

Town Board Meeting
Thursday, November 9, 2023
7:00pm

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, and Councilperson Sullivan. Councilperson Judd attends later in the meeting virtually, but cannot vote.

Present: Town Clerk Lynn Connolly, Attorney Jon Tingley (*virtually*).

Call to Order

At 7:00pm, Supervisor Mettler calls the Town Board meeting to order. Supervisor Mettler opens the Town Board meeting with the Pledge of Allegiance.

Supervisor Mettler mentions that this meeting is being held in person in Town Hall but we are allowing remote access. This meeting is being recorded and the recording will be posted online within five business days.

Approval of Minutes

Supervisor Mettler asks for a motion for approval of minutes for Town Board meeting of October 12, 2023.

A motion was made by Councilperson Gansowski and seconded by Councilperson Sullivan to waive a further reading and accept the Minutes as written for the Town Board meeting of October 12, 2023.

All in favor. Motion approved.

Announcements

Supervisor Mettler announces that Thanksgiving Dinner will be from 2pm until 4pm, hosted by the West Copake Church, free to all, sit down or take out.

Supervisor Mettler announces that some may have noticed the green light in the vestibule of the Town Hall entry. We are participating in Operation Green Light, which is meant to honor Veterans.

Supervisor Mettler mentions that the Poinsettia Club is up and running again. If you know of anyone who might be happy to receive a poinsettia, please call Vana Hotaling, no later than November 20, 2023.

Supervisor Mettler announces that the people of Copake have elected Richard Wolf as Supervisor, Stosh Gansowski to serve another term as Town Board Member, and Bob Haight to serve as Town Board Member. Lynn Connolly has been elected to a second term as Town Clerk and Tax Collector, and Bill Gregory as Highway Superintendent. Judge Hillarie Tomas has been elected to a second term.

Supervisor Mettler has great confidence in the 2024 Board and extends hearty congratulations and good wishes.

Correspondence

Supervisor Mettler mentions that in addition that she is going to refer to, we also have correspondence from Grant Langdon which are kept on file at the Town Hall

From-Barbara Otty, NYS Department of Transportation, letter regarding the speed limit on Orphan Farm Road

From-Columbia County Planning Department, Patrice O. Perry, Director, Memorandum regarding Town of Copake CCCSCTF Representative Nomination

From-Rachel Kenyon Lennox, NYSDEC and EFC, EPG Report Comments

From-Columbia County Board of Supervisors, document regarding incoming mortgage tax

From-State of NY Supreme and County Courts, County of Columbia, letter regarding 2023 Small Claims Assessment Review Proceedings

From-Tom Goldsworthy, email regarding the Citgo Station; sign-Supervisor Metter states that it is the ZBA which has jurisdiction over appeals of decisions by the Code Enforcement Officer. Supervisor Mettler will write to Tom Goldsworthy to advise him that if he wishes to pursue this further, he should write directly to the Zoning Board of Appeals.

From-NYSERDA, email regarding Grant Approval Notification: Clean Energy Communities Program-EV Charging Stations

A motion was made by Councilperson Gansowski and seconded by Councilperson Wolf to accept the NYSERDA grant for \$5,000 to be used for the EV Charging stations.

A brief discussion ensued.

Four in favor. Motion approved.

From-Bob Bisson, email regarding Cinzi Lavin

From-NYS Parks, Recreation and Historic Preservation, letter regarding the Copake Railroad Depot

From-Copake Tennisballs & Friends, letter regarding the condition of the tennis courts; this will be referred to the 2024 Town Board and the Park Superintendent

From-Charter Communications, Notification letter

From-David Harrison, Director of Emergency Management; Supervisor Mettler referred this to the 2024 Town Board

Supervisor's Report

As Deputy Richard Wolf will detail in a few minutes, we were disheartened to receive word that ORES has issued a draft permit to Hecate on October 24.

Late today we received a copy of a letter dated November 7 from Congressman Marcus Molinaro to Governor Kathy Hochul. Referring to the Draft Permit issued by ORES the Congressman states:

"Everything about this proposed energy project is wrong. The project includes the deforestation of 40 acres, the elimination of over 200 acres of usable farmland, is located on a FEMA mapped 100-year flood plain without a mitigation plan, would affect the watershed for the city of Hudson, would completely alter the rural landscape of the Town of Copake, affect resident's home values, and would produce little direct benefits to the community it's built in".

