

Public Hearing/Town Board Meeting
Thursday
June 12, 2025
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 Wolf, Councilperson Gansowski, Councilperson Gabaccia, and Councilperson Morningstar; Councilperson Haight, absent.

Present: Town Clerk Lynn DeRocha, Attorney Jonathon Tingley (*virtually*)

Public Hearing

Supervisor Wolf opens the Public Hearing at 6:50pm regarding a proposed special franchise agreement through Spectrum Northeast which is a successor indirect of Charter, our previous agreement having expired. This Public Hearing is being held in person in Town Hall but we are allowing remote access. This Public Hearing gives the opportunity for the public to comment both in person and virtually. This Public Hearing is being recorded and the recording will be posted online within five business days. The Spectrum/Charter Franchise Agreement will be considered later in the meeting.

Matthew Pilkington, Copake resident, states that Spectrum put in a cable on their street, 7A, and he'd like to know if they are the only people allowed to do that under this franchise.

Supervisor Wolf states that no, this is not an exclusive contract. This just provides for an annual fee that they must pay for the equipment that they have on our land, 5% of gross revenue.

Mr. Pilkington states that this is great for the town but heavy on the subscribers and asks if this is normal.

Supervisor Wolf states that yes, a franchise agreement is required and this contract is identical to the previous one.

There being no other speakers, Supervisor Wolf closed the public hearing at 6:58pm.

Call to Order

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

Supervisor Wolf 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

A motion was made by Councilperson Morningstar and seconded by Councilperson Gansowski to waive a further reading and accept the Minutes as written for the Town Board Meeting of May 8, 2025.

Four in favor. Motion approved.

Announcements

Supervisor Wolf announces that Route 23 east of Route 22 in Hillsdale, which had been closed, has been reopened. The town has been informed by DOT, that beginning on June 30th, they will close Route 23 in Copake between County Route 11A and County Route 7. This is the road that goes by the Taconic Hills School campus to the road by the Parker House beyond to replace a covert and that work is going to last until approximately sometime in mid-August.

Supervisor Wolf thank Mike Melnyk for his donation, which is turning into an annual thing, \$200 from proceeds of the tractor pull to pay the camp fee for a youngster who otherwise wouldn't be able to attend. Mr. Melnyk has been doing this for several years and the town is very grateful.

Thanks to the Bank of Green County and to Councilperson Gansowski who attended their ceremony, and awarded the town, where he was given a check for \$1,000 for the Summer Camp Program.

Thanks to Bill Gregory and the Highway Department for a successful Copake Cleanup Day.

The K.I.S.S. program by which people can have important documents with identifying information, shredded. It technically ends tomorrow, but we're closed tomorrow. So that's the end of the program for now.

Congratulations to Councilperson Morningstar and those who pulled off a second successful Pickle Mania event. Councilperson Morningstar scored a second victory and we will hear about that later in the meeting.

Supervisor Wolf announces that there is a young woman named Gabriella Coons who is an Eagle Scout seeking donations on a GoFundMe page. She's hoping to raise as her project for Eagle Scout, \$13,000 to set up a gazebo and landscaping, memorializing fallen soldiers on the VFW Post 7552 project. Anyone who is interested can find that go to her website and see it.

Summer Camp signups continue and Copake residents can sign up from May 12th through June 23rd. The fee is \$100 per camper or \$250 per family. Non-resident signups are from June 2nd until June 23rd. The fee is \$175 or \$350 per family. Registration applications are on the town's website.

The Town of Copake is seeking counselors for the Summer Camp Program. Anyone who is interested, please send a letter of interest to the Town Clerk by 3:00pm on June 23rd.

Supervisor Wolf announces that in approximately two weeks, a contractor retained by Trout Unlimited will be replacing a culvert beneath Valley View Road near the intersection with High Valley Road. This is going to start in about two weeks and the work itself will last approximately 3 weeks and during that time it'll be a single lane only.

On June 28th, and this is important as a critical part of the process to update Copake's 2011 Comprehensive Plan, a Vision and Goals workshop will be held at the Copake Town Hall from 10:00am until noon. The purpose is for residents to learn about the process of shaping an updated plan and to express their priorities for Copake's future. This community engagement meeting is a critical component of the process and we hope that many people will attend to talk about Copake's future. If you cannot attend in person, you can access the meeting remotely. A link will be posted on the town's website. One way or the other, your input is important. There are flyers at the door as well which provide a little bit of additional information about the community workshop.

On June 29th, at 12:30pm, a memorial service and flag dedication in Copake Memorial Park will be held honoring Steven Walsh.

Steven Walsh was a dedicated emergency medical technician with the Claus and Road Cove Community Rescue School. On November 16, 2024, he and his partner responded to a cardiac arrest of a community resident. When they returned from the call to the station, EMT Walsh went into cardiac arrest himself. Despite valiant efforts to save him, he died of a heart attack two hours later. Steven Walsh became Columbia County's first ever line of duty death. The National EMS moving honors ambulance which will honor all 29 EMTs who died in the line of duty in the past year will stop in Copake for the service which will take place in Copake Town Park and if it's raining it will be inside the park building. We hope that many people will attend that.

