

Town Board Meeting  
Thursday, July 13, 2023  
6:50pm & 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 Mettler, Councilperson Wolf, Councilperson Gansowski, and Councilperson Sullivan. Councilperson Judd is absent.

Present: Town Clerk Lynn Connolly, Attorney Jon Tingley (*virtually*).

**Public Hearing**

Supervisor Mettler calls to order the Public Hearing at 6:50pm and reads the Public Notice regarding Introductory Local Law No. 5 of 2023 A Local Law To Amend Chapter 160 of the Town Code of the Town of Copake, Entitled “Noise”, and to Designate an Enforcement Official for the purpose of hearing public comment.

Supervisor Mettler states that no one is in the audience but there are a couple people online.

Supervisor Mettler states that violations of this Local Law constitute an “offense” because they provide for a sentence of a term of imprisonment and/or a fine. NYS Police and Columbia County Sheriff’s office are authorized to enforce “offenses” under local laws/ordinances.

Attorney Tingley gives a brief overview of Introductory Local Law No. 5 of 2023, A Local Law To Amend Chapter 160 of the Town Code of the Town of Copake, Entitled “Noise”, and to Designate an Enforcement Official. The town already had a noise ordinance in place which was adopted in the early 2000’s and at that point, the town of Copake of Copake had a police department that could enforce things like this and as the police department no longer exists, there is a little bit of a gap in terms of enforcement, at least from the town’s perspective. In addition, there is a little more clarity now on how noise ordinances should be phrased so that they are enforceable so what the has been done is updated the town’s Noise Ordinance to bring it in line with what we know to be enforceable standards and also to designate the Code Enforcement Officer as having authority to enforce the Noise Ordinance when necessary. The designation of the Code Enforcement Officer does not eliminate the authority of the State Police or the Sheriff’s Department to also enforce it. Through this proposed local law, it gives the Code Enforcement Officer the tools to enforce it if need be.

Supervisor Mettler asks if she is right, that the previous law or current law until this proposed law is adopted is targeted at nighttime noise.

Attorney Tingley states that that is correct. The existing law is really focused on prohibiting nighttime noise with certain standards this includes prohibiting certain nighttime noise, unusually oud nighttime noise but also addresses unusually loud noise during the daytime as well.

Supervisor Mettler states that as Attorney Tingley addressed, any law enforcement officer can enforce this law. Supervisor Mettler spoke with the Code Enforcement Officer about the fact that we might be

asking her to enforce the law but then checked back with Attorney Tingley to be sure that police officers could also enforce the law and the answer was in the affirmative.

On Attorney Tingley's suggestion, Supervisor Mettler will make a motion before adopting the local law that will be explicit about that so that it will say that in addition to the Code Enforcement Officer, it can also be enforced by any law enforcement officer so that there will be no doubt in any residence mind or in the mind of any police officer whether or not they can use this law.

Councilperson Gansowski suggests sending a copy of the law to the State Police. Supervisor Mettler has spoken to the NYS Police about this and will speak to the Columbia County Sheriff's as well. Maybe send them a letter to make them aware of this law as well.

Councilperson Sullivan asks what would be considered excessive daytime noise that somebody could actually complain about? What about lawnmowers?

Attorney Tingley states that there are two methods that noise ordinances are typically drafted. One is where you have an actual measurement where you have equipment to go out and measure decibels and you have to have certain certification and you have to calibrate that equipment in order to do that and the other method is to define unusually loud noise as being based on what a reasonable person perceives and in particular, whether or not the noise can be heard at a certain distance from the source.

Marcia Becker, resident of Copake, asks how construction noise is accounted for.

Attorney Tingley states that what was done with this noise ordinance was that we looked at the existing towns law on noise and what types of noise that were included there and then put them in a form that we believe to be enforceable. That did not specifically include construction noise because that was not part of the existing law. Some ordinances do have that and that is something that can be considered and added or have to be considerations about time of day and days of week. Mr. Tingley reiterates that the general prohibition is unusually loud, unnecessary noise that would violate this and you would look at the factors set forth in the definition of unnecessary noise to determine whether or not there is a violation. There could be a noise that is not specifically identified which could be a violation if given all of those factors amounts to unnecessary noise. There is no specific mention of construction noise at this point.

At this point, there are no other public comments and Supervisor Mettler closes the Public Hearing. This will be readdressed later in the meeting.

### **Call to Order**

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

Supervisor Mettler asks for a motion for approval of minutes for the Town Board meeting of June 8, 2023, and the Special Town Board meeting of July 6, 2023.

