

Public Hearing's & Town Board Meeting
Thursday, October 13, 2022
6:30pm, 6:45pm, and 7:00pm
via Google Meet

This meeting is being held "in-person" in Town Hall. The access information for the meeting has been posted and there are members of the public present virtually.

HEARINGS

Members Present: Supervisor Mettler, Councilperson Wolf (*virtually*), Councilperson Gansowski, Councilperson Judd, and Councilperson Sullivan. (*Note: Councilperson Wolf was present virtually during the two hearings but did not participate. At the opening of the regular Town Board meeting, upon the Board's adoption of "Written Procedures Governing Videoconference Meeting Participation by Members of Public Bodies in the Town of Copake and to Amend the Town of Copake Policy Manual" Councilperson Wolf joined the meeting as a participating, member, present virtually*)

Present: Town Clerk, Lynn Connolly, and Town Attorney, Jonathon Tingley present via Google Meet

Supervisor Mettler states that the monthly meeting will begin at 7:00pm but before that she opens the first Public Hearing at 6:30pm for purposes of receiving public comment regarding the 2023 Preliminary Budget.

Supervisor Mettler states that this information has been distributed to the Town Board and has been posted publically and opens the Public Hearing for comment.

Supervisor Mettler notes that both the meeting and the hearing's this evening are being conducted in person and are also accessible through Google Meet via the town Owl such as the public that is meeting remotely can see the Town Board. The access information to the Google Meet has been publicized. We have properly noticed both the Budget Hearing and also the hearing regarding the Local Law.

Supervisor Mettler makes a special note and will discuss further later, that this meeting is being recorded and all meetings that are recorded must also be posted within five business days.

Public Forum

Councilperson Gansowski asks how much the gas budget was increased for next year.

Supervisor Mettler states that this was discussed at the budget meeting and the question was asked whether, if gas, fuel, or energy goes up can the town absorb that. The town accountant, Robert Patterson's response was unequivocally, yes. The budget is flexible enough to absorb increased costs.

Councilperson Gansowski questions the numbers of the band shell and the cold storage building.

Supervisor Mettler states that by passing this budget, they are not committing themselves to any future projects much less the numbers that are projected.

Supervisor Mettler mentions that there are still ARPA funds available that could possibly be used for the band shell to complete the project. Supervisor Mettler agreed that \$200,000 seemed high but this was the cost she found in her research- at least as to a prefab building. We are not committed to this cost- any decisions as to whether to build and what to build would be subject to Board approval.

At this time, the Town Board has a brief conversation regarding the budget to actual reports for September that they have just received from Robert Patterson. Supervisor Mettler will discuss this later in the meeting.

(At this time, it was realized that the OWL was not working properly but still continued with Google Meet.)

Ken Dow joins the meeting.

Supervisor Mettler does not close the hearing on the Budget but opens the second Public Hearing on a Local Law to Amend the Copake Zoning Code in Relation to Cannabis Retail Businesses and welcomes back Ken Dow.

Supervisor Mettler mentions that she and Ken Dow have spoken about this law and has distributed this information to the Town Board but the upshot of this conversation is that we cannot adopt this law this evening because this still has to go to the County Planning Board to vote on it.

Supervisor Mettler asks Mr. Dow to explain what this law does and what it doesn't do and where we are at with it.

Ken Dow states that all it does is limit the Zoning Districts in which retail cannabis dispensaries can be located. The town has already chosen not to opt out so the question of whether or not these retail dispensaries are allowed in town has already been taken care of, that is a past action and the town chose to allow them. The question is where they might go. Currently, they would just be classified as general retail because they don't fit into any other particular category and with general retail, they can go into the highway business, the hamlet business, and mixed use business but also in the hamlet district. What this does is that it tightens it up just a little bit. It removes the hamlet district from the districts in which they can go. In every case they would need a special use permit so they would have to come in and submit their zoning plans. The only restriction is that they would have to close a 9:00pm. Mr. Dow states that it makes sense to carve out a different category for itself.

Councilperson Gansowski mentions that he is not in favor of having this in the hamlet at all or any place basically and would rather see if anything it go in agricultural areas where it can be farmed and rent out to another business with a dispensary. Councilperson Gansowski knows this can't be done by law but would rather see it this way.

Mr. Dow mentions that is a separate thing and briefly discusses the statue of the law.

Supervisor Mettler states that in full disclosure, she and Mr. Dow have discussed this issue at length. Supervisor Mettler has spoken to the Manager of Intergovernmental Affairs, Phil Rumsey, at the Office of Cannabis Management and when she told him that the town was wrestling with this issue he said that in fact it might be permissible to allow a rental because the landlord doesn't have an interest in the business they are simply collecting a set rent monthly and it is not contingent with the success of the business.

