

REGULAR MEETING – ATHENS TOWN BOARD – August 15, 2022

The regular meeting of Athens Town Board was called to order at 7:01 pm. by Supervisor Michael N. Pirrone, with the Pledge of Allegiance to the Flag on August 15, 2022, at the Village of Athens Volunteer Fire House at 49 Third Street, Athens, New York.

The following people were present: Supervisor Pirrone; Councilmember Mary Brandow; Councilmember Michael Ragaini; Councilmember Shannon Spinner; John J. Farrell Highway Superintendent and Linda M. Stacey Town Clerk.

These people were also present: Attorney George McHugh; Financial/ Budget Officer; Don Pierro; Code Enforcement Officer Albert Gasparini; Susan Brady; Theresa Cardinale; Fran McCusker; M.K. Garvey; Carol & Chris Pfister; Gail Lasher; Marla Butler; Robert Butler; Robert Brunner; Nora Adelman; Patrick Doyle; Sam Sebren; Ron Puhalski; G.A. Bunting; Kathy Jackson; Andy Jackson; Luigi DiStefano; Maura Rosner and Diane Michener.

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

General Abstract #16, vouchers #364 through #385 inclusive for **\$75,455.71**.

Highway Abstract #16, voucher #117 for **\$304,793.49**.

Highway Abstract #17, vouchers #118 through #124 inclusive for **\$90,027.13**.

Trust & Custodian Abstract #1, vouchers #1 through 3 inclusive for **\$2,891.32**.

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

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

Assessor's written report showed that the Assessment Board of Review held their hearing on August 8th to correct the final assessment roll, which was to remove exemptions from some properties that had sold.

After the file was updated with the Board of Assessment Changes, a file for the final 2022 School Rolls was processed and sent to the County for processing the school tax bills.

They processed: 3 Village permits; 3 Town permits; 12 Village deeds resulting with sales in the range of 180,000 - 1,185,000.30; 30 Town deeds resulting with sales in the range of 125,000 - 720,000; 1 Village tax map revision; 3 Town tax map revisions and 1 Village E911# update.

Files are continually being updated with data received from the data collectors, adding pictures, etc. for the 2023 systematic analytics.

Assessor's Clerk is still organizing all the normal files along with exemption files and keeping them up to date. This will be an ongoing process.

Councilmember Michael Ragaini made a motion seconded by Councilmember Shannon Spinner to **accept the Assessor's report**. Ayes-4 (Pirrone; Brandow; Ragaini; Spinner) Noes-0 Absent-1(Paluch) Abstentions-0

Code Enforcement Officer Albert Gasparini reported that he had 7 building permits, and 14 building inspections.

Building Permit Inquiries: New House; Garage; Renovation of Camp Catskill, 1226 Schoharie Turnpike, formerly Juniper Woods. Hut.com representative called wanting to build three rental homes on a property.

Certificate of Occupancy: 1 at 64 Squire Lane

Two Certificates of Compliance were issued:

Closing of open building permit Field Goods on Schoharie Turnpike.

Verizon-Wireless Cantenna on Wooden Utility Pole with 10 Ft. x 10 Ft. Fenced Area with Electrical Equipment.

There were 7 Certificate of Occupancy Search Requests.

There was 1 Demolition Permit for 8863 Route 9W Removal of a Two Story House.

One Short Term Rental Certificate for 187 Valley Road.

Violations: Stop Work Order for 137 Whitney Point, for improper fastening of sill plate to concrete foundation. New fasteners were installed. Stop Work Order Release issued on 7/13/22.

Resident Luigi Di Stefano came before the Board asking how many truck loads (yard) of fill he can dump on his property.

He was told that his 2006 permit fill permit had expired, and he had reached the limit.

Attorney McHugh asked if Mr. DiStefano could reapply for a new fill permit.

Highway Superintendent John J. Farrell informed the Board that he would like to declare the old roller as surplus and advertise it on Auctions International for sale.

He reported that all 2022 road work is complete. They just have a little blacktop patching to do yet.

He informed the Board that he wants to paint the sand/salt shed the first week of September.

He will be renting a lift for \$1,200 and do it in house to save money. The paint will be \$1,410.75 for the roof plus the sides.

A track broke on the excavator. It cost \$4,000 for two (2) new tracks.

Mr. Farrell would like to start to spec a dump truck out and place the order by the end of the year. The truck will not show up until 2024. It would replace truck #2 which is a 1994 international.

NYS DEC signed off on the Culvert Project, so it was just ordered. Work will happen next year.

The Highway crew worked with Village of Coxsackie for a day milling Sunset Blvd.

They worked with the Village of Catskill for two (2) days milling and paving.

Trunk #4 got 6 new tires.

Highway Superintendent Farrell will check with the County Highway/Solid Waste to find out about a day for the joint Cleanup Day.

On the motion of Councilmember Shannon Spinner seconded by Councilmember Mary Bandow the following **RESOLUTION #2020-33** to declare the current roller as surplus and that the Highway Superintendent place it on Auctions International for sale was adopted. Ayes-4 (Pirrone; Brandow; Ragaini; Spinner) Noes-0 Absent-1(Paluch) Abstentions-0

Financial/Budget Officer Don Pierro gave the Financial Report. All bank statements and cash reconciliations were reviewed and completed for the month ending July 2022.

The first half of the 2022 Mortgage Tax from the New York State Comptroller's Office has been received and the second half will be received in November or December.

We have received the second half of Federal ARPA Funds which were deposited and booked in the General Ledger.

