

Town Board Meeting
Thursday
September 10, 2026
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, Councilperson Morningstar, and Councilperson Haight

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

Call to Order

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

The Board observed a moment of silence to honor the victims and first responders of the September 11 attacks, acknowledging the upcoming 25th anniversary.

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 Gansowski and seconded by Councilperson Morningstar to waive a further reading and accept the Minutes as written for the Town Board Meeting of Thursday, August 8, 2026.

All in favor. Motion approved.

Announcements

Supervisor Wolf announces that school tax bill payments are due by September 30th to avoid penalty.

Sunday, September 13th, at the Copake Memorial Park there will be a tractor pull.

Monday, September 14th at 10am, there will be the adjudicatory or evidentiary hearing that ORES administrative law judges will be conducting concerning two items, that are still at issue on the Shepherd's Run Project.

The K.I.S.S (Keeping the Identities of Seniors Safe) program will run from Monday, September 14th through Thursday, September 24th, 8am-3:30pm, and alternate Saturday's from 9-11:30am.

The Roe Jan Ramble will take place on Saturday, September 19th.

On Saturday, September 26th, Music in the Park features the Heavenly Echoes Gospel Band at 6pm. This is a previously scheduled event that was canceled due to poor weather.

On Saturday, September 26th at The Grange there will be a square dance and ice cream social from 5-8pm.

On Sunday, September 27th, will be the last day that one can submit written comments on the county's plans for the reconstruction of County Route 7A. Copies of those materials are available in the Town Clerk's office. The information is available on the Town Website.

Also on Sunday, September 27th is Jammin' at the Grange from 3:30-5pm.

On Friday, October 2nd is Open Mic Night at the Grange from 7-9pm.

On Saturday, October 10th, the Columbia County Hazardous Waste Collection Day Event will take place; 8am-12pm, 50 Grandinetti Drive in Ghent.

On Saturday, October 31st, there will be a Halloween Costume Party in the Copake Memorial Park from 6-8pm.

On Sunday, November 15th, there will be a Veteran's Day Brunch. Additional information will be posted to the town website as it becomes available.

Correspondence

From-Senator Michelle Hinchey, copy of a letter sent to the interim Executive Director of ORES expressing her continuing opposition to Shepherd's Run

From-Neal Klein, resignation letter from the ZBA

From-Sensible Solar, Alert notification to attend the hearing on Shepherd's Run on Monday, September 14th

From-The Firemen's Home, Notice of an open house on Saturday, September 26th, Howard Avenue, Hudson, 11am-3pm

From-Kelly Nardin, letter regarding shade at the park

From-Jon Strom, ZBA Chair, recommendation letter for two candidates for the Alternate member positions to the ZBA

From-Daniel Schorr, postcard wondering if there is a weight limit on County Route 7A for trucks

From-Copake Planning Board, letter recommending a road name change

From-Columbia County Department of Health, notice that applications for individual sewage treatment systems received by October 1st, will be given priority for witnessing soil tests; applications received after that probably may not be scheduled until the spring of 2027.

From-RUPCO, notification regarding that the Plus One ADU Funding Program is again available; for people who wish to add an accessory dwelling unit to their property; there's up to \$125,000 available to do so

From-Columbia County Board of Supervisors, press release regarding EMS Funding Changes is under consideration

Supervisor's Report

There is a lot going on around here, both in Town and with the County Board of Supervisors. I will briefly highlight a few.

Copake

Let me begin with the arrival of the long-awaited bridge spanning State Route 22 at Black Grocery Road. When workers complete the bed and connect the Rail Trail from Orphan Farm Road to the bridge, cyclists and hikers will be able to ride or walk from Wassaic all the way into Hillsdale. This Rail Trail extension should be open by mid- to late-October. Two Copakeans were involved for years, pushing this project through to completion. Edgar Masters and Jeanne Mettler worked tirelessly to make the new bridge a reality. Thank you both!

At 10 a.m. on Monday morning, Town Hall will be the site of a hearing into issues concerning Hecate's proposed Shepherd's Run project.

The Zoning and Planning Boards are working through issues regarding the proposal to rehabilitate the Roe Jan School building and convert it into a wellness resort, with a hotel, lodges and cabins, swimming pools, tennis and pickleball courts, restaurants, and a spa.

