

**REGULAR MEETING – ATHENS TOWN BOARD**

February 5, 2024

The regular meeting of the Athens Town Board was called to order on February 5, 2024, by Supervisor Michael Pirrone at 6:00pm and was followed by the Pledge of Allegiance to the Flag. The meeting was held at the Athens Municipal Building, 2 First St.

**The following were present at the meeting:** Supervisor Pirrone, Council Members Bone, Paluch & Pine. Town Clerk Dinkelacker. Deputy Supervisor Lasher, Town Attorney McHugh

Absent: Council member Mary Brandow

**The following people were in attendance:** P. Peruzzi, FM, Mike Ragini, G. Greiner, N. Scaramwuzzino, N. Scaramwuzzino, G. Dugan, B. Trembacz, N. Poylo, C. Pazzin, K. Dudley, V. Sherman, R. Sherman, C. Sherman, M. Black, M. Garvey.

**TOWN ACTION:**

A motion to appoint Virginia Sherman as Court Clerk was made by B. Pine and seconded by T. Bone. Motion passed. Ayes – 4, Noes – 0, Abstentions/Absents – 1

Virginia was introduced to the Town Board.

A motion to appoint Chris Sprague to the Zoning Board of Appeals as Alternate for the term of 6 months beginning February 6<sup>th</sup> was made by M. Pirrone Seconded by B. Pine. Discussion followed about Mr. Sprague’s qualifications. Was he interviewed? What is the procedure in appointing one to the planning board and/or ZBA? The Supervisor explained due to there being a chance of not having a quorum that it would be in the best interest of ZBA and the ability to have a meeting by appointing Mr. Sprague for 6 months.

Motion passed, Ayes – 4, Noes – 0, Abstentions/Absents – 1.

**VOUCHERS**

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

<b><u>General 2023 Abstract # 26</u></b>	Vouchers 628 – 632	\$ 4,912.34
<b><u>General 2024 Abstract # 3</u></b>	Vouchers 18 - 47	\$ 26,683.16
<b><u>Highway 2024 Abstract # 3</u></b>	Vouchers 7 – 18	\$ 23,603.06
<b><u>Trust &amp; Custodian Abstract # 1</u></b>	Vouchers 1 - 4	\$756,243.00

Special Districts. Athens Fire Dept., Leeds FD, WALs, DR Evarts Library

<b><u>Camp Catskill</u></b>	Abstract # 1	Voucher	1	\$ 2,816.00
<b><u>Culpeper</u></b>	Abstract # 1	Voucher	1	\$ 675.00
<b><u>9071 Rt 9W</u></b>	Abstract # 1	Voucher	1	\$ 262.00 (Stay at Lina)

The minutes from January 16, 2024, were distributed to the Town board, a motion by Bone and seconded by Pine, to accept the minutes. Motion passed, Ayes – 4, Noes – 0, Abstentions/Absents – 1.

The Town Clerk presented her report, for receipts of various fees, licenses & services, for the month of January, to the Supervisor. A motion was made by Paluch and seconded by Bone to approve the Clerks report. Motion passed. Ayes – 4, Noes – 0, Abstentions/Absents – 1.

**SUPERVISOR REPORT - Legal items:** See agenda.

**SUPERVISOR REPORT – General items:** See agenda.

Supervisor Pirrone also reported that there is a bill from I.T.S. for an extended warranty for 1 year on our server, for \$575.00. Motion by Pine and seconded by Bone to pay for the extended warranty was made. Motion passed. Ayes – 4, Noes – 0, Abstentions/Absents – 1.

### **PUBLIC HEARING**

A motion to open for Public Hearing for BESS (Battery Energy Storage Systems), was made by Pine and seconded by Bone. Motion passed. Ayes – 4, Noes – 0, Abstentions/Absents – 1.

Discussion followed; several people stated that the law should be passed ASAP.

A question was asked about the intervener process. It was explained that would happen in the application process.

A motion to close the public hearing was made by Bone and seconded by Paluch. Motion passed. Ayes – 4, Noes – 0, Abstentions/Absents – 1.

Supervisor Pirrone reported that the draft law must be out to the board members for 10 days before voting it into Law.

**COMMUNITY INFORMATION:** See attached agenda.

The Next ZBA meeting will be held on 2/14 at EJA elementary school at 7pm.

The next Town Board meeting will be **Wednesday** February 21, 2024, starting 6pm

ZBA Meeting Thursday 3/14 at 6pm at EJA elementary school.

### **TOWN COUNCIL CONCERNS:**

Council member Pine inquired about the webpage. She feels that it needs to be updated and has offered her help.

