

**COPAKE TOWN BOARD  
ORGANIZATIONAL MEETING  
JANUARY 4, 2008**

At the Organizational Meeting of the Town Board of the Town of Copake held at the Town Office, Copake, New York, the following were present:  
Supervisor Crowley, Councilperson Gabaccia, Councilperson Sacks, Councilperson Kiernan, Councilperson Tompkins and Highway Superintendent Proper

Meeting was called to order by Supervisor Crowley followed by District Attorney Cozzolino swearing in the new town Supervisor. Judge Herman then swore in six of the newly elected officials: John Spencer, Barbara Filipovits, Walter Kiernan, Dan Tompkins, Vana Hotaling, Larry Proper.

Councilperson Tompkins read Resolution Concerning Partial Amendment of the Town Policy and Procedures Manual.

Councilperson Sacks said in the future he would appreciate time to go over the resolution before making a vote.

Supervisor Crowley said he would be posting weekends and evening hours.

Councilperson Gabaccia said she would be at the Town Hall on Sundays from 11:00 am to 1:00 pm on a weekly basis.

A discussion followed.

The following resolution was offered by Councilperson Tompkins seconded by Councilperson Kiernan.

Resolution Concerning Partial Amendment of the Town Policy and Procedures Manual  
WHEREAS, The Town Board of the Town of Copake enacted a revised and amended Town Policy and Procedures Manual at the Town Board meeting held on December 21, 2007, and

WHEREAS, the said Policy and Procedure Manual provides for the Town Board to perform a review of and enact changes to said Manual on an annual basis, and

WHEREAS, the newly constituted Town Board has examined the said Manual and wishes to make certain amendments to the Manual at this time, while reserving the opportunity to review the Manual in greater detail regarding additional changes,

NOW, THEREFORE, it is hereby resolved that the following changes and amendments shall be made at this time, with such changes taking effect immediately:

1. The Town Board shall meet once a month, with said meeting scheduled for the 2<sup>nd</sup> Thursday of January, February, April, May, July, August, October and November and on the 2<sup>nd</sup> Saturday of March, June, September and December.

- 2. The Town Supervisor, Town Board members and other elected Town officials shall determine their respective hours of availability at Town Hall and shall post said schedules for the general public.
- 3. The Town Credit Card Policy is amended to provide for the issuance of credit cards to the Town Supervisor and the Town Court in addition to the Town Clerk, the Highway Superintendent and Park and Recreation Committee.

Resolution # 1

Dated: January 4, 2008

Supervisor Crowley	Yes
Councilperson Tompkins	Yes
Councilperson Kiernan	Yes
Councilperson Sacks	No
Councilperson Gabaccia	No

The following 2008 appointments were made:

A motion was made by Councilperson Tompkins seconded by Councilperson Kiernan to appoint Kevin Thiemann as Town Attorney for the year 2008.  
 Motion carried.

A motion was made by Councilperson Gabaccia seconded by Councilperson Tompkins for the town to retain the law office of Rapport, Meyers, Whitbeck, Shaw & Rodenhausen, LLP as town council for the Cascino case and any recusals by Town Attorney, Kevin Thiemann. Councilperson Kiernan was recused and absent from the room for this vote.  
 Motion carried.

A motion was made by Councilperson Sacks seconded by Councilperson Tompkins the Independent and Register Star be appointed as the Official Newspapers for the Town of Copake for the year 2008.  
 Motion carried.

A motion was made by Councilperson Sacks seconded by Councilperson Gabaccia the First Niagara Bank be designated as the official depository for Fire & Light, Highway, Town Clerk, Tax Collector and General Funds for the year 2008.  
 Motion carried.

A motion was made by Councilperson Gabaccia seconded by Councilperson Tompkins that the second Thursday of the month be designated as the regular meeting of the Town Board and that the meeting be called to order at 7:30 pm with the exception of the March, June, September and December meetings to be held on the first Saturday of these months at 9:00 am.  
 Motion carried.

A motion was made by Councilperson Sacks seconded by Councilperson Tompkins to designate Copake Town Hall as District #1 polling place and Copake Town Hall as District #2 polling place for 2008.

Motion carried.

A motion was made by Councilperson Sacks seconded by Councilperson Gabaccia to appoint Mark Fitzgerald and Brian Fitzgerald as Town Accountants for the year 2008.

Motion carried.

Supervisor Crowley asked for a motion to appoint Lawrence Proper budget officer. Councilperson Gabaccia said she sees a conflict in Highway Superintendent being budget officer as he's also department head of Highway.