A motion was made by Councilperson Wolf and seconded by Councilperson Gansowski to waive a further reading and accept the Minutes as written for the Town Board meeting of June 8, 2023 and the Special Town Board meeting of July 6, 2023.

Four in favor. Councilperson Judd is absent. Motion was approved.

### **Announcements**

Supervisor Mettler announces that the Pickle Ball courts are open. Happy Together, a 60's music band will be performing at the Summer Park Concert Series on Saturday evening between 6:00pm and 8:00pm.

Supervisor Mettler announces that an employee of Copake currently working for the town of Copake doing summer maintenance is Robert Burns. Robert has just completed his first year at Hartwick College and at the conclusion of the year was awarded the Outstanding First Year Student Award in Physics. Supervisor Mettler thinks that this is very impressive and wrote to Mr. Burns to congratulate him on behalf of the Town Board.

Supervisor Mettler announces that our colleague, Terry Sullivan has completed a five year term on the Taconic Hills School Board and she managed to do all of that while also serving here on the Town Board. Ms. Sullivan has a true commitment to this community and wants to applaud her and thank her for her public service.

### **Correspondence**

From-Grant Langdon, ten letters and several email correspondences which are kept on file at the Town Hall

From-NYSDOT, letter regarding the 2024 Highway Budget

From-NYS Department of Real Property, Certificate of Final Special Franchise Full Value

From-Foley Hoag, Noah C. Shaw and Sarah M. Main, letter regarding Hecate

From-Jessica Gabriel of Columbia Economic Development Corporation (CEDC), letter regarding vacant or underutilized sites

A brief conversation ensued regarding brown fields.

From-Roberta Lindig-Darling, letter regarding renewing liquor license

From-MaryAnn Carrick, CAC, email recommending new members

From-Karen DiPeri, email regarding spongy moths  
Supervisor Mettler refers this to the CAC.

From-NYS DEC, Notice of Complete Application

From-Copake Summer Park Camp Director and Assistant Director, letter regarding field trips

### **Supervisor's Report**

I can now report that there is now a five town coalition advocating for the re-opening of Copake Rapid Care, and there is some reason to believe that their efforts will be successful. The Towns who have signed on to this coalition are: Copake, Hillsdale, Ancram and now; Taghkanic and Gallatin.

The coalition has met three times with CMH leadership. At the most recent meeting on June 28, the coalition urged that a quick solution was less important than a lasting solution. Columbia Memorial Health has said that a lack of staffing is a main hurdle to reopening. The spokespersons for the towns called on CMH to make a public statement of their intent to reopen once the staffing issues are resolved. CMH indicated a willingness to issue a press release to this effect.

The Town was contacted recently by the Albany Times Union and we hope we will see some positive publicity for our cause. We have also collaborated with CMH regarding statement which they intend to release.

Other than CMH's Copake facility there are no other health care offices on the eastern side of Columbia County. We will keep you apprised as we move forward on this critical issue.

### **Solar Update**

On June 27th, Hecate Energy filed updated materials in response to the NYS Office of Renewable Energy's ("ORES") third Notice of Incomplete Application ("NOIA") regarding Hecate's proposed 60 Megawatt "Shepherd's Run" solar factory. ORES' regulations require that it determine within 60 days whether the application is now "complete". If it finds that the latest submission is inadequate, it could issue a fourth NOIA and send Hecate back to the drawing board. By the end of August, we should learn where things stand. If ORES determines that the application is complete, it then would have one year to determine whether to issue a sitting permit for Shepherd's Run.

Our attorney and environmental engineers are reviewing Hecate's latest submission. But even before they complete their review, we know that Hecate's plan remains essentially the same: 60 MW capacity; 267 acres would house the facility or be "disturbed" by the project, and 217 of those acres are Prime farmland, Prime farmland if drained, or farmland of statewide importance; the proposed location is unchanged, adjacent to the Taconic Hills Central School campus and along County Route 7, south from State Route 23 to Cambridge Road (the gateway to Copake Hamlet and Copake Lake and a popular bicycling route); no plans to significantly increase landscaping to shield nearby homes from many thousands of solar panels; and, no change in plans to cut down 40 acres of trees and shrubs.