Town Clerk Dinkelacker thanked Ms. Pine for her offer but explained to her that she has been in the office for a little over a month, it is on her to do list and will get to the webpage ASAP. Also, she has reached out to ITS for help.

**PUBLIC CONCERNS:**

Supervisor Pirrone recognized.

-Gary Dugan to speak. Mr. Dugan voiced his concerns about a potential health hazard Limekill Rd. He said that this piece of property has a couple trailers on it and there are people living in them. They have no septic system nor running water. There also are quite a few animals on the property that may be being neglected.

Supervisor Pirrone let them know that he has reached out to Code Enforcer Gasparini and will talk to him on Wednesday about it again.

-George Greiner asked about missing minutes. He was informed that the minutes from 2021 to 2023 were on the website. He was informed to reach out to the Town Clerk for any minutes he wanted that are not online.

**OLD BUSINESS:** None

**NEW BUSINESS:** Next meeting will be **Wednesday** February 21, 2024

Being no other business to come before the Board.

**A Motion was made** by A. Paluch and second by T. Bone to adjourn the meeting at 7:19pm. Motion passed. Ayes – 4, No's – 0, Abstentions/Absents – 1.

# Town of Athens, NY & Town Council Meeting

## Municipal Building, 2 First Street

Michael N. Pirrone, Supervisor

Tentative Agenda February 5, 2024 @ 6:00pm

Please Sign In, No Sign in-Not Included in Minutes.

Please Silence Cell Phones.

Please advise if you are using a recording device.

### PLEDGE

Town Action: Motion to Appoint Virginia Sherman as Court Clerk for the Town of Athens Court, assigned to Judge Cole.

Motion By 2<sup>nd</sup> By AIF

EXCEPTIONS NOTED:

Town Action: Motion to Appoint Chris Sprague to the Zoning Board of Appeals as an Alternate for Term Beginning February 6 and Ending on December 31, 2024.

Motion By 2<sup>nd</sup> By AIF

EXCEPTIONS NOTED:

### Board Discussion

#### Local Law #5 for Battery Energy Storage Systems.

This Local Law is adopted pursuant to sections 10 & 12 of Municipal Home Rule Law. This Local law is adopted to advance & protect the public health, safety, & welfare of the Town by creating regulations for the installation & use of Battery Energy Storage Systems.

- **VOUCHERS:** To Approve the Vouchers audited by the Town Board for payment.

Motion By 2<sup>nd</sup> By AIF

EXCEPTIONS NOTED:

- **PRIOR MEETING MINUTES:** To Approve the Minutes of January 16, 2024.

**Motion By**

**2<sup>nd</sup> By**

**AIF**

**EXCEPTIONS NOTED:**

- **Town Action: To Accept the Town Clerk Report for the Receipt of Various Fees, Licenses & Service for the month of January 2024.**

**Motion By**

**2<sup>nd</sup> By**

**AIF**

**EXCEPTIONS NOTED:**

#### **Supervisor Report: Legal Items**

- **Free Point Solar LLC. (Index 2023-571, Dtd. August 10, 2023) - CPLR Article 78 - versus Town of Athens, NY, Zoning Board of Appeals.**
- **APO Sleepy Hollow Lake, Inc., et al, Plaintiffs (Index No. EF2023-573, Dtd. August 11, 2023) – vs Greene County Industrial Development Agency, et al.**
- **Coxsackie Athens CSD (Index EF2023-596, Dtd. August 17, 2023) - versus Flint Mine Solar LLC.; Greene County Industrial Development Agency; et al. Assigned to the Honorable Richard Mott, J.S.C.**
- **Palmateer (Index EF2023-2803, Dtd. November 24, 2023) – CPLR Article 78 versus Greene County Industrial Development Agency, et al.**
- **Residents Appeal et al, Appeal to Zoning Board of Appeals, of Planning Board Site Plan Approval and Special Use Permit.**

#### **Supervisor Report: General Items**

- **Town Attorney schedule a meeting with Teamsters Local 294 Business Agent Michael Degano for February 28 @ 2:00 pm @Athens Town Hall.**
- **NYS Dept. of Labor Training Session, Prevailing Wages Schedule, January 24 attend by Pierro, Gasparini, Pirrone**
- **CEO Gasparini & Town Attorney McHugh schedule for Court Hearing on February 15, to address Code Violations.**
- **Greene County Resolution No. 20-24, Authorizing Municipalities to Participate in County Highway Purchases.**
- **Funding Announcement, Severe Storms & Flooding Grant Program.**
- **Floodplain Management Webinars Training.**
- **Athens Town Court internal external communications issues.**
- **Town Action: Resolution to Adopt Local Law # 5 Battery Energy Storage Systems.**

Local Law available.