We are very grateful for this strong statement by Congressman Molinaro, and I will write to him to thank him.

What is particularly ironic about the October 24 Draft Permit is that on October 20, just four days before ORES issued its draft permit, Governor Hochul vetoed a bill which would have expedited a planned wind farm off Long Beach on Long Island. The project had been opposed by local residents.

The bill would have allowed the developer to run power cables to transfer energy generated by wind turbines beneath Long Beach to an Island Park substation.

In a letter to the Governor which echoes what we have been saying in Copake, the Long Beach City Council sent a letter to Hochul in July stating that the council was "fully in support of the necessary and urgently needed transition to renewable energy" and was ready to engage with an "offshore wind developer that proposes a reasonable project."

After the Governor's veto the City Council President John Bendo said. "This project failed because Equinor thought they could steamroll their way over Long Beach and do as they please. Our council was proud to stand with our residents in opposition to this, and we are grateful to Governor Hochul for standing with us. We look forward to continuing to keep an open dialogue with her office about this, and many issues facing our residents."

What is noteworthy about the Governor's veto, from our prospective is that she said this: Here, the City Council of Long Beach, the host community for the wind power project, has made clear that while it supports the State's efforts to transition from the use of fossil fuels, it would not support or authorize any alienation of parkland in furtherance of this project," the governor said. "New York State encourages all renewable energy developers to build and maintain strong and continued local support from host communities so that the state can realize the full potential of our green economy and protect New Yorkers from the climate crisis."

We wish that Hecate would be held to the same standard.

Solar Update

On October 24th the New York State Office of Renewable Energy Siting (“ORES”) issued a draft siting permit for Hecate Energy to construct and operate a utility-scale, 267-acre solar energy factory in Craryville. If built, “Shepherd’s Run” would run mostly south of Route 23 along County Route 7, all the way down to Cambridge Road. Its almost 200,000 solar panels, inverters, transmission lines, other equipment, access roads, and laydown yards would be installed mostly on the east side of 7, and a substantial number also would be placed in the large field adjacent to the Taconic Hills School campus, west of 7, between Route 23 and Birch Hill Road.

Along with the draft permit, ORES issued a Notice of Availability of Draft Permit Conditions, Public Comment Period and in-person Public Comment Hearings, and Commencement of Issues Determination Procedure. You can read this Notice, the 92-page draft permit, and other documents, by Googling NYS DMM Shepherd’s Run, clicking on the “Filed Documents” tab, and opening Document 4.

This Notice contains big news. ORES will be conducting public hearings here, in Copake Town Hall, in this very room! An Administrative Law Judge (“ALJ”) from ORES will convene four in-person hearings: two on Tuesday, January 9th, at 1:30 PM and 6:00 PM, and two on Wednesday, January 10, also at 1:30 PM and 6:00 PM. (There also will be two virtual hearings on January 11th.) ORES wants to know what Copakeans think about the Shepherd’s Run proposal and about the draft permit, but ORES is not making it easy to participate. People wishing to speak must register in advance, by no later no later than 10 AM on Monday, January 8th. To register, you must send an email to hearings@ores.ny.gov or call (518) 473-4590; provide your first and last name, the organization you represent if any, address, email address and phone number; reference “Shepherd’s Run public hearings” and the hearing session at which you’d like to speak. Our attorney will ask ORES to allow in-person, same-day signup.

This Notice apparently upset Hecate quite a bit. It actually asked ORES to *change the location* from Copake Town Hall to the Hillsdale Fire Department, claiming incorrectly that the Hillsdale Fire House is closer to the proposed project site than is Town Hall. But Hecate’s real concern was, and is, that Town Hall is not a neutral site, or as our attorney Ben Wisniewski told ORES, “Hecate thinks that holding the public hearing in Copake will result in too many negative comments about the project. This reasoning should be rejected as it is antithetical to fulsome public participation.” The ALJ agreed and rejected Hecate’s request, noting, “The Town Hall is ...a suitable venue. Hecate’s concern... about its suitability in light of the Town’s vocal opposition to the project...is unfounded. We expect all participants in the hearings to conduct themselves in a civil and respectful manner..., regardless of the hearing location.”

