laptop for Town Clerk’s office. Motion carried.

New business:

Supervisor Crowley explained that he attended a meeting with Supervisor Dias, Ancram, and Supervisor Shear, Taghkanic, and Councilperson Kiernan regarding cell towers. Supervisor Crowley appointed Councilperson Kiernan and Councilperson Gabaccia as liaisons to Ancram’s Cell Tower Committee.

Town Board approved the following appointments made by Citizens Committee to Nominate to Board of Ethics: Flora Bergquist to fill open alternate member position created by Ted Voelker who was elevated to fill the regular member vacancy caused by the resignation of Jeremy Holdridge. Mr. Voelker will serve out the remainder of Mr. Holdridge's original term which expires April 25, 2009. Mrs. Bergquist will serve out the remainder of Mr. Voelker's original term which expires April 25, 2012. Valerie Schmeichel will fill the expired term of Flora Bergquist. Mrs. Schmeichel's term will expire April 25, 2014.

Councilperson Sacks read the following resolution:

The Town Board of Copake has on several occasions gratefully acknowledged the leadership and foresight of the CEAB and its chairperson Charles Dodson. They have been developing and spearheading a proposed tri-town grant writer's office for Copake, Hillsdale and Ancram. This board has already approved this concept.

Now each town involved has received a request from CEAB to commit \$1,000.00 for each of the first two years of the grant writer's office and \$2000.00 each for the third year.

I propose that we speedily grant this request. So saying I make a motion that we make immediately \$1,000.00 to the Tri-Town grant committee and further place into our future budgets \$1,000.00 for 2009, and \$2,000.00 for 2010.

Councilperson Tompkins seconded the motion.

Motion carried.

Old Business:

Attorney Thiemann briefed the public on the Schoolhouse Project: 2002 Edgar Masters donated the Schoolhouse and \$10,000 to the Town of Copake under the agreement that the town would raise an additional \$20,000 and complete the renovations within three years. April 25, 2008, Mr. Masters wrote letter to Town of Copake asking the town to release funds immediately in order to complete the roof on the Schoolhouse and to pass a resolution affirming the town's commitment to complete the Schoolhouse project by September 2009, or he will, under the terms of the agreement, ask for the return of the Schoolhouse and the \$10,000. Mr. Thiemann spoke to Mr. Masters who indicated that according to Historical Society, certain work is needed in order to complete the renovations. This work includes replacement of windows and doors as needed, replacement of exterior siding, repointing of chimney, installation of bathroom and kitchenette, framing, insulation and sheet rocking of the classroom walls and ceilings as needed, electrical to code, building to be handicapped accessible, building to meet applicable NYS Building Code. This scope of work was provided to him by a former member of the Historical Society building Committee.

Mr. Masters concern is to be sure the work is completed.

Councilperson Gabaccia present the board with the following motion:

Whereas the Town of Copake recognizes tourism to be its major light industry, and in recognition of the importance of preserving our historical past,

And Whereas the Town of Copake has the opportunity to encourage the completion of the Ironworks Schoolhouse both as an historical asset and as potential information center for the community.

The Town Board of Copake hereby resolves the following:

1. To release the \$15,000 currently budgeted in 2008 for the Ironworks Schoolhouse toward the completion of its roof.
2. To appropriate the following funds in the next three years budgets toward the completion of the Ironworks Schoolhouse:

2009	\$15,000
2010	\$10,000
2011	\$10,000

The remaining funds for completion to come through grant applications, fundraising by the Roe Jan Historical Society and through donations.

3. To acknowledge the generosity of all those numerous citizens who have previously donated both time and money to this project, including Edgar Masters, and all those who will continue to contribute to this project.

Enaction of such resolution contingent upon Mr. Masters extending the time limit for completion of the project into the year 2011.

Councilperson Sacks seconded the motion.

Attorney Thiemann made two suggestions:

- 1) If the resolution is adopted, then a new agreement should be made between town and Mr. Masters. The town should specify what the town is going to do and be sure it is acceptable to Mr. Masters.
- 2) The town should know what “*complete*” means, therefore, a list should be generated as to what needs to be done to complete the schoolhouse and attached to the agreement.

After a discussion the following roll call vote was taken:

Dated May 8, 2008	Supervisor Crowley	No
Resolution # 12	Councilperson Gabaccia	Yes
	Councilperson Sacks	Yes
	Councilperson Tompkins	No
	Councilperson Kiernan	No

Discussion continued on Schoolhouse Project.

