

## REGULAR MEETING – ATHENS TOWN BOARD

May 20, 2024

The regular meeting of the Athens Town Board was called to order on June 3, 2024, was held at the Athens Municipal building 2 First St, Athens, NY

Supervisor Michael Pirrone called the meeting to order at 6:00pm and was followed by the Pledge of Allegiance to the Flag

**The following Board members were in attendance:** Supervisor Michael Pirrone, Council Members Bone, Brandow, Paluch and Pine.

**Other in attendance:** Town Clerk Phyllis Dinkelacker. Highway Superintendent John J Farrell, Deputy Supervisor Lasher. Town Code Enforcer Albert Gasparini. Town Attorney George McHugh

The following guest/residence were in present: Theresa Cardinale, Fran McCusker, James O'Connell, Hal Brodie, Hailee Dickson, Anne Pirrone, Mike Ragaini, Russell Nadler, M. Garvey.

### VOUCHERS

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

General 2024 Abstract # 10 Vouchers 216 – 232 \$19,506.20

Highway 2024 Abstract # 10 Vouchers 72 – 76 \$ 1,077.68

T&C CAMP CATSKILL Abstract #3 Voucher #3 \$ 1,320.00

T&C 9071 Rt 9W (stay at Linas) Abstract #6 Voucher #6 \$ 400.00

**THE MINUTES FROM** April 1, 2024, April 15, 2024 & May 6, 2024 were distributed to the Town board and motion by Pine and seconded by Bone, to accept the minutes with one c were approved. AIF

**CLERKS REPORT:** Clerks report for April 1- 30,2024 was presented. A Motion by Brandow and second by Bone to accept the clerks was made.

Motion carried. Ayes – 5, Nos – 0, Absent/Abstains – 0.

### DEPARTMENT REPORTS

#### **HIGHWAY SUPERINTENDENT – John Farrell**

Mr. Farrell reported.

- Installed 2 driveway pipes Vosenkill and Potic mountain road
- Hauled item 4 for village with 2 trucks for a day

- Mowed sides of all town roads
- Crack sealed with Gorman for a day was able to do Bambi Lane, sager Lane, Buttermilk Falls rd. and half of Valley rd.
- Gradall finished Thorpe Road and built-up shoulder on east side of the road
- Cleaned in front of all culverts on potic mountain road with Gradall
- Had sweeper in coxsackie for a day sweeping
- Put up flags and banners in village today with help from legion members
  
- Had 4 guys in coxsackie paving
- Would like to surplus truck #2 and put on auction
  - A motion by Brandow and seconded by Pine to approve Mr. Farrell to put truck #2 on auction. Motion carried. Motion carried. Ayes – 5, Nos – 0, Absent/Abstains – 0.

**CODE ENFORCEMENT – Albert Gasparini**

See attached.

**ASSESSOR – Ms. Dawn DeRose**

See attached.

Supervisor Report: Legal Items – See attached.

Supervisor Report: General Items – See attached.

**TOWN ACTION:**

Motion to Authorize the Supervisor to sign the Letter of Engagement with Dreyer-Boyajian, providing legal services in connection with "FreePoint" appeal from Judge Mott's Decision/order dtd., April 28, 2024, dismissing FreePoint's Article 78 Petition relation to the Town ZBA determination denying FreePoint's application for a use variance. 2024 Budget Item A/C 8010, Attorney Fees.

Motion made By Bone 2<sup>nd</sup> By Pine.

Motion carried. Ayes – 5, Nos – 0, Absent/Abstains – 0

Motion to Authorize the Supervisor to sign the Letter of Engagement with Dreyer-Boyajian, providing legal services in connection with an Article 78 Notice of Petition and Petition filed by Hailee Dickson and other Petitioners in the above referenced action against the Town and others. 2024 Budget Item A/C 8010, Attorney Fees.

Motion made By Brandow 2<sup>nd</sup> By Bone.

Motion carried. Ayes – 5, Nos – 0, Absent/Abstains – 0.

Motion to Authorize the Supervisor to sign the Stipulation & Order of Settlement Resolution regarding the Joseph Lidestri 2023 Assessment, thereby authorizing John Dowd, ESQ., Special Counsel to Execute the Stipulation so agreed upon. 2024 Budget Item A/C 1420.46. Resolution attached.

Motion By Bone 2<sup>nd</sup> By Pine.

Motion carried. Ayes – 5, Nos – 0, Absent/Abstains – 0.