A recurring theme of mine has been Hecate’s longstanding unwillingness to communicate with us, Copake’s elected officials. I think this is for two reasons: (1) The Town Board has been unanimous in reflecting the views of the vast majority of Copakeans and, Hecate just doesn’t want to hear what we’ve been saying all along: the proposed project is too big for our small town and is very poorly sited. (2) Hecate is convinced it doesn’t have to deal with us. It need not worry about what Copake thinks, only

what ORES thinks. After all, the siting process is governed not Copake's laws, but by the ORES regulations, which were written by Hecate's energy consultant, and unsurprisingly heavily favor developers over small, rural towns like Copake.

So Hecate largely ignores us, and then claims that it isn't. In a story that aired last Friday on WAMC, Great Barrington's public radio station, a representative claimed Hecate has "had a tremendous amount of interaction with the town over the years going back to 2017. We have been attending *every single town board meeting* to receive constituent feedback and tried to incorporate it into the project". (Emphasis added.) This is untrue and Hecate knows it. When Supervisor Mettler and I met with the new Hecate representatives in September, it was our first meeting since January; before that, sitings of Hecate's former Project Developer at Town Board meetings were very rare occurrences. The September meeting happened only because I initiated it through two supporters of Shepherd's Run with whom Hecate was communicating. At the meeting, the Hecate folks apologized for their failure to communicate.

When it speaks of meetings, Hecate conflates the *ad hoc* Working Group with the Town of Copake. The Hecate representative told WAMC, "We met with working groups, landscaping architects multiple times, and we incorporated...some of their feedback into our landscaping plan... Hecate tried to incorporate as much as it could, while still making the project viable and helpful to achieve the state's clean energy goals."

It is unsurprising that Hecate would rather meet with the Working Group than with us. After all, the remaining Working Group members are supporters of the project who seem quite happy to accept whatever minor commitments Hecate is willing to make. They may disagree with my characterization of Hecate's "commitments" as "minor." But to Hecate, project "viability" means maximizing profits, not investing to protect Copake's environment and character. Hecate's commitments, listed here, cost it very little:

Determine the "continued feasibility" of a co-utilization plan;

Provide landscaping plan updates (Note: which do not include planting mature trees rather than saplings to effectively shield the project from homes directly across County Route 7);

Identify opportunities for "Community Zones," on land belonging to Project landowners but outside of the area required for the operation of the Project where future community uses may be developed by the Working Group in consultation with landowner;

Use wildlife friendly fencing (Note: previously agreed to in meeting with attorneys — not the Working Group);

Financial and other "coordination support" to the Harlem Valley Rail Trail;

"Formation support" for Community Choice Aggregation if Copake were to enact a CCA law (Note: a notion that met with considerable public opposition when presented);

“Create opportunity” for local hiring/procurement (Note: only one or two permanent jobs);

Local fire department support (Note: required by ORES);

Decommissioning security commitments (Note: required by ORES); and,

“Certain additional Project operations commitments,” such as providing an annual report to the Town regarding the operation of the Project.

I urge all interested Copakeans to attend the public hearings in January, and to let ORES know how you feel about Shepherd’s Run and the draft permit. ORES has until August, 2024 to decide whether to grant Hecate a final siting permit.

We continue to explore our options.

Rest assured, this is not over.

Thank you.

Department Heads/Committee Reports

Supervisor Mettler gives a report on the Bicentennial Committee and discusses the Calendar of Events for the celebrations; April 4, 2024, Town Board Meeting Ceremony, April 5-7, 2024, there will be an original play written by Carl Richie, July 6, 2024, there will be a Rail Trail Educational Walk for children, July 13, 2024, there will be a Come Home to Copake Picnic, and on August 17, 2024 there will be a parade in the hamlet of Copake followed by music, food, and fireworks at the Catamount ski area.

A motion was made by Councilperson Wolf and seconded by Councilperson Sullivan to approve the Calendar of Events for the Town of Copake Bicentennial Committee so that it can be posted on the town calendar and publicized.

Four in favor. Motion approved.

Supervisor Mettler mentions that Ms. Nardin has reached out to several fireworks companies, American Fireworks Display in Oxford New York and Fireworks Extravaganza in Paramus New Jersey both of which were unavailable. She has also reached out to Legion Fireworks Company Inc. who gave a quote of \$10,000 which includes a \$1,500 deposit.