Correspondence

From-Robert Paterson, Justice Court Audit

From-Chris Grant, Planning Board Deputy Chair, appointment recommendation letter

From-Liana Jensen, Park Commission Chair, appointment recommendation letter

From-Jon Strom, ZBA Chair, reappointment recommendation letter

From-Julie Cohen, Planning Board Chair, resignation letter

From-Assembly Member Didi Barrett, copy of letter of concerns regarding Shepherd's Run that was sent to the director of the New York State Office of Renewable Energy Sighting,

From-Senator Hinchey, statement criticizing O.R.E.S. decision

From-Sensible Solar, comments regarding O.R.E.S decision

From-Senator Hinchey, letter supporting Copake's efforts to obtain a \$533,000 grant from the New York State Office of Parks & Recreation Historic Preservation for improvements to the town park

From-Assembly Member Didi Barrett, letter supporting Copake's efforts to obtain a \$533,000 grant from the New York State Office of Parks & Recreation Historic Preservation for improvements to the town park

From-Eve Albers, letter regarding speed reduction on Center Hill Road

From-Anonymous, letter regarding seeing someone with a golf club whacking rocks and clumps of dirt off of the basketball court

From-Foley Hoag, Hecate's attorney, response letter to the Notice of Incomplete Application

From-100 emails from people, expressing their strong opposition of Shepherd's Run. The concerns remain very high about the project.

Supervisor's Report

Do you have an idea for a project to improve Copake? Is there a program or service you think the town should undertake, an activity you'd like the town to offer or support, or a beautification project you would like to see take shape?

I'm asking now because I've been reminded by Copake's excellent accountant, Robert Patterson, that it is time to begin thinking about next year's budget. Town budgets must be drafted, reviewed, and approved according to a schedule set by New York State.

Over the next several weeks, we will ask Department heads to anticipate their needs for 2026 and submit their budget requests. By the end of July, we will sort through those requests and begin to get a sense of how much (or how little) flexibility we will have to take on some new projects. Before the end of September, we must create a "tentative" budget. Shortly thereafter, the Town Board will revise the tentative budget and prepare a "preliminary" budget. Then, we will announce plans for a public hearing to accept comments on the "preliminary" budget. The public hearing must be held on or before the Thursday immediately following the general election, that is, no later than November 6th.

Based upon the comments we receive at the public hearing, the Town Board may make further revisions to the preliminary budget. This will yield the "final budget, which the Board must approve no later than November 20th.

The 2026 budget will be the blueprint for next year.

Everyone is encouraged to submit suggestions to Town Clerk Lynn DeRocha at copaketownclerk@townofcopake.org, and to do so as soon as possible. Submitting early will ensure that your suggestion receives full and serious consideration.

Help shape Copake's budget priorities for 2026.

Solar Update-June 2025

On May 20th, Hecate submitted its response to the sixty deficiencies cited by ORES in its "Notice of Incomplete Application" (NOIA). Under its regulations, ORES has 60 days to determine whether Hecate's Shepherd's Run application is now "complete". If ORES is satisfied with Hecate's responses, it will grant the developer a draft siting permit for the proposed 42 MW solar factory. If not, it presumably will issue another NOIA and Hecate will be required to address the remaining deficiencies.

Since January, 2020 when Hecate first unveiled its plan to construct a utility-scale solar factory in Craryville, it has been clear that the decision to target hundreds of acres of mostly prime farmland

adjacent to the Taconic Hills School campus and south alongside County Route 7, has been driven by corporate greed.

It is clear because the proposed project site is in exactly the wrong place for Copake, but the best place for Hecate. Why? Because it substantially reduces construction costs by building its solar factory on agricultural lands close by a NYSEG substation. The distance from solar arrays to a transmission connection to the grid (the substation) is an important determinant of construction costs -- the closer the connection, the lower the cost, and the greater the profits for Hecate. And Hecate found willing absentee landowners to lease their agricultural lands to the Chicago-based developer – landowners who are more than willing to destroy Copake’s rural character in exchange for payouts from Hecate.

Is there any doubt that the proposed Shepherd’s Run is all wrong for Copake? Consider a few of the facts:

- the serious fire safety issues arising from the presence of factory components being in close proximity to the school;
- the fact that the Taghkanic Creek, which supplies Hudson with drinking water, flows through the proposed factory site;
- the fact that hundreds of acres of prime farmland will be removed from production;
- the fact that a proposed access road will cross a protected stream and damage wetlands;
- the fact that the property values of homeowners with houses across the road from the proposed site will plummet;
- the fact that a scenic country road, treasured by bicyclists, joggers and hikers for its beauty and tranquility, will be despoiled by thousands upon thousands of solar panels; and,
- the fact that to construct Shepherd’s Run, Hecate must convince the State to override many of Copake’s carefully developed zoning regulations.