Councilperson Sacks said he builds a \$1,000,000 budget then as budget officer it seems to be a conflict of interest.

Attorney Thiemann legally there are no restrictions.

Supervisor Crowley suggested tabling the appointment.

A motion was made by Councilperson Gabaccia seconded by Councilperson Sacks to table the appointment of Budget Officer.

Motion carried.

Following discussion on the requirement for the town to have a certified Building Inspector, a motion was made by Councilperson Gabaccia seconded by Councilperson Sacks to reappoint Ralph Shadic as Building Inspector subject to him receiving certification prior to the end of 2008 and Donald Shadic as Deputy Building Inspector for 2008.

Motion carried.

A motion was made by Councilperson Tompkins seconded by Councilperson Kiernan to reappoint Vana Hotaling as Registrar of Vital Statistics and Lawrence Proper and Lynn Hotaling as Deputy Registrars.

Motion carried.

The following resolution was offered by Councilperson Tompkins seconded by Councilperson Gabaccia

Resolution Concerning Zoning Enforcement Officer.

IT IS HEREBY RESOLVED, that pending further review of the enforcement provisions of the Town Zoning Law by the Town Board, the continued employment of Zoning Enforcement Officer Ferratto on a hold-over basis is hereby authorized by the Town Board.

Resolution #2	Supervisor Crowley	Yes
Dated: January 4, 2008	Councilperson Tompkins	Yes
	Councilperson Kiernan	Yes
	Councilperson Sacks	Yes
	Councilperson Gabaccia	Yes

A motion was made by Councilperson Tompkins seconded by Councilperson Gabaccia to reappoint Edward Ferratto as Zoning Enforcement Officer.

Motion carried.

A motion was made by Councilperson Sacks seconded by Councilperson Kiernan to reappoint Lawrence Proper Park Superintendent.

Motion carried.

A motion was made by Councilperson Tompkins seconded by Councilperson Sacks to reappoint Robert and Joanne Graziano as Dog Control Officer and Deputy Dog Control Officer and Columbia Greene Humane Society as Town shelter for the Town of Copake for 2008.

Motion carried.

A motion was made by Councilperson Tompkins seconded by Councilperson Kiernan to authorize Town Clerk Hotaling to appoint Lawrence Proper and Lynn Hotaling Deputy Town Clerks/Tax Collectors.

Motion carried.

A motion was made by Councilperson Kiernan seconded by Councilperson Tompkins to authorize Highway Superintendent Proper to appoint Jeff Darling Deputy Highway Superintendent.

Motion carried.

Supervisor Crowley appointed Wayne Miller Deputy Supervisor.

A motion was made by Councilperson Gabaccia seconded by Councilperson Sacks to reappoint Janet Glover and Margaret McDermott as Court Clerks and Kathy Schweizer as Substitute Court Clerk.

Motion carried.

A motion was made by Councilperson Gabaccia seconded by Councilperson Sacks to reappoint George Hoffman as Court Officer for 2008.

Motion carried.

A motion was made by Councilperson Gabaccia seconded by Councilperson Sacks to reappoint Gloria Lyons Town Historian.

Motion carried.

A motion was made by Councilperson Sacks seconded by Councilperson Gabaccia to reappoint Lawrence Proper as Individual-in-Charge of Williams' Cemetery.

Motion carried.

A motion was made by Councilperson Tompkins seconded by Councilperson Kiernan to appoint William Kane as Chairman to the Board of Assessors for the year 2008.

Motion carried. Councilperson Sacks abstained.

A motion was made by Councilperson Sacks seconded by Councilperson Gabaccia that the Town Highway Department employees will be allowed 11 paid holidays: New Years Day, Martin Luther King Day, Presidents Day, Memorial Day, July 4<sup>th</sup>, Labor Day, Columbus Day, Veterans Day, Thanksgiving Day, Friday following Thanksgiving and Christmas Day.

Motion carried.

A motion was made by Councilperson Sacks seconded by Councilperson Gabaccia that all Town Highway employees will receive a 5% raise: Deputy Superintendent \$17.63/hour; Shop Foreman \$17.43/hour; Road Foreman \$17.43/hour; MEO \$17.20/hour; New MEO \$15.48/hour; part-timers \$11-\$13 per hour. Highway employees are given six sick days per year with two additional added if they don't use any within the year and up to 150 accumulated; three personal days; vacation days as follows: after one year – one week; after two years and up to ten years – two weeks; after ten years and up to fifteen years - three weeks and after fifteen years – four weeks vacation. All vacation time must be used by January 31, 2009.

Motion carried.