In several weeks, construction will begin on a perimeter path around Copake Memorial Park. The Copake Highway Department will soon receive a new salt storage facility.

Columbia County

And then there is some County business to report on. At the Board of Supervisors meeting in Hudson last night, there were extensive discussions about Flock cameras, a subject that has received extensive media coverage. There had been an allegation that the previous Sheriff had purchased 10 license-plate-reader cameras without following proper procurement procedures. We learned last night that the allegation was unfounded. Simultaneously, it was reported that an Albany County Sheriff's Department investigator allegedly misused data from Flock cameras to track a girlfriend and several others.

Columbia County Sheriff Jackie Salvatore made a presentation to the Board of Supervisor, explaining that the County's cameras had helped her Department solve crimes and had enabled deputies to intervene and prevent a person from committing suicide at the Rip Van Winkle Bridge. She noted that the cameras can only read license plates, that there is no facial-recognition, audio or video component.

She added that the data (pictures license plates) is deleted after seven days. Finally, the Sheriff reported that she had implemented systems to prevent anyone in her Department from misusing data. We also heard from a representative from Flock who refuted claims that Flock sells data obtained from its cameras.

A large, vocal group of citizens attended the meeting. They believe that the County should not be authorizing the use of cameras “to conduct surveillance on law-abiding citizens.” People were invited to address the Board. Several urged it to prohibit use of Flock cameras in Columbia County, reporting that the governors of Florida and Texas had banned the cameras from their states.

Solar Update-May 2026

Administrative Law Judges (ALJs) from the NYS Department of Public Service, Office of Renewable Energy Siting and Electrical Transmission (ORES), will convene an “adjudicatory hearing” beginning at 10am on Monday, September 14 at Copake Town Hall. The public may attend, but no participation is allowed. We have been informed that if anyone disrupts the proceedings, they will be removed from the hearing room.

Two issues will be addressed by experts from Hecate Energy, ORES staff, and the Town of Copake. Here are the issues, and how we got here:

On August 13, ORES Interim Executive Director (ED) Jason Zehr issued a decision that overruled the ALJs’ June 25 decision, which granted Copake “limited party status,” ruling that our Issues Statement raised “significant” issues, but that those were legal in nature, rather than fact issues. The ALJs thus concluded that they could resolve the issues without need for a hearing, and that identified gaps in the record could be remedied by Hecate **after** it received a final siting permit.

The ED disagreed. He ruled that the two “significant” issues we raised were indeed factual, and that a hearing was required before he could determine whether Hecate would receive a final siting permit for Shepherd’s Run. The two issues are: (1) whether Hecate has demonstrated on the record that it complies with Chapter 135 of the Copake Town Code and, if not, whether it must seek a permit from the Town to construct portions of its proposed solar facility in the floodplain; and, (2) whether Hecate’s 2020 and 2021 wetlands delineations accurately identify all of the wetlands within the proposed Shepherd’s Run site.

Copake Town Code – Chapter 135

The ED wrote that, “While the Applicant asserts that the record demonstrates compliance with Chapter 135’s substantive components, the affidavit of the Town’s expert, Johanna Duffy, asserts material factual omissions precluding a finding of compliance,” and that “the Applicant’s evidence shows that several solar panels, associated project components, access roads, and limits of disturbance to be in a FEMA-designated special flood hazard area near the Taghkanic Creek contradicting the Applicant’s expert affidavits assertions of compliance...”

Hecate argues that Chapter 135 can be overridden by the state as being “unduly burdensome,” just as ORES has decided to override many of Copake’s local laws. ORES’ position has been that Chapter 135 cannot be overridden because Copake needs to maintain it to remain eligible for federal flood insurance programs.

Wetlands

The law under which ORES operates requires a finding that a final siting permit ensures that a project will comply with all applicable laws and regulations, and that the burden of proof that the project will comply is on the Applicant (Hecate).