Supervisor Mettler suggests that being this cannot be adopted tonight because it still has to go to the County and suggests that we hear on anyone who wants to speak on the Cannabis Law now and otherwise table this until next November and perhaps by November we will get some more clarity. Supervisor Mettler states that a decision will not be made during the hearing but her suggestion is once the meeting starts, this be tabled.

Supervisor Mettler confirms with Mr. Dow that if this is tabled until November, there is not a need for another Public Hearing.

Mr. Dow presents the Town Board with a CAF document because it is a local law which needs to be signed by Supervisor Mettler. It is town background information. Supervisor Mettler signs the document.

Supervisor Mettler closes the Public Hearing on the Local Law to Amend the Copake Zoning Code in Relation to Cannabis Retail Businesses.

Supervisor Mettler gives the public another opportunity to speak on the Budget Hearing in which no one does and closes the Public Hearing on the Budget Hearing.

Hilarie Thomas asks if cannabis retail businesses are allowed in rural district. Mr. Dow replies no.

REGULAR MONTHLY MEETING

Call to Order

Supervisor Mettler calls to order the regular monthly Town Board meeting and opens the Town Board meeting with the Pledge of Allegiance at 7:00am.

Supervisor Mettler announces again that this meeting is being conducted in person. It is also accessible through Google Meet. The access information has been publicized and notes that the proceeding will be recorded and the recording will be posted on line within five business days.

Procedures for Videoconference Participation/Resolution

Supervisor Mettler has circulated and distributed the procedures for videoconference participation earlier to the Town Board and just today she and Mr. Tingley spoke again and amended the procedures slightly.

Mr. Tingley advises the Town Board how the procedures were amended.

Resolution #29 of October 13, 2022

To Adopt Written Procedures Governing Videoconference Meeting Participation by Members of Public Bodies in the Town of Copake and to Amend the Town of Copake Policy Manual

TOWN OF COPEN
RESOLUTION Number 29 of October 13, 2022

To Adopt Written Procedures Governing Videoconference Meeting Participation by Members of Public Bodies in the Town of Copake and to Amend the Town of Copake Policy Manual

WHEREAS, pursuant to Local Law No. 3 of 2022, the Town Board enacted Article IV of Chapter 12 of the Town of Copake Town Code, entitled "Attendance by Members of Town Boards, Commissions, Committees, and other Public Bodies at Meetings By Videoconference"; and

WHEREAS, pursuant to said Local Law, and in accordance with Public Officers Law § 103-a, the Town Board of the Town of Copake seeks to adopt written procedures governing attendance at meetings via videoconference by members of public bodies of the Town of Copake and by the public; and

WHEREAS, in conjunction with the adoption of such written procedures, the Town Board of the Town of Copake seeks to make corresponding amendments and additions to the Town of Copake Policy Manual; now, therefore,

It is hereby **RESOLVED**, that the Town Board adopts the "Procedures for Member Videoconferencing Pursuant to Public Officers Law § 103-a" annexed hereto; and

It is hereby further **RESOLVED**, that the Town Board amends the Town of Copake Policy Manual as follows:

1. Section IV, Paragraph A is hereby amended to add the following at the end thereof:

"For purposes of this section, the supervisor, a deputy supervisor, and any board member may be deemed "present" where they are in attendance in person, or are participating by videoconference in accordance with Chapter 12, Article IV of the Town of Copake Town Code and the Procedures for Member Videoconferencing Pursuant to Public Officers Law § 103-a. Any presiding officer participating by videoconference may yield the responsibility of serving as presiding officer of the meeting to another person that would otherwise be authorized to serve as presiding officer in the absence of such yielding presiding officer."

2. Section IV, Paragraph D, subparagraph 7 (c) is hereby amended to read in its entirety as follows:

"c. Resolutions shall be introduced by the sponsoring member, followed by discussion, motions, and voting."

3. Section IV is hereby amended to add a new Paragraph G, to read in its entirety as follows:

“G. Videoconference Participation

In accordance with Article IV of Chapter 12 of the Town of Copake Town Code, any board member (including the supervisor and deputy supervisor) may attend and participate in meetings of the Town Board by videoconference in accordance with the Procedures for Member Videoconferencing Pursuant to Public Officers Law § 103-a, as may be amended from time to time, a copy of which is included in the Appendices.”

4. A new Appendix L is hereby added to consist of a complete copy of the Procedures for Member Videoconferencing Pursuant to Public Officers Law § 103-a, as adopted herein and as may be amended from time to time.

And it is hereby **FURTHER RESOLVED**, that this Resolution shall be effective immediately upon adoption.