Michael Pirrone	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tami Bone	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mary Brandow	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Anthony Paluch	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rebecca Pine	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	PRESENT	ABSENT	YES	NO	ABSTAIN

I, Council member Tami Bone offer the following resolution, #2024-22, and move its adoption:

WHEREAS the Town Assessor of the Town of Athens has gone in front of the Supreme court State of New York, County of Greene in the matter of: Joseph Lidestri.

Against  
The Town of Athens Assessor's Office.

WHEREAS THE Stipulation & Order of Settlement was made that the 2023 assessment of the subject parcels at issue herein be reduced and corrected as detailed per the Settlement Schedule.

THEREFORE, LET IT BE RESLOVED The Town Board of the Town of Athens authorizes John Dowd, Esq., special counsel for the Town of Athens, to execute the stipulation so agreed upon.

Seconded by Council member Becky Pine, offered for discussion and duly put to a vote, the results of which appear above.

Approved as to form and adopted this,

20<sup>th</sup> day of May 2024.

ATTEST:  
\_\_\_\_\_  
Phyllis Dinkelacker  
Athens, Town Clerk

APPROVED:  
\_\_\_\_\_  
Michael N. Pirrone  
Athens, Town Supervisor

Motion to Appoint Christina Martinez as Deputy Town Tax Collector for the Term of May 1, 2024, to December 31, 2024.

Motion By Pine 2<sup>nd</sup> By Bone.

Motion carried. Ayes – 5, Nos – 0, Absent/Abstains – 0.

Motion to Appoint Christina Martinez as Deputy Vital Statistics Records Officer for the Term of May 1, 2024, to December 31, 2024.

Motion By Pine 2<sup>nd</sup> By Bone

Motion carried. Ayes – 5, Nos – 0, Absent/Abstains – 0.

Motion to Appoint Anne Pirrone as Interim Zoning Board of Appeals Secretary for the Term of May 20, 2024, to December 31, 2024.

Motion By Paulch 2<sup>nd</sup> By Bone.

Motion carried. Ayes – 4 (Bone, Brandow, Paulch, Pine) Nos – 0, Absent/Abstains – 1(Pirrone).

Motion to Established a Town Code Review Committee to address limited issues, concerns, and minor deficiencies within the Town Code. The Committee will review, forward & recommend actions to be taken by the Town Council.

Motion By Pine 2<sup>nd</sup> By Bone.

Motion carried. Ayes – 5, Nos – 0, Absent/Abstains – 0.

Motion to Appoint Hal Brodie, Esq. as Chairperson of Town Code Review Committee. Mr. Brodie has been a resident of Athens for over 25 years. He is a retired General Counsel for New York State Energy Research and Development Authority, was a long time Chairperson of the Town Planning Board, Vice-President & Director of the Greene Land Trust, member of the Athens Town/Village Comprehensive Plan Committee. And still an active & contributing neighbor to many.

Motion By Pine 2<sup>nd</sup> By Bone.

Motion carried: Motion carried. Ayes – 5, Nos – 0, Absent/Abstains – 0.

Motion to Appoint the following concerned & dedicated citizens of Athens to the Town Code Review Committee: Karen Haas, Russ Nadler, Fran McCusker, Michael Ragaini, Karen Dudley. These fine residents are not new to serving the Town & their neighbors. They have been involved in many other endeavors & continue to step forward when needed.

Motion By Paluch 2<sup>nd</sup> By Brandow.

Motion carried. Ayes – 5, Nos – 0, Absent/Abstains – 0.

Motion to Appoint Scott Fischer, Planning Board Chairperson & Eric Nelson, ZBA Chairperson as advisory members to the Code Review Committee. These gentlemen have been serving the town and its citizens for many years, their participation on this committee will help direct, enhance, and support the work of the committee.

Motion By Paulch 2<sup>nd</sup> By Brandow.

Motion carried: Ayes – 5, Nos – 0, Absent/Abstains – 0.

Motion to Authorize the Supervisor to pay for two new air conditioner units, 1 for Code Enforcement Dept., 1 for Assessor's Depart. The Assessor Air conditioner was no longer working, no startup. The Code Enforcement Air conditioner is over 16 years old, not cooling properly estimate cost to be \$1,100 for both.

Motion By Pine 2<sup>nd</sup> By bone

Motion carried. Ayes – 5, Nos – 0, Absent/Abstains – 0.

Motion to Authorize the Supervisor & Attorney to proceed with formulating a Memo of Understanding with the Village Mayor & Village Attorney, regarding the Engineering Proposal for the Municipal Building renovations.

Motion By Brandow 2<sup>nd</sup> By Pine.

Motion carried. Ayes – 5, Nos – 0, Absent/Abstains – 0.

COMMUNITY INFORMATION: See attached agenda.

Hal Brodie asked.