Hecate continues to ask ORES to waive many of our Town's local laws, claiming that they are "unduly burdensome" because if Hecate were required to obey Copake's zoning code and solar law, it would be unable to build a large enough factory to meet its contractual obligations to the State. Think about that: the first thing Hecate did was to enter into a contract with the State, *before* bothering to research the land where it wants to put almost 200,000 solar panels. Because the proposed site has wetlands, prime soil, Taghkanic Creek, forest areas, and is adjacent to the Taconic Hills campus, Hecate chose a completely inappropriate site on which it couldn't possibly construct a solar factory without running roughshod over many local laws! It is using a bootstrap argument to try to convince ORES to grant a siting permit, saying, "We cannot meet our contractual obligations unless you allow us to ignore Copake's 2011 Comprehensive Plan, its 2014 Farmland Protection Plan, its 2017 and 2020 Solar Laws, and many Zoning Code provisions." In other words ORES, if you don't waive all of these local laws, we (Hecate) will be forced to breach our contract with New York State!

The principals at Hecate are not naive businesspeople. The most likely conclusion to draw is that they knew full well what they were doing when they selected a totally unsuitable site upon which to build Shepherd's Run. They have been assuming, and continue to assume, that ORES will grant the waivers and ignore Copake's longstanding efforts to be effective stewards of its lands.

Most disingenuously, Hecate continues to assert that we have refused to provide our position on the issue of compliance with local laws. This is nonsense: our attorneys have consistently demanded that any project must comply with all local laws.

In its latest submission, Hecate claims that all information about the Mohican Occupation at Niver Farm (now the Rasweiler farm) is confidential, and refuses to let the public know about the proposed project's adverse impacts to this historic land.

Hecate continues to withhold some information from us, claiming that Copake has an "adverse business interest". It seems Hecate thinks Copake is a competing business, rather than a town with legislative and police powers.

Recently, Hecate sent a letter to us and to ORES asking that its intention to increase the size of the lands to be "disturbed" by the project by two acres not be treated as a major amendment to its application. This is outrageous. It has not properly served its request on the parties or filed it so the public could see what it wants to do, presumably because this would further delay Hecate's quest for a siting permit. Unfortunately, two days ago ORES staff issued a decision supporting Hecate's position.

Concern about the inappropriateness of the proposed site for Shepherd's Run continues to grow. Last Saturday, our State Senator, Michelle Hinchey, came to Town Hall and met with Jeanne and me. We discussed our concerns about the proposed size and location of Shepherd's Run, and then toured the site with Senator Hinchey and her staff. Altogether we met for more than an hour. When we finished, Senator Hinchey expressed her view that the location was all wrong, noting in particular her concern for the loss of prime farmland. I have forwarded to her information from Hecate's most recent submission: more than 81% of the "to-be-disturbed" land is designated as prime farmland.

I don't believe in reinventing the wheel, so I will conclude by reading an excellent summary that goes to the heart of Senator Hinchey's concerns, and ours. Sensible Solar compiled these words from an exhibit submitted by Hecate to ORES:

To comply with ...local law, the Applicant would need to completely redesign the Project layout to avoid prime soils ... The Applicant sought to avoid prime farmland... by first seeking to locate Project Components in areas that are "Not Prime Farmland" ..... Of the 393 acres of "Not Prime Farmland" that exist within the Project Area, only approximately 70 acres exist that do not overlap with delineated wetlands or regulated 100-foot adjacent areas, streams and associated stream buffers, forested land cover, or the Town's setback requirements. This 70-acre area is not sufficient to site the Project.

These are Hecate's own words. Hecate has never intended to be a "community partner". They know they've picked the wrong site, and they don't care. They're hoping that ORES won't care either.

### **Department Heads/Committee Reports**

Mary Ann Carrick, Chairperson of the Conservation Advisory Committee states that they have interviewed two applicants and are recommending the appointments of Christine Lema-Foley and Martyn Moore-Bridger as new members to the Conservation Advisory Committee.

A motion was made by Councilperson Gansowski and seconded by Councilperson Sullivan to appoint Christine Lema-Foley and Martyn Bridger-Moore to the Conservation Advisory Committee.

### **Public Forum**

None

### **New Business**

#### **a. Cold Storage Building- Update Highway Superintendent Gregory**

Park Superintendent Gregory updates the Town Board of the progress of the Cold Storage Building. Lots of progress. The poles have been in for a few weeks, the roof trusses are on, and the roof framing is all on. The metal for the roofing should come in next week and they will move forward.

Supervisor Mettler mentions that the town recieved the first bill this week which is significant but Supervisor Mettler wants to assure the Town Board that they budgeted for this in the 2023 Budget.