Roll Call Vote The foregoing Resolution, offered by Supervisor Mettler and seconded by Councilperson Gansowski, was duly put to a roll call vote as follows:

Resolution #29
Dated October 13, 2022
Copake, New York

Roll Call Vote.	Supervisor Mettler	yes
	Councilperson Wolf	did not vote
	Councilperson Gansowski	yes
	Councilperson Judd	yes
	Councilperson Sullivan	yes

Lynn M. Connolly, Town Clerk

(seal)

October 13, 2022

Councilperson Wolf will now be participating remotely.

Approval of Minutes

A motion was made by Councilperson Sullivan and seconded by Councilperson Wolf to waive a further reading and accept the Minutes as written for the Town Board meeting of September 8, 2022 subject to the correction of the date of the NY Forward meeting on page 11 of the draft minutes of September 8, 2022.

All in favor. Motion was approved.

A motion was made by Councilperson Wolf and seconded by Councilperson Sullivan to waive a further reading and accept the Minutes as written for the Town Board meeting of September 20, 2022.

All in favor. Motion approved.

Announcements

There is a Career Fair at Columbia Greene Community College on September 27, 2022.

There are openings on the Board of Assessment Review, Park Commission, Planning Board, and Zoning Board and we are accepting letters of interest until October 17, 2022, likewise for the Bicentennial Committee returnable until October 27, 2022.

Bryan Van Tassel, coach of the Taconic Hills Modified Football team has offered his football team to rake leaves for seniors.

Councilperson Sullivan announces that the Park Commission has coordinated an event "Trunk or Treat" which was started because of COVID to be held on Saturday, October 29, 2022, the time to be determined. Supervisor Mettler mentions that the Copake Connection comes out tomorrow and to get the information to the Town Clerk so she can add it in.

Correspondence

From-PERMA, letter regarding legislation

From-Tessa Edick of Farm On!, letter redirected to the Planning Board

From-BAR, email, letter of recommendation to reappoint William Newcomb to the Board of Assessment review

From- Suzette Booy, Director of Columbia County Real Property Tax Service Agency, email regarding the expiration of terms

From-Kevin McDonald of the Office for the Aging, letter regarding the scheduling of two Public Hearings

From-Howard Blue, email regarding intern

From-Patrice Perry, Director of Columbia County Planning Department, letter regarding 30-day application period for landowners to request to be included in an existing state-certified agricultural district

From-Office of Cannabis Management, email regarding a farm tour on October 7th at 11:30am

From-Jolene Race, Director of Solid Waste Administration, notice that bags will no longer be sold after September 29, 2022

From-Young at Hearters, letter of thanks

From-County Treasurer, PJ Keeler, letter regarding the chargeback to the Rescue Squad

From-Thomas Goldsworthy, letter of thanks for the support for the Roe Jan Ramble

From-Office of the NYS Comptroller, email regarding September AIM

From-Several letters from citizen's regarding the Speed on County Route 7

From-Sara Traberman and Stephen Futrell, letter to NYS government representative regarding the project area Shepherd's Run

From- Charter Communication, several letters regarding status change

From-Grant Langdon, over 24 letters and emails that are kept on file

Supervisor's Report

In the past week, the town of Copake has been visited twice by members of New York State government. On October 7, members of the board of the new Office of Cannabis Management and the Cannabis Control Board visited a small farm just up the road from Town Hall. Today, members of NYS Empire State Development came to Copake to tour the Hamlet of Copake in relation to our [Grant Application](#) under NY Forward.

Friday's tour highlighted a small farm owned by husband and wife team Jasmine Burems and King Aswad. The couple is farming land which is part of the Copake Town Center Farm. NYS officials were in Copake to applaud the couple's venture in growing cannabis.

As this brand-new industry takes off, New York State says that it is seeking to achieve social equity and create a "national model for [a] safe, equitable and inclusive industry." Both Ms. Burems and Mr. Aswad are black, and spoke eloquently about how exciting it was as minority farmers to be part of this new industry. The State's presentation stressed the potential economic impact of this new industry. I was pleased to welcome these new farmers to our community.

Today members of the New York State Empire State Development team participated in a tour of the Copake Hamlet, visiting various businesses which are included in the Town's NY Forward [Grant Application](#). If the Town is successful Copake could be awarded a grant in the amount of between 2.5 million and 4.5 million. The funds can be used for local business projects and also public works projects.

In this regard, huge thanks must go to Margaret Irwin of River Street Planning who has assisted the Town pro bono. Additionally, the Town owes huge gratitude to Roberta Roll, who, as a member of CEDAC, has spearheaded and shepherded this entire effort. Roberta, we cannot thank you enough.

It is expected that the Town will learn the results of the application later this year.