Councilperson Gabaccia made the following motion:

Whereas the Town of Copake recognizes tourism to be its major light industry, and in recognition of the importance of preserving our historical past,

And WHEREAS the Town of Copake has the opportunity to encourage the completion of the Ironworks Schoolhouse both as an historical asset and as potential information center for the community.

The Town Board of Copake hereby resolves the following:

- 1) To release the \$15,000 currently budgeted in 2008 for the Ironworks Schoolhouse for the completion of its roof.
- 2) To appropriate the following funds in the next 3 years budgets towards the completion of the Ironworks Schoolhouse not in excess of the following amounts:
 - 2009 - \$15,000
 - 2010 - \$10,000
 - 2011 - \$10,000.

The remaining funds for completion to come through grant applications, fundraising by the Roe Jan Historical Society, and by donations.

- 3) To acknowledge the generosity of all those numerous citizens who have previously donated both time and money to this project, including Edgar Masters, and all those who will continue to contribute to this project.

Enaction of such resolution contingent upon Mr. Masters extending the time limit for completion of the project into the year 2011.

Motion seconded by Councilperson Tompkins.

Dated May 8, 2008	Councilperson Gabaccia	YES
Resolution #13	Councilperson Sacks	YES
	Councilperson Tompkins	YES
	Councilperson Kiernan	NO
	Supervisor Crowley	YES

Supervisor Crowley opened single bid for new Copier (CS2540) from Hudson Valley Office Equipment for \$5,741.

Motion made by Councilperson Gabaccia, seconded by Councilperson Kiernan to accept bid. Motion carried.

Supervisor Crowley opened single bid for Carpet Cleaning from Ultra Clean for \$1552.56. Board decided to reject bid and advertise again for bids for carpet cleaning.

Councilperson Gabaccia asked what was happening with the Key Farming Initiative. Supervisor Crowley has sent an e-mail to inquire about more details.

Councilperson Gabaccia also asked about addressing the Assessors' third seat which will be vacant due to Mr. Balducci's resignation. Supervisor Crowley responded that the board has already voted to leave that seat open until the November election.

Councilperson Gabaccia announced she had checked with DEC regarding the dumping of sewage issue that was raised at the last town board meeting by Mr. Rothvoss. She offered the following resolution:

WHEREAS the Town of Copake recognizes the importance of preserving the quality of our water sources in protecting our citizens' health, and

WHEREAS Town law section 194 prohibits the dumping, depositing or throwing of any solid waste on land within the town of Copake, such solid waste definition to include all waste vegetable, animal or other matter, liquid or solid likely to ferment or decompose, produce noxious odors, or become injurious to the public health and,

WHEREAS the Town of Copake acknowledges such dumping may be done under DEC Registration rules, those rules requiring that any applicant for such a registration verify that such dumping is permitted under town law.

The Town Board of Copake hereby resolves that the Zoning Enforcement Officer should investigate the dumping of raw sewage on Yonderview Road in the Town of Copake and enforce against the violation of Town Law in this matter should it exist.

Motion seconded by Councilperson Sacks.

Dated May 8, 2008
Resolution #14

Councilperson Gabaccia	YES
Councilperson Sacks	YES
Councilperson Tompkins	YES
Councilperson Kiernan	YES
Supervisor Crowley	YES

Committee Reports:

Harvey Weber, Environmental Committee: Committee would welcome youth participation and would like to invite a student from Taconic Hills High School to sit on this committee.

William Kiernan, Comprehensive Planning Committee: Committee received 2 hours of training from NY Planning Federation. Several members attending 4-day training presented by Pace University. Newly created web-site will be posted on bulletin board at Town Hall. Questions can be directed to Chairperson Jeanne Mettler.

Stuart Carduner reported on Conservation Resource Committee.

Jan Near, Police Commission: Letter of resignation from Steve Keyser. Interviewed three candidates for open position on Commission and will have recommendation to Board by next meeting.

Motion made by Supervisor Crowley, seconded by Councilperson Gabaccia to allow Police Commissioner Near to look into ramifications of accepting snowmobile from resident who wants to donate it for emergency use. Motion carried.

Charles Dodson, EAB: Copake Clean-Up Day 9-12 on Saturday, May 10th.

Ed Ferratto, ZEO: Reported the owner of the "old telephone building" in town does have a special use permit and there is no violation.

