

Councilmember Michael Ragaini called the regular meeting of the Athens Town Board to order at 7:00 pm, on September 18, 2023 with the Pledge of Allegiance to the Flag at Athens Town Hall, on 2 First Street, Athens, NY.

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

These people were also present: Highway Superintendent John J. Farrell; Attorney George McHugh; Financial /Budget Officer Don Pierro; Code Enforcement Officer Albert Gasparini; George Greiner; Barbara Trembacz; Tami Bone; Becky Pine; Fran McCusker; Theresa Cardinale; Patrick Doyle and Mary K. Garvey.

Councilmember Shannon Spinner made a motion to appoint **Councilmember Michael Ragaini as Chairman for tonight’s meeting**, seconded by Councilmember Anthony Paluch. Ayes-4 (Brandow; Ragaini; Paluch; Spinner) Noes-0 Absent-1(Pirrone) Abstentions-0

Councilmember Shannon Spinner made a motion seconded by Councilmember Mary H. Brandow to **approve the following vouchers** which were audited prior to the meeting:

General Abstract #17, vouchers #426 through #447 inclusive for **\$6,399.41**.

Highway Abstract #16, vouchers #153 through #159 inclusive for **\$64,060.29**.

Trust & Custodian-

ARX- Abstract #10, voucher #13 for **\$610.28**.

Camp Catskill- Abstract #4, vouchers #4 through #6, for **\$2,140.10**.

DeSchaine - Abstract#5, voucher #9 for **\$797.78**.

9071 Rt. 9W- Abstract #6, Voucher #9 for **\$497.78**.

Pet Cremation (Papo) Abstract #1, vouchers #1 & #2 for **\$142.08**.

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

Councilmember Anthony Paluch made a motion seconded by Councilmember Shannon Spinner **to approve the minutes of September 5, 2023, as read**. Ayes-4 (Brandow; Ragaini; Paluch; Spinner) Noes-0 Absent-1(Pirrone) Abstentions-0

Code Enforcement Officer Albert Gasparini reported on the Month of August: 4 Building Permits. 15 building Inspections. Building Permit Inquiries: Garage; Multiple Inquiries of parcels of land to build homes on.; Regulated solar panels.

One inquiry about the reopening of the Old Green Lake Resort, one to open as a resort and one as a resort and small housing development on undeveloped part of property.

9071 Budget Inn- two inquiries in making the property back into a hotel.

Certificate of Occupancy: One house 1185 Leeds-Athens Road. **Certificate of Compliance-** deck at 13 Tarrytown Lane: Garage at 1185 Leeds-Athens Rd.

Short Term Rental Certificates- 1321 Schoharie Turnpike.

There were 5 Certificate of Occupancy search requests.

Code Enforcement continued on next page.

Violations: On going.

1540 Leeds-Athens Road, Violation of Property Maintenance Code of New York State, Chapter 3 General Requirements, 304.7 Roofs and Drainage, 305.3Interior surfaces. Next Court Date: September28, 2023, at 2:00 P.M.

- Roof leaking into home and damaged the interior ceiling and walls of the kitchen and children’s bedroom with evidence of a type of black mold.
- Tenant claims of health issues from mold in the house for her and her children.
- June 1, 2023, June 29, 2023, July 27, 2023, hearings were held at the Athens Town Court, that the home owner did not attend. He is currently working with Athens Town Court in next steps in preparing documents for next court hearing.
- The tenant has vacated the property.
- On July 27, 2023, the home (manufactured home) was red tagged with an “Order to Vacate, Dangerous and Unsafe Condition- Keep Out sign” To date no one is occupying the house.

Assessor's Written Report was read by Councilmember Ragaini:

The Assessor's Offices has processed 15 Village Permits and 3 Town Permits.

They are continuing to update their files, adding pictures, verifying data, filing, collecting data on the Village and Town building permits for valuation for the 2024 assessment roll. Including splits and merges.

The school taxes have been mailed, so they are receiving some calls regarding exemptions, and very few on valuation, and address changes, etc. They are planning to begin to send out the Agricultural and Non-profit renewal applications, then they will concentrate on the senior Citizen and Disability with limited income renewals. They are waiting for the deeds from the County, which will be processed for the January Town/County tax bills.

The Financial/ Budget Officer Don Pierro reported that there are three (3) new Article 78 Proceedings stemming both Freepoint and Flint Mine Solar/ZBA.

- An audit was completed for Highway Union Medical insurance compliance. One finding was responded to and are still awaiting a resolution from the Teamsters Union.
 - All Operating and Reserve Bank statements and Cash Reconciliations were completed for the month ending August 2023 with no exceptions noted.
 - The annual payment of \$65,137.15 including principal and interest was approved at the August 21st Board meeting and paid representing the single piece of bonded indebtedness.
 - We provided written notice to four employees to complete a waiver form for Town insurance to comply with the Medical Buy-out policy. To date three completed forms have been received with one refusal.
 - The first half of Mortgage Tax for 2023 has been received.
 - The 2024 Budget is ready to be turned over to the Town Clerk on September 19, 2023 at which point will be given to the Town Board Members. The Budget Workshop sessions begin October 4th, and continue October 12th, and October 18th if needed.
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- The august Monthly Retirement Report was prepared, filed timely, and accepted as submitted without exceptions.
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- Supervisor Michael Pirrone has given the go-ahead to allow our resident taxpayers to pay for Real Estate Taxes via Credit Card. These services were purchased via the NYS Office of General Services (OGS). When a Town purchases goods or services via an OGS contract, those goods and services are deemed fully vetted and bid on in satisfaction of all New York State bidding rules to achieve full compliance. This new policy will begin with the tax bills starting January 2024.

