

Town Board Meeting

03/12/2020

Members Present: Supervisor Mettler, Councilperson Wolf, Councilperson Gansowski, and Councilperson Sullivan.

A motion was made by Councilperson Wolf and seconded by Councilperson Gansowski to waive the reading of the minutes of the Regular Town Board Meeting of 02/13/2020 and accept the minutes as written with an amendment on page 10 to include the words "to the 2019 budget."

Roll Call Vote. Motion was approved unanimously.

A motion was made by Councilperson Gansowski and seconded by Councilperson Sullivan to waive the reading of the minutes of the Special Town Board Meeting of 03/12/2020 and accept the minutes as written.

Roll Call Vote. Motion was approved unanimously.

A motion was made by Councilperson Gansowski and seconded by Councilperson Wolf to amend and add a section to the minutes of the Regular Town Board Meeting of 011020 with regards to the Budget transfers section that reads "A motion was made by Councilperson Gansowski and seconded by Councilperson Wolf for approval of transfer of funds from A9060.8 which is medical insurance to A5010.1 which is Highway Salary. All approved. Motion carried."

Roll Call Vote. Motion was approved unanimously.

Announcements

There will be Fool Proof classes at the Roeliff Jansen Library on March 18, 2020 through April 10, 2020, 10:00-11:15AM given by Wendy Garfield (Waldorph).

The Board of Elections is looking for elections workers for both Election Day and the Primary. Please contact if interested.

The St. Patrick's Day corned beef dinner at The Grange has been cancelled. The Library Dine Out continues as follows:

St. Patrick's Day, March 17, 2020, The Clock Tower; March 23, 2020 the Green's ; April 16, 2020 The Swiss Hutte.

Supervisor Mettler states that there is a chicken barbeque on April 11, 2020 at the Copake Firehouse. Eat in or take out.

The Roe Jan Young at Hearers is planning a trip to see Cinderella at the Westchester Broadway Theater on May 14, 2020. They are also planning a trip to Montreal and Quebec City, June 8-12, 2020. Contact the Roe Jan Young at Hearers to sign up for those events.

Correspondence

From New York State Office of Attorney General-sent the Town of Copake \$20.29 because they included us in litigation that was settled regarding a company that was asking for overpayment of computers from 1998-2002.

From Grant Langdon-a couple of letters starting "Where is Copake," distributed to the Town Board.

From The Copake Memorial Park-a letter regarding the Easter Egg Hunt. They are asking for donations.

From Random Harvest- a notice that they filed an application with The New York State Liquor Authority to open a package store.

From Stephen Sanborn- a note complaining about speeding along Route 7 and 7A. Supervisor Mettler states that she has spoken to Officer Kilmer regarding the situation.

From Assembly member Didi Barrett- a note that headlines Comptroller audit shows PSC failed to enforce merger agreements from Spectrum and other providers.

From NYSEG stating that they are setting up a new mobile application to provide customers with an easier way to interface with the company.

From Columbia County a notice that there are certain job openings in the county for individuals between the ages of 18 and 24. Supervisor Mettler states that she can make a recommendation. There are positions available in the Highway Department, Solid Waste, Nutrition, and other departments.

Supervisor's Report

Supervisor Mettler states that last December when she thought about what this Town Board might accomplish in 2020, Coronavirus and dealing with an application for a 700 acre solar panel project in Craryville were not on her list. Supervisor Mettler and the Town Board are working diligently and together to confront both of these new challenges and still do many good things on behalf of the people of Copake.

Supervisor Mettler states that Councilperson Wolf will inform the town regarding the proposed solar project, and the proposed new law regarding solar.

Supervisor Mettler states that on 03/11/2020 she attended a special briefing by the Columbia County Department of Health regarding Coronavirus. The Columbia County Department of Health is taking this situation very seriously. They are working with the New York State Department of Health and Columbia Memorial Hospital to assure that our County is ready to address the needs of the community as we go forward. Although this is a fluid situation, they explained that as of this meeting there were no

confirmed cases in Columbia County but that five people had been tested and were waiting results. None of the cases were what they called “community spread.” Four of the five were travel related cases. They acknowledged that it was one of them could be tested positive.

The Columbia County Department of Health made it clear that tests are available in Columbia County, not for the asking but for persons that meet a certain criteria. Testing is available both at Columbia Memoria Hospital and Rapid Care facility in Copake.

Supervisor Mettler spoke with Rapid Care today and they said that there is a special Hotline for calls regarding COVID 19. If anyone has COVID 19 questions or concerns please call 518-329-5902. It is a 24-hour Hotline which is picked up in Copake from 9:00 am to 7:00 pm. At other times it is picked up in the Emergency Room. If you have concerns that you may have the virus, you **should not** just arrive at the Rapid Care facility. Call the Hotline first, make an appointment and a provider will meet you outside to administer the test.

The Town Board is also concerned about how the Town should react to this outbreak. Columbia County is urging all of its departments to have a COOP-Continuation of Operations Plan. David Harrison, the Director of the County Office of Emergency Management told Supervisor Mettler that Towns should also be thinking about plans and protocols to address this situation. Supervisor Mettler will be asking the Town Board later this evening to appoint a task force to advise her as to what measures the Town should take.