The ED noted that the ALJs had found that the town raised the question of whether the record contains sufficient information about the extent of Hecate’s wetlands mapping (the question of whether its delineations are so old as to be unreliable, and may no longer show current, accurate locations of wetlands, which may move over time), and that Hecate didn’t identify or delineate “wetlands of unusual importance.” He then concluded that the ALJs erred when they wrote that deficiencies in the record could be cured after-the-fact, by a “post permit compliance filing” because such filing might show that the decision to have issued a final permit was “legally erroneous.” The ED wrote, “As the Town correctly observes in its appeal, site-specific conditions are imposed where a complete evidentiary record demonstrates that the uniform conditions are inadequate, *“not as a mechanism to complete the evidentiary record post-issuance of a permit.”* He continues, “(t)he hearing should look at the Town’s evidence, as well as any additional evidence the Applicant provides, to determine whether all wetlands have been or need to be properly delineated such that an evaluation of the draft permit conditions can be made prior to permit issuance.” The ED concludes, “Although I am not making any final determination here, *I note that without such further record development a question exists as to whether permit issuance should occur in this matter.*” (Emphasis added.)

The adjudicatory hearing

On Sept. 14, the adjudicatory hearing for the proposed Shepherd’s Run solar project began at 10am and ended at 8:15pm, with a 50-minute lunch break. Over 100 people attended the marathon event.

Site visit and ALJ ruling

On Sept. 13, I joined Copake’s wetlands and floodplain expert, Ms Duffy, for a visit to the proposed site of the Shepherd’s Run facility. Hecate and ORES representatives attended as well.

Earlier this month, ALJ Leary ruled that conditions Hecate sought to impose on the visit were unacceptable. She wrote that Hecate could not limit us to areas “within or immediately adjacent to delineated wetlands...and... regulated floodplains,” noting that the issues for the hearing are whether the delineations comply with State law and whether the Project complies with Chapter 135.” Judge Leary concluded, “Full access to the project site to fully explore both issues is required...” Whether ORES grants Hecate a final siting permit must be decided no later than October 19.

Supervisor Wolf adds that the Department of Environmental Conservation has jurisdiction over the wetlands and for some reason they had not been properly served in this at all. When Hecate served them, they served DEC incorrectly. They have now been informed and will be at the September 14th hearings.

Department Heads/Committee Reports

Highway Department

Highway Supervisor Gregory reported that the new salt storage building is under construction. They delivered the prefab concrete. Tuesday they will come and set the trusses and fabric. The Town of Taghkanic is on board to help us pave the area. It should be completed by the end of October.

Highway Supervisor Gregory reports that Colarusso and Son Paving is scheduled to do the walking path in early October.

Road improvements and storm cleanup efforts by the Highway Department were praised by the Board.

Highway Supervisor Gregory thanked the Copake Fire Company for being such a huge help to him during the storm.

Public Forum

Lindsay LeBrecht, Craryville/Copake Lake reads a snippet of Senator Michelle Hinchey's letter sent to the interim Executive Director of ORES expressing her continuing opposition to Shepherd's Run.

Ms. LeBrecht thanks the Board for all they do for the town.

Cheri Reed, Park Commission member, wants to know the status of the outdoor bathrooms at the park.

Councilperson Gansowski states that improvements to the park building and bathrooms have been made with the new cleaning service; though there is much more to do. The board is looking into possibly one new bathroom, maybe two.

Councilperson Haight asks what happens if ORES doesn't make a decision by the deadline? Would they get the permit? Supervisor Wolf states that after a year a decision hasn't been reached, it means that the permit is automatically granted.

New Business

Proposed Local Law Establishing Income Levels for Senior Citizen Real Property Tax Exemption
Proposed Local Law Establishing Income Levels for Disabled and Low Income Real Property Tax Exemption

Supervisor Wolf introduces and briefly discusses two proposed local laws; a Proposed Local Law Establishing Income Levels for Senior Citizen Real Property Tax Exemption, and a Proposed Local Law Establishing Income Levels for Disabled and Low Income Real Property Tax Exemption. The Town Board agrees to set a public hearing for the proposed local laws before the next Town Board meeting on October 8, 2026, at 6:45pm.

Park Commission requests

Purchase of Ice Cream Maker

The Park Commission is requesting the purchase of an ice cream maker.

The Town Board clarified that the procurement policy requires soliciting at least two bids for the proposed ice cream maker and advised the Park Commission to return next month with the required information.

Purchase of a Deep Fryer

The Park Commission is requesting the purchase of an air fryer.

There was a discussion on deep fryer safety and liability concluded with a request from the Town Board for more information regarding models and health regulations.

