

REGULAR MEETING – ATHENS TOWN BOARD – April 21, 2014

A regular meeting of the Athens Town Board was called to order on April 21, 2014 by Supervisor Joseph B. Iraci at 7:00 p.m. the Pledge to the Flag and a moment of silence.

The following people were present; Supervisor Joseph Iraci; Councilman Robert F. Butler, Jr.; Councilwoman April Paluch; Councilman Michael Ragaini and Town Clerk Linda M. Stacey. (Councilwoman Mary H. Brandow and Highway Superintendent John J. Farrell were absent.)

These people were also present: Code Enforcement Officer George Holsopple; Attorney Virginia Benedict; Fred Kinneary; John Cameron; Kyle Dingee; Bob Dingee ;George F. Stacey; Gene Hatton; Fred Dedrick; Lawrence Palmateer, III; Pete Pascuzzi; Eugene Salvino; Josh Hodor; Michael Pirrine; Gordon Pieruzzi; and Hal Brodie.

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

General Abstract #8, vouchers #188 though #214 inclusive for \$32,222.02.

Highway Abstract #8, vouchers #87 through 94 inclusive for \$3,134.64.

Residents John Cameron and Fred Dedrick approached the Board asking that they pass a resolution against the “Safe Act” of 2013. They explained that the State bypassed their own three day waiting period and they feel that this law should be repealed. The NY State Senate passed the 39 page the same day the bill was presented and the NY State Assembly considered the bill a few more hours before passing it.

Mr. Cameron handed out two different templates that the Board could choose to use or to alter. Board discussion followed.

Supervisor Joseph Iraci made motion seconded by Councilman Robert F. Butler, Jr. to use the short version of the template for a guideline. Carried Ayes-4 (Iraci; Butler; Paluch; Ragaini) Absent-1(Mary H. Brandow) Noes-0 Abstentions-0

On the motion of Councilman Robert F. Butler, Jr. seconded by Councilwoman April Paluch the following **RESOLUTION #2014-24** to pass a resolution to **repeal the Safe Act of 2013**, was **adopted as follows:** OPPOSING THE NEW YORK SAFE ACT OF 2013

WHEREAS, on January 14, 2013, the NY SAFE (Secure Ammunition and Firearms Enforcement) Act of 2013 was introduced to the New York State and Assembly and Senate; and

WHEREAS, the New York State Senate passed the thirty-nine page overhaul of the state’s gun laws the same day, while the assembly considered the bill a few more hours before passing it on January 15, 2013; and

WHEREAS, the Governor signed the bill into law that same day, on January 15, 2013; and

WHEREAS, the actions taken by the legislature disregarded the rules normally employed by our state government, Rules which were designed to allow for careful consideration and thoughtful debate of important issues; and

WHEREAS, it has been reported that the NY SAFE Act was acted upon before members had an opportunity to read, let alone analyze, the legislation; and

WHEREAS, depriving citizens of liberty and property without even reading the legislation is the antithesis of leadership and offensive to the concept of representative government; and

WHEREAS, due in part to the inadequate procedure undertaken to impose this legislation on the citizens of New York, there has been an outcry to amend the NY SAFE Act; and

WHEREAS, because the flawed product of a flawed process is not worth amending, only a complete repeal of this law is appropriate; and

WHEREAS, the Second Amendment, “A well-regulated militia being necessary to the security of a free state, the right of the people to keep and bear arms shall not be infringed,” continues to be a part of the United States Constitution; and

WHEREAS, New York’s SAFE Act infringes upon the Second Amendment rights of the People; and as such the New York SAFE Act should be immediately repealed.

NOW, THEREFORE, BE IT

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RESOLVED, that a certified copy of this resolution forwarded to Governor Andrew Cuomo, Assembly Speaker Sheldon Silver, Assembly Minority Leader Brian Kolb, Senate Majority Leaders Dean Skelos and Jeffrey Klein and the local delegation to the New York State Legislature, New York State Republican Chairman Ed Cox and each of New York's Republican County Chairs.

The above resolution #2014-24, was adopted as follows: Ayes-4(Iraci; Butler; Paluch; Ragaini) Noes-0 Absent-1(Brandow) Abstentions -0

Resident Fred Kinneary came before the Board at this time to speak about the Gypsy Point House on Sandy Plains Road. He brought up code and safety prospective. He feels that just because the bank owns it, doesn't mean that nothing can be done. The building is empty and people are using this area as an illegal dump now.