A motion was made by Councilperson Sacks seconded by Councilperson Gabaccia that all department heads forward a copy of their monthly reports to the Supervisor by the Monday before monthly meeting day and there will be monthly department head meetings

Motion carried.

A motion was made by Councilperson Sacks seconded by Councilperson Gabaccia to authorize Highway Superintendent Proper to spend up to \$4,000 for small purchases and tires.

Motion carried.

A motion was made by Councilperson Tompkins seconded by Councilperson Sacks the Town Board accept State and County bids for Highway supplies.

Motion carried.

Following a review of Chapter 51 of the Code of the Town of Copake entitled "Procurement Policy", a motion was made by Councilperson Sacks seconded by Councilperson Kiernan that the Town Board of the Town of Copake readopts this policy.

Motion carried.

Councilperson Tompkins read resolution Concerning Abolishment of Police Commissioner and Replacement with Police Commission.

A motion was made by Councilperson Gabaccia seconded by Councilperson Sacks to go into executive session on personnel matters.  
Motion was carried.

The following resolution was offered by Councilperson Sacks seconded by Councilperson Gabaccia.

Resolution Concerning Abolishment of Police Commissioner and Replacement with Police Commission.

IT IS HEREBY RESOLVED, that the position of paid Police Commissioner in the Town of Copake shall be abolished and that said position shall be replaced by a Police Commission consisting of one unpaid Commissioner, which shall be appointed by the Town Board, and it is further

RESOLVED, that the day to day operation of the Copake Police Department shall be handled and run by an Officer in Charge to be appointed by the Town Board and it is further

RESOLVED, that pending the formal appointment of the said one unpaid Commissioner following the solicitation of letters of interest, that Paul Proper, Sr. is hereby appointed as interim Police Commission.

Resolution # 3	Supervisor Crowley	Yes
Dated January 4, 2008	Councilperson Tompkins	Yes
	Councilperson Kiernan	Yes
	Councilperson Sacks	Yes
	Councilperson Gabaccia	Yes

A motion was made by Councilperson Gabaccia seconded by Councilperson Tompkins to appoint Robert Lopez as Officer-in-Charge for the year 2008.  
Motion carried.

Supervisor Crowley appointed the following Town Board members as liaisons to the following committees:

Town Board to Street Lights and Insurance

Councilperson Gabaccia & Councilperson Kiernan to Economic Advisory Board

Town Board to Highway Refuge and Auditing

Town Board to the Interviewing Committee

Councilperson Sacks to Zoning

Councilperson Gabaccia said as regard to appointments of liaison the only one statutory per town code is EAB.

Councilperson Gabaccia to Planning

Councilperson Tompkins to Parks n' Recreation  
 Councilperson Sacks to Tenant/Landlord Committee  
 Councilperson Sacks to Copake Senior Committee  
 Councilperson Kiernan to Environmental Committee  
 Councilperson Tompkins to Ethics Committee  
 Councilperson Gabaccia to Conservation Resources Advisory Committee.

A motion was made by Councilperson Sacks seconded by Councilperson Tompkins the above appointments be approved. Motion carried.

The following resolution was offered by Councilperson Tompkins seconded by Councilperson Kiernan.

RESOLVED, that we the members of the Town Board of the Town of Copake do hereby affix the following salaries for the year beginning January 1, 2008, at the amounts respectfully stated and that the salaries for the following employees will be paid at the time specified:

Highway Superintendent	\$50,711	bi-monthly
Supervisor	\$12,875	bi-monthly
Justice (2)	\$10,300	monthly
Council (4)	\$ 3,605	monthly
Town Clerk/Collector	\$28,664	monthly
Deputy TC	\$ 5,300	bi-monthly
Deputy TC	\$14.00	per hour
Assessor, Chairman	\$6,000	Monthly (increase \$1,000 upon completion of (3) trainings
Assessor (2)	\$6,000	monthly
Building Inspector	\$9,500	monthly
Deputy Inspector	\$6465	monthly
Court Clerks (2)	\$13.80	per hour
Substitute Court Clerk	\$13.80	per hour
Budget Officer	\$500	monthly
Historian	\$400	paid in November
ZEO	\$9550	monthly
Park Superintendent	\$7725	bi-monthly
Court Officer	\$13.90	per hour
Police	\$13.90	per hour + step program
Police Officer in Charge	\$10,000	monthly

Councilperson Gabaccia said it was agreed at budget time to pay the Assessors \$7,000. A discussion followed. Councilperson Tompkins suggested paying them \$6,500 at the end of the month once the classes are completed.