A motion was made by Councilperson Gansowski and seconded by Councilperson Sullivan to approve the quote from Legion Fireworks Company Inc. for the amount of \$10,000 including a deposit of \$1,500 and to authorize the Supervisor to execute the contract with Legion Fireworks Inc. upon the approval of our Town Attorney.

Four in favor. Motion approved.

Supervisor Mettler mentions that Councilperson Judd has joined the meeting virtually.

Supervisor Mettler states that regarding the tents, Ms. Nardin received two quotes, one from Cantele Tent Rentals in the amount of \$1,187.50 and a quote from Mahaiwe Tent Rental for \$2,275.90.

A motion was made by Councilperson Sullivan and seconded by Councilperson Wolf to approve the quote from Cantele Tent Rentals in the amount of \$1,187.50 and authorize the Supervisor to execute the contract with Cantele upon the approval of the Town Attorney.

Four in favor. Motion approved.

Supervisor Mettler states that the final quote to be discussed is Wolfgang's Bounce House. Wolfgang's Bounce House is not asking us for anything in writing we just have to let him know to confirm the date.

Supervisor Mettler mentions that she will send Save the Date notices to Senator Hinchey, Assemblyperson Barrett, and Congressman Molinaro. The Town Board agrees.

Supervisor Mettler states that the Historic Markers Project has sent out letters to 50 home owners asking if they want to participate and expects them to send out more.

Supervisor Mettler has written to Ann Cooper from Columbia County Tourism, enclosing an invoice for \$1,000.

Public Forum

Linda Senk states that the draft permit issued by ORES was 92 pages, most of the citizens in Copake do not know what it says, does not know where to look to read it and if they try to read it, they probably do not understand most of the legal language. That is why New York State and Hecate wrote it. They do not want us to know what it says. Ms. Senk suggests that the Town of Copake issue a synopsis of the draft permit and explain in simple terms what the draft permit is so everybody can understand what it says. Over 600 comments were made on the New York State site and were all ignored. Ms. Senk's read on it is that almost all of Copake's laws were not upheld. The explanation given, ORES approves partial relief from the code of the Town of Copake because the code is unreasonably burdensome. Our laws are in place to protect us.

Karen Victoria Sander (Vicky) reads a letter from Congressman Molinaro to Governor Hochul expressing his concern regarding Hecate and Shepherd's Run.

Lindsay LeBrecht thanks those who showed up today to speak against this alleged project. Ms. LeBrecht wants to make it perfectly clear that for those that don't understand it, the Working Group is not representing what most of the people from the town of Copake and anytime she hears it in a document of what Hecate plans on doing with the Working Group. That is not her group that is just a few people. The majority of people are against this and the Working Group does not speak for her group which is Sensible Solar.

Bill Newcomb, Copake resident, wants to let the Town Board know that when he speaks of "politicians", he is not speaking of the Town Board. Whether they agree on something or not, we are all friends and

neighbors. This week Mr. Newcomb had the opportunity to go with Ms. Sander to go and meet Assemblyperson Didi Barrett at 4:00pm. Mr. Newcomb believes in arriving early and arrived at 3:30pm. As he was getting out of his car, his phone rang and the meeting was canceled. Mr. Newcomb did end up speaking with someone named Mark and Mr. Newcomb gave him the business. A column written by Rick Carlin of the Times Union regarding the Working Group bothered him as well.

Dan Haas, resident, wants to set the record straight. Mr. Haas is a member of the Working Group. The Working Group made a concerted effort to reach out to the public. The Working Group had consisted of Scenic Hudson, the Columbia Land Conservancy, Assemblyperson Barrett was part of it, Sensible Solar in fact, was originally a part of it until they departed for reasons they never were clear about so it was a real effort to bring the community around this project and Mr. Haas thinks the Working Group goals are still laudable. Mr. Haas thinks Councilperson Wolf is on record as saying he supports the Working Group goals. Mr. Haas thinks the Working Group is very much being mischaracterized tonight and hopes people will reconsider.