#### **b. Band Shell-Update Park Superintendent Gregory**

Park Superintendent Gregory updates the Town Board of the progress on the band shell. After six to seven months, Park Superintendent Gregory had pretty much given up on architects that he had worked with and hoped to progress with, he looked into other manufacturers that make band shells and are very, very similar in appearance of what they are looking for. Park Superintendent Gregory has written bid specifications to be used for advertising. Bob Callahan drew him architectural drawings of the shell and he asks the Town Board for permission to advertise for bids for a contractor to erect this for us.

A motion was made by Supervisor Mettler and seconded by Councilperson Sullivan to advertise for bids for the band shell.

Four in favor. Councilperson Judd is absent. Motion approved.

c. **Memorial Garden Design Plan-Update Park Superintendent Gregory**

Park Superintendent Gregory updates the Town Board on the progression of the Memorial Garden Design Plan. Mary Ann Carrick of the CAC gave the name of another local contractor, James Smith to Park Superintendent Gregory regarding the planning of the design. Mr. Smith, with the Town Board's approval, has agreed for the same fee that was previously approved for Tom Ingersoll who never followed through to produce the drawings, by the Town Board in February. Park Superintendent Gregory met with Mr. Smith today and he actually had some preliminary sketches.

A motion was made by Supervisor Mettler and seconded by Councilperson Sullivan to authorize the Park Superintendent to pay Clark Outdoor Services to create a design for the Memorial Garden and to pay them \$710.

Four in favor. Councilperson Judd is absent. Motion approved.

d. **Pickle ball court and Ice Rink- Park Superintendent Gregory**

Highway Superintendent Gregory advises the Town Board that the Pickle Ball court has been sealed and painted and is ready.

Supervisor Mettler and the Town Board congratulate and thank Park Superintendent Gregory for all of his effort and hard work that went into this project.

Supervisor Mettler mentions that this project is for the benefit of the pickle ball payers but also the ice hockey skaters who are also happy.

e. **Pickleball Tournament**

This will be discussed later in the meeting.

f. **Gift of Framed Map from Grant Langdon**

A motion was made by Supervisor Mettler and seconded by Councilperson Wolf that the Town of Copake accept this gift of a framed map of Copake from Grant Langdon and authorize the Supervisor to write to Mr. Langdon to thank him for the generous gift.

Four in favor. Councilperson Judd is absent. Motion approved.

g. **Local Laws-Exemptions-Supervisor Mettler**

Supervisor Mettler introduces Introductory Local Law No. 6 of 2023 A Local Law to Amend Section 204-2 of the Town Code of the Town of Copake Relating to the Schedule of Partial Exemption Levels for the Senior Citizens Tax Exemption.

Supervisor Mettler introduces Introductory Local Law No. 7 of 2023 A Local Law to Amend

Sections 204-9 and -10 of the Town Code of the Town of Copake Relating to the Schedule of Partial Exemption Levels for the Exemption for Persons with Disabilities and Limited Incomes.

Supervisor Mettler introduces Introductory Local Law No. 8 of 2023 A Local Law to Amend Article V of Chapter 204 of the Town Code of the Town of Copake Relating to Tax Exemptions for Volunteer Firefighters and Ambulance Workers.

The Town Board schedules Public Hearing's for Introductory Local Law No. 6 of 2023 for Saturday, August 12, 2023 at 8:45am, Introductory Local Law No. 7 of 2023 for Saturday, August 12, 2023 at 8:50am, and Introductory Local Law No. 8 of 2023 for Saturday, August 12, 2023 at 8:55am.

**h. Copake Falls Day-Jeanne Mettler**

A motion was made by Councilperson Wolf and seconded by Councilperson Gansowski to designate that Copake Falls Day as a town sponsored event.

Four in favor. Councilperson Judd is absent. Motion approved.

**i. Noise Ordinance –Jeanne Mettler**

Supervisor Mettler states that before this law can be adopted, the Town Board has to complete SEQRA. The SEAF Part 2 and 3 have been circulated to the Town Board. Attorney Tingley then goes through Part 2 and 3 of the SEAF form with the Town Board.

A motion was made by Councilperson Wolf and seconded by Councilperson Gansowski to adopt the Part 2 of the Short Environmental Assessment Form as prepared by the Attorney for the Town in connection with the proposed enactment of Introductory Local Law No. 5 of 2023.

Four in favor. Councilperson Judd is absent. Motion approved.

A motion was made by Councilperson Wolf and seconded by Councilperson Gansowski to adopt the Part 3 of the Short Environmental Assessment Form as prepared by the Attorney for the Town and to issue a Negative Declaration under SEQRA in connection with the proposed enactment of Introductory Local Law No. 5 of 2023.

