

REGULAR MEETING – ATHENS TOWN BOARD – May 16, 2022

The regular meeting of the Athens Town Board was called to order at 7: 00 pm with the Pledge of Allegiance to the Flag on May 16, 2022, led by Supervisor Michael N. Pirrone, at the Village of Athens Volunteer Fire House Located at 39 Third Street.

The following people were present: Supervisor Pirrone; Councilmember Mary H. Brandow; Councilmember Michael Ragaini; Councilmember Anthony Paluch; Highway Superintendent John J. Farrell and Town Clerk Linda M. Stacey. Councilmember Shannon Spinner was absent.)

These people were also present: Attorney George McHugh; Bookkeeper/Budget Officer Don Piero; Code Enforcement Officer Albert Gasparini; Robert Brunner; Barb Trembacz; Theresa Cardinale; Fran McCusker; Tim Mercer; Nancy Poylo; Tom Satterlee; Paulette Miller-Travis; and M. K. Garvey.

Reminder: Cossackie Athens School Board Members & Budget Vote on Tuesday, May 17 from 1:00 pm to 9:00 pm. at EJA Elementary School, 3rd Street, Athens.

Reminder: Grievance Day is Thursday, May 26, 4 – 8:00 pm.

Councilmember Anthony Paluch made a motion seconded by Councilmember Michael Ragaini to approve the following vouchers that were audited by the Board.

General Abstract #10, vouchers #209 through #235 inclusive for \$44,450.78.

Highway Abstract #10, vouchers #68 through #75 inclusive for \$15,848.32.
Ayes-4 (Pirrone; Brandow; Ragaini; Paluch) Noes-0 Absent-1(Spinner) Abstentions-0

Councilmember Anthony Paluch made a motion seconded by Councilmember Michael Ragaini to approve the minutes of May 2, 2022, as read. Ayes-4 (Pirrone; Brandow; Ragaini; Paluch) Noes-0 Absent-1(Spinner) Abstentions-0

Highway Superintendent John Farrell reported that the joint Village/Town cleanup day went well.

The Air Conditioner at the shop has been installed.

The moto paved with the Town of Cossackie for 3 days. They started mowing the sides of Town roads today.

Gradall on Black Lake Road. Blacktop patch on Leeds Athens and Potic Mountain Rd.

They helped Village put docks in the river.

All 30 miles of Town roads have been swept for the spring.

Mr. Farrell reported that Judge Pazin asked him to help her find an air conditioner with the same size BTUs as the one that needs to be replaced in the court office.

He found 3 with the 28,000 BTUs as the court office currently has.

They are all the same Brand – Frigidaire A/C and same model number #FHW C253 WB2.

There were 2 from Amazon, which included no installation one was \$811.37 and the other one was \$831.74 also with no installation.

H.L. Snyder & Son Inc. had one at \$799.00 and for an additional \$129.00 they remove the old A/C and take it away as well as install the new one.

Councilmember Mary H. Brandow made a motion seconded by Councilmember Michael Ragaini that the Town purchase the A/C from H. L. Snyder & Son Inc. at \$799.00 plus \$129.00 a total of \$928.00, for the installation of the new A/C and the removal of the old one for the town court office. Ayes- 4 (Pirrone; Brandow; Ragaini; Paluch) Noes-0 Absent-1 (Spinner) Abstentions-0

Highway Superintendent Farrell informed the Board that in keeping with the with our equipment replacement plan, he would like to do up specifications on a used roller and to put out in the paper for bids. The budget for this roller would be around \$40,000.

Councilmember Anthony Paluch made a motion seconded by Councilmember Mary H. Brandow for the Highway Superintendent to draw up specifications for a used roller for a cost of no more than \$40,000. Ayes-4 (Pirrone; Brandow; Ragaini; Paluch) Noes-0 Absent-1 (Spinner) Abstentions-0

Highway Superintendent Farrell advised the Board that he has a new worker that he would like to let work for a couple of days, to see if he likes the job. If he does, then John will do a formal interview.

A letter of appreciation was received from a resident regarding the Town Highway Department's hard-working team. Every time they see them, they are working together. They also acknowledged the respect that they show their Supervisor John Farrell. (This was read at the 5/16 meeting and then placed in John's personnel file.)

