

Town Board
2023 End of Year Meeting
Thursday, December 28, 2023
9:00am

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.

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

Present: Town Clerk, Lynn Connolly, Highway Superintendent, William Gregory, Administrative Assistant to the Supervisor, Gwen Menshenfriend, Town Accountant, Robert Patterson

Call to Order

Supervisor Mettler opens the End of Year Town Board meeting with the Pledge of Allegiance at 9:00am.

Supervisor Mettler states that this meeting is being recorded and is open to the public remotely. The recording will be posted to the website within five business days.

Supervisor Mettler states that we will follow her informal Agenda and starts off by having Gray Davis, Paolo, and Chase address the Town Board.

Speaking for all three, Gray Davis wants to thank Supervisor Mettler for the last several years but also, as they've discussed with the meetings with the development of The Ridge at Copake Lake, they had talked about making a donation to the town and they present that check to the Town Board today. Mr. Davis thanks the Town Board for making this all happen and where they feel honored to be a part of the community. The Town Board thanks them all.

a. Short Term Rental Law

Councilperson Wolf and Ken Dow discuss and outline the changes to the Short Term Rental Law. Supervisor Mettler states that for the record, we have received quite a bit of correspondence regarding this which has all been distributed to the Town Board. Councilperson Wolf states that this whole process began with there being a working group that was put together that was very diverse and that had very differing views as to what should be done. It has ended with a compromise that hopefully will address the concerns that everybody had but not something that is going to be overly burdensome to anybody as long as people follow the procedure and we will have a host compliance company that will get in touch with everybody. There had been an earlier thought that the way to go with respect to the Enhanced Short Term Rentals, which meant that you could do it for more than 120 days, which is the limit for a regular permit to operate short term rentals that involve to get an Enhanced Short Term Rental going, one needs

to have a site plan review and get a special use permit, which means a public hearing so that neighbors have an opportunity to comment if they wish to do so and initially that was only going to be permitted in rural districts and we received the comments and realized that we might be sort of shooting ourselves in the foot by doing it that way because that could lead to an unintended consequence which could have had bad implications for rural districts. So, to spread this around and throughout the town and to address the concerns that people had. The new law is modified so that the Enhanced Short Term Rentals will be available to anyone operating a short term rental as long as they go through the process that was just outlined. Ken Dow states that that actually reflects the current law in the Town of Copake.

There was a brief discussion of the building codes.

Councilperson Wolf states that it is important to note that what we are not doing here is mandating site inspections by the Code Enforcement Office/Building Inspector because that would just be unduly burdensome to the town. It puts the onus on the owner of the property to attest that they are in compliance.

At this point, Ken Dow goes through the SEQRA forms with the Town Board.

**Town of Copake
RESOLUTION
Number 44 of December 28, 2023**

To enact Local Law No. 11 of 2023, “A Local Law to Regulate Short-Term Rentals in the Town of Copake.”

WHEREAS, the Town Board of the Town of Copake finds that it is in the best interest of the Town of Copake and its residents to balance the rights and interests of homeowners and property owners who may obtain income from the short-term rental of their properties with the interests of neighbors and the community, to ensure that the use of property for short-term rental to transient guests does not substantially impair the rights of nearby landowners and residents to peacefully enjoy their residences and properties; and

WHEREAS, to such ends, this local law sets forth regulations for the review, permitting, and operation of short-term rentals within the Town of Copake; and

WHEREAS, all necessary prerequisites to the enactment of this local law, including the noticing and holding of a public hearing, referral to the Copake Planning Board and Columbia County Planning Board and receipt of such boards’ recommendations, and review pursuant to the New York State Environmental Quality Review Act—known as SEQRA—and the issuance of a negative declaration, have been completed;

IT IS RESOLVED, that Local Law No. 11 of 2023, “A Local Law to Regulate Short-Term Rentals in the Town of Copake,” is hereby enacted.

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

Resolution No. 44
Dated December 28, 2023
Copake, New York

Roll Call Vote.	Supervisor Mettler	yes
	Councilperson Wolf	yes
	Councilperson Gansowski	yes
	Councilperson Judd	yes
	Councilperson Sullivan	yes

Lynn M. Connolly, Town Clerk

(seal)

December 28, 2023

Supervisor Mettler thanks Ken Dow, Councilperson's Wolf and Gansowski, and the Short Term Working Groups hard work and efforts.

b. Host Compliance Company

Councilperson Wolf states that the plan is to address this at the Organizational Meeting because the new Town Board needs to know how it will be done.

c. RoeJan Historical Society-Historic Marker Agreement

Supervisor Mettler states that the Roe Jan Historical Society received a letter from the Historic Marker's Project Committee asking them whether the church which was built in 1892 could receive a marker. Lesley Doyel wrote to Supervisor Mettler stating that they should not sign the letter because the Town owns the building.