Attorney Benedict stated that she would have a searcher check the records to see who the current owner is.

Councilman Butler left at this time.

Eugene J. Hatton Greene County Legislator and Trustee of the Athens Community Foundation, presented the yearly report. The report gave a History of Contributions from Athens Generating; Other Contributions; A financial summary of the condition of the Athens Community Foundation as of December 31, 2013, including a Portfolio balance as of December 31, 2013.

Mr. Hatton reported that for 2013, the Trustees of the Athens Community Foundation announced the distribution of 39 grants totaling \$166,752 to 29 separate Athens based qualifying civic, sports, cultural, fraternal, educational, and governmental groups. Including this cycle, the eleventh annual round of grant by the Foundation, the number of grants over the life of the Foundation now totals 313, along with a total dollar figure disbursement of \$1,497,586.

Advisory Board members listed were: Chairman Robert Butler; Herby Blasewitz; Ron Coons; Tim Martin; Paul Patch; Mike Pirrone; Ron Puhalski; Herman Reinhold; Peggy Snyder; Jane Wais and Mary Jo Wynne. A list of grants awarded was also included.

Supervisor Iraci announced that we will be putting an ad in the newspaper for 3 new members to serve on the Advisory Board for the Athens Community Foundation.

Supervisor Iraci Thanked Trustee Gene Hatton for his service and all his hard work.

The minutes of April 7, 2014 were review by the Board.

Councilwoman April Paluch made a motion seconded by Councilman Michael Ragaini to *approve the minutes of April 7, 2014* as read. Carried. Ayes-4 (Iraci; Butler; Paluch; Ragaini) Absent-1(Mary H. Brandow) Noes-0 Abstentions-0

Councilman Michael Ragaini made a motion seconded by Councilwoman April *Paluch to donate \$200 out Youth Celebrations to Sprouts, under Greene County Council on the Arts, to provide workshops in art, theater, music, and dance for hundreds of children in Greene County.* Carried. Ayes-4 (Iraci; Butler; Paluch; Ragaini) Absent-1(Mary H. Brandow) Noes-0 Abstentions-0

On the motion of Councilwoman April Paluch seconded by Councilman Michael Ragaini the following **RESOLUTION #2014-25** to make the following Budget Amendment was adopted:

WHEREAS, the Town of Athens adopted the 2014 budget with a New York State Highway Improvement Program estimated revenue of \$56,000, and

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WHEREAS, the Town of Athens has received notification from New York State Department of Transportation that the actual amount of the allocation is \$73,107, and

WHEREAS, it is the intention of the Town Board of the Town of Athens to recognize this change for budgetary purposes;

NOW therefore, be it resolved, that the Town Board authorizes increasing Highway Fund Estimated revenue code DB 3501 State Aid CHIPS by \$17,107 and increasing Highway Fund/Appropriations line item DB 5112.2 CHIPS Capital Outlay by \$17,107.

Adopted: Ayes-4 (Iraci; Butler; Paluch; Ragaini) Absent-1(Mary H. Brandow) Noes-0 Abstentions-0

On the motion of Councilman Michael Ragaini seconded by Councilwoman April Paluch the following **RESOLUTION #2014-26**, a Resolution Scheduling Public Hearing on Proposed **Local Law No. 1** was adopted as follows:

BE IT RESOLVED, that Local Law No. 1 of 2014, providing for a local law amending Article II of Chapter 159 of the Town Code of the Town of Athens entitled “Senior Citizen Exemption”, a copy of which is annexed hereto, is hereby introduced at this meeting;

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Athens as follows;

1. The Town Board of the Town of Athens shall hold a public hearing on the 5th day of May, 2014, at 7p.m. at the Athens Town Hall, 2 First Street, Athens, New York, to hear all interested parties on said proposed Local Law.
2. The proposed Local Law constitutes a Type II action for purposes of the State Environmental Quality Review Act which will not requires SEQRA review.
3. The Town Clerk is hereby authorized and directed to publish notice of said public hearing in the official newspapers of the Town at least five (5) days prior to the date of the said public hearing.