The current year funds continue to run typically with 58.33% of the year now recorded and closed.

We continue to receive updates from vendors and various agencies and update the Tentative Budget accordingly.

Councilmember Michael Ragaini made a motion seconded by Councilmember Mary Brandow to accept the Financial Officer's Financial Report. Ayes-4 (Pirrone; Brandow; Ragaini; Spinner) Noes-0 Absent-1 (Paluch) Abstentions-0

Supervisor Michael N. Pirrone received a letter from the Greene IDA. A critical portion of the PILOT agreement was the Greene IDA and the Town of Athens receipt of the value of 70 megawatts (50 for Greene IDA and 20 for the Town of Athens) of power produced at the facility over the 20-year life of the agreement. The PILOT provides for a monthly cash payment reflecting the value of that power with a base minimum of \$200,000. Provided in the agreement was a yearly **“true up”** or audit of that value providing for additional payments based on the price of the power sold at the daily market price. The total true up amount for this year was \$184,032.07. We are very pleased to provide you the enclosed check of **\$52,580.59** which reflects the increased value of your 20 megawatts or 2/7th of the 70 megawatts for the period June 1, 2021, to May 31, 2022.

On the motion of Councilmember Mary Brandow seconded by Councilmember Michael Ragaini the following **RESOLUTION #2022-34** to **Approve the Use of Town of Athens Reserve Funds for Certain Expenditures** was adopted:

WHEREAS the Town Board of the Town of Athens hereby determines it is in the public interest and purpose to approve the use of Building Reserve Funds to pay certain invoices related to Legal, Engineering, and related costs during 2022 as of August 1, 2022, and,

WHEREAS the Town of Athens Town Board authorized the provision of Legal, Engineering, and related services as part of the overall planning for a Town Hall Project and,

WHEREAS this Board Resolution permits the use of Building Reserve Funds for these related and allowable expenditures and,

WHEREAS said Funds are held in the National Bank of Cossackie, Athens, NY 12015 and are liquid and available for immediate use once authorized by the Town Board and,

NOW THEREFORE BE IT RESOLVED, the Town Board of Town of Athens hereby authorizes the use of Building Reserve Funds for certain approved expenditures Between January 1, 2022, and August 1, 2022, in the amount of \$15,455.50. The items are as follows: Delaware Engineering 2/9/22 \$6,250.00, Whiteman, Osterman & Hanna 7/7/22 \$2,960.50, Laura Couch 8/1/22 \$1,500 and Whiteman, Osterman & Hanna 8/1/22 \$4,745.00. That said approved expenditures are in compliance with the original intent of said Reserve Funds. That such Town Board approval is further evidenced by the majority consensus appearing below, and that the foregoing resolution shall become effective upon the execution of the signature of Town Clerk.

Ayes-3 (Brandow; Ragaini; Spinner) Noes-1(Pirrone) Absent-1(Paluch) Abstentions-0

Supervisor Pirrone announced that he has been seeking the services of “Adaptive Reuse of Historic Structures” firms, for comparative analysis to a new building construction. He has been contacted by the following: 1) Thaler, Reilly, Wilson; 2) Sanders Architects; 3) Preservation Architects; 4) Landmark Consulting; 5) Butler Rowland Mays Architects. Also, with additional investigation & efforts, Supervisor Pirrone was able to secure a copy of the report from Butler Rowlands for the work they did in 2019.

Correspondence-Final Memorandum of Findings & Disbandment of Town and Village Comprehensive Plan Implementation Committee Report. They will form an independent not-for-profit Local Development (“LDC”) Corporation to help economically develop the Town and Village. This will include researching and applying for grants that would encourage economic development and aid to local businesses. The LDC will work with granting agencies such as the State Economic Development Office, the County Government and Chamber and local businesses to help develop the areas of the Town and Village where businesses are looking for funding

Councilmember Shannon Spinner made a motion seconded by Councilmember Michael Ragaini that the **September 19th meeting be canceled**, as the Supervisor will be out of Town. Ayes-4 (Pirrone; Brandow; Ragaini; Spinner) Noes-0 Absent-1(Paluch) Abstentions-0

There will be a Public Hearing on October 17, 2022 the Town Board and Andrew Farbstein, VP. Industrial & Utility Valuation Consultants. They will explain the process of the Systematic Analysis Review that is underway. Questions from the public will follow.

Resident Michael Campbell asked Attorney McHugh if he had heard anything from the County about Quarry Road.

Attorney McHugh informed him that he will meet with the County August 31st.

Patrick Doyle of Flint Mine Solar gave a status update.

Resident Robert F. Butler, Jr. asked the Building Reserves.

He also asked why the vouchers to his business, Colarusso, are only signed by three people.

Supervisor Michael N. Pirrone made a motion seconded by Councilmember Michael Ragaini to go into **Executive Session** to discuss litigation between Sleepy Hollow Lake v the Town of Cossackie, and Town of Athens. Ayes- 4 (Pirrone; Brandow; Ragaini; Spinner) Noes-0 Absent-1(Paluch) Abstentions-0 Time- 8:01 pm

Councilmember Shannon Spinner made a motion seconded by Councilmember Michael Ragaini to **adjourn the Executive Board** meeting and reconvene the regular meeting. Ayes-4 (Pirrone; Brandow; Ragaini; Spinner) Noes-0 Absent-1 (Paluch) Abstentions-0 Time-8:14 pm.

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

Meeting adjourned at 8:15 p.m.