A motion was made by Councilperson Wolf and seconded by Councilperson Gansowski to approve that the little church which now houses the Historical Society will be part of the Historic Marker's Program.

All in favor. Motion approved.

d. Change Order re Church Street Lot

A motion was made by Councilperson Sullivan and seconded by Councilperson Wolf to approve the Change Order dated December 22, 2023.

All in favor. Motion approved.

e. MIS 2024 Shared Services Agreement

A motion was made by Councilperson Gansowski and seconded by Councilperson Wolf to authorize the new Supervisor, Richard Wolf to sign the agreement regarding MIS.

All in favor. Motion approved.

f. MOA-New Highway Department Classification

A motion was made by Councilperson Sullivan and seconded by Councilperson Judd to authorize the Town Supervisor to sign the Memorandum of Agreement between the Town of Copake and Teamsters Local 294.

All in favor. Motion approved.

g. Siting of Band Shell

A brief conversation ensued.

A motion was made by Supervisor Mettler and seconded by Councilperson Wolf to approve the siting of the Band Shell as set forth in sketch done by Bob Callahan date December 28, 2023 and further that this sketch become part of the minutes.

All in favor. Motion approved.

h. Robert Patterson Letters of Engagement

Supervisor Mettler states that Bob Patterson emailed her this morning to say that he will not be joining us because he is sick. Supervisor Mettler has provided the Town Board with copies of Bob Patterson's four engagement letters for his audits of the Town Clerk, Tax Collector, and the Copake Justice Court.

A motion was made by Councilperson Gansowski and seconded by Councilperson Wolf to approve and accept Robert Patterson's four letters of engagement for the year 2024.

All in favor. Motion approved.

i. Gilchrist Tingley Letters of Engagement

A motion was made by Councilperson Judd and seconded by Councilperson Wolf to approve and accept Gilchrist Tingley letters of engagement for the year 2024.

All in favor. Motion approved.

j. Resolution re 2023 Transfers

TOWN OF COPEN

RESOLUTION
Number 43 of December 28, 2023

To Make Budget Transfers in the 2023 Budget

WHEREAS, the Town Board desires to make various transfers in the 2023 Budget; now, therefore,

It is hereby **RESOLVED**, that the Town Board of the Town of Copake hereby authorizes and directs the following budget transfers in the adopted 2023 Final Budget:

<u>Change</u>	<u>Fund/Line</u>	<u>Description of Fund/Line</u>	<u>Amount</u>
Decrease	A1990.4	Contingency	(\$2898.92)
Increase	A1680.4	Central Data Proc Contractual	\$1835.34
Increase	A1010.4	Legislative Contractual	\$1063.58

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

Resolution No. 43
Dated December 28, 2023
Copake, New York

Roll Call Vote.	Supervisor Mettler	yes
	Councilperson Wolf	yes
	Councilperson Gansowski	yes
	Councilperson Judd	yes
	Councilperson Sullivan	yes

Lynn M. Connolly, Town Clerk

(seal)

December 28, 2023

Financial Review

Supervisor Mettler gives an overview of the Town's Financial status and has shared with the Town Board a handout which is what Mr. Patterson would have discussed and which is self-explanatory. Supervisor Mettler states that our overall value has increased. Supervisor Mettler mentions that there is still ARPA money that has to be committed by this time next year. Supervisor Mettler brings up money from Rheinstrom that hasn't been spent and had a question of whether that had to be mentioned. After checking with Bob Patterson, the answer is no.

Highway Superintendent Gregory mentions that the loader that was ordered will now be here in January 2024. Also, he reminds the Town Board of a budget adjustment for CHIPS for next year.

Councilperson Gansowski brings up the auto body shops in town. The only one not in compliance yet is Jim's Auto Body. This will be handled at the Organizational Meeting.

Executive Session

None

Adjournment

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

All in favor. Motion approved.

Organizational Meeting-Tuesday, January 3, 2023, 9:30pm

Next monthly meeting-Thursday, January 11, 2024, 7:00pm

Respectfully submitted,

Lynn M. Connolly