The proposed Resolution above having been approved by a majority of the Board, the same was declared duly adopted by the Athens Town Board. Ayes-4 (Iraci; Butler; Paluch; Ragaini) Absent-1(Mary H. Brandow) Noes-0 Abstentions-0

On the motion of Councilman Michael Ragaini seconded by Councilwoman April Paluch the following **RESOLUTION #2014-27**, a Resolution Scheduling Public Hearing on Proposed **Local Law No. 2** was adopted as follows:

BE IT RESOLVED, that Local Law No. 2 of 2014, providing for a local law amending Article III OF Chapter 159 of the Town Code of the Town of Athens entitled “Exemption for Disabled Persons with Limited Income”, a copy of which is annexed hereto, is hereby introduced at this meeting;

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Athens as follows:

1. The Town Board of the Town of Athens shall hold a public hearing on the 5th day of May, 2014, at 7 p.m. at the Athens Town Hall, 2 First Street, Athens, New York, to hear all interested parties on said proposed Local Law.
2. The proposed Local Law constitutes a Type II action for purposes of the State Environmental Quality Review Act which will not require SEQRA review.
3. The Town Clerk is hereby authorized and directed to publish notice of said public hearing in the official newspapers of the Town at least five (5) days prior to the date of the said public hearing.

The proposed Resolution above having been approve by a majority of the Board, the same was declared duly adopted by the Athens Town Board as follows: Ayes-4 (Iraci; Butler; Paluch; Ragaini) Absent-1(Mary H. Brandow) Noes-0 Abstentions-0

On the motion of Councilman Michael Ragaini seconded by Councilwoman April Paluch the following **RESOLUTION #2014-28**, a Resolution Scheduling Public Hearing on Proposed **Local Law No.3** was adopted as follows:

BE IT RESOLVED, that Local Law No. 3 of 2014, providing for a local law amending Section94-3 of Chapter 94 of the Town Code of the Town of Athens entitled “ Demolition Permits”, a copy of which is annexed, is hereby introduced at this meeting;

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of Athens as follows:

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2. The proposed Local Law constitutes a Type II action for purposes of the State Environmental Quality Review Act which will not require SEQRA review.
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The proposed Resolution above having been approved by a majority of the Board, the same was declared duly adopted by the Athens Town Board as follows: Ayes-4 (Iraci; Butler; Paluch; Ragaini) Absent-1(Mary H. Brandow) Noes-0 Abstentions-0

Supervisor Joseph Iraci gave his report at this time.

Dollar General may not be coming to Athens.

We are currently working with the Labor Department to come into compliance. Perma and Councilor will review sheets.

Planning Board Chairman Hal Brodie arrived at this time.

He was asked the best way to hire professionals for Town services.

Discussion followed on; Route 9W Study; Best areas for commercial development would be at the intersections Leeds Athens Road and Schoharie Turnpike.

Discussion then followed on Professional Services: Hal stated that for the Planning Board, it is a form of discovery. Sometimes they aren't aware that Professional Services are required until something crops up.

Town of Athens 200th Anniversary will be February 25, 2015. Supervisor Joseph Iraci set up the following Committee: Councilwomen Mary H. Brandow and April Paluch; Councilman Michael Ragaini; Town Historian Lynn Brunner; Village Historian Betty Jean Poole; people from the Cultural Center; People from the D. R. Evert's Library and Norman Fuller.

Chairman of Cleanup Day Councilman Robert F. Butler, Jr. Informed and reminded Board members that Spring Cleanup Day was April 26, 2014, from 8:30 a.m. to 12p.m. behind the Village Fire House.

The Ad for members for the Advisory Board for the Athens Community Foundation to go into the newspaper.

The Board agreed to keep the Grant Writer until the end of December at the \$800 per month.

The Fill Permit requirements are covered in the Town Code Book

The Workplace Violence Prevention Policy was presented to the Board for review and to be voted on. This policy is also required by the Labor Department.

Councilman Michael Ragaini made a motion seconded by Councilwoman April *Paluch* to *approve the Workplace Violence Prevention Policy as presented.* (This is the first approval.) Ayes-4 (Iraci; Butler; Paluch; Ragaini) Absent-1(Mary H. Brandow) Noes-0 Abstentions-0

As there was no further business to come before the meeting, a motion to adjourn was made by **Councilwoman April Paluch** seconded by Councilman Michael Ragaini. Carried; Ayes-4 (Iraci; Butler; Paluch; Ragaini) Absent-1(Mary H. Brandow) Noes-0 Abstentions-0 Meeting adjourned at 8:38 p.m.