None of these facts matter to Hecate in its relentless pursuit of profits. Hecate continues to ignore the concerns of Copake and its residents. To cite one example: its plan to plant saplings and shrubs to screen the solar factory from view will provide virtually no effective screening for many years. The Town has urged Hecate to modify its plans and plant mature trees instead of saplings. This would help to preserve rural character and protect adjacent homeowners. Hecate’s response- Sorry, we can’t. It would cut into corporate profits.

Make no mistake: Hecate will realize huge profits when it sells Shepherd’s Run to an operating company. Rather than empower it to move on and wreck another town’s rural character and environment, New York State should deny Hecate’s application for a siting permit in Craryville.

We will continue to urge the State to do just that.

Supervisor Wolf concludes with reading one of the many [emails](#) that he received.

Department Heads/Committee Reports

Highway Department-Superintendent Bill Gregory
Paving of Valley View Road
Amended 284 Agreement

Highway Superintendent Gregory states that with the passage of the New York State budget last month, he can now complete my plans for our road repairs for this season. In January when he presented the 284 Agreement to the Town Board, it was based on a projected state aid increase, which we're never sure of until the state passes their budget. Superintendent Gregory hoped for a large increase in state aid. The towns increase was an additional \$3,800 over what we received last year. One of the major projects he'd like to do this season is to hot-mix pave the remaining 2400 ft. of gravel road on Valley View Road. Both ends are paved and he'd like to connect the pavements. The Road Repair Reserve which was created in 2020 was designed for this type of project. We last used it in 2023, when they paved the road which was about \$250,000. Right now the reserve has just over \$483,000 in it. Superintendent Gregory has a quote from Colarusso Blacktop for \$139,200 to pave that section. That quote is based on the NYS OGS Contract and it covers our procurement policies. Superintendent Gregory asks the board to consider that.

Supervisor Wolf states that this has to be done by resolution with a permissive referendum. A resolution will be drafted and the Town Board will take this up at the next board meeting and hopefully resolve it then.

Highway Superintendent Gregory mentioned that the state has finalized the towns state aid and every year this time, Superintendent Gregory has to amend that estimated 284 agreement which he's presented to the board and asks the board to approve it.

A motion was made by Councilperson Gabaccia and seconded by Councilperson Gansowski to approve the amended 284 Agreement.

Four in favor. Motion approved.

Public Forum

Matthew Pilkington, resides on County Route 7A, is a proponent of the Shepherd's Run project along with restrictions as comments start to come in. He agrees with the saplings issue. One of the problems that we have in this planet is we don't have enough renewable energy. Mr. Pilkington thinks that among the hundred people who complain there are probably some people who drive Teslas or have other things but there's a lot of misinformation about this stuff. Mr. Pilkington asks if there has been any issue with groundwater issues or fire issues with the solar farms. Mr. Pilkington is not going to call them factories because factory denotes mechanization and he may be wrong here but he owns 30 panels himself and they're incredibly static and didn't manufacture well. Mr. Pilkington asks if there would be any issue with the two solar farms, the one at the end of 11A and 23, and the one at Orphan Farm Road with groundwater issues. The things that were brought up with those two, fire and ground water which

seems to be a big problem with what has been stated with the anti-group to this new project. Are there are there any problems with groundwater and fire issues at those two farms?

Supervisor Wolf states that he does not know the answer to that question. The town has environmental engineers who are reviewing everything that Hecate submitted, including the groundwater issue. He doesn't know that they're looking specifically at those, but they're exploring the issue broadly and Supervisor Wolf imagines that we'll have comments for that when we submit our responses.

Norma Ramos, Copake resident, environmental attorney, an environmental activist, is speaking with respect to Hecate's application. Ms. Ramos is not against renewables, but she is against this solar project. Some may not call it a factory, but it is an industrial plant. Ms. Ramos commends the board for taking such strong and principled and consistent position opposing this because even though most of us agree now that there is of course a climate crisis but we have to be far more thoughtful about how we deal with that climate crisis that is going to affect us in many different ways and the solution is not to allow corporate solar to eradicate pristine farmland. It belongs on rooftops as we all know. It belongs in abandoned industrial sites. But for us to say there's a climate crisis, so go ahead and take 35 to 40 acres of pristine forest and also this particular application violates more environmental regulations than any other of the previous permitted solar projects. It's really critical when we hear attacks against people like myself who oppose this plant to say that we're NIMBY and this really doesn't belong in anyone's forest. This belongs in abandoned industrial sites. It belongs on roof tops, it does not belong in the setting that they have cited it. Ms. Ramos asks this board to take things a little further. There needs to be communication with all of the elected officials on every level of elected officials. The legislation that made us vulnerable to these solar factories, farms, whatever you want to call them, really should have had a tiered siting provision. It should have actually prohibited or at an absolute extreme last resort for it to destroy pristine areas, there should be a tiered siting component. There needs to be communication to all of the elected officials to have amendments to the legislation that has opened the door to the siting of these solar plants that are destroying pristine environments. Ms. Ramos thinks that's a concrete step that should be taken and that's a longer solution. One of the points she's made is we could win this battle of defeating this particular company, but having that substation there means we could win with Hecate today and then tomorrow some other large solar company will say, that's a great location for and this time let's take out three farms so we have to think about short-term solutions, which is your principal position against the permitting of it, but we have to also be working long term because we will remain vulnerable to other predatory solar developers. And one more point, Ms. Ramos asks that everyone look at the wonderful film that was made called Planet of the Humans because she is pro and hasn't met anyone who's stands in opposition to this project that is against renewables but Planet of the Humans has a lot of information in there, that documentary that will tell you that everything about solar is not exactly green. We should all go deeper on this issue about renewables and solar and educate ourselves because the issue is a little more serious than just, we need solar climate, change versus. Please take those steps to communicate that we needed siting in that legislation. Many with most legislation there have to be follow-up amendments because of the unintended consequences.