Finally- news from the Board of Supervisors. Last night I spoke against and voted against a resolution to eliminate \$1 tags for garbage and charge \$3 for a 30 gallon bag. The County has been losing a large

amount of money and has attributed the “hemorrhaging” to the people who toss in garbage without any tags, or toss is great big bags with only a \$1 tag. I argued that eliminating the \$1 tag only penalizes the people who were obeying the rules and that it would not resolve the cheating which is the real problem and would continue. I was not successful.

Solar Report October 2022-Councilperson Wolf

On September 27th, the NYS Office of Renewable Energy Siting (“ORES”) told Hecate Energy Columbia County that the information most recently submitted by the Chicago-based developer was insufficient for ORES to conclude that Hecate’s siting permit application for Shepherd’s Run was “complete”. ORES issued a second “Notice of Incomplete Application”, and required Hecate to provide another supplemental submission addressing each “deficiency” described in a 17-page Hecate to-do list.

Here’s a brief recap of Hecate’s efforts to get State approval to construct and operate a 60-megawatt capacity, utility-scale solar facility on 228 acres of mostly prime farmland in Craryville:

January 2020: Under Article 10 of the Public Service Law, Hecate starts its quest for a siting permit by filing a Public Information Program (PIP) Plan

August 2020: Still under Article 10, Hecate files its Preliminary Scoping Statement with the State Board on Electric Generation Siting and the Environment

May 2021: Hecate switches to the streamlined permitting processes of Section 94-c of the Executive Law

March 8, 2022: Hecate files its application with ORES

May 9, 2022: ORES issues first Notice of Incomplete Application and gives Hecate a 20-page to-do list

July 29, 2022: Hecate resubmits application with additional information

September 27, 2022: ORES issues second Notice of Incomplete Application

So, two years and nine months into its efforts to get the State’s approval to build a large solar energy facility in Craryville, Hecate now has been told that its application requires considerably more work: internal inconsistencies need to be explained and resolved and vague summary claims need to be replaced by clear, data-supported statements capable of analysis and verification by ORES’ staff. Only then can ORES “complete its review and make a recommendation approve or deny the requested Siting Permit.”

An example of Hecate’s lack of specificity in its application concerns something I have been addressing in my Solar Updates for many months: Hecate’s unwillingness to incorporate most of the *ad hoc* Working Group’s recommendations into the Shepherd’s Run proposal. In its Supplemental Application response to ORES’ *first* Notice of Incomplete Application, Hecate vaguely asserted that it already had made significant changes to the proposal in response to the Working Group’s recommendations. To its credit, ORES refused to accept Hecate’s broad claim. Instead, it directed Hecate to “specifically identify and reference the Working Group’s recommendations” that it has adopted. And when Hecate provides specifics, ORES will learn what we already know: that Hecate is unresponsive to the community’s biggest concerns about Shepherd’s Run because maximizing profits outweighs Hecate’s so-called desire to be a “community partner”.

At previous Town Board meetings, I have bemoaned Hecate's unwillingness to adopt recommendations from the *ad hoc* Working Group, citing in particular the proposed creation of a 300-acre community-accessible green space to protect view sheds, effectively screen many of the solar arrays from nearby homes, and offer nature walks and bicycling trails to Copakeans and visitors. *Hecate refuses to adopt this visionary recommendation*, which could turn Shepherd's Run from an eyesore into a tourist attraction. *And Hecate refuses to provide financial compensation for homeowners* with properties that would be most directly and adversely impacted by Shepherd's Run.

ORES is requiring Hecate to provide much more information about Shepherd's Run's likely impact on view sheds, and is requiring visual simulations of viewpoints that we've long requested Hecate to provide.

The potential negative impacts on wetlands and local waterways — in particular Taghkanic Creek, an important source of drinking water for Hudson — from construction and operation of Shepherd's Run, has been raised anew by a group of concerned Copakeans. And this evening the Town Board will adopt a Resolution calling on ORES to continue to deem Hecate's Shepherd's Run application incomplete unless and until Hecate can prove conclusively that there will be no negative impact on water quality. In the meantime, Copake's Environmental Engineering firm is conducting a comprehensive review of this critical issue.

As proposed, Shepherd's Run is too big and poorly sited for our small town. We will continue to pursue all avenues to resolve our concerns. ORES appears to be taking a careful look at what a 60 Megawatt solar installation would mean for our rural community, but we object to both the process by which its regulations were adopted, and the substance of those regulations (which were written by an energy industry consultant with Hecate as a client!). Our pending appeal of the lawsuit challenging the ORES regulations proceeds.