Supervisor Mettler goes on to say that as we move forward, it is clear that the best advice is common sense that we have heard since we were young: wash your hands, cover your mouth when you cough and please stay home if you are sick. This is a time for prudence not panic. To get the most up to date information, call or go to the Columbia County Department of Health website or the NYS Department of Health website. Or speak to your personal physician.

Supervisor Mettler states that this week the Grange decided not to have their St. Patrick’s Day dinner- which was a good decision, but with sad consequences. Supervisor Mettler states that while we find it prudent to cancel social occasions where people gather, we are not only safeguarding the community, we are also isolating members of the community and depriving them of the support and companionship of the community at time when many people are already anxious and afraid. This is especially difficult for senior citizens who may live alone and find themselves in a vulnerable situation.

Supervisor Mettler states that while these cancellations may be necessary, it is also necessary that each of us remembers our neighbors and family and friends and reach out to them if not in person, then by phone or email.

Supervisor Mettler states that we all say it all the time, “one of the best things about Copake are the people who live here and the strong community,” and as we navigate the new circumstances, that community is being put to the test, Supervisor Mettler knows we will rise to the challenge.

Update on Solar Project from Councilperson Wolf

On January 23, Supervisor Mettler, Planning Board Chair Bob Haight and Councilperson Wolf met with several representatives of Hecate Energy, a Chicago based Energy Company. They were informed that they intend to build a 60 Megawatt solar facility in Copake. To generate 60 Megawatts, the facility will require close to 200,000 solar panels. The facility's footprint would take up almost 500 acres within a 900-acre area.

Hecate has been planning this since sometime in 2017. By the time Hecate representatives met with us, they already had entered into, or were in the process of finalizing, lease agreements with local landowners. They had already obtained from a State agency (NYS Energy Research and Development Authority) unspecified credits to help defray their costs.

It is Councilperson Wolf, Supervisor Mettler, and Planning Chair Haight that the electricity generated by new facility would feed into NYSEG's distribution network. Hecate calls the project "Shepherd's Run" because of its stated intention to have sheep grazing under the solar panels to keep down the grass and other vegetation.

Hecate is already conducting required testing of the affected area. Microphones have been set up in the fields adjacent to County Route 8 and on the north side of State Route 23. The microphones were measuring noise levels, although we are informed that solar farms make almost no noise. Councilperson Wolf was also told that a team of biologists have been making observations of the project area, documenting bird flight patterns and nesting areas, in an attempt to determine the likely and potential impacts of the project on area wildlife.

The solar project, although in its early stages, is well underway.

Councilperson Wolf discusses that NYS has one of the country's most ambitious carbon emissions reduction plans, seeking to obtain 70% of NYS electricity from renewable sources by 2030. To this end, current State Law allows developers seeking to build large capacity solar facilities to circumvent most local Town laws and procedures, and instead to obtain approval from a State Siting Board, the "State Board of Electric Generation Siting and the Environment". Under the law, known as Article 10, "large-capacity" means 25 Megawatts or larger. Thus Article 10 encourages developers to "think big" and thereby avail themselves of the speedier and less cumbersome State approval process.

Councilperson Wolf discusses that the Article 10 process allows for some Town participation in the siting and review process. Later in the process, Supervisor Mettler and the Chief Executive of Columbia County will propose nominees to the State Siting Board, so up to two members of the seven-member Siting Board would represent local interests. Councilperson Wolf goes on to say that limited 'intervenor funds' are to be made available by Hecate to Copake and other "interested parties: to pay for legal counsel and studies of the potential impacts of Shepherd's Run on Copake and the surrounding area. However, at \$350 per Megawatt, initial intervenor funds will be capped at \$21,000, and Article 10 would

guarantee Copake only 50%, or \$10,500. Article 10 also provides for a second infusion of intervenor funds further into the process.

Councilmember Wolf does not outline the entire Article 10 process now, because (1) we will all receive a much better explanation from legal counsel who have experience with the process (whom the Town Board is in the process of retaining) and (2) Article 10 may soon be superseded by a proposed new law which, if passed as part of the State budget, would drastically reduce Copake's already limited opportunity to comment upon and hopefully affect the siting and size of Hecate's Shepherd's Run solar project.

Councilmember Wolf goes on to briefly summarize where things currently stand with the solar project.

On January 31, 2020 Hecate formally began the State's Article 10 approval process, by filing its proposed "Public Involvement Program" ("PIP") plan with the State Siting Board. The proposed PIP presents a broad description of the project, identifies "interested parties", lays out a plan for public participation (including open houses and other meetings) and the eliciting of comments, provides Hecate contact information, and lays out a preliminary project schedule. The schedule indicates that Hecate hopes that Shepherd's Run will begin commercial operations sometime in the third quarter of 2022.

On March 2, 2020, the staff of the State Department of Public Service commented on the proposed PIP, making several specific recommendations necessary to make the PIP "more robust". Within 30 days, Hecate must file a final PIP plan, either adopting each recommendation or explaining why it chooses not to do so. The final PIP should be submitted around the end of the month.