Supervisor Wolf notes that Senator Hinchey, in particular, is incredibly concerned about this. She's focusing more on the farmland than the forest but has said repeatedly that's not what we should be doing.

Catherine Mikic, former property owner in Copake, is here representing a new grassroots organization called Arcadian Alliance.

Ms. Mikic spoke on behalf of Arcadian Alliance, a new grassroots historic preservation and environmental advocacy organization based on Copake.

Ms. Mikic is here to notify the Town Board that Arcadian Alliance has received through a FOIL request SHPO's Adverse Determination Letter to ORES issued on May 15, 2024, ([letter](#)) relating to five National Register-eligible properties impacted by the Project. **However, this letter has been withheld from the public record, and SHPO's recommendations have remained ignored by both Hecate and ORES for over a year.** In response to the NOIA, Hecate misrepresents SHPO's Mitigation Plan recommendation in their Exhibit 9 Cultural Resources v.2 Revised 05.20.2025, "Impact Mitigation Plan" pp. 15-16. In summary the SHPO letter reads: *"In order to move the Project forward"*, they recommend that Hecate Energy develop a Mitigation Plan for the Project that *"contains meaningful mitigation measures" to "offset what the office believes will be significant visual impact associated with this undertaking"*. SHPO proposes Hecate's outreach to *"a variety of history-based organizations within the impacted communities. The plan should establish specific preservation/history projects and/or funding" and "once developed and agreed upon, include it in the final Cultural Resource Avoidance, Minimization, and Mitigation Plan (CRAMMP) submitted to the Office of Renewable Energy for review and approval."*

Supervisor Wolf asks Ms. Mikic to leave the information for him and the Town Board to review.

Jeff Green, resident, Route 7, is opposed of Shepherd's Run for all of the reasons that were in the letter Supervisor Wolf read, which was great, and maybe should be posted somewhere. Mr. Green is also in favor of decreasing the speed limit on Center Hill Road, especially on Route 7, as there's a row of houses just before you get to the farmland there that are basically a part of Craryville. The speed limit is 55mph and his dog recently got killed there. Mr. Green thinks it should be 30mph.

Supervisor Wolf expresses condolences and asks Mr. Green to provide details so the board can review it and decide if they will move forward on the request or not. Supervisor Wolf advises Mr. Green to have people send in letters of concern as well.

Paulette Bonanno, resident, said it's her understanding that the town of Copake has significant cash reserves and wants to know if there is any exploration of getting control of that substation so that the town can either demolish it or put a covenant or take eminent domain and put it to bed so that it doesn't continue to be a viable site for others too.

Supervisor Wolf states that the problem is that what it does is that is a connection point for electricity that goes all over the place, typically south, down towards New York City, and it's critically important to

NYSEG, and to the whole distribution system. That said, that is not something that the town has explored and probably for that reason.

Victor Goode, resident, has spent many years as a weekender but now a full time resident post retirement. Mr. Goode's been a resident, a taxpayer and a voter up here for about five years now. Mr. Goode wants to underscore one particular point, and commend the board on the excellent report that you made on Hecate and that is that the proposal states that it's going to cut 35 to 40 acres of woodlands. He wants to point out that this is not just clearing of trees. This is this destruction of a habitat that is critical for wildlife of all sorts, birds, mammals large and small and of course insects as well. All that, are part of the complex ecosystem that makes up our forest lands in this entire area. And so the loss of those 35 to 40 acres is not simply the loss of trees or the loss of a view site. It is a loss of life itself in its most complex and essential forms that make Copake in this rural county, as appealing as it is.

Mr. Goode states that it is ironic that a proposal that is designed to help reduce greenhouse gases actually will take out trees, which is one of nature's most effective means of reducing carbon dioxide in our atmosphere. For that reason, Mr. Goode commends Supervisor Wolf's report and emphasizes-lets preserve our forest because we're not just preserving trees, we're preserving an ecosystem.

