

REGULAR MEETING - ATHENS TOWN BOARD – April 4, 2022

The regular meeting of the Athens Town Board was called to order at 7:00 P. M. by Supervisor Michael N. Pirrone on April 4, 2022, at the Village of Athens Volunteer Firehouse, at 39 Third St. in the Village of Athens, with the Pledge of Allegiance. to the Flag.

The following people were present: Supervisor Pirrone; Councilmember Mary H. Brandow; Councilmember Michael Ragaini; Councilmember Anthony Paluch; Councilmember Shannon Spinner and Town Clerk Linda M. Stacey.

Theses people were also present: Connie Pazini; Fran McCusker; Barbara Trembacz; Rickie Gabrielle; Robert Brunner; M.K. Garvey; Josh Lipsman and Patrick Doyle.

Councilmember Anthony Paluch made a motion seconded Councilmember Mary H. Brandow to approve the following bills that were audited by the Board: Ayes-5 (Pirrone; Brandow;

Ragaini; Paluch; Spinner) Noes-0 Absent-0 Abstentions-0

General Abstract #7, vouchers #145 through #162 inclusive for \$110,928.99.

Highway Abstract #7, vouchers #44 through #48 inclusive for \$18,888.47.

Councilmember Michael Ragaini moved to approve the minutes of March 21, 2022, as read, seconded by Councilmember Mary H. Brandow. Ayes-5(Pirrone; Brandow; Ragaini; Paluch; Spinner) Noes-0 Absent-0 Abstentions-0

Councilmember Shannon Spinner made a motion seconded by Councilmember Mary H.

Brandow to accept the Town Clerk's report for March. Ayes-5 (Pirrone; Brandow; Ragaini;

Paluch; Spinner) Noes-0 Absent=0 Abstentions-0

Supervisor Michael Pirrone reported that April Ernst from the Green IDA, acting as a liaison for Athens Generation, requested assistance in hosting a presentation on the company.

Presentation by Asset Manager Rob Janssen, of Kelson Energy LLP, representing his client D. Andrew Beal & Beal Bank, current owner of Athens Generating Facility, Athens, NY on the status of the Facility.

He also reported that he has previously distributed copies of the Final Road Use Agreement with Flint Mine Solar LLP, to Town Counsel, all Council members, except Mr. Paluch who declined a copy and Highway Department Superintendent Farrell. Barring any unknown comments, the Road Use Agreement was approved and executed.

Supervisor Pirrone informed the Board that the newsletter will be finalized the week of April 4, 2022, and sent to The Millworks, Albany, NY.

On the motion of Councilmember Shannon Spinner seconded by Councilmember Mary H. Brandow the following RESOLUTION #2022-26 to Engage Special Counsel for an Eminent Domain Action:

WHEREAS, the Town Board of the Town of Athens hereby determines that it is in the public interest and purpose to obtain special legal counsel for an eminent domain action. The Town Board resolves that the basis of this resolution is rooted in the formal engagement letter attached from Whiteman, Osterman & Hanna hereinafter referred to as the "Firm."

WHEREAS, in an effort to meet the financial obligations arising from the provision of legal Services by the Firm for this action, funding is available for these purposes and appears on the Town of Athens financial statements. The use of said funds shall be approved by the Town Board on a periodic basis as needed.

WHEREAS, the funds needed to meet such obligations are held in the National Bank of Coxsackie, Athens, New York.

WHEREAS, the hourly rate for these services will be invoiced monthly at a blended rate of \$ 325.00 per hour for all attorneys and hourly ranges for other legal assistants and administrative personnel are provided.

NOW THEREFORE BE IT

RESOLVED THAT THE Town Board of the Town of Athens hereby authorizes the hiring of Whiteman, Osterman & Hanna as special counsel for an eminent domain action and it is further RESOLVED that the foregoing resolution shall become effective this 4th day of April in the year 2022.

Ayes-4 (Brandow; Ragaini; Paluch; Spinner) Noes-1 (Pirrone) Absent-0 Abstentions-0

Councilmember Shannon Spinner made a motion that the Supervisor move forward with the newsletter and get it printed at an anticipated cost of up to \$1,000.00. seconded by Councilmember Mary H. Brandow. Ayes-5(Pirrone; Brandow; Ragaini; Paluch; Spinner) Noes-0 Absent-0 Abstentions-0

Supervisor Pirrone requested permission to solicit for an unpaid volunteer to aid in the performance of his duties in establishing Zoom meeting capabilities, you tube channel, newsletters, or means of communications, etc. for upcoming meetings.

Councilmember Michael Ragaini made a motion seconded by Councilmember Shannon Spinner to approve the Supervisor's request above. Ayes-5 (Pirrone; Brandow; Ragaini; Paluch; Spinner) Noes-0 Absent-0 Abstention-0

Councilmember Anthony Paluch made a motion seconded by Councilmember Michael Ragaini to appoint Mabel Pastula to the Planning Board for a term of 7 (seven) years beginning 4/4/2022 and expiring 12/31/2028. Ayes-5(Pirrone; Brandow; Ragaini; Paluch; Spinner) Noes-0 Absent-0 Abstentions-0

Councilmember Michael Ragaini made a motion seconded by Councilmember Shannon Spinner to appoint Anthony Cimmino to the Assessment Board of Review from April 4, 2022 to September 30, 2024 (3 years) to fill the term left vacant by Silas Basham. He will be attending the new member training on April 27th, from 6-9 p.m.at the Greene County Office Building. Ayes-5(Pirrone; Brandow; Ragaini; Paluch; Spinner) Noes-0 Absent-0 Abstentions-0

Councilmember Marv H. Brandow made a motion seconded by Councilmember Michael Ragaini to approve training for the Planning Board Members and Zoning Board of Appeals Members and their secretaries who are required to have 4 hours of training a year. Ayes-5(Pirrone; Brandow; Ragaini; Paluch; Spinner) Noes-0 Absent-0 Abstentions-0

Councilman Ragaini made a motion that we pay the Village Lease. **There was no second.** Not carried.

Members were reminded that the Annual Trooper Brinkerhoff Race will be held on April 9th and April 23rd.

Cleanup day will be April 30th behind the Athens DPW Facility at 37 Third St.

The Next Planning Board Meeting is April 28, 2022

Next Town Board meeting is April 18, 2022

Athens Community Day is June 11, 2022

Highway Department starts seasonal work schedule on April 4, 2022. (6am to 4pm)

Heavy trucks have been going past on Valley Road.

Patrick Doyle gave an update on Flint Mine Solar.

As there was no further business to come before the meeting a motion to adjourn was made by Councilmember Anthony Paluch seconded by Councilmember Shannon Spinner. Ayes-5 (Pirrone; Brandow; Ragaini; Paluch; Spinner) Noes-0 Absent-0 Abstentions-0 Meeting adjourned at 7:37 p.m.