

**TOWN OF COPAKE
RESOLUTION
Number 26 of September 14, 2023**

**To Authorize the Expenditure of Funds from the Town of Copake Capital Improvement Reserve Fund
for Professional Legal Services and Disbursements Costs Relating to the Copake Hamlet Streetscape
and Parking Lots Project, Subject to Permissive Referendum**

WHEREAS, the Town of Copake has authorized and executed an engagement letter (the “Agreement”) with Gilchrist Tingley, P.C. for professional legal services; and

WHEREAS, the services to be provided under the Agreement include legal services in connection with the Copake Hamlet Streetscape and Parking Lots project, which will include improvements of the County Route 7A streetscape (lighting, landscaping, streetscape furnishings and equipment), acquisition of property rights, development of parking lots, and construction of sidewalks (the “Project”); and

WHEREAS, Gilchrist Tingley, P.C. will separately itemize and invoice such legal services and disbursements as may be related to the Project;

WHEREAS, the Project constitutes a capital improvement, as that term is defined under N.Y. General Municipal Law § 6-c (1) (b); and

WHEREAS, the Project is within the scope of the type of capital improvement to be financed under the Town of Copake Capital Improvement Reserve Fund established on June 9, 2016; and

WHEREAS, the cost of professional legal services relating to the Project constitute part of the cost of the capital improvement itself for which funds from the Town of Copake Capital Improvement Reserve Fund may be expended and for which the Town of Copake Capital Improvement Reserve Fund was established; and

WHEREAS, the Town Board finds and determines that the funds of the Town of Copake Capital Improvement Reserve Fund may be used to finance the cost of such professional services under the Agreement as part of the capital improvement project, subject to all applicable requirements under law, including without limitation, such authorization of expenditure being subject to permissive referendum; now, therefore,

It is hereby **RESOLVED**, that pursuant to the provisions of section 6-c of the New York State General Municipal Law, the expenditure of funds for professional legal services under the Agreement in furtherance of the Project is for a proper purpose for which the Town of Copake Capital Improvement Reserve Fund was established; and

It is hereby **FURTHER RESOLVED**, that upon audit and approval of vouchers/invoices presented to the Town Board for such professional legal services and related disbursements rendered in relation to the Project, separately itemized and referable to the Project, the Town Board authorizes the expenditure of funds in amounts as may from time to time be approved by the Town Board, but not to exceed \$10,000.00 without further resolution subject to permissive referendum, from the Town of Copake Capital Improvement Reserve Fund to finance the professional legal services under the Agreement in furtherance of the Project; and

It is hereby **FURTHER RESOLVED**, that this resolution is subject to permissive referendum and shall only take effect as set forth in New York Town Law § 91; and

It is hereby **FURTHER RESOLVED**, that the Town Clerk is hereby directed to, within ten (10) days of the date hereof, post and publish a notice setting forth the date of the adoption of this resolution and containing an abstract of this resolution concisely stating the purpose and effect hereof and stating that the resolution was adopted subject to a permissive referendum.

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

Resolution #26
Dated September 14, 2023
Copake, New York

Roll Call Vote.

Supervisor Mettler
Councilperson Wolf
Councilperson Gansowski
Councilperson Judd
Councilperson Sullivan

Lynn M. Connolly, Town Clerk

(seal)

September 14, 2023