Karen Sander, resident in Craryville states that a lot of things that she was going to say have already been said very eloquently but wanted to go over some basic facts. On May 20th, Hecate filed their responses to ORES's request for more information for their incomplete application. There is no real good news in this. Nothing really has changed about all the things that the community has spoken to them about. Not only that, but there are new things in there that are very undesirable. The new documents reveal previously undisclosed negative impacts, including that the project is going to generate 1,500 tons of landfill waste and that a road will be built across a protected stream. When they lost that other parcel, they had to downsize and they really didn't reconfigure the plan. In fact, Senator Michelle Hinchey strongly criticized the NYSEDA in a statement saying, "The facts have not changed. Shepherd's Run would industrialize prime farmland, cut into wetlands, and disrupt wildlife habitat, directly contradicting the siting standards of NYSEDA claims to uphold. This is not just some nimbis citizens who are upset about, their fuse shed being ruined. This is our officials taking a risk, weighing in. Nobody wants to be against the Green Project. We all know that the Earth is in trouble because we live on Earth and we've abused it. But how can you destroy nature and rationalize that that's going to be good for nature? When you get all of our elected officials weighing in and it's not just this town, it's all our local towns. Assembly Member Didi Barrett has weighed in on and she's head of the energy commission. So, we're at this point now and it feels like Groundhog Day. This has been going on for a long time. We don't know why Hecate insists on having this site in Craryville. We do know why. It is that substation, but the amount of energy that they are going to contribute is just a drop in the bucket for the destruction that it would cause. It makes no sense. But we're at this point where on May 20th, Hecate gave some of their responses to ORES's notice of incomplete application and from there it's 60 days that ORES has to come upon a ruling which everybody leaves out one of them. I mean one is another notice of incomplete. Another one is that they move the permitting process along, but there is the option that they would turn it down. Ms. Sander is not going to give up on that one because it's the

only one that really makes sense. They're wasting millions of dollars, wasting the town's money, time, and resources. They're draining us dry because their pockets are deeper and all these things are just so offensive.

Ms. Sander really wanted to bring up was the fact that they did not address at all Hudson's drinking water supply, and that comes 100% from the Taghkanic Creek. And should there be a brush fire, which now there's lots of news all over the country that there are fires at these installations. But should there be a brush fire, the 1,400 students; it's adjacent to the central school there where it will remain at risk of smoke inhalation and spreading fire because there is no evacuation plan. There's only an evacuation plan for the employees of Hecate. One of the reasons they said is you can't put out a solar fire, you have to let it burn out. This is one of Hecate's smaller projects that have, sprawling all over the country and it is one of the smallest applications in front of, yet it has the most waiver requests for town ordinances. It's an improper selection for a site of this scale and destruction. And Hecate, you'd be wise to save your money and go home.

Charles Peck, property owner most of his life, has a two-part question to ask. First, what agencies are involved in the final decision? Is it just Copake or is it allowed three or four agencies combined?

Supervisor Wolf states that the answer to that is that Copake does not have much say whatsoever in the decision. The decision is made by the State of New York's Office of Renewable Energy Siting and Electric Transmission.

Mr. Peck asks can the town impact the state of New York.

Supervisor Wolf states that the town has been trying in a variety of ways.

Mr. Peck states that eminent domain is available for the state to use this as a property gathering.

Supervisor Wolf states that they don't need eminent domain because they have absentee landlords who are willing to lease their land for the duration of the project.

Mr. Peck states that the only plus side of this whole thing are the taxes, which would be, based on the value of the construction.

Supervisor Wolf states not necessarily. Something else that the state has done and it's being appealed now, this is a court issue right now, but they attempted to establish a uniform method of special accounting to address the value of those properties for these large scale projects only and take the discretion to do the proper assessments away from the local town assessors. That's a matter that was ruled unconstitutional by a state Supreme Court judge, but it is being appealed right now. We don't know what the outcome will be. There is one state agency that makes a determination and that is the state of New York.

New Business

a. **Franchise Agreement with Spectrum Northeast LLC**

Supervisor Wolf states that Copake's franchise agreement with Charter has expired and we need a new one with Spectrum Northeast which is an indirect subsidiary of Charter. The terms and conditions of this new agreement are the same as those of the expired one. Resolution No. 16 of June 12, 2024 has been drafted in order to proceed.