Four in favor. Councilperson Judd is absent. Motion approved.

A motion was made by Supervisor Mettler and seconded by Councilperson Wolf to amend Local Law No. 5 as follows in the proposed section 160-9, the following language to replace the language at the beginning so it will read; "In addition to the enforcement of this chapter by police officers authorized under the Criminal Procedure Law, the Code Enforcement Officer shall have the power to enact Local Law No. 5 of 2023.

Four in favor. Councilperson Judd is absent. Motion approved.

A motion was made by Supervisor Mettler and seconded by Councilperson Wolf to enact Introductory Local Law No. 5 of 2023.



Roll Call Vote:	Supervisor Mettler	yes
	Councilperson Wolf	yes
	Councilperson Gansowski	yes
	Councilperson Judd	absent
	Councilperson Sullivan	yes

Four in favor. Councilperson Judd is absent. Motion enacted.

**j. Internal Audits**

Supervisor Mettler states that Councilperson Judd distributed his internal audit reports to the Town Board regarding the Copake Planning Board, Copake Summer Park Program, Copake Building Department, and the Copake Zoning Board of Appeals. No irregularities or issues were reported.

A motion was made by Councilperson Gansowski and seconded by Councilperson Sullivan to accept the internal audits as drafted by Councilperson Judd.

Four in favor. Councilperson Judd is absent. Motion approved.

**k. Comprehensive Plan**

Supervisor Mettler states that in May, there was a memo from the Planning Board recommending that the Town Board consider a review of the Comprehensive Plan and at that time, we simply noted that we had received it and we didn't have any further discussion. Supervisor Mettler absolutely agrees with the recommendation that the Comprehensive Plan which was adopted in 2011 should be reviewed and probably updated and if done properly, this would entail hiring a consultant and appointing a committee and it would be a significant project on the part of the town. Supervisor Mettler thinks this should be done by the new and incoming Town Board. There was a brief discussion and this will be table until next year.

**l. Copake Summer Park Program**

The Summer Park Director and Assistant Director sent the Town Board a letter asking them for approval of a tent rental from Cantele Tent Rentals for the Summer Park Program.

A motion was made by Councilperson Gansowski and seconded by Councilperson Sullivan to authorize the rental of a tent from Cantele Tent Rentals for a fee of up to \$800.

A brief conversation ensued.

Four in favor. Councilperson Judd is absent. Motion approved.

A motion was made by Councilperson Gansowski seconded by Councilperson Sullivan that the Town of Copake pay for the admission fees for campers in the Copake Park Summer Program for Fun Flex, Valley Cats, and Zoom Flume for a total of up to \$5000.

Four in favor. Councilperson Judd is absent. Motion approved.

**Old Business**

a. **Update on Copake Rapid Care**

This was previously discussed.

b. **Short Term Rentals/Zoning Review Working Group**

Supervisor Mettler updates the Town Board of conversations with Ken Dow regarding the Short Term Rentals law and also the zoning revisions. He is still working on the Short Term Rentals law and Supervisor Mettler will get it to the Town Board when she receives it. Regarding the zoning revisions, Supervisor Mettler sent an email to the Town Board and advised them that at our last workshop, we set another date for a workshop on Monday, July 24, 2023 at 3:00pm. This is a public and special meeting but will go into a workshop, the purpose being that that committee can hash out the final issues with regard to the law.

Supervisor Mettler spoke with Ken Dow about what to do from there. Mr. Dow has to schedule all of this so that the laws are introduced and then following that, that there is enough time for him to get these laws to the County Planning Board and the Copake Planning Board.

Supervisor Mettler suggests to the Town Board of scheduling a Special Town Board meeting on Tuesday, August 1, 2023 at 4:30pm to introduce both laws and possibly go into Executive Session regarding other issues. The Town Board agrees.

Next, Mr. Dow will then get both of the laws in front of the County Planning Board and Copake Planning Board but then the Town Board will have to schedule a Public Hearing on both of the laws in order to give us time for the notices on the hearings and also to make the hearings available to the public because people may want to come in to talk about all of this. Supervisor Mettler suggests to the Town Board of tentatively scheduling the Public Hearings on both laws at a Special Town Board meeting on Tuesday, August 22, 2023 at 6:00pm. The Town Board agrees. The Town Clerk will schedule this meeting after the local laws are introduced.