The next Article 10 process milestone could occur as soon as the end of June, when Hecate could file its "Preliminary Scoping Statement" ("PSS"). This is when more details must be provided, including the location of the project: where within the 900-acre area the solar arrays will be placed. Among other things, the Article 10 requires that the PSS identify significant, adverse environment impacts, together with studies Hecate will conduct to evaluate potential impacts, and measures Hecate will take to avoid or mitigate these impacts. The Town has the opportunity to comment, and meet with Hecate to discuss the methodology and scope of impact studies. It is unclear how this might work in practice,, inasmuch as Hecate, already has initiated some impact studies.

Councilmember Wolf continues to say that the Governor has proposed a budget amendment entitled the "Accelerated Renewable Emergency Growth and Benefit Act, which would create a new State office, the Office of Renewable Siting, which would establish "uniform standards and conditions for the siting, design, construction and operation of major renewable energy facilities", hose with generating capacities of 25 Megawatts or more. These are supposed to "avoid or minimize any potential significant adverse environment impacts."

When reviewing applications the new office would consider site specific potential adverse impacts and require mitigation or, in lieu of mitigation, payment into an endangered and threatened species fund. Details regarding all of this will presumably be fleshed out in rules and regulation.

The proposed Act would dramatically curtail the permitting process it would require the new Siting Office to determine within 60 days whether an application is “complete” then, within 60 days thereafter, draft permit conditions would be proposed and published for public comment, and the comment period would consume another 60 days. During the comment period, Copake would submit a statement indicating whether the proposed facility is “designed to operate in compliance with applicable local laws and regulations.” The answer is clear, and the answer is no. Shepherd’s Run, with a 500-acre footprint, would be fifty times the size allowable under Copake’s Solar Law. This may not matter because the proposed Act contains a strong local override, which reads, “...the office may elect not to apply in whole or in part, any local law or ordinance which would otherwise be applicable if it finds that, as applied to the proposed major renewable energy facility, is unreasonably burdensome in view of the CLCPA (Climate Leadership and Community Protection Act”) targets (70% by 2030) and the environmental benefits of the proposed major renewable energy facility.”

Councilmember Wolf states that a siting permit decision must be issued by the new Office within one year from the date the application was deemed complete.

Councilmember Wolf continues to say, although Hecate has filed a preliminary PIP for Shepherd’s Run pursuant to Article 10, it apparently would have the option to proceed instead under the new Act, if adopted.

Councilmember Wolf reports that regardless of whether the proposed Act passes, regardless of whether Hecate proceeds under Article 10 or new, as yet established procedures, the Town Board is moving to protect Copake’s interests. We have interviewed two law firms with considerable energy and environmental law experience and will soon retain counsel. We also intend to hire an engineer consultant to study potential adverse environmental impacts of a large-scale solar project.

Councilmember Wolf reports that regarding the proposed budget amendment and the resulting further erosion of home rule, we met with Assembly Member Didi Barrett, who is strongly opposed, and will be meeting with State Senator Daphne Jordan to express our strong opposition and enlist her support. As soon as we hire knowledgeable legal counsel, we will schedule a public information meeting at which you can express your thought about the Shepherd’s Run project, pose questions and get accurate answers. You will learn what we know about the project and we will learn how you feel about it

Councilmember Wolf states that tonight the Town Board will entertain a Resolution to express the Town Board’s opposition to the proposed budget amendment.

Resolution opposing proposed 30-Day Amendment to the State Budget

Whereas, the NYS Constitution and Municipal Home Rule Law grant local autonomy to municipalities, particularly with respect to local land use regulation, and;

Whereas, the Town of Copake adopted a Comprehensive Plan in 2011 and enacted revised zoning regulations consistent therewith, and;

Whereas, Copake’s Comprehensive Plan acknowledges the importance of agriculture and open land to the economy and the character of the Town, and declared the support and preservation of agricultural lands to be critical to preserving the rural charm of Copake, and;

Whereas, in 2017 the Town of Copake enacted a Solar Law, having “determined that comprehensive zoning regulations regarding the development of solar energy systems are necessary to protect the interests of the Town, its residents, its farmland, and its businesses”, and;

Whereas a proposed 30 day amendment to the 2020 New York State budget, entitled TED Part JJJ, would create a new State Agency, the Office of Renewable Energy Siting, that would eliminate or substantially restrict the Town of Copake’s ability to regulate renewable energy projects, and;

Whereas, the proposed amendment was introduced in a manner that effectively precludes municipalities from analyzing and commenting upon it, and;

Whereas, the Town of Copake objects to the establishment of major State policy initiatives through the State budget process;

NOW, THEREFORE:

Be It Resolved, that the Copake Town Board opposes the proposed budget amendment and any attempts to diminish Copake’s authority to establish and enforce its land use regulations.

A motion was made by Councilmember Gansowski and seconded by Councilmember Sullivan to offer the above resolution.

Resolution # 5	Supervisor Mettler	yes
Dated March 12, 2020	Councilperson Wolf	yes
Copake, New York	Councilperson Gansowski	yes
	Councilperson Sullivan	yes

Regarding the above Resolution, Councilmember Gansowski discusses that he is very upset that they are trying to take a “home rule” away from us. Councilmember Gansowski refers to a 2017 article written by Diane Valden . What was quoted was “Dr. Rasweiler said all we really want to be is heard and seen by the community if they want to see it or not. If everyone says not in my backyard, then nothing will happen.” Councilmember Gansowski, being very honest, thinks Dr. Rasweiler has changed his mind and now thinks it’s all about the money. Councilmember Gansowski made copies about a Buffalo news article about the shortcoming of that so that people can make up their own minds.

