

The Regular meeting of the Athens Town Board was held on December 5, 2022, at 7:00 p.m. at the Village of Athens Volunteer Fire Department, on 39 Third Street, Athens, NY and was called to order by Supervisor Michael N. Pirrone, with the Pledge of Allegiance to the Flag.

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

The following people were also present: Theresa Cardinale; Fran McCusker; Constance Pazin; E. Timothy Mercer; Barb Trembacz; Robert Brunner; Paula Butler; Lee Palmateer; Mary K. Garvey; Diane Eastwick; Amber Clark; Annika Vogt; Karen Dudley; R. Garvey and Patrick Doyle.

Councilmember Shannon Spinner made a motion seconded by Councilmember Michael Ragaini to approve the following vouchers that were audited by the Board:

General Abstract #23, vouchers #556 through #571 inclusive for **\$21,987.81**.

Highway Abstract #23, vouchers #171 through #184 inclusive for **\$12,339.15**.

Trust & Custodian:

Freepoint Solar-ZBA-Abstract #1, voucher #1 for **\$145.00**.

Victorian Stroll- Abstract #1, voucher #1 for **\$10,460.00**.

Camp Catskills – Abstract #2, voucher #2 for **\$599.38**.

9071 Rt. 9W- Abstract #2, voucher #2 for **\$906.25**.

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

Councilmember Anthony Paluch made a motion seconded by Councilmember Michael Ragaini to approve the **minutes** of November 21, 2022, as read. Ayes-4 (Pirrone; Ragaini; Paluch; Spinner) Noes-0 Absent-1 (Brandow) Abstentions-0

Councilmember Michael Ragaini seconded by Councilmember Shannon Spinner to approve to approve the **Town Clerk's Report for November as read**. Ayes-4 (Pirrone; Ragaini; Paluch; Spinner) Noes-0 Absent-1 (Brandow) Abstentions-0

Supervisor Pirrone informed the Board that the Greene County Emergency Medical Systems, Inc. (ALS) contract has been received for 2023. However, he also received an e-mail stating that the Town of Catskill Ambulance (BLS) now has a paramedic on Board. He suggested finding out more about this, as we will be paying paramedic fees for both.

Councilman Anthony Paluch made a motion seconded by Councilmember Shannon Spinner to hold off signing the GEMS contract above until more information can be obtained, so there will not be any duplication of services. Ayes-4 (Pirrone; Ragaini; Paluch; Spinner) Noes-0 Absent-1 (Brandow) Abstentions-0

On the motion of Councilmember Michael Ragaini seconded by Councilmember Shannon Spinner the following **RESOLUTION #2022-43 to approve and authorize the Supervisor to sign the 2023 Service Agreement** between I.T. S., Inc. and the Town of Athens for computer service, maintenance and the backup server for the sum of \$16,457.74, was adopted.

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

On the motion of Councilmember Anthony Paluch seconded by Councilmember Michael Ragaini the following **RESOLUTION #2022-44** to accept and sign the Contract between the Town of Catskill and the Town of Athens for Fire Protection from Leeds Hose Co. #1 for two years as follows: The sum of One Hundred Thirty-One Thousand Four Hundred Forty-Two Dollars (\$131,442) for the Town of Catskill and the Town of Athens paying the sum of Forty-

Three Thousand Eight Hundred Fourteen Dollars for a total sum of \$175,256.00 which will cover the period from January 1, 2023 to December 31, 2023; On or before March 1, 2024, the total sum of One Hundred Eighty-Five Thousand Seven Hundred Seventy-Two Dollars (\$185,772.00) by the Town of Catskill paying One Hundred Thirty-Nine Thousand Three Hundred Twenty-Nine Dollars (\$139,329.00) and the Town of Athens paying Forty-Six Thousand Four Hundred Forty-Three Dollars (46,433.00) and which sum will cover the period January 1, 2024, to December 31, 2024, said amount to be raised by tax upon the real property within said fire protection district as provided in the Town Law of the State of New York.

This agreement shall become effective on the 1st day of January 2023 and shall continue in effect until December 31, 2024, unless one of the parties opts to terminate the contract. Any party may terminate this agreement effective December 31st of any calendar year during the term provided that the terminating party provides the other parties written notice of termination on or before August 20th of that year.

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

On the motion of Councilmember Shannon Spinner seconded by Councilmember Michael Ragaini the following **RESOLUTION # 2022- 45** to adopt and sign the Contract between Columbia-Greene Humane Society and the Town of Athens as follows: \$35 per dog, dog per day for the first ten days of housing. On the eleventh day of housing, it will be assumed that the dog will not be redeemed by an owner, and it will become the responsibility and custody of CGHS/SPCA. A flat charge of \$300 will then be added to cover any and all services beyond the first ten days until the point of disposition. Period covered will be January 1, 2023, to December 31, 2023.