A brief conversation ensued regarding the hiring of a Short Term Rentals “watchdog” group and procurement issues.

c. **No Smoking/Vaping Signs and Polices**

Tabled

d. **HVAC Improvements to Town Hall**

Supervisor Mettler updates the Town Board of the status of the HVAC work that will actually be done tomorrow. Supervisor Mettler thanks the Town Board for all of their time and hard work on this project.

e. **Welcome to Copake Gateway Signs**

Councilperson Wolf reports that thanks to the nonstop efforts of Gwen Menshenfriend following up on this, they are finally at the point where Councilperson Wolf received communications today from a gentleman at NYSDOT saying that he is processing our permit.

Point being is that they can proceed. The sign maker has been given the go ahead, all of the locations are set, and it is happening.

### **Resolutions**

None

### **Appointments**

Done earlier in the meeting.

### **Budget**

- a. Preliminary Budget to Actual Report-June 30, 2023**
- b. Agreement to post Budget to Actual Report**

A motion was made by Councilperson Wolf and seconded by Councilperson Gansowski to approve and post the budget to actual report for June 30, 2023.

Four in favor. Councilperson Judd is absent. Motion approved.

- c. TD Bank-CD**

Supervisor Mettler states that the Town had a six month term CD in TD bank, with an interest rate of 4.57% which came due on June 26, 2023. That CD started off with \$1,000,000; as of June 26, 2023, we had earned \$22,976.94 in interest. On that date, as per the Town Boards instructions, Supervisor Mettler rolled it over, this time for a five month term.

Supervisor Mettler states that the maturity date on the new CD is November 22, 2023. The interest on the new CD is 5.43% and the starting amount of the new CD is \$1,022,976.94.

Supervisor Mettler has spoken with the Town Accountant, Bob Patterson regarding the 2024 Budget. Supervisor Mettler and Gwen Menshenfriend will be sending out the notifications to departments, boards, and committees on July 24<sup>th</sup>, asking for their requests and given a return date of August 7<sup>th</sup> for the return of the budget requests. Supervisor Mettler and the Town Board schedule Tuesday, September 12, 2023 at 4:30pm for the Budget Workshop.

### **Councilpersons' Reports**

Councilperson Gansowski reports that the ZBA is very busy. Questions regarding the new building in the back of the Casino property were addressed. Councilperson Gansowski mentions the tree line on Farm Road. The tree line is being cleaned out to place new polls on Farm Road. Councilperson Gansowski mentions that there have been no power failures on Farm Road. There have been a lot of changes since rerouting electric lines. Councilperson Gansowski will contact his contact, Marilyn, at NYSEG to thank her for all she has done on this. Councilperson Gansowski stopped by the Copake Summer Park Program to see how they are doing on one of the really hot days and Summer Park Camp Director Kaya Sindler greeted him and told him that they were bringing everyone inside for an afternoon movie to bring the kids inside from the heat.

Councilperson Sullivan asks Councilperson Gansowski about the house on Main Street that has overgrown trees and shrubs. Councilperson Gansowski states that the county is supposed to be having it up for auction. People can go to the county website for public auction.

Councilperson Sullivan wants to commend to Park Commission. On Saturday night, they were a little short staffed, which they knew about, but the night was very successful. Councilperson Sullivan appreciated the update on the bandstand. Councilperson Sullivan mentions getting some kind of covering for the existing bandstand for shading.

Councilperson Wolf reports that CEDAC's Pickle Ball Tournament dates of September 9<sup>th</sup> and 10<sup>th</sup> have been booked and confirmed with Bob Callahan. After CEDAC consulted with Attorney Tingley, CEDAC learned that they cannot, as they would have liked, restrict participants to residents of Columbia and Berkshire Counties. The tournament will be open for anyone with a maximum of 128 participants. There will be a fee of \$20 per participant.

Supervisor Mettler mentions that she emailed Kirk Kneller about all of this today and said that she would tell the Town Board that Kirk has told us that our insurance will cover the event provided there is liability disclaimer which is approved in advance by our insurance company.

A motion was made by Supervisor Mettler and seconded by Councilperson Sullivan to approve the Pickle Ball Tournament as a town sponsored event provided that every participant signs a liability disclaimer which has been approved both by the town attorney, Jon Tingley and the town's insurance company.

#### **Public Forum**

None

#### **Approval of Bills**

None

#### **Next Meeting Date**

Saturday, August 12, 2023, 9:00am

#### **Executive Session**

None

#### **Adjournment**

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

Four in favor. Councilperson Judd is absent. Motion approved.

Respectfully submitted,

Lynn Connolly  
Town Clerk