Supervisor Mettler asks if anyone has any comments.

Councilmember Sullivan thanks Councilmember Wolf for his detailed presentation of the Solar Project.

Councilmember Wolf comments that regardless of the limitations that are put upon the Town by the Article 10, we, nonetheless can do a lot to affect what happens.

Supervisor Mettler was at Board of Supervisor's meeting the night before and a Resolution was introduced addressing this proposed Budget amendment that would set up the "Article 23." The Board of Supervisors was unanimous in passing a resolution in opposition to the Governors proposed Amendment. Supervisor Mettler spoke in favor of the Resolution and against the Amendment and told the Board of Supervisors about our situation here in Copake. Supervisor Mettler continues to say that Article 10 already bypasses the Towns Planning Board but this Amendment known as Article 23 would trample on "Home Rule" and she is opposed to it and is glad that it appears that the Town Board is opposed to it as well.

Supervisor Mettler invited the public to speak on the Resolution.

Lindsey LeBrecht, a 30 year resident of Copake Lake states that she has seen the return of Great Blue Herons, Bald Eagles, and now we have Golden Eagles and the whole environment being thrown up in a total upheaval for a project this size is unconscionable and irresponsible. Ms. LeBrecht then thanked the Board and our representatives for all they can do to stop this and that Dr. Rasweiler should be ashamed of himself for in 2017 for saying that "if the community doesn't want it" and then working on this along the way.

Ms. LeBrecht states that they learned that we only have a volunteer fire department. Hillsdale had a fire and the Catskill Fire Department had to be called. She is worried of out of control brush fires and Taconic Hills School being right there. She would like to hear the Fire Departments view.

Ms. LeBrecht states the displacement of wildlife is also of concern. The deer are starving to death. There is just not enough food for them and paying something into an endangered species fund after taking their home away? She cannot wrap her head around the irresponsibility of taking away our "Home Rule" for solar energy that is not going to even help us.

Ms. LeBrecht has started an email list and will send out information. She states that people in Craryville have no idea what is going on. She is doing an outreach to let people know what is going on. Ms. LeBrecht says that there must be an appropriate reach to all who is impacted.

Supervisor Mettler responds that there is a clip board list for the Copake Connection and anyone who is not signed up should sign up and they will use that list in order to notify people with regard to this issue and also other issues that may arise.

Roll Call Vote. Motion was approved unanimously.

Department Heads/Committee Reports

Planning Board Chairman Haight reports that after a few years they have finally approved the GRJH Craryville gas station. Chairman Haight states that during their meetings they had a small but vocal group in opposition of the gas station and a majority of that group was not even residents of this town, but since the vote, he has only heard good things.

Public Forum

Grant Langdon sent the Town a bill for his travel and petitioned the Town to pay for it but it was not presented or open for discussion. Mr. Langdon would like his bill paid.

Carol Gansowski pointed out that in the last page of the hand out that Councilperson Gansowski provided there is a list of all of the representatives in the legislature and urged people to call if they are not happy about the solar project.

Scott Altman thanked the Town Board for the report on the solar project. He asked if the Town Board is getting together with any other towns to try to figure out if we can fight this. Supervisor Mettler responded that the other main place is Coxsackie and she is in touch with the Supervisor.

Mr. Altman states when he comes from his job in Castleton, he travels down Route 9 and just as you come into Columbia County there appears to be a solar farm. He also states they are stripping the land possibly for more solar farms. Supervisor Mettler states that the Town Board will look into.

Councilperson Wolf states that the Town has also been in contact with the Association of Towns that they have taken a very strong position against this proposed Budget Amendment. Councilperson Wolf states that they are working with Didi Barrett and Daphne Jordan.

Grant Langdon addresses the Town Board again to ask why his bill has not been paid. Supervisor Mettler states that this is an inappropriate venue for him for this and states that the Town would not be paying his bill.

New Business

Installation of Fiber Optic for Town Buildings

Councilperson Gansowski reports that the date for the upgrade for fiber optics is Wednesday, April 1, 2020.

A motion was made by Councilperson Gansowski and seconded by Councilperson Wolf to proceed with the fiber optics upgrade to the Town Garage and Park Building.

Roll Call Vote. Motion was approved unanimously.

Light for Flag Pole in front of Town Hall

Supervisor Mettler states that there was a light on the flagpole at Town Hall but at some point stopped working and never replaced. Supervisor Mettler recites the law on the showing of the flag. Supervisor

Mettler received a proposal from electrician William Giulian to fix the light for approximately \$500.00 hoping that no other issues arise.

A motion was made by Supervisor Mettler and seconded by Councilperson Sullivan for the expenditure of \$500.00 to install a light to shine on the American flag.

Roll Call Vote. Motion was approved unanimously.

Code Violations

Councilperson Gansowski notices that looking around the Town it has a few buildings that are out of code. He goes on to say that if a person wants to file a complaint to the Building Enforcement Officer, they can now do so anonymously.

Town Board Meeting

Supervisor Mettler states that the next Town Board meeting is April 9, 2020 which is Passover so she is changing the date to April 14, 2020.