TOWN OF COPAKE

RESOLUTION

Number 16 of June 12, 2025

To Authorize the Supervisor to Enter into a Franchise Agreement with Spectrum Northeast, LLC, an indirect subsidiary of Charter Communications, Inc. ("Charter") Franchise

WHEREAS, An application has been duly made to the Town Board of the Town of Copake, County Columbia, New York, by **Spectrum Northeast, LLC**, an indirect subsidiary of Charter Communications, Inc. ("Charter"), a limited liability company organized and existing in good standing under the laws of State of Delaware doing business at 2604 Seneca Avenue, Niagara Falls, NY 14305, for the approval of a franchise agreement for Charter's cable television franchise for ten (10) years commencing with the date of approval by the Public Service Commission. The franchise agreement would bring the franchise into conformity with certain provisions of the Federal Cable Communications Policy Act of 1984, as amended and certain court rulings. A public hearing was held in the Town of Copake, New York on June 12, 2025 at 6:50 P.M. and notice of the hearing was published in the Hudson Register Star on May 14, 2025.

NOW, THEREFORE, the Town Board of the Town of Copake finds that:

1. Spectrum Northeast, LLC has substantially complied with the material terms and conditions of its existing franchise and with applicable law; and
2. Spectrum Northeast, LLC has the financial, legal and technical ability to provide these services, facilities and equipment as set forth in its proposal attached; and
3. Spectrum Northeast, LLC can reasonably meet the future cable-related community needs and interests, taking into account the cost of meeting such needs and interests.

BE IT FURTHER RESOLVED that the Town Board of the Town of Copake hereby grants the cable television franchise of Spectrum Northeast, LLC and the Town of Copake for ten (10) years commencing with the date of approval by the Public Service Commission and expiring ten (10) years hence.

BE IT FURTHER RESOLVED that the Town Board of the Town of Copake hereby confirms acceptance of this franchise agreement.

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

Resolution # 16
Dated June 12, 2025
Copake, New York

Supervisor Wolf	yes
Councilperson Gansowski	yes
Councilperson Gabaccia	yes
Councilperson Haight	
Councilperson Morningstar	yes

Lynn M. DeRocha, Town Clerk

(seal)

June 12, 2025

b. Authorize \$500 expenditure by Park Commission for Tractor Pull concession supplies

A motion was made by Councilperson Morningstar and seconded by Councilperson Gansowski to authorize the \$500 expenditure by the Park Commission for Tractor Pull concession supplies.

Four in favor. Motion approved.

c. Banner to advertise Summer Music Program in Copake Memorial Park

A motion was made by Councilperson Gansowski and seconded by Councilperson Gabaccia to authorize the expenditure of \$698.22 to obtain a creation of a banner for the Music in the Park Concerts.

Four in favor. Motion approved.

d. Authorize hiring of consultant for Comprehensive Plan Review Committee

Supervisor Wolf states that the town has completed the solicitation of bids required by this New York State under the terms of the grant Copake was awarded to help fund the hiring of a consultant to work with the committee to update and rewrite our 2011 comprehensive plan. The town received four bids. The board reviewed and scored each one and returned that we should accept River Street's proposal, a decision in which the Department of State assigned revitalization specialist who's working with us on the grant implementation incurs.

A motion was made by Councilperson Morningstar and seconded by Councilperson Gansowski to authorize the supervisor to negotiate and execute a contract with River Street Planning and Development in the amount of \$90,000, 81,000 of which will be reimbursable by the state pursuant to our grant award. The contract period will be from June 1st, 2025 through May 31st, 2028.

Four in favor. Motion approved.

e. Authorize advertising for the Planning Board vacancy

The town board agree to advertise for the Planning Board vacancy.

f. Tax certiorari case-Lazarus et al. v. Assessor

The Town Board has previously reviewed this matter.

A motion was made Supervisor Wolf and seconded by Councilperson Gabaccia to authorize the attorney for the town to settle the tax assessment review proceeding entitled Lazarus at all versus assessor in accordance with the terms of the stipulation of settlement submitted to the board.

Roll Call Vote	Supervisor Wolf	yes
	Councilperson Gansowski	yes
	Councilperson Gabaccia	yes
	Councilperson Haight	
	Councilperson Morningstar	yes

Four in favor. Motion approved.

Old Business

a. Short-term rentals law update

Councilperson Gansowski reports that AZAVAR has picked up as a total after looking everybody in our town, 190 STR's of which only 90 are really complete and use our short-term rentals that are active. There is one in one non-compliant. There's eight new applications pending and there's one in violation. The Code Enforcement Officer sent out new billing for this year. Fifty of the ninety short-term rentals applicants have paid already for this year.

Supervisor Wolf reports on the situation with the county is that the county 4% occupancy tax begins on July 1st. It is on top of the sales tax of 8% that the state is charging STRs. To participate in that program, at some point we are going to have to move our host compliance group from the current one which is AZAVAR to Granicus but it's not yet time to do that. Supervisor Wolf keeps checking with the county and they keep saying hold off. We have a 30-day opt out clause in our contract with that as well and we'll do that in a timely.