Code Enforcement Officer Albert Gasparini reported that he received 2 new building permits. He did 15 building inspections. He had six, Building Permit inquiries. 2 Certificate of Occupancy Search requests. 1 Short Term Rental Certificate for 280 Howard Hall Road. He was called to inspect a chimney fire at 8503 Route 9W. One complaint: Farm to Market Road; Neighbor has a welding sign hanging from the mailbox. The next Court Date for Rustic Cabin on Poetic Mountain Creek, Dresser properties, Inc. in Athens Court is Thursday June 16th. Mr. Gasparini said that he had received a list of Short-Term Rentals from Sleepy Hollow Lake, and they currently have five in Athens.

Bookkeeper/ Budget Officer Don Pierra reviewed the Supervisor's Report for April with the Board.

Mr. Pierra also reported that NYS Office of the Comptroller rolled out a new program for reporting employee retirement activity. The former program called "Legacy" will no longer be used and was substituted by the new program referred to as the "Enhanced Gold" standard. The Town of Athens has complied with all the new requirements, and we recently recorded a successful load-up of the April 2022 activity.

The Federal Dept. of the Census also rolled out a new Survey Program for all employees on the Payroll System. This survey was completed timely and filed accordingly.

Mr. Pierra was able to file the initial ARPA report early. (It was due April 30, 2022.)

Greene County Legislature sent a copy of a suggested Resolution for a Solar Energy PILOT Law. They are encouraging ALL Greene County municipalities and school districts to adopt a similar local law. By all of us having a consistent law or resolution on record we will have protected our taxing interests in future solar projects.

Mayor Serrago has advised us that Ambient Environmental from Albany will be in the offices on May 23rd to conduct air quality testing.

On the motion of Councilmember Michael Ragaini, seconded by Councilmember Mary H. Brandow the following RESOLUTION #2022-27 was made as follows:

A RESOLUTION TO AUTHORIZE THE TOWN BOARD TO USE RESERVE FUNDS DESIGNATED FOR PILOT RENEGOTIATIONS OR RETURN TO FULL ASSESSMENT AND OTHER RELATED PERMITTED USES.

WHEREAS the Town Board of the Town of Athens recognizes that certain PILOTS are expiring in 2023 and the Town has authorized expenditures for professional services including but not limited to legal, consulting, appraisal, engineering, and other related services: and,

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WHEREAS the Town of Athens Financial Statements show that certain funds are set aside on the Balance Sheet for this purpose and,

WHEREAS said funds are held in the National Bank of Cossackie, Athens, NY 12015 and are liquid And available for immediate use once authorized by the Town Board and,

WHEREAS this resolution is intended as a statement of intent of the Town Board to expend a portion or portions of the Town’s Reserve funds for invoices received as related to renegotiation of PILOTS or return to full Assessment in accordance with New York State Real Property Tax Services, for the current needs and priorities for which there is consensus as set forth below.

NOW THEREFORE BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF ATHENS, NEW YORK: Subject to the provisions of the permitted funding uses: The Town Board states that any reserve funds will be used for the purpose stated above for the renegotiation of PILOTS or their return to full assessment in order to pay for approved invoices.

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

On the motion of Councilmember Michael Ragaini seconded by Councilmember Mary H. Brandow the following **RESOLUTION # 2022-28 was adopted:**

NEW YORK STATE Climate Smart Communities

WHEREAS, the Town of Athens, NY (hereinafter “local government”) believes that climate change poses a real and increasing threat to our local and global environments and is primarily due to the burning of fossil fuels: and

WHEREAS the effects of climate change will endanger our infrastructure, economy, and livelihoods; harm our farms, orchards, and ecological communities, including native fish and wildlife populations; spread invasive species and exotic diseases; reduce drinking water supplies and recreational opportunities; and pose health threats to our citizens; and

WHEREAS, we believe that our response to climate change provides us with an unprecedented Opportunity to save money, and to build livable, energy-independent, and secure communities, vibrant Innovative economics, healthy and safe schools, and resilient infrastructures; and

WHEREAS, we believe the scale of greenhouse gas (GHG) emissions reductions required for climate Stabilization will require sustained and substantial efforts; and

WHEREAS, we believe that even if emissions were dramatically reduced today, communities would still be required to adapt to the effects of climate change for decades to come,

IT IS HEREBY RESOLVED that the Town of Athens, NY, in order to reduce greenhouse gas emissions and adopt to a changing climate, adopts the New York Climate Smart Communities pledge, which comprises the following ten elements:

1. Build a climate-smart community.
2. Inventory emissions, set goals, and plan for climate action.
3. Decrease energy use.
4. Shift to clean, renewable energy.
5. Use climate-smart materials management.
6. Implement climate-smart land use.
7. Enhance community resilience to climate change.
8. Support a green innovation economy.
9. Inform and inspire the public.
10. Engage in an evolving process of climate action.