Old Business

Purple Heart Community

Senator Daphne Jordan invited the Town of Copake to become a Purple Heart Community. Senator Jordan gives the Town a Resolution to be passed to agree to become a Purple Heart Community. Supervisor Mettler states that Senator Jordan would be willing to come to a Town Board Meeting on June 11, 2020 to pass this Resolution.

Supervisor Mettler needs a list of people who have received a Purple Heart. Supervisor Mettler is also seeking a sign to say Purple Heart Community but will discuss again at April meeting.

Copake Economic Development Advisory Committee

Supervisor Mettler reports that she was happy to see that we have received about ten applications for this position but will postpone interviews for a about month.

Motor Vehicle Storage Permit-Performance Auto, 78 Route 7A

There is no new information and it will be revisited next month.

Workplace Violence/Sexual Harassment Training

Supervisor Mettler reported that Holly Hedgepath from Columbia County came to the Copake Town Hall to conduct the training to a pretty full group. A second training will be for March 26, 2020. Anybody that will need training after that will be discussed at that time.

A motion was made by Supervisor Mettler and seconded by Councilperson Gansowski that where a Copake employee or W-2 wager that provides proof that he or she be trained by another employer in

the state of New York, the Town of Copake will accept that training as sufficient to fulfil the Town requirement for training.

Roll Call Vote.	Motion was approved.	Supervisor Mettler	yes
		Councilperson Wolf	no
		Councilperson Gansowski	yes
		Councilperson Sullivan	yes

Annual Internal Audit

Councilperson Wolf concluded his audits of Zoning, Planning, and Building Departments all without problems. The Town Clerk audit will be completed very soon.

Resolutions

The following Resolution was offered by Councilperson Wolf and seconded by Councilperson Gansowski:

Town of Copake

RESOLUTION No. 6 of March 12, 2020

ADMINISTRATION BY SUPERVISOR AND DEPUTY SUPERVISOR

WHEREAS, subdivision 16 of section 29 of the New York State Town Law (“Powers and duties of supervisor”) provides that the supervisor “shall have and exercise any other power or duty expressly conferred or imposed upon him by law and such powers and duties of administration and supervision of town * * * functions as shall be provided by resolution of the town board, to be performed on behalf of such board.”; and

WHEREAS, section 42 of the New York State Town Law (“Deputy supervisor”) provides that “during the absence or inability to act of the supervisor, or while the office of supervisor is vacant, the deputy supervisor shall preside, when present, at the meetings of the town board and shall be vested with all of the powers and may perform all of the duties of the supervisor under this chapter or any other law, except that he * * * shall not serve as a member of the county board of supervisors.”; and

WHEREAS, it is in the interest of the Town to have administrative matters addressed in an expedient and timely way;

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Copake delegates to the Supervisor and, in her absence, the Deputy Supervisor, the powers and duties necessary for the day-to-day administration of the Town.

Resolution # 6

Dated March 12, 2020

Copake, New York

Roll Call Vote. Motion was approved.	Supervisor Mettler	yes
	Councilperson Wolf	yes
	Councilperson Gansowski	yes
	Councilperson Sullivan	yes

The following resolution was offered by Supervisor Mettler and seconded by Councilperson Wolf:

Town of Copake

RESOLUTION No.7 of March 12, 2020

EXPENDITURES FOR HIGHWAY PURPOSES

WHEREAS, subdivision (1.)(a.) of section 142 of the New York State Highway Law (“Machinery, tools, equipment and implements”) provides that “the town superintendent may, with the approval of the town board, purchase equipment, tools and other implements to be used for highway maintenance, construction or reconstruction, snow ploughs or other devices for the removal of snow from the highways from moneys appropriated for that purpose. However, the town board may authorize the town superintendent to purchase such equipment, tools and implements without prior approval in an amount or amounts to be fixed, from time to time, by the board.”; and

WHEREAS, section 284 of the New York State Highway Law (“Expenditures for repair and improvement of highways”) provides that the highway funds set aside pursuant to such section shall be expended for [repair and improvement] * * * at such places and in such manner as may be agreed upon by the town board and the town superintendent of highways * * * [and] “shall be paid out by the supervisor on vouchers approved by the town superintendent in accordance with such written agreement.”; and

WHEREAS, it is in the interest of the Town to enable the highway department to act in a timely way when needs arise;

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Copake authorizes the Highway Superintendent to purchase equipment, tools and other implements to be used for highway maintenance, construction or reconstruction, snow ploughs or other devices for the removal of snow from the highways from moneys appropriated for that purpose, without prior approval of the Town Board, provided that the amount of

any single such purchase does not exceed five thousand dollars (\$5,000), and provided further that such purchase is made within the amount budgeted and appropriated generally for the type of such purchase; and

BE IT FURTHER RESOLVED, that the Highway Superintendent is authorized to expend, for supplies and materials such as asphalt, gravel, salt, and other such materials, funds specified in the section 284 Agreement without prior approval of the Town Board, provided that any such expenditure is made within the amount budgeted and agreed upon for the line item for the type of such expenditure, and that the highway superintendent shall approve and provide a voucher for any such expenditure, to be paid out by the supervisor.