Engineer Proposal for Energy Audit of Town Hall and Park Building

Councilperson Gansowski has been working on an energy audit of the Town Hall and Park Building and has contacted GPI Engineering to conduct this study. Dan LaBreck, Senior Mechanical Director/Project Manager with GPI Engineering has suggested and recommended to break this down into two different phases. The first phase, being a NYSERDA flex-tech study that would study both the Town Hall and the Park Building. Mr. LaBreck contacted Ron Schlossberg, Vice President with L & S Engineering Services who provided Mr. LaBreck with a proposal to do both buildings. The way the Flex-Tech Program breaks down is that NYSERDA will pay 50% and the town of Copake would pay 50%. Mr. Schlossberg is on the videoconference and joins the conversation. Mr. Schlossberg, Engineering Consultant of L & S Engineering Services from Clifton Park. They are also a NYSERDA contracting consultant. L & S Engineering has worked on several of these projects with GPI and thought this project would be a great potential to engage NYSERDA to engage their Flex-Tech program which provides 50% cost share with the completion of an energy study.

Mr. LaBreck shares that after phase one of the energy study, they would recommend moving to phase two which would be an implementation of the feasible items from the study. This is a two stage approach.

Mr. Schlossberg discusses the measures that they will be looking for in the two studies. The objective would be looking at the primary energy that is being used and already knowing the HVAC issues they will

be looking at where cold air in the winter would be infiltrating or hot air in the summertime causing excessive energy load and lighting as well and water.

There were questions from the Town Board regarding NYSEDA's funding match and Mr. LaBreck and Mr. Schlossberg will double check on this information and return to the Town Board.

A conversation ensued regarding the energy study that would be funded with the \$8,000 grant from the New World Foundation Local Economy Project for the Energy Audit.

A motion was made by Supervisor Mettler and seconded by Councilperson Gansowski to table this issue until the November Town Board meeting.

All in favor. Motion approved.

Dan Haas mentions to the Town Board that Gwen Menshenfriend has been a huge help with gathering the energy information that they need so they have a good base line for usage that is needed. Mr. Haas also mentions that in terms of getting Climate Smart points, this energy audit will get substantial points, up to 60 points given that they need 120. Mr. Haas mentions that he has been working with Hailey Balcanoff of Capital District Regional Planning and she is an expert on funding and is willing to be in touch with the Town Board regarding this issue.

Department Heads/Committee Reports

None

Public Forum

None

New Business

a. Adoption of 2023 Budget-Supervisor Mettler

Supervisor Mettler states that there was a Public Hearing regarding the 2023 Budget

A motion was made by Supervisor Mettler and seconded by Councilperson Judd to approve the 2023 Preliminary Budget as the final budget.

Roll Call Vote.	Supervisor Mettler	yes
	Councilperson Wolf	yes
	Councilperson Gansowski	yes
	Councilperson Judd	yes
	Councilperson Sullivan	no

Four in favor. Motion approved.

b. Local Law to Amend the Copake Zoning Code in Relation to Cannabis Retail Business-Supervisor Mettler

Supervisor Mettler states that since this has not been considered by the Columbia County Planning Board this will be tabled until the November Town Board meeting. The Town Board agrees.

c. Request for Intern-Town Historian Howard Blue

Howard Blue, Town Historian clarifies that his request to the Town Board is not a request for an intern the intern would come from an agency from the Geneseo College. The intern would be working in the summer of 2023 or the next summer. Mr. Blue mentions that this comes from the Geneseo Semiquincentennial Summer Fellowship Program. This is concerning the 250th Anniversary of the Revolution. An intern would be working with Mr. Blue for approximately 150 hours of the summer of 2023 or 2024. The goal is to present history to as large an audience as possible. Mr. Blue will check into whether this program is flexible and the intern could be working on the town's bicentennial rather than the Revolution, to be determined at a later time.

Mr. Blue mentions to the Town Board that he and Nick Fritsch did the 24 panels for the art exhibit and in coming month's hopes to do another five including the churches, telephone company, and farming. Also, in the coming month's there will be a lengthy report on the arrowheads that were obtained from the Copake Agricultural Center to explore how and where they can be displayed. As Town Historian, Mr. Blue has been telling people that in addition to being a town, Copake has been a destination because some of the wonderful things for tourists and is becoming increasingly destinational with the Iron Works and the trains. Mr. Blue led a tour two weeks ago at the Rhinestrom Hill Audubon Preserves and urges everyone to go and will hopefully invite the Town Board in the spring.

Supervisor Mettler states that this has been distributed to the Town Board and the town attorney. Councilperson Sullivan has some reservations regarding this and Supervisor Mettler has pointed those reservations out to the town attorney who will address this. Mr. Tingley's other concern is regarding insurance and Supervisor Mettler will reach out to our insurance agent. Mr. Tingley has asked if there is something in writing from the program regarding this.