New Business

a. Cold Storage Building- Update Highway Superintendent Bill Gregory

Highway Superintendent Gregory reports that the Cold Storage Building is basically done. All of the construction part has been completed. The overhead doors have been installed. The electric is almost finished, they are waiting for NYSEG to install the two new poles and electric wiring and then the electricians can finish up their work. Highway Superintendent Gregory emailed NYSEG and is waiting for their response.

b. Request to Purchase Equipment in 2024

Highway Superintendent Gregory requests to purchase two pieces of equipment next year; to replace a 2013 GMC pickup truck. It is eleven years old and has over 130,000 miles. Highway Superintendent Gregory sent the Town Board a proposal from Van Bortel Ford for a 2020 Ford truck with a snow plow. That proposal is based on the Onondaga County Contract. Our cost would be \$90,086.24. Just so the Town Board understands, this is the exact same pickup truck that we purchased in 2021 and at the time, we paid less than \$72,000.

A brief conversation ensued.

Highway Superintendent Gregory speaks of the other item that he is requesting, which is to replace the leaf blower that they made in-house at the Highway Department about fifteen years ago. They borrow a commercial blower from the town of Hillsdale. Highway Superintendent Gregory asks the Town Board to allow him to order a John Deere Frontier Blower from John Deere Tractor. This blower is on the state's OGS Contracts, and the purchase price is \$6,827.32.

A motion was made by Councilperson Wolf and seconded by Councilperson Sullivan to authorize the Highway Superintendent to order a 2024F 450Dual Wheel four by four truck. It's a Ford from Van Bortel Ford as well as a John Deere Leaf Blower.

Four in favor. Motion approved.

c. **Band Shell-Update Park Superintendent Bill Gregory**

Highway Superintendent Gregory updates to Town Board of the progression of the band shell which is pretty much the same as last month.

A brief conversation ensued.

Highway Superintendent Gregory informs the Town Board of a budget transfer that will be handled in Resolutions.

d. **Request to make Grant Application-Partners for Climate Action**

Dan Haas of the Climate Smart Task Force requests to make a grant application for Building Decarbonization for \$25,000 based on the Energy Audit that was done in the spring. Mr. Haas is asking the Town Board for a letter authorizing him to apply for the grant.

A brief conversation ensued.

A motion was made by Councilperson Wolf and seconded by Councilperson Gansowski to authorize Mr. Haas to make a request for a grant for Partners of Climate Action in the amount of \$35,000 to cover LED lights.

Four in favor. Motion approved.

Mr. Haas adds that the deadline is November 21, 2023.

e. **Request from Hempire Inc DBA Empire Farm 1830 for Municipal Approval of Change in Schedule for Cannabis Showcase**

A motion was made by Councilperson Wolf and seconded by Councilperson Gansowski to authorize the Supervisor to sign the letter to the NYS Office of Cannabis Management drafted by our attorney which supersedes and amends our previous letter of municipal approval and thereby approves operation of the Cannabis Growers Showcase for 10am to 8pm on Wednesday through Sunday from November 1, 2023 to December 31, 2023 for Hempire Inc. doing business as Empire Farm 1830.

Four in favor. Motion approved.

f. **Community Rescue Squad 2024 Budget and County Chargeback**

Supervisor Mettler states that she and Councilperson Wolf attended a meeting at the Community Rescue Squad. It was a meeting with the board that was led by their president, Rus Davis. They presented their budget which includes an increase but is clearly warranted by their increase in expenses and they do a fabulous job. This is a chargeback which means that the county collects the tax and then they pay it to the Community Rescue Squad. We have an agreement from the Columbia County Treasurer, P.J. Keeler asking for Supervisor Mettler to sign it, to give the county permission to proceed with the chargeback.

A motion was made by Councilperson Sullivan and seconded by Councilperson Gansowski to approve a Chargeback Agreement for 2024 whereby the county will collect the amount of \$304,179 from Copake taxpayers and upon collection will pay that amount to the Community Rescue Squad.