Resolution # 7

Dated March 12, 2020

Copake, New York

Roll Call Vote. Motion was approved.	Supervisor Mettler	yes
	Councilperson Wolf	yes
	Councilperson Gansowski	yes
	Councilperson Sullivan	yes

The following Resolution was offered by Supervisor Mettler and seconded by Councilperson Gansowski:

Town of Copake

RESOLUTION No. 8 of March 12, 2020

EXPENDITURES BY AND FOR DEPARTMENTS

BE IT RESOLVED, that a department head (Town Clerk, Assessor, Building Inspector, Zoning Board Chair or Planning Board Chair) or the Park Commission may authorize an expenditure for equipment not to exceed two hundred fifty dollars (\$250) without prior approval of the Town Board, provided that any such expenditure is made within the amount budgeted for the line item applicable to such expenditure, and that the department head shall promptly approve and provide a voucher for any such expenditure, to be subsequently audited by the Town Board; and

BE IT FURTHER RESOLVED, that the Park Superintendent may authorize an expenditure for equipment not to exceed five hundred dollars (\$500) without prior approval of the Town Board, provided that any such expenditure is made within the amount budgeted for the line item applicable to such expenditure,

and that the Park Superintendent shall promptly provide a voucher for any such expenditure, to be subsequently audited by the Town Board; and

BE IT FURTHER RESOLVED, that committees may not authorize the expenditure of funds without prior approval of the Town Board; and

BE IT FURTHER RESOLVED, that the Town Clerk is authorized to purchase all necessary supplies, stationery and dockets on behalf all departments not to exceed the total budgeted amounts included in the 2020 budgets for such purchases as part of each department's budgeted .4 account, in accordance with the approved Town Procurement Policy; and

BE IT FURTHER RESOLVED, that notwithstanding the above, in the case of an emergency, the supervisor may authorize the expenditure by a department head (Town Clerk, Assessor, Building Inspector, Zoning Board Chair or Planning Board Chair) of an amount not to exceed two thousand five hundred dollars (\$2,500) without prior approval of the Town Board, provided that prior approval is obtained from the Town supervisor and the supervisor provides prior notice by email to all Board members of the amount to be paid and the identity of the recipient vendor, and provided that any such expenditure is made within the amount budgeted for the line item for the type of such expenditure. The department head shall promptly approve and provide a voucher for any such expenditure, to be audited by the Town Board as soon as is reasonably possible, but no later than the next Town Board meeting.

Resolution # 8

Dated March 12, 2020

Copake, New York

Roll Call Vote. Motion was approved.	Supervisor Mettler	yes
	Councilperson Wolf	yes
	Councilperson Gansowski	yes
	Councilperson Sullivan	yes

The following Resolution was offered by Supervisor Mettler and seconded by Councilperson Gansowski:

Town of Copake

RESOLUTION No. 9 of March 12, 2020

To Amend the Town of Copake Policy Manual

WHEREAS, the Town Board of the Town of Copake finds it desirable to revise and amend certain provisions of the Town of Copake Policy Manual,

BE IT RESOLVED, that the Town Board of the Town of Copake directs that the Town of Copake Policy Manual be revised and amended as follows:

Policy Manual 1.

Subdivision E. of section IV. of the Policy Manual is amended to read as follows:

E. Resolutions. It is recommended that all proposed resolutions to be voted on shall be provided in writing and attached to the scheduled meeting agenda five days prior to the meeting. This recommendation shall not apply if any of the following apply:

1. The resolution is of an emergency nature;
2. The resolution is to appoint a person or persons to an existing board or committee or involves the solicitation of applications for such an appointment;
3. The resolution is for a budget transfer other than the transfer of funds into or out of a reserve fund, and does not exceed ten thousand dollars (\$10,000);
4. The resolution consists of a purchasing or spending authorization below or not subject to the bidding thresholds of section 103 of the General Municipal Law;
5. The resolution is to solicit or publish requests for bids or RFPs;
6. The resolution involves subject matter that is or could be addressed in executive session.

All resolutions to be voted on that are written in accordance with this section shall be read in their entirety, after which a 15 minute question and comment period shall be open to the general public prior to the final vote. If modified, the resolution must be read in its final proposed form before vote.

Policy Manual 2.

Paragraph 10 of subdivision A. of section V. (“Citizen Participation”) of the Policy Manual is amended to read as follows:

10. The size, membership terms, and initial membership of temporary committees shall be determined by the Town Board. When appointing members to Committees, the Board should advertise and solicit applications for initial membership in the same manner as for filling vacancies, in paragraph 2, above, except that where the anticipated duration of a temporary or ad hoc committee is short term or there is an urgent need for the Committee to begin its work, making such publication and solicitation impractical, the Town Board may make initial appointments at its discretion.

Policy Manual 3.

Paragraphs 11, 12, and 13 of section V. A. of the Policy Manual are renumbered as paragraphs 12, 13, and 14, respectively, and a new paragraph 11 of section V. A. is amended to read as follows:

11. In order to be a member of an advisory committee, an individual must either be a Copake resident or own property in the Town of Copake. The Town Board, or a committee acting as its own nominating committee, may in its discretion expand eligibility for membership to include individuals who, although they are not residents or property owners, do have a substantial stake in the Town, (e.g. individuals who own a business in the Town or who are employed in the Town or who have otherwise demonstrated that they are stakeholders in Copake.)