Motion By                      2<sup>nd</sup> By                      AIF

EXCEPTIONS NOTED:

**Community Information:**

- February 14: Zoning Board of Appeals.    E. J Arthur School
- February 19: Holiday, Presidents Day.    Office Closed.
- February 20: Town Board Meeting.    Municipal Building.
- February 22: Planning Board Mtg.    Municipal Building.
- March 4: Town Board Meeting.    Municipal Building.
- March 14: Zoning Board of Appeals.    E. J. Arthur School
- March 18: Town Board Meeting.    Municipal Building.
- March 28: Planning Board Mtg.    Municipal Building.

**Old Business Issues:**

**New Business:**

- **Town Council Concerns:**

- **Public Concerns:**

TOWN CLERK'S MONTHLY REPORT

TOWN OF Athens, NEW YORK  
TO THE SUPERVISOR:

DATE: 2/2, 20 24

Pursuant to Section 27, Subd. 1, of the Town Law, I hereby make the following statement of all fees and moneys received by me in connection with my office, during the month above stated, excepting only such fees and moneys in application and payment of which are otherwise provided for by law:

Conservation Licenses - DECALS	Commission	\$ <u>28</u>
<u>1</u> Marriage Licenses No. _____ to _____	@ <u>7.50</u>	<u>7.50</u>
Marriage Certificates	@ _____	_____
<u>1</u> Marriage Transcripts	@ <u>10</u>	<u>10.00</u>
<u>5</u> Registrar Fees	@ <u>10</u>	<u>50.00</u>
<u>-</u> Migratory Bird Stamps	@ _____	_____
		<u>67.78</u>

A 1255	TOTAL TOWN CLERK FEES	\$ <u>67.78</u>
A 1010 - 1090	REAL PROPERTY TAXES \$ _____ INTEREST and PENALTIES \$ _____	_____
A 2001	PARK and RECREATION CHARGES	_____
A 2110	ZONING FEES \$ <u>100.00</u>	A 2115 PLANNING FEES \$ _____
A 2530	GAMES OF CHANCE TOWN SHARE.....LICENSE \$ _____ FEE \$ _____ TOTAL	_____
A 2540	BINGO TOWN SHARE.....LICENSE \$ _____ FEE \$ _____ TOTAL	_____
A 2544	<u>5</u> DOG LICENSE - SPAYED AND NEUTERED	<u>55.00</u>
<u>2</u>	DOG LICENSE - UNSPAYED AND UNNEUTERED	<u>32.00</u>
<u>-</u>	PUREBRED LICENSE	_____
A 2545	OTHER LICENSES	_____
A 2555	<u>4</u> BUILDING PERMITS	<u>425.00</u>
A 2590	<u>1</u> OTHER PERMITS <u>Junk Yard</u>	<u>15.00</u>
A 2655	MINOR SALES	_____
A 2770	OTHER UNCLASSIFIED REVENUES	_____
	<u>Municipal Search</u>	<u>300.00</u>
	<u>copies</u>	<u>8.25</u>

TOTAL TOWN REVENUES TO SUPERVISOR.....	\$ <u>1003*03</u>
Amount paid to NEW YORK STATE COMPTROLLER for Games of Chance Licenses	_____
Amount paid to NEW YORK STATE COMPTROLLER for State Share of Bingo Licenses	_____ *
Amount paid to NEW YORK STATE D.E.C. for Conservation Licenses - DECALS	<u>4.72</u>
Amount paid to COUNTY TREASURER for Dog Licenses	_____
Amount paid to NEW YORK STATE HEALTH DEPARTMENT for Marriage Licenses	<u>22.50</u>
Amount paid to NEW YORK STATE AGRICULTURE & MARKETS for Unspayed / Unneutered Dogs	<u>11.00</u>
Amount paid to NEW YORK STATE for Sales Tax on Sale of Dogs	_____

\*Received Payment of these amounts: \_\_\_\_\_ TOTAL DISBURSED..... \$ 1041.25  
2/5 20 24 Supervisor

STATE OF NEW YORK, COUNTY OF Greene, TOWN OF Athens  
of the Town of Athens, being duly sworn, says that I am the Clerk  
of all Fees and Moneys received by me during the month above stated, excepting only such Fees the application and payment of which are otherwise provided for by law.

Subscribed and Sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_ 20 }  
\_\_\_\_\_  
Town Clerk  
\_\_\_\_\_  
Notary Public