

REGULAR MEETING – ATHENS TOWN BOARD – July 5, 2022

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

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

These people were also present: Edward Bloomer; Paula Butler; Barb Trembacz; Fran McCusker; Tim Mercer; Patrick Doyle; Jens Clausen; Dylan Levings; Al Kaplan; Robert Brunner; Paulette Miller-Travis; Mary K. Garvey; Mary Beth Bianconi of Delaware Engineering and Rob Stout.

EMINENT DOMAIN PROCEEDINGS

First to come before the meeting were Robert Stout of Whiteman Osterman & Hanna LLP, for a brief update relative to SEQRA process; and **Mary Beth Bianconi**, of Delaware Engineering, DDC presenting the next steps in the process of considering a new Town building. **Mr. Stout** stated that we would need an updated cost estimate for the construction. On July 18th, the Board will have to do a long form SEQRA, and a Storm Water Permit. The Board will have to declare Lead Agency. (Stenographer provided by Whiteman, Osterman & Hanna.)

Mary Beth Bianconi stated that the purpose of the public hearing is to propose the project and facts, values, and drawbacks. This will go into a 11x 14-fold down flyer which can be mailed out to property owners. They will have a website dedicated to the construction of the new building. She explained that nothing that they have here will be committed to. (3 meetings to be held for the public; The Community Center, the current seat of government, and two at the Highway Garage .)

A motion was made by Councilmember Michael Ragaini seconded by Councilmember Mary Brandow as follows: Professional Services Agreement- Amendment 1- New Town Hall- This Agreement is by and between the **Town of Athens (“CLIENT”) 2 First Street, Athens, NY 12015** and **Delaware Engineering, D. P. C. (“ENGINEER”) 28 Madison Avenue Extension Albany, New York 12203**

Who agree as follows:

The CLIENT hereby engages the ENGINEER to perform the services described in Part I (“Services”) and the ENGINEER agrees to perform the Services for the compensation set forth in II. Work shall be conducted pursuant to the Standard Terms and Conditions provided in part III. The ENGINEER shall be authorized to commence the Services upon execution of this Agreement. The CLIENT and the ENGINEER agree that this signature page, together with Parts I-III and any attachments referred to therein, constitute the entire agreement between them relating to continuing Project assignments (Agreement).

Ayes-3-(Brandow; Ragaini; Paluch) Noe-1(Pirrone) Absent1 (Spinner) Abstentions-0

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

General Abstract # 13, vouchers #295 through #324 inclusive for **\$44,329.58**.

Highway Abstract #13, vouchers #95 through #105 inclusive for **\$53,104.97**.

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

Motion was made by Councilmember Anthony Paluch seconded by Councilmember Michael Ragaini *to approve to minutes of June 20, 2022, as read.* *Ayes-4 (Pirrone; Brandow; Ragaini; Paluch) Noes-0 Absent-1(Spinner) Abstentions-0*

Councilmember Michael Ragaini made a motion seconded by Councilmember Mary Brandow to approve the Town Clerk's Report for June as presented. Ayes-4 (Pirrone; Brandow; Ragaini; Paluch) Noes-0 Absent-1(Spinner) Abstentions-0

Patrick Doyle of Flint Mine Solar introduced Dylan Levings and Jens Clausen of *D. E. Shaw Renewable Investments (DESRI)* the company that has taken over the project. They are financing the construction and are New York City based. Nothing has been heard from the IDA.

On the motion of Councilmember Michael Ragaini seconded by Councilmember Mary Brandow the following **RESOLUTION #2022-32** *authorizing the Highway Superintendent to use the Supplemental APRA Funds for Project #1 NYS-OGS Award #23257*, which would consist of doing a paver-placed surface treatment on Flats Road Extension (*The Road*). The Road will be paved at a length of 8,050 ft. long and 20 ft. wide with a type B paver placed treatment @100 lbs. per square Yard. The cost of the project would be \$150,012.14. Funding to be established as follows:

Supplemental ARPA Funding	\$100,000.00
Town's NYS CHIPS Funding	\$50,012.14
Projected Cost Summary	\$150,012.14

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

The Town of Coxsackie sent a Notice of a Public Hearing regarding their proposed local law #1 for 2022, a zoning amendment to regulate the sale of cannabis. The hearing is scheduled for July 12 at 7 pm at the Coxsackie Town Hall.

***Resident Paulette Miller-Travis** asked about the joint meeting with the Village on **July 20th at 6:30 pm.** She was told it was for the Village's regular meeting, and the Executive Session was to discuss rent issues and other contract issues with the Town.

Supervisor's Request

To Permit the Town Clerk and /or Deputy Clerk to sit in on Executive Sessions. Permitting the Town Clerk to attend will aid in the preparation of minutes, verification of information and processing and distribution of related Town business matters.

Motion by Councilmember Michael Ragaini seconded by Supervisor Michael N. Pirrone for the above issue. Ayes- 2 (Pirrone; Ragaini) Noes-2 (Brandow; Paluch) Absent-1(Spinner) Abstentions-0 Motion Failed

Councilmember Michael Ragaini made a motion to go into *Executive Session to discuss Court Personnel issues*, seconded by Councilmember Mary Brandow. Ayes-3 (Pirrone; Brandow; Ragaini) Noes-1 (Paluch) Absent-1 (Spinner) Abstention-0 Time: 7:42 pm

Councilmember Anthony Paluch made a motion seconded by Councilmember Michael Ragaini to come out of Executive Session and **reconvene the regular meeting.** Ayes-4 (Pirrone; Brandow; Ragaini; Paluch) Noes-0 Absent-1(Spinner) Abstentions-0 Time: 8:18pm

Town Action : Judicial Department.

The Town Board discussed the request from the Judicial Department to address the open position of Court Clerk, possible backlog of case processing and other administrative duties. Also, other possible solutions to the issue were considered. After discussion, suggestions and fair consideration of the various solutions, the Town Board moved forward with a consensus of the members.

Councilmember Anthony Paluch made a motion seconded by Supervisor Michael N. Pirrone as follows: Whereas we resolve to support the Judicial Department's effort to secure a new Court Clerk, authorize additional work hours to the sole Court Clerk during this time and payment of Court Session work hours during this time. Ayes-4 (Pirrone; Brandow; Ragaini; Paluch) Noes-0 Absent-1 (Spinner) Abstentions-0

Members were reminded of the following dates:

July 9, 2022: Athens Street Festival

July 13, 2022: Zoning Board of Appeals Meeting

July 18, 2022: Town Board meeting

July 28, 2022: Planning Board Meeting

As there was no further business to come before the meeting, a motion to adjourn was made by **Councilmember Anthony Paluch** seconded by Councilmember Mary Brandow. Ayes-4 (Pirrone; Brandow; Ragaini; Paluch) Noes-0 Absent-1(Spinner) Abstentions-0

Meeting adjourned at 8:20 pm.