Policy Manual 4.

Subdivision D. of section IV. of the Policy Manual is amended to read as follows:

1. Employees using their own vehicle for town business may be reimbursed at the current IRS rate for mileage, subject to the approval of the Town Supervisor.
2. Reimbursement shall not include mileage from the employee's home to work or return home. All distances shall be computed from the employee's place of work to destination and return to place of work.
3. In the event that an employee leaves directly from home to travel for Town business and this distance is shorter than from the place of work to the destination, the employee shall be reimbursed for the lesser mileage.
4. All requests for mileage reimbursement shall be made on the appropriate voucher, available from the Town Clerk, and shall include: date of travel, destination, purpose of the trip and round trip mileage. The Voucher shall be signed and dated by the employee and approved by the employee's supervisor.
5. Seat Belt Policy:
 - a. All Town employees are required to wear seat belts while operating or riding in any vehicle while on Town business.
 - b. In addition, passengers in vehicles operated by the Town while on town business are required to wear seat belts. Unauthorized passengers are prohibited at any time.
 - c. This requirement shall not apply to vehicles in which the manufacturer has not installed seat belts.
 - d. Town employees are forbidden from disengaging or otherwise disarming automatic seat belt systems or alarms.
 - e. Employees found violating this policy may be subject to disciplinary action.
6. All employees who drive or operate a Town vehicle, or who use their own vehicle for reimbursable Town business, must submit a copy of their driver's license to the Town Clerk in order to be enrolled in the NYS License Event Notification Service (LENS).

Policy Manual 5.

Paragraphs 1. and 2. of subdivision C. of section V. of the Policy Manual is amended to read as follows:

1. All requests to the Town of Copake for records under the Freedom of Information Law (Public Officers Law, Section 87) (FOIL) shall be in writing and shall be mailed, hand delivered or faxed to the Copake Town Clerk, who is designated the Town FOIL Officer, for recording and dating. Envelopes should be clearly marked "Freedom of Information Request". The Town will accept electronic requests. A log of requests will be maintained by the Town Clerk.

2. All requests should be identified on the face of the envelope as a FOIL REQUEST and, unopened if possible, shall be delivered to the mailbox of the FOIL Officer for review and response. In his/her absence, either the Town Attorney or the Deputy Town Clerk is permitted to review and reply. Requests received by department, board, or committee heads are to be delivered to the Town Clerk within one business day of receipt.

Policy Manual 6.

A new paragraphs 5. of subdivision C. of section V. of the Policy Manual is added to read as follows:

1. Any person denied access to a record by a decision of the FOIL Officer may within thirty days appeal in writing such denial to the Town Supervisor, who shall within ten business days of the receipt of such appeal fully explain in writing to the person requesting the record the reasons for further denial, or provide access to the record sought, in accordance with section 89(4.) of the Public Officers Law.

Policy Manual 7.

Paragraph 2.a. of subdivision D. of section VII. of the Policy Manual is amended to read as follows:

a. **Whereas**, the Town Board is required to conduct an annual accounting of funds received or disbursed by town officers and employees, the Town Board, as soon as is reasonably feasible following the conclusion of the fiscal year, will review and audit, or have reviewed and audited by a qualified outside auditor, the books and records, and supporting documentation, of the Town Supervisor, Town Clerk and Town Tax Collector and the books and records, and supporting documentation, of the Building Department, Zoning Board of Appeals, Planning Board and Town Court, and make comments regarding the quality of the Town's financial management process and underlying books and records, and suggest ways to improve the financial management process of the Town.

Policy Manual 8.

Subdivision E. of section VII. of the Policy Manual is amended to read as follows:

E. Online Transfers

The Town of Copake performs transfers among accounts at one bank. It does not pay bills online or do other types of online transactions. The online transfer agreement with the bank must comply with statutory requirements in General Municipal Law (GML) section 5-a. The ability to execute online transfers should be restricted to employees in the Supervisor's office, which shall include the Deputy

Supervisor. Authorization of any person other than the supervisor to make online transfers or otherwise utilize online banking services should be granted by approval of a majority of town board members who cannot execute transfers or handle cash in any other capacity.

Policy Manual 9.

Subdivision F. of section VII. of the Policy Manual is amended to read as follows:

F. Payroll Policy.

The Payroll shall be prepared based on the Time Clock records. Where an hourly employee performs works outside of Town Offices and therefore does not utilize the time clock, the employee shall submit a timesheet and the Town officer having direct supervision of that employee shall certify that the services indicated on the timesheet were actually performed. All employees are paid at Town Board approved rates for their services.

The payroll processing company should return payroll checks to the Town unsigned. The Supervisor (or in the absence of the Supervisor, the Deputy Supervisor) should sign payroll checks after the checks have been compared to the payroll registers.

Policy Manual 10.

A new subdivision I. of section VII. of the Policy Manual is added to read as follows:

I. Avoidance of Late Fees.

In order to avoid incurring late fees, and in addition to the payment of utility, postage, and freight claims authorized for pre-audit payment, the supervisor is authorized to pay bills not to exceed five thousand dollars (\$5,000) without prior approval of three board members if necessary to avoid incurring a fee, provided that the supervisor provides prior notice by email to all Board members of the amount to be paid and the recipient vendor. Town Board approval of the voucher shall be obtained as soon as is reasonably possible, but no later than the next Town Board meeting.

