

Town of Copake
Special Town Board Meeting
Tuesday, October 3, 2023
5:30PM

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.

Members Present: Supervisor Mettler, Councilperson Wolf, Councilperson Gansowski, Councilperson Judd, and Councilperson Sullivan.

Present: Town Clerk, Lynn Connolly and Town Attorney, Jon Tingley

Supervisor Mettler welcomes all to the Special Meeting of the Copake Town Board. This meeting is open to the public. The meeting is being recorded and the recording will be posted online within five business days.

Supervisor Mettler opens the Special Town Board meeting with the Pledge of Allegiance.

Supervisor Mettler states that the main reason the Town Board called this meeting was to deal with the Church Street Parking Lot bids but she will start off by offering the Pro Housing Resolution.

Supervisor Mettler has written to the Town Board in regards to this and gives a brief statement in regards to this resolution.

A discussion ensued between Attorney Tingley and the Town Board. This resolution can be rescinded by this Town Board or any Town Board in the future if this resolution stops making sense.

**Town of Copake
RESOLUTION
Number 29 of October 3, 2023**

Pro-Housing Communities Resolution

WHEREAS, the Town of Copake believes that the lack of housing for New York residents of all ages and income levels negatively impacts the future of New York State’s economic growth and community well-being;

WHEREAS, the housing crisis has negative effects at regional and local levels, we believe that every community must do their part to contribute to housing growth and benefit from the positive impacts a healthy housing market brings to communities;

WHEREAS, we believe that supporting housing production of all kinds in our community will bring multiple benefits, including increasing housing access and choices for current and future residents, providing integrated accessible housing options that meet the needs of people with sensory and mobility disabilities, bringing economic opportunities and vitality to our communities, and allowing workers at all levels to improve their quality of life through living closer to their employment opportunities;

WHEREAS, we believe that evidence showing that infill development that reduces sprawl

and supports walkable communities has significant environmental and public health benefits;
and

WHEREAS, we believe that affirmatively furthering fair housing and reducing segregation is not only required by law, but is essential for keeping our community strong and vibrant;

NOW, THEREFORE, IT IS HEREBY RESOLVED that the Town of Copake, in order to take positive steps to alleviate the housing crisis, adopts the Pro Housing Communities pledge, which will have us endeavor to take the following important steps:

1. Streamlining permitting for multifamily housing, affordable housing, accessible housing, accessory dwelling units, and supportive housing.
2. Adopting policies that affirmatively further fair housing.
3. Incorporating regional housing needs into planning decisions.
4. Increasing development capacity for residential uses.
5. Enacting policies that encourage a broad range of housing development, including multifamily housing, affordable housing, accessible housing, accessory dwelling units, and supportive housing.

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 #29

Dated October 3, 2023
Copake, New York

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

Lynn M. Connolly, Town Clerk

(seal)

October 3, 2023

Supervisor Mettler states that the next item to be discussed is the Church Street Municipal Parking Lot.

Supervisor Mettler states that at the previous Town Board meeting the Town Board approved putting this out to bid and refreshes the Town Boards memory with regard to what this project entails which is that the old lot was on both Town property and property previously owned by Charles Peck and currently owned by Erin Moylan. This new lot is being constructed solely on property owned by the

Town of Copake. Erin Moylan has an easement to use the Town property to access her property, and the Town has reached an agreement with Erin Moylan clarifying her access. We are erecting a fence but she will have access to her property. That agreement is being filed with Columbia County.

As to the construction of the lot:

This Board approved putting this project out to bid at our September meeting. The bids were opened yesterday at 2:00pm. There were two bids and they were submitted by A. Colarusso and Son, Inc. and Peter Luizzi & Bros Contracting Inc. The A. Colarusso and Son bid was for \$350,550.00 and the Luizzi & Bros Contracting bid was for \$415,500.00.

This project will be paid for by funds from our Capital Reserve Fund, which was set up for this purpose; to pay for the Town's portion of the Hamlet reconstruction. We have been writing checks of the Reserve funds to pay our engineer and our attorney.

Supervisor Mettler states that she has received a letter from our engineer Ryan Weitz-recommending that we award the bid to A. Colarusso and Son.

Supervisor Mettler states that Part 1 of the SEAF for SEQRA has previously been sent to the Town Board, signed by Supervisor Mettler, and posted online and at this time, the Town Board and Attorney Tingley complete the SEAF Parts 2 and 3.

A motion was made by Supervisor Mettler and seconded by Councilperson Gansowski to adopt a SEQRA SEAF Parts 2 and 3 as prepared by the attorney for the town and to adopt a negative declaration for the proposed Church Street Parking Lot improvement project.

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

Lynn M. Connolly, Town Clerk

(seal)

October 3, 2023

All in favor. Motion approved.

A motion was made by Councilperson Wolf and seconded by Councilperson Sullivan to accept the bid and award Contract No. 1 Church Street lot to A. Colarusso and Son as the lowest responsible bidder and to authorize the Supervisor to execute such contract and other further instruments as necessary.

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

Lynn M. Connolly, Town Clerk

(seal)

October 3, 2023

All in favor. Motion approved.

A brief conversation ensued regarding the timeline of the project.

**Town of Copake
RESOLUTION
Number 30 of October 3, 2023**

**To Authorize the Expenditure of Funds from the Town of Copake Capital Improvement Reserve Fund
for Construction of the Church Street Parking Lot Improvements Project, Subject to Permissive
Referendum**

WHEREAS, the Town of Copake has accepted the bid and awarded a contract to A. Colarusso & Son, Inc. for the construction of the Church Street Parking Lot Improvements (the “Project”); and

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 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 Project, 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 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 or other payment requisitions in accordance with the contract for the Project presented to the Town Board, 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 \$350,550.00 without further resolution subject to permissive referendum, from the Town of Copake Capital Improvement Reserve Fund to finance 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 Supervisor Mettler and seconded by Councilperson Gansowski was duly put to a roll call vote as follows:

Resolution #30

Dated October 3, 2023

Copake, New York

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

Lynn M. Connolly, Town Clerk

(seal)

October 3, 2023

Supervisor Mettler states that regarding the Cold Storage Building, NYSEG has to install the electricity which means running lines up to the cold storage building. There is two parts two this. One is that the town has to pay them and the other is that the town has to give them an easement so that they can do it.

A motion was made by Councilperson Gansowski and seconded by Councilperson Sullivan to approve the payment in the amount of \$8,269.95 to be paid to NYSEG for the connection from School Road up to the Cold Storage Building.

A brief conversation ensued about payment being made before the work is done. Supervisor Mettler will check into this.

All in favor. Motion approved.

Supervisor Mettler states that she received a letter from NYSEG asking the Town Board to sign an easement. This paperwork has reviewed by Jon Tingley.

A motion was made by Councilperson Sullivan and seconded by Councilperson Wolf to authorize the Supervisor to sign the Easement with NYSEG with regard to the School Road property.

All in favor. Motion approved.

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

All in favor. Motion approved.

Respectfully submitted,

Lynn Connolly