

Town Board Meeting
Thursday
August 8, 2026
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: Councilperson Gansowski, Councilperson Gabaccia, Councilperson Morningstar, and Councilperson Haight

Present: Deputy Town Clerk Liana Jensen, Attorney Jonathon Tingley (*virtually*)

Call to Order

At 9:00am, Deputy Supervisor Gansowski calls the Town Board meeting to order, and Deputy Supervisor Gansowski opens the meeting with the Pledge of Allegiance.

Deputy Supervisor Gansowski 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 Gabaccia and seconded by Councilperson Morningstar to waive a further reading and accept the Minutes as written for the Town Board Meeting of Thursday, July 9, 2026.

All in favor. Motion approved.

Announcements

Deputy Supervisor Gansowski announced that the 2026 Music in the Park Concert series continues tonight at 6:00pm.

The Roeliff Jansen Historical Society exhibit is open Saturday and Sunday afternoons through October 4, 2026.

The Zoning Board public hearing regarding the Roe Jan Resort will be on Thursday, August 27, 2026, at 7:00pm.

The Columbia County Hazardous Waste Collection event is scheduled for October 10, 2026 in Ghent at 8:00am until Noon.

The Rock Around the Clock was a big success. Congratulations to all those who promoted this event.

Correspondence

From-Hudson American Legion Post #184, 25th Anniversary 9/11 Remembrance Ceremony

From-Catherine Mikic, resignation letter from Historic Preservation Committee

From-NYS Agriculture and Markets, Municipal Shelter Inspection Report

From-Roe Jan Young at Hearters, donation request letter

From-Town of North East, Notice of Proposed Local Law

From-Town of Copake ZBA, Lead Agency Interest Inquiry

From-Laberge Group, Budgeting for Grant Readiness and Project Development letter

From-MRLP, foreclosure letter

Supervisor's Report

None

Solar Update-May 2026

As reported last month, the decision by the Administrative Law Judges (ALJs) on our "Issues Statement" and application for party status in the Shepherd's Run case confirmed our position that Hecate must obtain from Copake a permit to place solar facility components in floodplain areas. Hecate had vigorously opposed this requirement, arguing unsuccessfully that ORES could waive compliance with Section 135 of the Copake Town Code, just as it waived compliance with most other town law provisions because they were deemed "unduly burdensome."

The ALJs granted Copake "limited party status," ruling that we had raised "significant" issues, but that the issues were legal in nature and could be decided by the ALJs without convening a hearing. We disagree, and on July 24 we appealed portions of the ALJs' decision to the ORES Executive Director (ED). Hecate appealed portions of the decision that went against the developer.

ORES staff filed a reply to both Copake's and Hecate's appeals. Among the points and recommendations staff raised were these:

- the ALJs are correct that Hecate must seek from the town a permit to construct Shepherd's Run in designated flood zones;
- the ORES ED could request the ALJs to publish a revised draft permit, which would include several new site-specific conditions recommended in the ALJs' decision, including a novel requirement that the parties must meet to negotiate a host-community benefit agreement according to a strict time line, with possible involvement of ORES in the process; and

- the ED could consider holding “further proceedings” if he finds that, contrary to the ALJs’ conclusion, there *are* issues of fact raised by the parties concerning wetland delineations. The ALJs ruled that Hecate’s wetland delineations from 2020 are too old to provide currently accurate information, so Hecate must complete new delineations. This could affect where facility components could be placed.

On Monday, August 3, our attorney filed a motion seeking permission to respond to ORES staff. We are hoping to point out that if the ED decides to have the draft permit reissued with significant new or changed site-specific conditions, this must trigger a restart of the entire issues-determination procedure, including the opportunity to petition for party status and to raise factual issues requiring hearings. Given that a final decision on a siting permit must be made by October 8, there isn’t enough time to redo the entire process.

Our motion also points out that ORES staff did not rebut our request to dismiss Hecate’s application with prejudice because of the developer’s bad acts, including its failure to tell ORES that it had lost control of a 60-acre parcel critical to its original 60 MW proposal, which resulted in dismissal of Hecate’s original application. Prior to that dismissal, Hecate claimed it would be impossible to reduce the size of its Shepherd’s Run proposal, only to turn around and submit a 42 MW plan. Furthermore, we want to remind the ED that the New York Power Authority had planned to co-develop Shepherd’s Run with Hecate. After conducting its due diligence review, the Authority changed its mind and decided not to partner with Hecate.

Both Senator Michelle Hinchey and Assemblyperson Didi Barrett have called out Hecate as a bad actor. We agree.

The Copake Town Board continues to urge the ORES Executive Director to dismiss the Shepherd’s Run application with prejudice.

Department Heads/Committee Reports

Conservation Advisory Committee

Brian Bloom, Conservation Advisory Committee Chair, reported on the status of plantings along the walkway between Empire Road and the municipal parking lot. Following a weeding effort, the CAC found that the eight native species planted were healthy, though they require continued protection. To protect the investment, flags have been installed to delimit the beds and prevent lawnmower damage, and the committee plans to coordinate with Bill Gregory regarding winter snow removal strategies to ensure the plants are not damaged by snow blowers or plows.

The board discussed the need for sustainable long-term maintenance for town garden beds, including the potential for spring mulching to inhibit weed growth and the possibility of establishing a volunteer group to assist with gardening tasks. It was suggested that this maintenance program could eventually be expanded to cover future landscaping projects, such as those planned for the memorial clock area.

Public Forum

None

New Business

a. Contract with Young at Hearters

This will be acted upon during Resolutions.

Old Business

None

Resolutions

TOWN OF COPEN
RESOLUTION

Number 22 of August 8, 2026

To Make a Budget Transfer in the 2026 Budget

WHEREAS, the Town Board desires to make a transfer in the 2026 Budget to ensure adequate appropriation is made to fund a contract for services for seniors; 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 2024 Final Budget:

<u>Change</u>	<u>Fund/Line</u>	<u>Description of Fund/Line</u>	<u>Amount</u>
Decrease	A19904	Contingency	(\$300.00)
Increase	A67724	Programs for Aging Contractual	\$300.00

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 No. 22
Dated August 8, 2026
Copake, New York

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

Lynn M. DeRocha, Town Clerk

(seal)

August 8, 2026

Appointments

The Town Board will continue to advertise for members for the Copake Economic Development Advisory Committee, the Conservation Advisory Committee, and Zoning Board of Appeals. Also, the Historic Preservation Committee is urgently seeking members.

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

a. Preliminary Budget to Actual Report-July 31, 2026

b. Agreement to post Budget to Actual Report

Postponed until the September 10, 2026, Town Board Meeting.

Councilpersons' Reports

Councilperson Haight reports several local development initiatives, including the proposed Roe Jan Resort and Wellness project at the Roe Jan School, and a subdivision project on Empire Road that was originally introduced in 2008, and another Wellness Center application by the Copake Lake area.

Councilperson Gansowski reports that the Summer Music program is on tonight at 6pm. Next week is the last week of the Summer Camp program. The painted plows are out for everyone to see.

Councilperson Gabaccia reports the resignation of Catherine Mikic from the Historic Preservation Committee, and emphasized the need for new members. The Zoning Board of Appeals reported that upcoming meetings will be set up with microphones to improve public participation.

Councilperson Morningstar reported the success of the Rock Around the Clock event. CEDAC did not meet this month but Councilperson Morningstar will have more details in September.

Public Forum

None

Approval of Bills

Done

Executive Session

None

Next Meeting Date

Thursday, September 10, 2026, 7:00pm

Adjournment

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

All in favor. Motion approved.

Respectfully submitted,

Lynn M. DeRocha