Community Preservation Fund

Councilperson Morningstar reports that our special bill, granting Copake authorization to create a CPF has passed both the assembly and the senate. So now it is on its way back to the assembly and then will be introduced to the governor and be signed off on hopefully by year end or vetoed but we'll see. For those who don't know, a community preservation fund is an account that is typically funded by fees associated with real estate taxes and it will give the town the ability to purchase and protect farmland, historic preservation land, and any green spaces. The information on the bill itself is extensive. The committee did it first thinking about farmland, but it's any greenway, and then it's basically a relationship with the Columbia Land Conservancy. They help find farmers and ways for us to use the land once we have it. They've also been used for low-income housing and for all sorts of things.

Just as, back to Hecate, if this had been in place when these talks started, the town would have been able to purchase some of the farmland that Hecate was putting the solar panels on, protect it, and then that would, solve that. They are one step closer but still waiting to hear from the governor as to what will happen.

Supervisor Wolf states that all can say is congratulations because Councilperson Morningstar has put a tremendous amount of work in his and although it's not going to affect the Hecate situation, it certainly will potentially affect Hecate type situations in the future, and it's a great development. Thanks for doing what you're doing.

b. Smart Meters

Councilperson Gansowski reports that NYSEG, New York State Electric and Gas, has started to change out all the old meters on people's houses in Columbia County and other parts of the state which they'll go back and do. They are really moving on this. They have a lot of contractors out that they brought in from out of state and to date, no complaints.

Mr. Tingley advises the board that the Highway Superintendent had mentioned using the road repair reserve fund to pave Valley View Road. A public hearing needs to be held before that resolution can be adopted.

Supervisor Wolf states that he is aware and they are going to wait to schedule because one board member is absent and want to check schedules, get a date, and have the public notices out in advance.

Resolutions

TOWN OF COPAKE

**AMENDED
RESOLUTION**

Number 15 of June 12, 2025

To Amend Resolution Number 14 of May 8, 2025 Authorizing the Town of Copake Supervisor to Enter into an Agreement with the Columbia County Real Property Tax Service Agency for Parcel Data Verification Services in the Town of Copake

WHEREAS, the Town of Copake Town Board adopted Resolution Number 14 of May 8, 2025 relating to Authorizing the Town of Copake Supervisor to Enter into an Agreement with the Columbia County Real Property Tax Service Agency for Parcel Data Verification Services in the Town of Copake; and

WHEREAS, the Town Board of the Town of Copake desires to amend Resolution Number 14 of May 8, 2025 to specify the completion of parcel data verification services in the town of Copake through the **1st day of July 2028**, for a cost not to exceed \$37,906 to be paid over three years beginning in 2026; now, therefore,

BE IT RESOLVED, that Resolution Number 15 of June 12, 2025 is hereby amended; the Town Supervisor is authorized to enter into an agreement with the Columbia County Real Property Tax Service Agency for parcel data verification services in the town of Copake through the 1st day of July 2028, for a cost not to exceed \$37,906 to be paid over three years beginning in 2026.

The foregoing Resolution, offered by Councilperson Morningstar and seconded by Councilperson Gansowski, was duly put to a roll call vote as follows:

Resolution No. 15
Dated June 12, 2025
Copake, New York

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

Lynn M. DeRocha, Town Clerk

(seal)

TOWN OF COPEN

RESOLUTION

No. 17 of June 12, 2025

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. has performed and will continue to perform 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, in addition to amounts previously authorized to be expended from the Town of Copake Capital Improvement Reserve Fund for such services, hereby authorizes the expenditure of funds in such additional amounts as may from time to time be approved by the Town Board, but not to exceed an additional \$1,833.97 beyond previously authorized amounts, 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 Councilperson Gansowski and seconded by Councilperson Gabaccia, was duly put to a roll call vote as follows:

Resolution No. 17
Dated June 12, 2025
Copake, New York

Roll Call Vote.

Supervisor Wolf

yes

Councilperson Gabaccia	yes
Councilperson Gansowski	yes
Councilperson Haight	
Councilperson Morningstar	yes

Lynn M. DeRocha, Town Clerk

(seal)

June 12, 2025

**TOWN OF COPAKE
RESOLUTION
Number 18 of June 12, 2025**

To Authorize the Expenditure of Funds from the Town of Copake Capital Improvement Reserve Fund for Professional Services Related to the Copake Hamlet Streetscape and Parking Lots 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, the cost of professional services relating to the Project as set forth in the Agreement constitute costs that are properly incurred in the development of preliminary studies or surveys relative to the Project or in development of the Project itself, and therefore constitute 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 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 total expenditure of \$41,500.00 for professional 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 for such services in accordance with the Agreement presented to the Town Board, the Town Board authorizes the total expenditure of \$41,500.00 from the Town of Copake Capital Improvement Reserve Fund to finance the professional 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 Councilperson Morningstar and seconded by Councilperson Gansowski, was duly put to a roll call vote as follows:

Resolution No. 18
Dated June 12, 2025
Copake, New York

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

Lynn M. DeRocha, Town Clerk

(seal)

June 12, 2025

A motion was made by Councilperson Gabaccia and seconded by Councilperson Gabaccia to add Resolution No. 19 to the agenda.

