COPAKE--The year is new, but old divisions along party lines reasserted themselves when the Town Board met to conduct its 2010 organizational meeting the morning of January 2.

At the annual meeting, where the Town Board sets appointments, designations and policies for the year ahead, the first sign of friction erupted when Republican Supervisor Reggie Crowley asked for a motion to appoint a town attorney.

Republican Town Councilman Daniel Tompkins moved that the board appoint Tal Rappleyea. But Democratic Councilwoman Linda Gabaccia said that based on discussions in executive session, it was her impression board members had agreed that the law firm of Rapport Meyers Whitbeck Shaw & Rodenhausen would handle town attorney duties as well as the town's ongoing legal battles with Salvatore Cascino. Mr. Cascino, a resident of Larchmont who owns a Bronx-based waste hauling business, has a 13-year history of violating federal, state and town laws on his Copake Valley Farm property on Route 22.

Democratic Councilman Bob Sacks agreed with Ms. Gabaccia, saying the decision had been made “for a multitude of reasons.”

Mr. Tompkins said, “I changed my mind.” He said his reversal happened after he had a 20-minute follow-up phone call with Mr. Rappleyea. Mr. Tompkins said he was confident that Mr. Rappleyea could handle land use issues encountered by the Planning Board and other town legal problems, but that Attorneys Carl Whitbeck and Victor Meyers “should stay with Cascino.”

Ms. Gabaccia said that Mr. Tompkins had changed his mind based on additional information he received from Mr. Rappleyea during that phone call and that the information should have been shared with other board members, since the decision to go with Mr. Whitbeck and Mr. Meyers had already been agreed upon.

Mr. Crowley asked for a second to Mr. Tompkins motion, and Councilman Walt Kiernan, also a Republican, obliged. The vote broke along party lines with the three Republicans voting for Mr. Rappleyea and the two Democrats opposed.

Supervisor Crowley invited Republican Town Justice John Spencer to the meeting to swear in town officials elected in November. But when the time came for the ceremony, the Democrats--re-elected Town Board members Gabaccia and Sacks and Justice Brian Herman--all declined to take the oath from Justice Spencer because they had apparently made other arrangements for a swearing in ceremony to be conducted by State Supreme Court Justice James Gilpatric this Saturday, January 9, at 10 a.m. at Town Hall.

Newly elected Assessor Loredana Delventhal, an Independence Party member who ran on the Democratic line, was not present.

State Board of Elections Director of Public Information John Conklin said this week that officials have 30 days from the beginning of their terms to file their oaths of office, so the delay was not a problem.

Another dispute arose over the appointment of an assessor to fill the vacancy left by the resignation of William Kane in December. Mr. Kane, a Republican, ran unsuccessfully for town justice in November. He resigned in December with two years remaining in his term as assessor.

Councilman Tompkins nominated Ken Phesay, a Republican, who has experience in data collection. The nomination was seconded by Councilman Kiernan. Councilwoman Gabaccia noted that Assessor Chair Barbara Filipovits, appointed just a few moments earlier, recommended the appointment of Veronica Fabio to the post. Councilman Sacks agreed that the board should respect the opinion of the department head board members just appointed.

Mrs. Filipovits said that Mr. Phesay is not familiar with the assessor's computer program. Noting the need for continuity in the assessor's office, she said that said that Ms. Fabio indicated she would be willing to run for office next November, while Mr. Phesay only wanted to fill in.

Ms. Gabaccia said no one on the board besides her had bothered to attend the assessor candidate interviews and therefore had not even met Ms. Fabio.

Despite the statements from Mrs. Filipovits and Ms. Gabaccia, Republicans approved the appointment of Mr. Phesay on a party-line vote.

“I hope this is not an example of the heavy-handed action that I hope will not play out in the coming year,” Ms. Gabaccia said.

Board members postponed action on appointment of a town ombudsman and a full-time court clerk. Based on past discussion on the topics both are guaranteed to be controversial. Supervisor Crowley did not allow public comment during the meeting.

One designation that was unanimously agreed upon was that of official newspaper.

Mr. Tompkins suggested that the board use the Register-Star. Mr. Sacks said the board should also use The Columbia Paper. All board members agreed.

The board conducts its regular monthly meeting January 14, beginning with a continued public hearing on the court clerk issue at 7:20 p.m.

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