Four in favor. Motion approved.

g. Nomination of Copake representative on Columbia County Climate Smart Community Task Force

This has been tabled until the December 14, 2023 Town Board Meeting.

h. Purchase of Holiday Trees

Supervisor Mettler takes a moment to talk about the tradition of putting up the holiday trees in the hamlet of Copake which goes back about twenty to thirty years that was started by Rus Davis. At that time trees were very inexpensive. After Mr. Davis closed the pharmacy, the next thing was that the Copake Hamlet Revitalization Task Force took it over and they worked with Community Service Inc. in order to again, sell the trees. At present, the price of trees has gone up to \$60 and last year when we really had no plan for how we are going to decorate Copake, Supervisor Mettler reached out to The Grange and happily they were willing to do it. The Grange is happy to decorate the trees but they are not so good at installing the trees. Kindly, Highway Supervisor Gregory has offered to go pick up the trees. So this year The Grange will install the trees but next year, the thought is that Highway Supervisor Gregory says that he would be willing to install the trees and The Grange would decorate the trees. Supervisor Mettler recommends this for 2024.

A motion was made by Councilperson Sullivan and seconded by Councilperson Gansowski to approve the purchase of six holiday trees for the price of \$58 per tree for a total of \$348.

Four in favor. Motion approved.

i. Acceptance of NYSEDA Grant-Clean Energy Communities Program-\$5000

The Town Board accepted the grant in correspondence.

j. TD CD-Maturity November 22, 2023

Supervisor Mettler states that the CD from TD Bank is coming due on November 22, 2023. Supervisor Mettler will return to the Town Board with more information.

k. Stipends

Supervisor Mettler states that the stipends will be paid in the next abstract. According to our Policy manual the stipend is to be paid in the amount set forth in the Organizational Meeting minutes. The stipend for the Town Historian was incorrectly stated as \$425 and the 2023 Budget allowed for a stipend of \$700. There will be a resolution regarding this at the end of the meeting.

l. Scheduling for Review of Abstracts-Thanksgiving Week

Supervisor Mettler states that Gwen will prepare the abstracts on Monday and make them available. Supervisor Mettler asks for the Town Board to sign the abstracts by noon on Tuesday, November 21, 2023.

m. Schedule End of Year Meeting

Supervisor Mettler suggests scheduling the End of Year Meeting on Thursday, December 28, 2023 at 9:00am. The Town Board agrees. The Town Clerk will post the Public Notice.

n. Visa Bill

Supervisor Mettler mentions the Visa bill that is here for the Town Boards approval.

Old Business

a. Church Street Parking Lot

Supervisor Mettler has been notified that the work will begin on Monday.

b. Main Street Lot Septic Inspection

Supervisor Mettler states that the inspection was completed this past Monday and we are waiting on the engineers report as to what their recommendations are.

c. Update on Copake Rapid Care

Supervisor Mettler informs the Town Board that she has been in communications with CEO Dorothy Urshel of Columbia Memorial Hospital and she is now satisfied based on her communications that they are committed to opening, they set up a designated fund for fundraising, and the fundraising is for the purpose of opening.

d. Update on NY Forward

Supervisor Mettler states that we are still waiting to hear back on this.

e. Short Term Rentals Local Law

Councilperson Wolf states that we are still waiting for some new language from Ken Dow. Supervisor Mettler is suggesting a workshop for Tuesday, November 21, 2023 at 11:00am. The Town Board agrees. The Town Clerk will post the Public Notice.

Resolutions

TOWN OF COPEN
RESOLUTION
Number 36 of November 9, 2023

ESTABLISHING A CLIMATE EDUCATION AND ENGAGEMENT PROGRAM

WHEREAS, the Town of Copake is working to achieve a bronze certification for New York State's Climate Smart Communities initiative; and

WHEREAS, education, outreach, and engagement are critical to preparing communities for the effects of climate change and to enlist the public in taking steps to reduce greenhouse gas (GHG) emissions; and

WHEREAS, public engagement initiatives are often most effective when local governments partner with regional planning organizations and/or outreach specialists who can help them reach a wide range of community stakeholders; and

WHEREAS, the Town of Copake wishes to embark on a series of events and communications to engage the residents and visitors to the Town of Copake in an appreciation of the importance of both mitigation of GHG emissions as well as the importance of building resilience to the effects of climate change, and

WHEREAS, PE9 Action: Climate Change Education & Engagement is designated by New York State as a priority action for Climate Smart Communities bronze certification; and

WHEREAS, PE9 Action: Climate Change Education & Engagement requires the establishment of a program to facilitate climate education and engagement;

NOW, THEREFORE, be it

RESOLVED that the Town of Copake shall establish a Climate Change Education and Engagement Program for the purpose of educating the public about climate change mitigation and adaptation; and be it further

RESOLVED that the program shall be headed by two individuals, one of whom shall be the Copake Conservation Advisory Committee Chair or a designee, and one of whom shall be the Supervisor of the Town of Copake or a designee; and be it further

RESOLVED that the program shall act in accordance with the requirements of PE9 Action: Climate Change Education and Engagement and keep records of all efforts to complete the aforementioned action.