This resolution was adopted as follows: Ayes-3 (Pirrone; Brandow; Ragaini) Noes-1(Paluch) Absent-1(Spinner) Abstentions-0

Councilmember Anthony Paluch made a motion seconded by Councilmember Mary H. Brandow to accept the proposed Commercial Event Venue Local Law as it was presented to the Board, and to hold a public hearing on it on June 20th at 7:00 p.m. at the Village Fire House. Ayes-4 (Pirrone; Brandow; Ragani; Paluch) Noes-0 Absent-1 (Spinner) Abstentions-0

On the motion of Councilmember Michael Ragani, a RESOLUTION #2022-29 Authorizing the Town of Athens to Commence Negotiation or Condemnation seconded by Councilmember Mary H. Brandow was adopted as follows:

WHEREAS the Town of Athens (“Town”) is authorized under Article 4 of the New York Town Law to utilize condemnation proceedings in the acquisition of property required for any public purpose; and

WHEREAS Shirley Horowitz owns a ± 1.2-acre parcel of property with an address of 31 Old Kings Road, Catskill, New York commonly referred to as tax map parcel 104.00-2-19 (the “Property”); and

WHEREAS a portion of the above-referenced parcel is improved with an approximately 86 Year-old one story cottage-style residence (the “Building”) and one outbuilding; and

WHEREAS the Building is presently believed to be vacant an in a state of decay; and

WHEREAS there has been dumping on the Property resulting in the Town Code Enforcement Officer issuing a citation; and

WHEREAS the Town desires to relocate its Town Hall out of currently leased space owned by the Village of Athens and into a new building to be constructed on the Property; and

WHEREAS the Town believes that the potential acquisition of the Property would further its interests and would achieve the following public benefits, including but not limited to conferring the benefits of ownership of a Town Hall upon the Town, and establishing proximity of the Town Hall to other existing Town facilities; and

NOW, THEREFORE, BE IT RESOLVED, the Town hereby establishes and declares its intent, Subject to compliance with all applicable laws, rules, and regulations, including but not limited to, the Eminent Domain Procedure Law (“EDPL”), to initiate the process of acquiring the Property through the potential exercise of its power of eminent domain; and

BE IT FURTHER RESOLVED that the Town Supervisor or his/her designee is hereby authorized to proceed to take those steps necessary or appropriate to assist Town Board to determine, subject to the applicable requirements of the EDPL, including but not limited to, by scheduling a public hearing pursuant to EDPL Article 2, whether to proceed with acquisition of the Property by condemnation; and

BE IT FURTHER RESOLVED that the Town Supervisor or his/her designee is further hereby authorized and directed to take, or cause to be taken, such actions as are necessary or appropriate to evaluate the acquisition of the Property, including but not limited to, obtaining an appraisal or updated appraisal, as appropriate, provided however, that any commitment to acquire the Property requires compliance with the New York State Environmental Quality Review Act; and

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.
This Resolution was adopted as follows: Ayes-3 (Brandow; Ragani; Paluch) Noes-1 (Pirrone) Absent-1 (Spinner) Abstentions-0

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Councilmember Michael Ragaini made a motion seconded by Councilmember Mary H. Brandow to go into Executive Session to discuss a personnel issue. Ayes-4 (Pirrone; Brandow; Ragaini; Paluch) Noes-0 Absent-1(Spinner) Abstentions-0 Time: 8:01 p.m.

Councilmember Mary H. Brandow made a motion seconded by Councilmember Michael Ragaini to adjourn the Executive Session and reconvene the regular meeting. Ayes-4 (Pirrone; Brandow; Ragaini; Paluch) Noes-0 Absent-1 (Spinner) Abstentions-0 Time: 8:37 p.m.

As there was no further business to come before the meeting, a motion to adjourn was made by Councilmember Michael Ragaini seconded by Councilmember Mary H. Brandow. Ayes-4 (Pirrone; Brandow; Ragaini; Paluch) Noes-0 Absent-1 (Spinner) Abstentions-0 Meeting was adjourned at 8:39 p.m.