Councilperson Sacks reported:

1. In January and at several other meetings Goergette Lindig and John Keeler brought to the attention of this board some possible inconsistencies in our town wide automobile policies. The

entire board agreed and said that we would look into this and create a report and suggest possible corrections to our policies, if necessary. Councilperson Gabaccia and I have met with ZEO Ed Ferratto and are undertaking this review at this time.

We will review the town code and the permitting process, and offer suggestions at the July Meeting.

Last summer, Councilwoman Gabaccia and I, suggested a time and place be set up for the citizens of Copake to meet and discuss the revitalization of Downtown Copake.

This was done and a large group of concerned citizens banded together as unofficial group for that purpose. Their first attempt at improvement and progress at revitalization was focused on the rebuilding the once beloved General Store. That attempt was not a success. In my opinion shouldn't give up.

Councilwoman Gabaccia and I feel that we should again make the attempt and so saying we will be organizing a new-governmental meeting of citizens to help the revitalization of Downtown Copake. I am suggesting a meeting time of Saturday June 14th immediately after the scheduled town board meeting.

Councilperson Gabaccia reported:

1. Today Councilman Sacks and I took a tour of the Town of Copake with MTop cell tower representative Jim Jeffries, locating with him all available municipal properties which could be utilized in the development of a regional cell network to include the towns of Ancram and Gallatin. Mr. Jeffries mapped the properties using GPS and will be integrating this information with data from Ancram and Gallatin to develop a tower map which will ultimately be used to help place towers which will provide us with improved service to assist our emergency services and provide improved cell service to the citizens of our communities. It was noted in the tour, that potentially the optimum location for a tower in Copake may be on the lands of Mary Ackley. As soon as Mr. Jeffries presents us with his recommendations. I believe we should investigate if there are any possibilities of acquiring the Ackley parcel for a municipal tower if need be. Mr. Jeffries indicated that the opportunities that Copake brings to the table in terms of developing this regional solution to an ongoing problem are substantial. Not only will population numbers be included in the formula, but also traffic studies of the Route 22 corridor to develop an accurate picture of potential usage will be utilized.
2. I am working with an independent citizens group in Copake Falls to beautify and revitalize our portion of the Copake community. We are hopeful to have the memorial in the center of town completed for Memorial Day celebrations. Many thanks to Dick Barton and Iris Sacks for initiating this project and to Mibs Zelly for developing a Copake Falls day to be held on August 16th of this year.
3. I would like to report that the next Copake/Hillsdale joint Harvest Festival organizational meeting will take place on May 15th 7:30 to 8:30 pm at the Hillsdale Town Hall. This first time event will take place on September 20th and we are still looking for more volunteers.
4. As Councilman Sacks has indicated we have been working with ZEO Ed Ferratto to address both the perceived imbalances of the motor vehicle storage permit process while also examining the issue of dealing with the town's junk car issue. We will hopefully be presenting a revised motor vehicle storage permit and are looking to do outreach to both our business owners and our concerned citizens in addressing this situation.

5. After conferring with Attorney Whitbeck I can tell you that the second stage of the settlement conference with Mr. Cascino's lawyer was cancelled due to lack of reply to our proposal. Mr. Casino has acquired a new attorney by the name of Dennis Schlenker from Albany and hopes are that the process will begin to move forward.

Councilperson Tompkins reported in reference to the women's complaint about flooding of Bash Bish from 22 down 7A he and Councilperson Kiernan talked to DEC. Councilperson Kiernan said he made several calls to Mike Higgins and he assured him he would talk to who he needed to get permit or come down and look at stream with them to see what needs to be done. Councilperson Tompkins said he will let everyone know when DEC will be down.

Supervisor Crowley said the County is having problems with the voting machines, will be discussed at next County meeting. He's been in contact with Congresswoman Gillebrandt and her staff will be at the Park building on May 27th tentatively, for any citizen to come in and talk.

Supervisor Crowley asked Attorney if the town would have to re bid the roof for the school house. He said he didn't think so as long as it's still on the table, Ed Ferratto will check into it.

Councilperson Tompkins asked if the Police Department will assist the ZEO with the junk cars. He said yes.

A motion was made by Councilperson Gabaccia seconded by Councilperson Kiernan the bills from general abstract # 5 and highway abstract # 5 be paid. Motion carried.

A motion was made by Councilperson Gabaccia seconded by Councilperson Kiernan the meeting be adjourned. Motion carried.

Respectfully submitted,