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 No. 36
Dated November 9, 2023
Copake, New York

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

Lynn M. Connolly, Town Clerk

seal

November 9, 2023

TOWN OF COPEN
RESOLUTION
Number 37 of November 9, 2023

To Authorize the Expenditure of Funds from the Town of Copake Capital Improvement Reserve Fund for Subsurface Investigation for Parking Lot Improvements Project, Subject to Permissive Referendum

WHEREAS, the Town of Copake has entered into an Agreement with Barton & Loguidice, D.P.C. for Professional Services (the “Agreement”) 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), development of parking lots, and construction of sidewalks (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, in furtherance of the professional services being provided by Barton & Loguidice, D.P.C. for the Project, the Town Board determined it to be necessary and appropriate to authorize a subsurface investigation of suspected existing private sanitary sewage waste disposal systems at the site of one of the proposed parking lots; and

WHEREAS, the Town Board has authorized Barton & Loguidice, D.P.C. to engage Superior Sanitation, Inc. to conduct such subsurface investigation at a cost not to exceed \$4,000.00; and

WHEREAS, the cost of such subsurface investigation services relating to the Project constitutes a cost that is properly incurred in the development of preliminary studies or surveys relative to the Project or in development of the Project itself, and therefore constitutes part of the capital improvement 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 subsurface investigation services 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 the subsurface investigation services in connection with 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 for such subsurface investigation services 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 \$4,000.00 without further resolution subject to permissive referendum, from the Town of Copake Capital Improvement Reserve Fund to finance such services 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 Supervisor Mettler and seconded by Councilperson Gansowski, was duly put to a roll call vote as follows:

Resolution No. 37
Dated November 9, 2023
Copake, New York

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

Lynn M. Connolly, Town Clerk

(seal)

November 9, 2023

**TOWN OF COPAKE
RESOLUTION
Number 38 of November 9, 2023**

To Make Budget Transfers in the 2023 Budget

WHEREAS, the Town Board desires to make various transfers in the 2023 Budget; now, therefore,

It is hereby **RESOLVED**, that the Town Board of the Town of Copake hereby authorizes and directs the following budget transfers in the adopted 2023 Final Budget:

<u>Change</u>	<u>Fund/Line</u>	<u>Description of Fund/Line</u>	<u>Amount</u>
Decrease	A1620.2	Operation of Plant Equipment	(\$100,000.00)
Decrease	A7140.2	Playground and Rec Equipment	(\$16,459.39)
Increase	A5132.2	Garage Capital Outlay	\$116,459.39
Decrease	A7140.2	Playground and Rec Equipment	(\$50,888.62)

Increase	A1320.4	Accountant Contractual	\$10,345.29
Increase	A1670.4	Central Print/Mail Contractual	\$8,474.53
Increase	A1680.4	Central Data Proc Contractual	\$6,382.07
Increase	A5010.2	Street Capital Outlay	\$461.82
Increase	A7520.4	Historical Property Contractual	\$1,557.07
Increase	A7140.4	Playground and Rec Contractual	\$18,536.71
Increase	A7310.1	Youth Program Personnel Service	\$831.13
Increase	A8687.4	Economic Dev Contractual	\$4,300.00
Decrease	DA5142.4	Snow Removal Contractual	(\$20,000.00)
Increase	DA5130.4	Machinery Contractual	\$20,000.00

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 #38

Dated November 9, 2023

Copake, New York

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

Lynn M. Connolly, Town Clerk

(seal)

November 9, 2023

**TOWN OF COPENNY
RESOLUTION
Number 39 of November 9, 2023**

**To Amend Resolution No. 2 of January 3, 2023 Relating to
Town Historian Stipend**

WHEREAS, the Town of Copake Town Board adopted Resolution No. 2 of January 3, 2023 establishing the 2023 salaries and stipends for various officials and employees; and