Four in favor. Motion approved.

**TOWN OF COPAKE
RESOLUTION**

No. 19 of June 12, 2025

To Make a Budget Transfer in the 2025 Budget

WHEREAS, the Town Board desires to make a transfer in the 2025 Budget to provide additional funding for the concreting of the walkway between the Church Street Municipal Parking Lot and Empire Road, now, therefore

It is hereby RESOLVED, that the Town Board of the Town of Copake hereby authorizes and directs the following budget transfer in the adopted 2025 Final Budget:

<u>Change</u>	<u>Fund/Line</u>	<u>Description of Fund/Line</u>	<u>Amount</u>
Decrease	A917	Unassigned Fund Balance	(\$22,856.25)
Increase	A54102	Sidewalks, Equip & Cap Outlay	\$22,856.25

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

Resolution No. 19
Dated: June 12, 2025
Copake, New York

Roll Call Vote:	Supervisor Wolf	yes
	Councilperson Gansowski	yes
	Councilperson Gabaccia	yes
	Councilperson Haight	
	Councilperson Morningstar	yes

Lynn M. DeRocha, Town Clerk

(seal)

Appointments

A motion was by Councilperson Gansowski and seconded by Councilperson Gabaccia to appoint Vincent Visconti as a member of the Park Commission.

Four in favor. Motion approved.

A motion was by Councilperson Morningstar and seconded by Councilperson Gansowski to appoint Roy Kim as a member of the Planning Board.

Four in favor. Motion approved.

A motion was by Councilperson Gansowski and seconded by Councilperson Gabaccia to appoint Neil Klein as an alternate member of the Zoning Board.

Four in favor. Motion approved.

Budget-Approval of Budget to Actual Reports and agreement to post

a. Preliminary Budget to Actual Report-May 31, 2025

b. Agreement to post Budget to Actual Report

A motion was made by Councilperson Morningstar and seconded by Councilperson Gansowski to approve and post the budget to actual report for May 31, 2025.

Four in favor. Motion approved.

Councilpersons' Reports

Councilperson Gansowski reports that the Park Commission is getting things ready for the summertime which includes; 10 different weekends with music in the park starting June 21st and ending August 23rd. Posters are posted all around town.

Councilperson Gabaccia reports that she participated in the Copake Falls focus group plan as a resident of Copake Falls. It was an awesome experience and highly recommends people come out to the June 28th meeting. It's an opportunity to be heard and hopefully together on their own occasionally, It's a good space to hear what others are worried about or ways we can help each other.

Councilperson Gabaccia is very happy that the Historic Preservation Committee connected with the Roads Advisory Committee and thinks that that's going to be a big plus for the project.

The Historic Preservation Committee has been focused on the green space planning around the clock and they are also coordinating with the CAC for plant material advice and there's sort of an idea for an overreaching design which would incorporate both sustainability and particular design elements of it. This is just framing this we're sort of looking at this as an infrastructure process that's changing roads and this is really like a hundred year project. The committee is really setting up what the middle of Copake is going to be that's probably going to last a hundred years. The committee really needs to look at it and see if there's anything we need to add to it or take care of. It also goes to the issue raised before about Hecate and long range planning, the tiered siting component, the legislation

Supervisor Wolf reports that the Comprehensive Plan Review Committee held the Copake Falls focus group which was its first one. The next one is on July 7th with the Copake Hamlet. Again, just to reiterate June 28th, do come out, we've mentioned it several times. We'll mention it again. We will continue to beat the drum to make sure that people show up because it's really an important step in the process that's going to set up a roadmap for Copake for the next 10 years at least.

Councilperson Morningstar reports the Roe Jan Ramble is scheduled to take place on Saturday, September 20th. CEDAC sent a letter to the Town Board requesting it authorize it as a town event hasn't been brought up and I'm assuming we have gotten okay the event will be very similar to last year's and will benefit the Harlem Valley Rail Trail. CEDAC is also meeting with Chris Brown and Martha Lane from

the Columbia County Economic Development Committee to discuss economic development incentives that might be available to help revitalize vacant properties in Copake.

Councilperson Morningstar was at the Picklemania event. Picklemania was a huge success and ran smoothly. It's really remarkable; they had people there squeegeeing the court before the event early morning. It took all hands on deck to kind of get it off the ground because it poured the day before and it got started by Bob Callahan who wasn't even part of it. Special thanks to Bob Callahan. There were 64 players throughout the area and Berkshire County participated. They raised about \$4,000 that will all be contributed to the park department and a lot of their local charities. and it's a lot of fun. Councilperson Morningstar is excited to just see the growth of it over time because next year will be the third year. He encourages everybody to come out.

Public Forum

None

Approval of Bills

Done

Executive Session

None

Next Meeting Date

Saturday, August 9, 2025, 9:00am

Adjournment

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

Four in favor. Motion approved.

Respectfully submitted,

Lynn M. DeRocha
Town Clerk