Councilperson Sullivan asks Mr. Blue if he read her return email in which he did. Councilperson Sullivan asks if Mr. Blue has had any experience in supervising students. She has had multiple years of experience in supervising students in the medical field and in the college setting. It can be a lot of work.

Mr. Blue mentions that a professor would be involved as well so two people would be supervising the intern.

Councilperson Sullivan states that Mr. Blue would be the primary person and he would have to sign off on 150 hours and that is a lot to account for. It is a lot of hours and raises the questions of whether the work would be done here at town hall and liability issues. Councilperson Sullivan

states that in these types of situations there are contracts to be signed and there are privacy issues.

Supervisor Mettler suggests to the Town Board to approve moving forward with the intern application subject to receipt of any contract and paperwork described which would then be shown to the town attorney for approval.

A brief conversation ensued

A motion was made by Supervisor Mettler and seconded by Councilperson Gansowski to approve moving forward with the intern application subject to receipt of any contract and paperwork described which would then be shown to the town attorney for approval.

All in favor. Motion approved.

d. Cleaners at Town Park Building

Supervisor Mettler states that the Town Board authorized the Supervisor to hire a cleaner for the Park Building and with the assistance of the Assistant Administrator, Gwen Menshenfriend and Bob Callahan, the lowest bid was from ServPro from Leeds, NY. Supervisor Mettler spoke with George Collins from ServPro today and they will be able to complete the work prior to October 30th when the building will be used for the Laverack Barbeque.

e. Larry Proper Memorial-Saturday, November 26, 2022

Supervisor Mettler states that the memorial for Larry Proper will be held on Saturday, November 26, 2022 at 10:00am. Supervisor Mettler will invite past Supervisor's to speak as well as Vana Hotaling, Lynn Connolly, and Bill Gregory.

Supervisor Mettler suggests that we schedule this as a Special Meeting of the Town Board with the piece of business to pass a Resolution which will honor Larry and then name the Town Clerk's office the Lawrence O. Proper Town Clerk's Office. We will pass the resolution, present it to Teri Proper and then adjourn for refreshments. The Town Board agrees.

f. Park Superintendent Interview-Jeanne Mettler

Supervisor Mettler suggests postponing this for a bit so that it coincides with the interviews for the Bicentennial Committee. These interviews will be held on Tuesday, November 22, 2022 from 10:00am until 12:00pm. The Town Board agrees.

g. Veteran's Day-Honoring Eugene Meenagh

Councilperson Gansowski mentions that a few weeks back he went to the Roe Jan Historical Society's WWII Exhibit. There they had three people related to WWII, Jed Luchow, Ronnie Vincent, and Eugene Meenagh. On October 4th Mr. Meenagh celebrated his 100th birthday. Mr. Meenagh was actually in the war, in the Army Air Corp. He was stationed in China working on planes and he talked about that. Councilperson Gansowski was so pumped up about this presentation that he came back and spoke to Supervisor Mettler about honoring Mr. Meenagh. The Town Board has decided to do a resolution making November 11th Eugene Meenagh day in the Town of Copake. This will be discussed with the town attorney and presented at the Town Board meeting on Thursday, November 10, 2022. The Town Board agrees.

h. Enhanced Police Services

Supervisor Mettler has received a contract from the Columbia County Sheriff. The Sheriff is offering these services to the Town of Copake. The cost would be an hourly rate with an eight hour shift being at least \$303.84 and for the most experienced officer it would be up to \$491.04 plus mileage.

Supervisor Mettler has sent this agreement to the Town Board. The consensus of the Town Board is that we pay enough taxes and they should be providing the Town with routine police services. There is a substation right in Hillsdale. This will be marked off of the Agenda.

i. NYS Deferred Compensation Plan-Supervisor Mettler

Supervisor Mettler mentions that Highway Supervisor Gregory brought this to her attention and has asked the Town Board to consider this. Supervisor Mettler has distributed this to the Town Board. Supervisor Mettler has asked our accountant Robert Patterson and our attorney, Jon Tingley if they have any reservations regarding this plan. The accountant does not have any and Mr. Tingley then explains what the plan is and advises the Town Board that if the town is interested in joining or allowing it's employees to participate in the NYS Deferred Compensation Plan that it would have to adopt a resolution electing to participate and for any unionized employees, the town would need to authorize a memorandum of agreement with the union authorizing the town to provide that option to the union employee.

Mr. Tingley's understanding is that there is no expenditure to the town.

A brief conversation ensued.

Supervisor Mettler asks Mr. Tingley to prepare a resolution for all employees and a Memorandum of Agreement for the union for the next Town Board meeting in November. The Town Board agrees.

j. Chargeback Agreement-Community Rescue Squad

Tabled until the November Town Board Meeting.

k. Trunk or Treat

A motion was made by Councilperson Gansowski and seconded by Councilperson Wolf to approve the Trunk or Treat Event planned for October 29, 2022.