Attention: a Local Law for the 2 % Tax Cap needs to be passed.

Highway Superintendent John J. Farrell presented his Annual Inventory of Highway Machinery, Tools and Equipment for 2023.

Included on the report he recommends replacing the Ford 515 tractor with a new tractor and boom mower. (State Aid)

Also, to keep putting money away for replacement on an International dump unit #6.

A part is needed for the mower cost \$5,000.

The Victorian Stroll funding was discussed. The Town to apply for Community Foundation Funds for the Victorian Stroll.

On the motion of Councilmember Anthony Paluch seconded by Councilmember Shannon Spinner the following **RESOLUTION #2023-46** for the Town Board to apply for **Community Foundation Funds for the Victorian Stroll was adopted as follows:**

WHEREAS the Town Board of the Town of Athens hereby determines that it is in the public interest and purpose to authorize the Town Board to apply for Community Foundation Funds for the Victorian Stroll Event and,

WHEREAS related financial requirements shall be authorized by the Town Board with such funding to be committed to the Victorian Stroll Event within the framework of the existing Town of Athens Trust and Custodial funds and be confirmed by the Finance/Budget Officer at a public meeting of the Town Board to be held September 18, 2023, and

NOW, THEREFORE BE IT

RESOLVED that the Town Board of the Town of Athens hereby authorizes the Town of Athens Town Board to apply for Community Foundation Funds for the Annual Victorian Stroll Event and,

It is further **RESOLVED** that the foregoing resolution shall become effective this 18th day of September in the year 2023.

Ayes-4 (Brandow; Ragaini; Paluch; Spinner) Noes-0 Absent-1 (Pirrone) Abstentions-0
The Justice Court submitted a letter requesting a resolution for them to apply for a JCAP (Justice Court Assistance Program) Grant for the 2023-2024 grant cycle. Items to be applied for are: a one copy shredder for the courtroom (\$320.00) and four (4) Fireproof Filing cabinets for Court Records (\$6,568.00).

On the motion of Councilmember Mary H. Brandow seconded by Councilmember Shannon Spinner the following **RESOLUTION #2023-47** was adopted:

WHEREAS the Town Board of the Town of Athens hereby determines that it is in the public interest and purpose to authorize the Town Justices to apply for the current period Justice Court Assistance Program for various equipment and furniture for the Town of Athens Court. One required component of the subject application is a Town Board Resolution authorizing said application pursuant to the rules and regulations of the NYS Comptroller's Office, division of the Office of Court Administration.

WHEREAS, to meet such compliance with the Office of Court Administration, the Town Board of the Town of Athens authorizes the Town of Athens Court to apply for a JCAP Grant in the 2023-2024 grant cycle up to \$7,000.00 (approximately) as follows:

Item 1: One copy shredder for the Courtroom (\$320.00), and four (4) Fireproof filing Cabinets for the Court records (\$6,568.00), with related supplies and warranty agreements for a total upset price of seven thousand dollars (7,000.000) and

WHEREAS related financial requirements shall be authorized by the Town Board with such funding to be committed within the framework of the 2024 Town of Athens Budget and be confirmed by the Budget Officer at a public budget workshop meeting of the Athens Town Board to be held October 4, 2023, and

NOW, THEREFORE BE IT

RESOLVED that the Town Board of the Town of Athens hereby authorizes the Town of Athens Court to apply for a JCAP Grant in the 2023-2024 NYS grant cycle up to \$7,000.00 as follows: Item 1: one copy shredder for the Courtroom (\$320.00), and four (4) Fireproof Filing Cabinets for the Court records (\$6,568.00), with related supplies and warranty agreements for a total upset price of seven thousand dollars (\$7,000.00) and

It is further **RESOLVED** that the foregoing resolution shall become effective this 18th day of September in the year 2023.

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

Patrick Doyle, of Flint Mine Solar, there are sixty (60) days for comments.
He said that they are moving forward, slowly.

Councilmember Anthony Paluch submitted the name of Brian Van Ausdle for the vacant seat on the Planning Board.

Councilmember Anthony Paluch made a motion seconded by Councilmember Shannon Spinner that **Brian Van Ausdle be appointed to the vacant seat on the Planning Board.** Ayes-4 (Brandow; Ragaini; Paluch; Spinner) Noes-0 Absent-1 (Pirrone) Abstentions-0

Resident Nancy Poylo submitted a letter, requesting that she be re-appointed to the Community Foundation Advisory Board.

Councilmember Anthony Paluch made a motion seconded by Councilmember Shannon Spinner to reappoint Nancy Poylo to the **Community Foundation Advisory Board.** Ayes-4 (Brandow; Ragaini; Paluch; Spinner) Noes-0 Absent-1 (Pirrone) Abstentions-0

Highway Superintendent John J. Farrell said he will check on the status of the Town / Village Joint Cleanup day, with County Highway Superintendent.

As there was no further business to come before the meeting, a **motion to adjourn was made by Councilmember Anthony Paluch** seconded by Councilmember Shannon Spinner.

The meeting adjourned at 7:50 p.m.