

Supervisor Lee Palmateer called a regular meeting of the Athens Town Board to order at 7:00 pm with the Pledge of Allegiance to the Flag, on October 7, 2013.

The following people were present: Councilwoman April Paluch; Councilwoman Phyllis Dinkelacker; Councilman Steven Van Hoesen; Highway Superintendent John J. Farrell and Town Clerk Linda M. Stacey. (Councilman Butler was absent.)

These people were also present: Bookkeeper / Budget Officer Mary H. Brandow; Attorney Virginia Benedict; Code Enforcement Officer George Holsopple; Grant Writer Bill Roehr; Mr. and Mrs. Stanzione; Richard Golden; Andrea Smallwood; Randy Squires, Coxsackie-Athens Central School Dist. Superintendent and reporter Melanie Lekocevic.

The following bills were audited by the Board and ordered paid:

General Abstract #19, vouchers #465 through #493 inclusive for \$8,625.13.

Highway Abstract #18, vouchers #152 through #164 inclusive for \$14,082.28.

Supervisor called upon CA School Dist Superintendent Randy Squires.

Mr. Squires spoke about the possibility of changing the school board member elections from what it is currently: running for a specific seat, to running at “large” where the “top” vote getters would win. The Board seats are three (3) year terms.

Mr. Squires stated that the School Board feels that this would be more encouraging for people to run. This would have to go to public vote. The next meeting will be held at the school on October 17, 2013.

At 7:15 pm the Public Hearing Notice was read by Attorney Virginia Benedict, as it appeared in the Official Newspaper.

Supervisor Lee Palmateer made a motion seconded by Councilwoman April Paluch to close the public hearing and reconvene the regular meeting. (7:17 pm) Ayes-4 (Palmateer; Paluch; Dinkelacker; Van Hoesen) Noes-0 Absent-1 (Butler) Abstentions-0

On the motion of Supervisor Lee Palmateer seconded by Councilman Steven Van Hoesen the following **RESOLUTION #2013-27** was adopted as follows:

A LOCAL LAW TO AMEND THE TOWN OF ATHENS ZONING DISTRICT MAP

BE IT ENACTED by the Town Board of the Town of Athens as follows:

Section 1. Authorization.

This Local Law is adopted pursuant to the Town Law of the State of New York, Chapter 62 of the Consolidated Laws, Article 16, and Articles 2 and 3 of the Municipal Home Rule Law, to protect and promote public health, safety, comfort, convenience, economy, aesthetics and general welfare of the residents of the Town.

Section 2. Purpose and Intent.

The purpose of this local law is to rezone eleven parcels in the Agricultural District (AG) located south of Leeds Athens Road to Rural Residential (RU) Zoning. The map amendment is consistent with the Town and the Village of Athens Comprehensive Plan (“Comprehensive Plan”). The Comprehensive Plan contained a resource map entitled “Future Land Use/Conceptual Zoning, Town, Draft Version 3” which depicts the entire area south of Leeds Athens Road between I-87 and Vosenkill Road in the RU District. The eleven parcels which will be rezoned are identified as tax parcel nos: 138.00-3-6.2, 138.00-3-6.12, 138.00-3-7.2, 138.00-3-7.1, 138.00-3-10, 138.00-3.11, 139.00-7-3, 139.00-7-1, 139.00-7-2, 139.00-7-4, and 139.00-7-6 (the “lots”). The lots were in the RU District prior to 2011 before being rezoned AG. Although the Comprehensive Plan identifies the lots as containing prime farmland soils and soils of statewide importance, many of the lots have already been developed with single – family homes and the remaining land is not large enough to sustain agricultural operations. The

placement of the lots in the AG District has rendered the existing lots nonconforming, making it difficult for homeowners to make further improvements to their residential properties.

Section 3. Section 180-4A of the Zoning Law is hereby amended to read as follows:

A. The Zoning Map entitled “Zoning, Town of Athens” prepared by Community Planning and Environmental Associates, last revised June 3, 2013 is hereby adopted as part of this chapter.

Section 4. Zoning Map

The Zoning Map for the Town of Athens prepared by Community Planning & Environmental Associates, dated June 3, 2013, is hereby adopted and declared to be the Zoning Map of the Town of Athens, and an appurtenant part of the Town of Athens Zoning Law.

Section 5. Severability.