All in favor. Motion approved.

l. Light Parade

Councilperson Sullivan mentions that the Park Commission is planning the light parade for this year and is requesting from the Town Board \$500 for supplies, treats, and prizes. The date to be determined.

A motion was made by Supervisor Mettler and seconded by Councilperson Gansowski to approve the 2022 Light Parade in the Town of Copake and \$500 for supplies, treats, and prizes, the date to be determined.

All in favor. Motion approved.

m. Holiday Trees 2022-Roberta Roll

Ms. Roll states that the Grange is doing the trees this year. They've ordered trees from Seekonk in Great Barrington. It has been very, very difficult to find trees this year because of the shortage of trees, the price of trees, and size of trees. They will be decorating them on December 3rd which is the same day as the Grange Open House. There will be festivities as well. The dedications \$30 each and this can be done at the Town Clerk's office or Dad's Diner. All of the dedications this year will go on the trees around the Copake Memorial Clock.

Supervisor Mettler is proposing that the Town purchase three trees for the clock, two trees for the Park and one tree for the triangle in Copake Falls for \$360.

A motion was made by Councilperson Sullivan and seconded by Councilperson Gansowski to purchase six holiday trees for up to \$400 to decorate Town properties for the holidays.

All in favor. Motion approved.

Dan Haas states that the Climate Smart Task Force has been hard at work with various actions. Several of them require actions from the Town Board: one is recycling which Marcia Becker is looking into but they will need a resolution from the Town Board. Another is cooling centers and also excessive heat included in the Emergency Management Operational Guide along with signage. Another is recording Benchmarking. The other is for unified solar permits for backyard solar. These steps will help them get the points to get them to the Bronze level.

Supervisor Mettler asks Mr. Haas to send the Town Board the model resolutions for the first three actions and as to the permit, whatever Mr. Haas, give it to Erin Reis for her to see first.

Mr. Haas asks if this is something that can be done at a regular Town Board meeting.

Supervisor Mettler states that the last one would have to go to the Building Department first and any other department it is referred to but yes to the first three.

Old Business

a. Generator for Town Hall and Park Building-Councilperson Gansowski

Councilperson Gansowski states that the generators are working fine but with that we have to hook up the water pumps from the other building to this one. That should be done next week. Councilperson Gansowski is working on a yearly service agreement for the generators that he will have for the next Town Board meeting in November.

b. Procurement Policy

Tabled until the November meeting.

Resolutions

Resolution Number 30 of October 13, 2022

Opposition to Proposed Siting of the Shepherd's Run Solar Project within the Taghkanic Creek Watershed

Town of Copake

Resolution Number 30 of October 13, 2022
Opposition to Proposed Siting of the Shepherd's Run Solar Project within the Taghkanic Creek Watershed

WHEREAS, on August 5, 2020, Hecate Energy Columbia County 1 LLC did file a Preliminary Scoping Statement pursuant to Article 10 of the New York State Public Service Law, by which Hecate detailed its plans to construct Shepherd's Run Solar Facility, to be sited within the Taghkanic Creek Watershed located in the Town of Copake and Hamlet of Craryville, New York; and

WHEREAS, on May 4, 2021 Hecate Energy Columbia County elected to subject its Shepherd's Run proposal to the 94-c permitting process rather than that of Article 10, and did on March 8, 2022 file a siting permit application with the Office of Renewable Energy Siting pursuant to Section 94-c of the New York State Executive Law; and

WHEREAS, Taghkanic Creek is a waterway designated by the State of New York that flows through the Town of Copake and specifically through the Hamlet of Craryville, and does supply water to the City of Hudson and also supports clean drinking water in Taghkanic, Hillsdale, Claverack, and Copake; and

WHEREAS, in 2022 the Columbia Land Conservancy published the Taghkanic Headwaters Conservation Plan, which seeks to protect the Taghkanic Creek and the Taghkanic Creek's Watershed; and

WHEREAS, on August 11, 2022 the Commissioner of the Department of Environmental Conservation announced the completion of the Taghkanic Headwaters Conservation Plan and applauded the Columbia Land Conservancy for their work in producing this Plan; and

WHEREAS, on August 13, 2022, the Town Board of the Town of Copake voted unanimously to approve the Taghkanic Headwaters Conservation Plan; and

WHEREAS, pursuant to the Codes and Regulations of the City of Hudson, the Taghkanic Creek Watershed is specifically protected by state regulation 10 NYCRR 109.1, which states, "No person, including State agencies or political subdivisions having jurisdiction, shall perform any act or grant any permit or approval which may result in the contravention of the standards for raw water quality..."; and