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

Supervisor Pirrone informed the Board that he contacted Emminger, Newton, Pigeon, Magyar, Inc. Appraisers, to submit an appraisal on the Athens Generating Plant, located at 9300 US Route 9W, Athens, NY. The scope of work will consist of them reviewing an appraisal of an opinion of market value of the subject property for tax certiorari purposes, for the Town of Athens.

He has received their proposal and asked for the Board's approval to hire them.

Councilmember Michael Ragaini made a motion seconded by Councilmember Shannon Spinner to approve of the appraisal Firm of Emminger, Newton, Pigeon, Magyar, Inc. to conduct an appraisal of the Athens Generating Plant for the Town of Athens. Ayes-4 (Pirrone; Ragaini; Paluch; Spinner) Noes-0 Absent-1(Brandow) Abstentions-0

Supervisor Pirrone reported that he has been in contact with the Village Mayor regarding the Town/Village Lease. She hasn't met with her Board to discuss it.

County Resolution No. 394-22 has been received listing the Town of Athens to receive \$97,553.04 in mortgage tax as their apportionment.

Letter received from the Teamsters, that as per the Contract, it time to renegotiate for the new contract covering wages, hours and general working conditions for the Town highway employees.

The Sleepy Hollow Lake v Town of Coxsackie & Athens et al. has an anticipated trial date of April 2023.

The Town is looking for data collector. Councilmember Paluch would like to sit in on the interview.

The Town of Athens Zoning Board of Appeals will hold a public hearing Regarding Freeport Solar, on December 14th, at 7:00 pm, at EJA Elementary School on Third Street, in Athens.

Councilmember Anthony Paluch expressed his desire to receive a “check” rather than direct deposit.

The County has a public hearing scheduled for December 14, 2022, at 6:25 p.m., at the County Legislative Chambers on their Local Law Introductory Number 4 of 2022. The local law amends their Local Law Number 1 of 2004 relating to exemption from real property taxes of property owned by persons with disabilities and limited incomes. They want to increase the maximum income limit from its current amount of \$29,000 to \$34,000.

Public:

Patrick Doyle of Flint Mine Solar gave an update on the Project.

Resident Lee Palmateer addressed the Board RE: Flint Mine Solar’s PILOT Agreement. Mr. Palmateer advised the Board that they “Owe It to the Town and residents”, to look over this agreement with a fine-tooth comb, and have the proper experts look over the agreement as well. He feels that if the Town signs the IDA’s PILOT agreement with Flint Mine, that it is throwing away more money in taxes than what they will be making with the PILOT. He wants the Town to get their fair share. The Town is not thinking of the future.

Patrick Doyle replied that Flint Mine Solar is a Utility Scaled Project. There will be a considerable amount of land left vacant. It is a 1,350- acre Facility area of which 350 acres for the PV modules will be sited. Additional land to be used for roads, collection lines and electrical infrastructure (switchyard/substation). Mr. Doyle gave a brief history of the project with the open house in February of 2018.

They received their Certificate Decision August of 2021. They are currently in Final Engineering.

\$10 million has been spent so far. They have filed for Article 10 and are waiting on the IDA.

Mr. Palmateer suggested that the Town build a team of experts to help them and get security in case of bankruptcy.

Mr. Doyle stated that 300 acres will be restored.

The Town has advisors.

Supervisor Pirrone stated that he has sent copies of Mr. Palmateer’s letter & questions, as well as the Preliminary draft of the Host Agreement and other important information to Board members.

Councilmember Michael Ragaini made a motion seconded by Councilmember Shannon Spinner to go into Executive Session to address Judicial matters, as requested by the Honorable Town Justice Constance Pazin. Ayes-4 (Pirrone; Ragaini; Paluch; Spinner) Noes-0 Absent-1 (Brandow) Abstentions-0 (Time: 7:48 p.m.)

Councilmember Anthony Paluch made a motion seconded by Councilmember Michael Ragaini to adjourn the Executive Session and resume the regular meeting. Ayes-4 (Pirrone; Ragaini; Paluch; Spinner) Noes-0 Absent-1 (Brandow) Abstentions-0 (Time: 8:30 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 Anthony Paluch. (Time: 8:31p.m.) Ayes-4 (Pirrone; Ragaini; Paluch; Spinner) Noes-0 Absent-1 (Brandow) Abstentions-0