

REGULAR MEETING – ATHENS TOWN BOARD – December 7, 2015

The regular meeting of the Athens Town Board was called to order on December 7, 2015, at 7:00 p.m. by Supervisor Joseph B. Iraci with the Pledge of Allegiance to the Flag and a moment of Reflection.

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

These people were also present: Attorney Virginia Benedict; Bookkeeper/ Budget Officer Michael Strenka; Assessor Carol Mc Bride; Code Enforcement Officer George Holsopple; Greg Christy; John Brock; Sam Sebren; Jerry Bunting; Ron Puhalski and Mary Finneran.

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

General Abstract #23, vouchers#543 through #562 inclusive for \$73,071.68.

Highway Abstract #22, vouchers #234 through #253 inclusive for \$43,182.49.

Attorney Jerry Bunting spoke on behalf of the group who wish to deny consent for the New York State Thruway Authority to serve as Lead Agency for the State Environmental Quality Review Act (SEQRA) of the Proposed Pilgrim Pipeline Project.

Mr. Bunting and the group feel that DEC should be the Lead Agency, if the NYS Thruway has Lead Agency, they have a vested interest, and they would get paid. It was suggested that the Town Board say no to the Thruway being Lead Agency. The pipeline would go south along the Thruway from Albany, except at Athens, where they would declare eminent domain along Leeds Athens and Schoharie Turnpike on private property. There is a deadline of 12/16/15 to get an answer in to the State.

On the motion of Councilman Robert F. Butler, Jr. seconded by Councilwoman Mary H. Brandow the following **RESOLUTION #2015-35** authorizing the Supervisor to write a letter *Denying Consent for the New York State Thruway Authority to Serve as Lead Agency for the State Environmental Quality Review Act (SEQRA) of the Proposed Pilgrim Pipeline Project*, was adopted as follows:

WHEREAS, Pilgrim Pipeline Holdings, LLC, has filed an application to construct the Pilgrim Pipeline, consisting of two pipes designed to carry crude oil and refined petroleum products between Albany, NY and Linden, New Jersey and which will run parallel to the New York state Thruway right-of-way on lands located within the Town of Athens; and

WHEREAS, this project will be considered a State Environmental Quality Review Act (SEQRA) Type I Action under 6NYCRR 617; and

WHEREAS, the Town of Athens is an “Involved Agency” in the SEQRA process and therefore has a voice in the selection of the entity that shall serve as lead agency for the aforementioned proceedings; and

WHEREAS, the New York State Thruway Authority (“NYSTA”) is seeking consent to be SEQRA lead agency status for this project; and

WHEREAS, any denial of consent must be received by the NYSTA no later than December 16, 2015; and

WHEREAS, The Town of Athens seeks to have the SEQRA process conducted in an efficient, and comprehensive manner; and

WHEREAS, the New York State Department of Environmental Conservation (“NYSDEC”) has decades of experience in the review of such projects and has the staff, expertise and resources best able to provide a comprehensive and coordinated review as lead agency; and

WHEREAS, the Pilgrim Pipeline shall pass through 6 counties and 29 towns and much of the route is outside the jurisdiction of the NYSTA including that portion of the route through the Town of Athens and it is therefore more appropriate for the DEC as opposed to the NYSTA to serve as lead agency;

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Athens does not consent to the NYSTA as lead agency in the SEQRA review of the proposed Pilgrim Pipeline and to request Commissioner Basil Seggos that the NYSDEC serve as lead agency; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Athens authorizes the Town Supervisor to sign the letter which is attached hereto and made a part hereof requesting that the NYSDEC to be the lead agency; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Athens hereby directs the Town Clerk to forward copies of this resolution to the NYSTA Chair Joanne Mahoney, NYS DOT Chair Matthew Driscoll, US Senators Charles Shumer and Kristen Gillibrand, US Representative Chris Gibson, Governor Andrew Cuomo, New York State Public Service Commission Chair Audrey Zibelman, New York State Assembly member Pete Lopez, State Senator George A. Amadore, Jr., Acting NYS DEC Commissioner Basil Seggos and Executive Deputy Commissioner Marc Gertsman. Ayes-4 (Iraci; Butler; Brandow; Paluch) Noes-0 Absent-1(Ragaini)

Route 9W- Deborah Braiman

Greg Christy of North East Treaters introduced the new Plant Manager John Brock to the Board. Mr. Christy advised the Board that the Topographical Map is being worked on.