Miscellaneous expenses – Halloween, Christmas

The Park Commission requests \$400 for Halloween decorations. The Town Board agrees.

The Park Commission requests \$600 for supplies for the Veteran's Day Brunch on Sunday, November 15th. The Town Board agrees.

The Park Commission is requesting \$1000 for holiday lighting for the park/walkway, and for a planned upcoming Winter Walk. Park Superintendent Gregory raised security concerns regarding security and night-time lighting; the park closes at dusk; and liability issues. The Town Board asks the committee to provide a concrete proposal for the Winter Walk and park lighting including the budget and placement of the displays, and return next month.

Tulip Festival

The Park Committee proposed planting tulips possibly for a tulip festival or planting in containers for a spring festival. The Board asks the Park commission to create a plan for planting tulip bulbs in containers including costs, local sourcing options, and consultation with the Park Superintendent.

Social Media

Danielle Farwell, Park Commission member, realizes that there is a Park Commission PR position in charge of social media and would like access to reset the Facebook page. The Board agrees, but all proposed social media posts must be sent to the Town Clerk for vetting and posting to the Town website. The social media policy will be reviewed.

Bingo Fundraiser

The Park Commission requests a one day Bingo event.

The Board will investigate whether the town allows bingo events. Town Attorney, Jon Tingley will research the necessary process for state compliance.

Park Commission Meeting Night Change

The Park Commission requests to change the Park Commission meeting night from the third Monday of the month to the fourth Monday of the month; and change it on the website with expiration of member terms. The Board agrees. The Town Clerk requests an email with their changes.

Copake Falls Events

Walk in the Wilderness – Sunday, December 6, 2026

Copake Falls Day – Saturday, July 17, 2027

A motion was made by Councilperson Gabaccia and seconded by Councilperson Morningstar to approve the date of Sunday, December 6, 2026, for the Walk in the Wilderness, and Saturday, July 17, 2027, as the date for the Copake Falls Day; and its designation as a town event.

All in favor. Motion approved.

Old Business

None

Resolutions

**TOWN OF COPAKE
RESOLUTION**

Number 23 of September 10, 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 animal control services; 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 2026 Final Budget:

<u>Change</u>	<u>Fund/Line</u>	<u>Description of Fund/Line</u>	<u>Amount</u>
Decrease	A917	Unassigned Fund Balance	(\$600.00)
Increase	A35104	Animal Control Contractual	\$600.00

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

Resolution No. 23
Dated September 10, 2026
Copake, New York

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

Lynn M. DeRocha, Town Clerk

(seal)

September 10, 2026

**TOWN OF COPAKE
RESOLUTION**

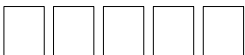
Number 24 of September 10, 2026

To Establish a Standard Work Day and Reporting Resolution for Elected and Appointed Officials

Office of the New York State Comptroller

New York State and Local Retirement System
110 State Street, Albany, New York 12244-0001

Received Date



Please type or print clearly
in blue or black ink

Employer Location Code

SEE INSTRUCTIONS FOR COMPLETING FORM ON REVERSE SIDE

RS 2417-A

(Rev.12/23)

BE IT RESOLVED, that the _____ / _____ hereby established the following standard work days for these titles and will
(Name of Employer) (Location Code)
report the officials to the New York State and Local Retirement based on their record of activities:

Name	Social Security Number	NYSLRS ID	Title	Current Term Begin & End Dates	Standard Work Day	Record of Activities Result	Not Submitted	Pay Frequency	Tier 1
Elected Officials:									
Gwen Menshenfriend			Administrative Assistant	08022-123126	6	5.16	☐	Bi-weekly	☐
							☐		☐
							☐		☐
Appointed Officials:									
							☐		☐
							☐		☐
							☐		☐

I, Lynn M. DeRocha, secretary/clerk of the governing board of the Town of Copake, of the State of New York,
(Name of Secretary or Clerk) (Circle one) (Name of Employer)

do hereby certify that I have compared the foregoing with the original resolution passed by such board at a legally convened meeting held on the 10th day of September, 2026
on file as part of the minutes of such meeting, and that same is a true copy thereof and the whole of such original.

