

Town of Copake
Special Town Board Meeting
Friday, February 28, 2024
9:00AM

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 Wolf, Councilperson Gansowski, Councilperson Judd, Councilperson Haight, and Councilperson Morningstar.

Present: Town Clerk, Lynn Connolly

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

This meeting is open to the public. The meeting is being recorded but the workshop will not be recorded. The recording will be posted online within five business days.

Supervisor Wolf states that the main reason for this Special Meeting is discuss the replacement of septic at the Main Street parking lot.

Supervisor Wolf states that a septic system underneath the Main Street parking lot has failed. It needs to be replaced before the lot can be reconstructed. It is our intention to use ARPA funds to pay for the reconstruction of the parking lot itself. The ARPA funds must be committed to contracts by the end of the year or the funds will be taken back by the federal government. Hence, we need to move this process along expeditiously, hence today’s meeting today. The plan is to obtain easements from the landowners and then reconstruct the lot which the town will thereafter maintain. The lot needs to be completed or at least be usable even if a final surface coat isn’t laid down until the spring of 2025, a scenario similar to what has occurred at the Church Street Parking Municipal lot by the time the county begins the 7A roads reconstruction project scheduled, at least for now, to start in the spring of 2025. The first step is a design for the replacement of the septic system. This is a precondition for obtaining a permit from the Columbia County Board of Health to do the work which is required because it is a septic system for a commercial operation. Ryan Weitz of Barton & Loguidice has recommended Teed Engineering to do the design, provide a total cost estimate, and review the replacement system work when completed. The Board members have all received a copy of Teed Engineering’s proposal. The septic replacement will ultimately be paid for with funds from the Capital Improvement Reserve Fund and with a contribution from the owner in an amount to be determined. The contract calls for a retainer which Supervisor Wolf obtained the approval of Attorney Tingley. Attorney Tingley advises that funds for the retainer should be deposited from the towns General Account or procedures approved by town accountant, Robert Patterson. When we authorize payment of Teed Engineering’s invoices, Teed Engineering will draw down against the retainer until it is depleted. The remaining invoice amounts will be paid directly with funds from the Capital Improvement Fund which will replenish the General Account in the amount of the retainer so that the entire cost of this will be paid for out of the Capital Improvement Fund.

A motion was made by Councilperson Haight and seconded by Councilperson Judd to authorize the Supervisor to enter into a contract behalf of the town, with Teed Engineering in an amount not to exceed \$9,700 to design a replacement septic system, the estimate, and view the replacement system when complete.

All in favor. Motion approved.

**TOWN OF COPAKE
RESOLUTION
Number 8 of February 23, 2024**

**To Authorize the Expenditure of Funds from the Town of Copake Capital Improvement Reserve Fund
for Professional Septic Design Services 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 sanitary sewage waste disposal systems at the site of one of the proposed parking lots; and

WHEREAS, as a result of such subsurface investigation, it was determined that one sanitary sewage waste disposal system is located in the area of the proposed parking lot; and

WHEREAS, professional design services are necessary to address such sanitary sewage waste disposal system in furtherance of design and construction of the subject parking lot, and therefore relate to the Project; and

WHEREAS, Teed Engineering, PLLC has submitted a proposal to provide such professional design services; and

WHEREAS, the cost of professional design 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 professional design 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 professional design services for addressing the sanitary sewage waste disposal system 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 professional design 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 \$10,000.00 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 Councilperson Gansowski and seconded by Councilperson Morningstar, was duly put to a roll call vote as follows:

Resolution No.8
Dated February 23, 2024
Copake, New York

Roll Call Vote.	Supervisor Wolf	yes
	Councilperson Gansowski	yes
	Councilperson Haight	yes
	Councilperson Judd	yes
	Councilperson Morningstar	yes

Lynn M. Connolly, Town Clerk

(seal)

February 28, 2024

Supervisor Wolf notes that the Town Board previously received Resolution No. 8 of February 28, 2024.

A motion was made by Supervisor Wolf and seconded by Councilperson Judd to issue a Public Notice to announce the plan and that it is subject to Permissive Referendum for thirty days.

All in favor. Motion approved.

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

All in favor. Motion approved.

Respectfully submitted,

Lynn Connolly