Barbara Filipovits said Bill Kane and her will be starting classes next week .

Supervisor Crowley said set the salaries at \$6,000 each and once (3) classes are completed in January, raise to \$7,000.00.

Resolution # 4	Supervisor Crowley	Yes
Dated January 4, 2008	Councilperson Gabaccia	Yes
	Councilperson Tompkins	Yes
	Councilperson Kiernan	Yes
	Councilperson Sacks	Yes

The following resolution was offered by Councilperson Gabaccia seconded by Councilperson Sacks:

RESOLVED: That we the members of the Town Board of the Town of Copake do hererby authorize Supervisor Crowley to invest Town funds for 2008 in day of deposit and day of withdrawal of C.D. accounts.

Resolution # 5	Supervisor Crowley	Yes
January 4, 2008	Councilperson Gabaccia	Yes
	Councilperson Tompkins	Yes
	Councilperson Kiernan	Yes
	Councilperson Sacks	Yes

The following agreement for expenditure of highway money's was offered by Councilperson Sacks seconded by Councilperson Gabaccia.

Agreement between the Town Supervisor of the Town of Copake, Columbia County, New York State, and the undersigned members of the Town Board.

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

1. GENERAL REPAIRS. The sum of \$323,000.00 shall be set aside to be expended for primary work and general repairs upon 56.46 miles of town highways, including sluices, culverts and bridges having a span of less than five feet and boardwalks or the renewals thereof.

Resolution # 6	Supervisor Crowley	Yes
January 4, 2008	Councilperson Gabaccia	Yes
	Councilperson Kiernan	Yes
	Councilperson Tompkins	Yes
	Councilperson Sacks	Yes

The following resolution was offered by Councilperson Sacks seconded by Councilperson Gabaccia.

IT IS HEREBY RESOLVED, that Highway Superintendent Proper is authorizes to enter into the attached inter-municipal agreement with the Columbia County Highway

Department, the Towns and Villages of Columbia County, and the Taconic Hills High School District for the purpose of sharing equipment and man power. See attached agreement.

Resolution # 7	Supervisor Crowley	Yes
Dated: January 4, 2008	Councilperson Tompkins	Yes
	Councilperson Kiernan	Yes
	Councilperson Sacks	Yes
	Councilperson Gabaccia	Yes

Councilperson Kiernan read Resolution Concerning Rescinding Appointments made on 12/21/2007

Councilperson Sacks asked what's wrong with the policy.

Supervisor Crowley said that we request letters of interest for any vacancies.

Councilperson Gabaccia replied that with regard to the Comprehensive Committee that was designed to include Department Heads.

Supervisor Crowley said by law the only thing required by NYS is that one member of the Planning Board be on the committee. Other appointments could be anyone.

Councilperson Sacks said you need to fill this committee with qualified people, the idea was senior volunteer members from town, Zoning Member, member of EAB and Highway Superintendent.

Supervisor Crowley said he agrees we want the best people on the committee, but at least ask for letters of interest for others.

Councilperson Gabaccia said you could resolve this by having a sub committee.

Supervisor Crowley read section VI of the Policy Manual.

Discussion followed.

The following resolution was offered by Councilperson Kiernan seconded by Councilperson Tompkins.

WHEREAS, the Town Board of the Town of Copake made various appointments to the Comprehensive Planning Committee and the Town Planning Board at the Town Board meeting held on December 21, 2007, and,

WHEREAS, it has come to the attention of the Town Board that said appointments were not made in compliance with the provision of the amended Town Policy and Procedures Manual, which had been enacted by the Town Board prior to making of the said appointments, and

WHEREAS, the Town Board believes that the failure to follow the recently enacted procedures creates the possibility and danger of having the work performed by said Committee and Planning Board being legally challenged at a later date.

NOW THERFORE, it is hereby resolved that the appointments made by the Town Board at the December 21, 2007 meeting to the Comprehensive Planning Committee and the Town Planning Board are hereby rescinded and that the Town Board shall proceed with filing said appointments in compliance with the terms and provisions of amended Town Policy and Procedures Manual.

Resolution # 8	Supervisor Crowley	Yes
Dated January 4, 2008	Councilperson Tompkins	Yes
	Councilperson Kiernan	Yes
	Councilperson Gabaccia	No
	Councilperson Sacks	No

Councilperson Sacks said in spite of appearance tonight the board will get along just fine. Let's move on for the town's benefit only and not politics.

A motion was made by Councilperson Tompkins seconded by Councilperson Sacks to go into executive session for personnel matters. Motion carried.

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

Respectfully submitted,