WHEREAS, neither Hecate Columbia County nor the New York State Office of Renewable Energy Siting have sufficiently considered the Taghkanic Headwaters Conservation Plan, the applicability of 10 NYCRR 109.1, or the potential adverse impacts of the construction and operation of the proposed Shepherd's Run facility on the Taghkanic Creek Watershed and the drinking water of Hudson, Taghkanic, Hillsdale, Claverack, and Copake;

NOW, THEREFORE BE IT

RESOLVED that the Town Board of the Town of Copake urges the New York State Office of Renewable Energy Siting to continue to deem the application of Hecate Energy Columbia County 1, LLC incomplete unless and until Hecate can provide evidence that the construction of Shepherd's Run, and once constructed, the presence of Shepherd's Run, will not negatively impact the Taghkanic Creek Watershed, or the water quality in the City of Hudson or any other Columbia County Town; and it is further.

RESOLVED, that the Town Board of the Town of Copake urges the Columbia County Board of Supervisors to pass a Resolution urging the New York State Office of Renewable Energy Siting to continue to deem the application of Hecate Energy Columbia County 1, LLC incomplete unless and until Hecate can provide evidence that the construction of Shepherd's Run, and once constructed, the presence of Shepherd's Run, will not negatively impact the Taghkanic Creek Watershed, or the water quality in the City of Hudson or any other Columbia County Town.

Roll Call Vote The foregoing Resolution, offered by Supervisor Mettler and seconded by Councilperson Wolf, was duly put to a roll call vote as follows:

Resolution #30
Dated October 13, 2022
Copake, New York

Roll Call Vote.	Supervisor Mettler	yes
	Councilperson Judd	yes
	Councilperson Sullivan	yes
	Councilperson Wolf	yes
	Councilperson Gansowski	yes

Lynn M. Connolly, Town Clerk

(seal)

October 13, 2022

Appointments

A motion was made by Councilperson Sullivan and seconded by Councilperson Wolf to appoint William Newcomb to the Board of Assessment Review.

All in favor. Motion approved.

Budget

a. Preliminary Budget to Actual Report-September

Supervisor Mettler states that the Town Board just received this and it will be dealt with at a later time.

Councilpersons' Reports

Councilperson Gansowski reports he missed last month's ZBA meeting due to health reasons. Councilperson Gansowski has been working on a few things, one of them being the Eugene Meenagh Veteran's Day honor. Councilperson Gansowski has also looked into why there are so many power outages on Farm Road and he thinks this might be because of the campground usage and has reached out to NYSEG to find out what is going on, on Farm Road.

Councilperson Gansowski mentions that he went to the Historical Society's WWII exhibit and they have the best or one of the best WWII displays that he has ever seen. At the end of the presentation, the Historical Society presented Eugene Meenagh with a birthday cake for his 100th birthday with his family from all over present. Councilperson Gansowski gives a big shout out to Lesley Doyel and her husband for doing such a phenomenal job.

Councilperson Sullivan mentions the removal of the porta pottie's at the Park and that the Park Commission's next meeting is Monday, October 17, 2022 at 7:00pm.

Councilperson Judd reports that the Planning Board meeting was one week ago, tonight and mentions that the caboose project at the south end of the hamlet is moving forward. There was a little more talk of the development behind the marina at Copake Lake. Farm On! is looking to put up a new building. The Cannabis Law was also discussed.

Councilperson Wolf mentions that the Short Term Rental Working Group met on September 20th. The next meeting is scheduled for October 25, 2022.

Councilperson Wolf reports that CEDAC met on October 4, 2022 where Roberta Roll updated the efforts with the NY Forward grant application. Ms. Roll and CEDAC Chair Tom Goldsworthy have very much been a part of the development of interest that exists in Roe Jan School site.

Councilperson Wolf reports that there will be a RAC meeting on October 17, 2022.

Supervisor Mettler asks if she is correct that in moving the clock, this is based on a recommendation from Rus Davis. Councilperson Wolf stated yes.

Councilperson Gansowski mentions that the Code Enforcement/Building department has received one applicant for the advertised position and they are hoping to meet with the applicant next week.

Public Forum

Roberta Roll has a comment regarding the \$1garbage bags and thanks Supervisor Mettler for voting against the resolution about the bags.

Approval of Bills

Supervisor Mettler states that the bills were done today.

Meeting Date

Thursday, November 10, 2022, 7:00pm

Executive Session

None

Adjournment

A motion was made by Councilperson Gansowski and seconded by Councilperson Sullivan to adjourn the meeting.

All in favor. Motion was approved.

Respectfully submitted,

Lynn Connolly
Town Clerk