Policy Manual 11.

A new subdivision J. of section VII. of the Policy Manual is added to read as follows:

J. Countersigning of checks.

Checks in amounts less than ten thousand dollars (\$10,000) may be issued with a single signature of the Supervisor or Deputy Supervisor. Any check in the amount of ten thousand dollars (\$10,000) or more shall be countersigned by both the Supervisor and Deputy Supervisor. In the event two signatures are required and either the Supervisor or Deputy Supervisor is unavailable to countersign such a check, any Town Board member is authorized to provide the second signature.

Resolution #9

Dated March 12, 2020

Copake, New York

Roll Call Vote. Motion was approved.	Supervisor Mettler	yes
	Councilperson Wolf	yes
	Councilperson Gansowski	yes
	Councilperson Sullivan	yes

Comments:

Paulette Bonano questioned whether or not the Town Policy was available to the public five days prior to the meeting. Supervisor Mettler stated that it was available on the Agenda and in the Town Clerk's office.

Grant Langdon is in favor of the changes and notes that Supervisor Mettler has authorized to spend up to \$5,000 to prevent added cost to be added to a bill. Mr. Langdon states that his bill is under \$5,000.00. Supervisor Mettler thanked him for his comments.

Appointments

a. Creation and appointment of "ad hoc" Tow Hall Art Committee:

A motion was made by Supervisor Mettler and seconded by Councilperson Wolf to create an "ad hoc" temporary committee shall be appointed to review the artwork and other items displayed in the public spaces of the Town Hall, the Courtroom, the hallways, and the Rheinstrom Conference room, and to advise the Town Board as to which items shall remain and which items should be taken down, and further, upon the approval of the Town Board to participate in the rearrangement and or hanging of art and other historic items in the Town Hall, and further, that the following Copake residents be appointed to this committee: The Town Historian, Howard Blue, Nick Fritsch, and Vana Hotaling.

Roll Call Vote. Motion was approved.	Supervisor Mettler	yes
	Councilperson Wolf	yes
	Councilperson Gansowski	yes
	Councilperson Sullivan	yes

A motion was made by Supervisor Mettler and seconded by Councilperson Wolf that the Town Board create a Public Health Emergency Task Force to advise the Supervisor and Town Board as to protocols which should be followed with regard to the Corona 19 outbreak and further, that the following town residents be appointed to this committee: Rus Davis former Pharmacist in Copake, David Proper with extensive law and order experience, and Janet Mackin who is a nurse.

Roll Call Vote.	Motion was approved.	Supervisor Mettler	yes
		Councilperson Wolf	yes
		Councilperson Gansowski	yes
		Councilperson Sullivan	yes

Budget

There weren't any transfers.

Councilpersons' Reports

Councilperson Gansowski reports that as liason to the ZBA, regarding the cell tower, there was one person who wanted to know information that was available to them.

Councilperson Gansowski reports that on the Conservation Advisory Committee, there were two cases presented from the Planning Board, The Casino case on the building of the barn and the cell tower itself.

Councilperson Gansowski states that regarding the Casino case, he has been working with Tom McCarthy from Didi Barrett's office and though it was slow going, we are starting to get information from the Department of Agriculture that they are willing to maybe consider of changing the definition of a farm for Mr. Casino

Councilperson Sullivan wants to reiterate that the gas station was approved.

Councilperson Sullivan states that the Easter Egg Hunt is April 11, 2020 and is looking for donations from the Town Board.

Supervisor Mettler stated that our Animal Control Officer is retiring at the end of March and we have received two applications for the position. Supervisor Mettler and the Town Board schedules the interview for March 31, 2020 at 5:30 p.m.

Councilperson Sullivan has two comments as a citizen of Copake: she went to the Job Fair at the Library and it was great community and vendor turnout. Secondly, there are volunteers in Hillsdale picking up garbage along the roadside and wants to know if Copake can do something like that. Supervisor Mettler states that The Grange is already doing so.

Public Forum

Roberta Roll states that The Grange, on April 25, 2020 from 9 a.m. – 12 noon, they will provide trash and recycling bags and safety vests for volunteers to start in the Copake Hamlet and meet back at The Grange at noon for refreshments.

Roberta Roll states that the Water Revitalization Plan meeting had a wonderful turnout with sign up forms that are also available in the Town Clerk's office.

Roberta Roll says it would be great if the Town Hall could go “Green” a little bit.

Grant Langdon will be expecting his check pretty soon now that there is a new Resolution. He also states that the Town used Frank Langdon as a scapegoat.

Resident regarding Route 7 wants to know if it is a County Route because the new painting of lines are already gone.

Councilperson Gansowski stated that he did check with the County and this was painted in November. The Town Board will look into further.

Approval of Bills

A motion was made by Councilperson Wolf and seconded by Councilperson Gansowski to pay the bills.

Roll Call Vote. Motion was approved.

Adjournment

A motion was made by Councilperson Sullivan and was seconded by Councilperson Gansowski that the meeting be adjourned.

Roll Call Vote. Motion was approved.

Respectfully submitted,