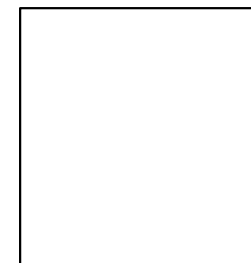
IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Copake on this 10th day of September, 2026,
(Name of Employer)

(Signature of Secretary or Clerk)

Affidavit of Posting: I, Lynn M. DeRocha being duly sworn, deposes and says that the posting of the Resolution began on
September 10, 2026 (Name of Secretary or Clerk)

_____ and continued for at least 30 days. That the Resolution was available to the public on the:
(Date)

- ☒ Employer's website at: townofcopakeny.gov
- ☒ Official sign board at: Copake Town Hall



Appointments

A motion was made by Councilperson Gabaccia and seconded by Councilperson Morningstar to appoint Danielle Farwell as first alternate, term expiring December 31, 2030, and Jason Mato as second alternate, term expiring December 31, 2031, as Alternate members on the Zoning Board of Appeals.

All in favor. Motion approved.

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

The Town Clerk announced the appointment of Marissa Mongiello as Deputy Clerk.

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

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

b. Agreement to post Budget to Actual Report

A motion was made by Councilperson Morningstar and seconded by Councilperson Haight to approve and post the July 31, and the August 31, 2026 Budget to Actual Reports

Councilpersons' Reports

Councilperson Morningstar reported the CEDAC met and reviewed surplus goals. Picklemania has made about \$3,500, so they are putting that surplus back into the park. Rock Around the Clock had a surplus of \$540. CEDAC is hoping to do that again. CEDAC is looking to change the Pickleball event to September because there's less unpredictable weather than in May. CEDAC will attend the Comprehensive Plan Committee meeting in October to gather ideas and determine next steps for the road forward based on the Comprehensive Plan.

Councilperson Gabaccia reports that the CAC did not meet, but they are seeking additional members. Jed Luchow and Catherine Mikic have resigned from the Historic Preservation Committee and attended their last HPC meeting. Councilperson Gabaccia thanks them both for all that they have done. The Historic Preservation Committee is seeking members as well. The biggest thing going on at the ZBA is the Roe Jan Resort. Councilperson Gabaccia thanks Barbara Dokter for sharing the video of the location where Shepherd's Run is proposed. It's the most viewed post that the town of Copake ever had on Facebook with over 31,000 views. Councilperson Gabaccia mentions that there is a movement on Facebook for people to say the name of the people who perished during 9/11. Councilperson Gabaccia will put up a post to that effect. It's a wonderful tribute and helps people not to forget.

Councilperson Gansowski reports thanks the Park Commission for a successful Summer Music program.

Councilperson Gansowski reports that short-term rentals are fully managed by Granicus with 90 active properties and 14 pending. The building department collected \$31,159 last month, including \$17,000 from a single new home.

Supervisor Wolf reports that proceeds from Picklemania and other Pickleball related income will be given to the town. Plans will include the purchase of tennis nets, paddles, and some other things, subject to approval.

Public Forum

Mary Bradway reaffirmed the Park Commission's commitment to developing inclusive facilities for the community. Ms. Bradway noted the prevalence of deep fryers in regional concession stands, and will return with more information.

The Board discussed potential park infrastructure improvements, including the inventory and placement of shade trees.

Approval of Bills

Done

Executive Session

A motion was made by Councilperson Morningstar and seconded by Councilperson Gansowski to go into Executive Session for the purpose of discussing litigation.

All in favor. Motion approved.

At 9:07pm, a motion was made by Councilperson Morningstar and seconded by Councilperson Gabaccia to come out of Executive Session. No action was taken at this time.

All in favor. Motion approved.

There were no decisions made.

Whitney Keefner Road Naming

A motion was made by Councilperson Haight and seconded by Councilperson Gabaccia to authorize the naming of Sheldon Way.

All in favor. Motion approved.

A motion was made by Councilperson Morningstar and seconded by Councilperson Gabaccia to amend the appointment of ZBA Alternate members Jason Mato, to fill the remainder of the unexpired term that ends December 31, 2026.

All in favor. Motion approved.

Next Meeting Date

Thursday, October 8, 2026, 7:00pm

Adjournment

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

All in favor. Motion approved.

Respectfully submitted,

Lynn M. DeRocha