WHEREAS, the adopted 2023 Budget provided for a stipend of \$700 to be paid to the Town Historian; and

WHEREAS, the stipend established in Resolution No. 2 of January 3, 2023 for the Town Historian was erroneously set at \$425; and

WHEREAS, the Town Board desires to correct Resolution No. 2 of January 3, 2023 to accurately reflect the 2023 stipend for the Town Historian at \$700; now, therefore,

It is hereby **RESOLVED**, that the Town Board hereby amends Resolution No. 2 of January 3, 2023 by replacing the \$425.00 amount established as the 2023 stipend for the Town Historian, with the correct amount of \$700.00;

And it is hereby **FURTHER RESOLVED**, that the amendment effected by this Resolution shall be effective retroactively to January 3, 2023.

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 #39

Dated November 9, 2023

Copake, New York

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

Lynn M. Connolly, Town Clerk

(seal)

Appointments

The Zoning Board of Appeals has made the following recommendations:

Eric Martin to be appointed as a full member with his term expiring December 31, 2024, Barry Dinerstein to be appointed as first alternate with his term expiring December 31, 2026, and Neil Klein as second alternate with his term expiring December 31, 2028.

A motion was made by Councilperson Gansowski and seconded by Councilperson Wolf to make the above mentioned appointments to the Zoning Board of Appeals.

Four in favor. Motion approved.

The Town Clerk will send letters and notify the ZBA.

Budget

a. Preliminary Budget to Actual Report-September 30, 2023

b. Agreement to post Budget to Actual Report

A motion was made by Councilperson Sullivan and seconded by Councilperson Gansowski to approve and post the budget to actual report for September 30, 2023.

Four in favor. Motion approved.

c. Preliminary Budget to Actual Report-October 30, 2023

Supervisor Mettler states that this was distributed just today and will be tabled until the next meeting.

Councilpersons' Reports

Councilperson Gansowski reports that the Knit Club had a sale this past weekend and they sold \$6,000 worth of materials and that money is then donated to the Back Pack Program and to the Food Bank. Councilperson Gansowski mentions that the ice machine is still not working. This needs to be fixed or get a new one. Supervisor Mettler will have Bob Callahan put a sign on it and she will get back to Councilperson Gansowski in December.

Councilperson Gansowski mentions that he went up and checked on the Roe Jan School and thinks this ship has sailed. The school has begun to be boarded up. The first time Brothers Contractors went to do this, eight people ran out of the back of the building. There are mattresses back there and Councilperson Gansowski has taken some pictures of what it looks like. Someone had even started a fire in there to keep warm. This was as of Tuesday. Councilperson Gansowski thinks the Town Board needs to be a little stronger to the person who owns that property, even if it means getting the police involved.

Councilperson Gansowski has asked the Code Enforcement Officer to look deeper into this. Supervisor Mettler states that she has been in contact with the Code Enforcement Officer and Attorney Tingley on this matter.

Councilperson Gansowski mentions that he has spoken with Park Superintendent Gregory regarding cleaning up the Memorial Clock vicinity for Veterans Day.

Councilperson Gansowski mentions that he thinks the Park looks great and asks if we ever received any money from the development at Copake Lake. Supervisor Mettler will look into this.

Councilperson Gansowski mentions the house next to the fire house. He spoke with Mr. Mier and it is going to have six apartments.

Councilperson Sullivan mentions that the Memorial Garden looks amazing. The front of the building looks great. They did a tremendous job. The Park Commission had their Trunk or Treat and all went fine. It was a beautiful day. The Park Commission is going to meet on Monday but would like to make a motion to authorize the Light Parade.

A motion was made by Councilperson Sullivan and seconded by Supervisor Mettler to authorize the Park Commission to have the Light Parade on Saturday, December 9, 2023 at 5:30pm.

Four in favor. Motion approved.

Councilperson Wolf reports that Roads Advisory Committee met on October 25, 2023 for the purposes of having an update on the parking lots. CEDAC met on November 1, 2023 and discussed the unending Pickleball issues.

Councilperson Judd reports that he has nothing else to report.

Public Forum

None

Approval of Bills

None

Next Meeting Date

Thursday, December 14, 2023, 7:00pm

Executive Session

None

Adjournment

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

All in favor. Motion approved.

Respectfully submitted,

Lynn Connolly
Town Clerk