If any part or provision of this local law or the application thereof to any such person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this local law or the application thereof to other persons or circumstances, and the Town Board of the town of Athens hereby declares that it would have passed this local law or the remainder thereof had such invalid application or invalid provision been apparent.

Section 6. Repeal.

All ordinances, local laws and parts thereof inconsistent with this local law are hereby repealed.

Section 7. Effective Date:

This local law shall take effect immediately upon filing in the office of the New York Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

Ayes-4 (Palmateer; Paluch; Dinkelacker; Van Hoesen) Noes-0 Absent-1(Butler) Abstentions-0

Attorney Benedict spoke about a Certiorari case and a possibility of an appraisal being ordered.

Supervisor Lee Palmateer made a motion seconded by Councilman Steven Van Hoesen authorizing *Attorney Virginia Benedict to order an appraisal on the certiorari case if needed.*

Ayes-4 (Palmateer; Paluch; Dinkelacker; Van Hoesen) Noes-0 Absent-1(Butler) Abstentions-0

Supervisor Lee Palmateer made a motion seconded by Councilwoman Phyllis Dinkelacker to *approve the Supervisor's Report* as presented. Ayes-4 (Palmateer; Paluch; Dinkelacker; Van Hoesen) Noes-0 Absent-1(Butler) Abstentions-0

Grant Writer Bill Roehr informed the Town Board that we have received another Grant. This one is for imaging the documents. He also reported that he and Highway Superintendent Farrell will meet sometime next week to go over some grants.

Highway Superintendent John Farrell reported that the Sandy Plains Culvert Project was completed and the road has been opened. He reported that the Highway garage windows and

doors are beginning to leak. He advised that Board that he would like to have contractors take a look at these.

Mr. Farrell handed in his Inventory of Highway Machinery, Tools and Equipment.

All roads are being mowed back for the fall. Serviced trucks #3, #2, #4, #1 & #8.

They Oil and stoned for village one day. They are done with all patch work on roads to be oiled and stoned next year. Some sand has been hauled in.

Code Enforcement Officer George Holsopple asked about a large zoning map, which he received.

Supervisor Lee Palmateer made a motion seconded by Councilwoman April Paluch *to approve and accept the Town Clerk's Report as presented.* Ayes-4 (Palmateer; Paluch; Dinkelacker; Van Hoesen) Noes-0 Absent-1(Butler) Abstentions-0

Supervisor Lee Palmateer made a motion seconded by Councilwoman Phyllis Dinkelacker to *approve the minutes of September 16, 2013, as read.* Ayes-4 (Palmateer; Paluch; Dinkelacker; Van Hoesen) Noes-0 Absent-1(Butler) Abstentions-0

Councilwoman April Paluch made a motion seconded by Councilman Steven Van *Hoesen to approve the minutes of September 22, 2013, as read.* Ayes-4 (Palmateer; Paluch; Dinkelacker; Van Hoesen) Noes-0 Absent-1(Butler) Abstentions-0

Councilwoman April Paluch made a motion seconded by Councilwoman Phyllis Dinkelacker to *approve the minutes of October 2, 2013, as read.* Ayes-4 (Palmateer; Paluch; Dinkelacker; Van Hoesen) Noes-0 Absent-1(Butler) Abstentions-0

On the motion of Supervisor Lee Palmateer seconded by Councilwoman Phyllis Dinkelacker the following *RESOLUTION #2013-28 authorizing the Town Court to apply for a JCAP Grant to upgrade and repair the Court room was adopted.* Ayes-4 (Palmateer; Paluch; Dinkelacker; Van Hoesen) Noes-0 Absent-1(Butler) Abstentions-0

Councilwoman Phyllis Dinkelacker made a motion seconded by Councilwoman April Paluch to *reappoint Frances McCusker to a term of three (3) years on the Board of Assessment and Review from 10/1/2013 to 9/30/16.* Ayes-4 (Palmateer; Paluch; Dinkelacker; Van Hoesen) Noes-0 Absent-1(Butler) Abstentions-0

As there was no further business to come before the meeting a motion to adjourn was made by Supervisor Lee Palmateer seconded by Councilwoman Phyllis Dinkelacker. Ayes-4 (Palmateer; Paluch; Dinkelacker; Van Hoesen) Noes-0 Absent-1(Butler) Abstentions-0

Meeting adjourned at 8:00 pm.