Department Heads:

Interim Assessor Carol McBride reported that two parcels have been filed for 2015 pending. The first parcel she offered to settle for according to the appraisal contracted from Pace Appraisals for \$320,000.

Mrs. McBride would like approval to contract commercial Appraiser, Gary Snowden, for the second case for a fee of \$3,000 for a Preliminary Appraisal, if the case goes to trial (which is doubtful), an additional fee of \$5,000 would be needed to be approved.

Mrs. McBride has registered for a class in April 2016.

Ongoing with Bob Hilbert, from Appraisal Consultants, Don Daoust from Coxsackie has been hired by Mr. Hilbert for the collection of photos needed for analysis.

Highway Superintendent John J. Farrell reported that a new power steering pump had to be ordered for truck #8.

All snow plows are ready for snow.

Tree work on Valley road (brush & underbrush) is done and they have started on High Hill Road. Used County Bucket truck for 2 days to remove dead pine trees.

They hauled 1A's stone for 1 day and #2 gravel 2 days for Village drying bed at reservoir.

Highway Superintendent-Continued:

Replaced Broken Boards in salt shed and had door knob replaced on shop door.

Rebuilt front wing post on Truck #8.

Bookkeeper/ Budget Officer Michael Strenka reported that there would be budget transfers for the next meeting.

Code Enforcement Officer George Holsopple stated that there wasn't much to report for this meeting. Reports will be ready at end of month.

Peckham is extending its rails.

Catskill Landfill Project:

Supervisor Iraci spoke about his meeting with the towns of Catskill, Athens, New Baltimore and Cairo and the villages of Athens and Catskill held on November 24, 2015. The towns and villages cited above partnered with the state to fund the costs of closing, monitoring and maintenance of the landfill. Each municipality's contribution was based on their population density. Funds raised, were deposited and remain in an interest bearing savings account. This was done to assure there are sufficient funds for monitoring, maintenance and any unforeseen occurrences. Municipalities are committed to the monitoring and maintenance of the site until 2022. Any decisions relating to the dispensing of funds must be approved unanimously by all six of the municipalities. The expected return to each municipality rounded off to the nearest \$10,000 would be approximately: Town of Athens \$94,300; Town of New Baltimore \$41,000; Town of Cairo \$248,000; Village of Athens \$95,400; Town of Catskill \$430,000 and Village of Catskill \$90,000. Each municipality is asked to pass a resolution approving the dispensing of the funds as outlined.

On the motion of Councilwoman Mary H. Brandow seconded by Councilman Anthony Paluch the following **RESOLUTION #2015-36** to agree to the dispensing of \$1,000,000 of Landfill moneys in the same proportion as originally contributed, by the Towns of Athens, Cairo, Catskill, New Baltimore, and Villages of Athens and Catskill, was approved and adopted.
Ayes-4(Iraci; Butler; Brandow; Paluch) Noes-0 Absent-1(Ragaini) Abstentions-0

Councilman Anthony Paluch made a motion to approve the Supervisor's Financial Report, seconded by Councilman Robert F. Butler, Jr. Ayes-4(Iraci; Butler; Brandow; Paluch) Noes-0 Absent-1(Ragaini) Abstentions-0

Supervisor Joseph Iraci informed the Board that a New York State Auditor had come to the office and talked to him and Bookkeeper Strenka, regarding forms for the the Tax cap reporting. He is concerned if no one is looking at bank deposits and reconciliations of all departments that handle money other than the Bookkeeper / Supervisor's office. Discussion followed.

Councilman Robert F. Butler, Jr. made a motion seconded by Councilwoman Mary H. Brandow to approve the Town Clerk's Report as presented. Ayes-4 (Iraci; Butler; Brandow; Paluch) Noes-0 Absent-1(Ragaini) Abstentions-0

Councilman Robert F. Butler, Jr. made a motion seconded by Councilman Anthony Paluch to approve the minutes of November 16, 2015 as read. Ayes-4(Iraci; Butler; Brandow; Paluch) Noes-0 Absent-1(Ragaini) Abstentions-0

Supervisor Iraci spoke about Air B & B (short term rentals) and Noise and Mass gatherings. Discussion followed.

Mr. Iraci spoke about the telephone service and stated that the difference in charges would only be \$424.00 and this did not include equipment.

As there was no further business to come before the meeting a motion to adjourn was made by Councilwoman Mary H. Brandow seconded by Supervisor Joseph B. Iraci.
Ayes-4(Iraci; Butler; Brandow; Paluch) Noes-0 Absent-1(Ragaini) Abstentions-0

Meeting adjourned at 8:45 pm.