-What does the town want the Code review committee to review? The whole code? Or just certain parts of the Town Code?

Supervisor Pirrone answered, would ask by looking at the codes that have issues.

-Is a committee meeting subject to the Open meeting law?

Answer: Yes

- if the committee is subject to Open meeting law will there be help from the town for minutes, notices, etc?

Answer: Yes

OLD BUSINESS:

NEW BUSINESS:

-The Zoning Board of Appeals needs a secretary.

-Rene VanShack will be attending the meeting of 6/17/24, to talk about the Lake Champlain project.

PUBLIC CONCERNS:

A question about the cell towers moratorium ending soon.

A motion, at 7:07 pm, to Move to Executive Session to discuss Highway Department employees Teamsters Union contract renewal.

Motion By Brandow 2<sup>nd</sup> By Bone.

Motion carried: Motion carried. Ayes – 5, Nos – 0, Absent/Abstains – 0.

A motion, at 7:22pm, to Reconvene from Executive Session to Open Session to act upon Highway Department employees Teamsters Union contract renewal.

Motion By Pine 2<sup>nd</sup> By Brandow.

Motion carried: Ayes – 5, Nos – 0, Absent/Abstains – 0.

A Motion to Authorize the Supervisor to execute the Tentative Agreement with Teamsters Local 224 for the Highway Department employees as approved.

Motion By Pine 2<sup>nd</sup> By Bone.

Motion carried. Ayes – 5, Nos – 0, Absent/Abstains – 0.

Being no other business to come before the Board.

A Motion was made by Pine and second by Bone to adjourn the meeting at 7:23pm

Motion carried: Ayes – 5, Nos – 0, Absent/Abstains – 0.

Respectfully submitted,

Phyllis Dinkelacker  
Athens Town Clerk

**Town of Athens, NY & Town Council Meeting**  
**Municipal Building, 2 First Street**  
**Michael N. Pirrone, Supervisor, Presiding.**  
**Tentative Agenda MONDAY, MAY 20, 2024 @ 6:00pm**  
**Please Sign In, No Sign in-Not Included in Minutes.**

- **PLEDGE**
- **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 the meetings of April 1, April 15, and May 6, 2024.**  
Motion By    2<sup>nd</sup> By    AIF  
**EXCEPTIONS NOTED:**
- **TOWN CLERK'S REPORT: To Accept Town Clerk Report for the month of April. Attached.**  
Motion By    2<sup>nd</sup> By    AIF  
**EXCEPTIONS NOTED:**

**Departmental Narratives**

- **Highway Superintendent: Report Attached**
- **Assessor: Report Attached**
- **Code Enforcement Officer: Report Attached**  
**Stop Work Order update.**
- **Supervisor's Report: Report Attached**

**Supervisor Report: Legal Items**

1. **FreePoint Solar, LLC. et al. v. Town of Athens Zoning Board of Appeals.**  
**Appellate Division, Third Dept.-Case/Docket No.:CV-24-0711.**

2. Hailee Dickson, et al. v. Town of Athens Zoning Board of Appeals, et al. NYS Supreme Court, Greene County-Index No.: EF2024-400.
3. APO Sleepy Hollow Lake, Inc., et al, Plaintiffs (Index No. EF2023-573, Dtd. August 11, 2023) – vs Greene County Industrial Development Agency, et al.
4. 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.
5. Town Attorney McHugh-Town Board legal update & explanations.

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

- A. Town has achieved a Tentative Agreement with Teamsters Local 294 serving the Highway Department employees. The Town Council will review & discuss the Agreement, during Executive Session.
- B. NYSDOT, through Greene County Highways has determined that a reduction of the speed limit is warranted for a section of CR 57. A Notice of Order establishing a 45-mph speed within the Town of Athens & Coxsackie is being filed with NYS Secretary of State. When finalized, appropriate speed limit signs will be installed.
- C. ARPA FUNDS-Youth & Veterans Programs. Greene County in partnership with towns & Villages is offering each Municipality funding for community projects such as athletic fields, bleachers, food service areas, restrooms, trails & bike paths, memorials, rather than programs, uniforms & other consumables.
- D. YMCA Annual Triathlon Event, September 7, throughout Athens, Coxsackie, Sleepy Hollow Lake. Information & Certificate of Insurance received.
- E. NYS 2024 State Equalization Rate for the Town of Athens received. Equalization Rate set at 93 %.
- F. First Quarter 2024 Payroll Taxes corrected & refunds applied for.
- G. 2024 Tentative Assessment Rolls are on the Town website.
- H. Even Year Election Legislation, Proposed Public Hearing, Mandatory Referendum, Local Law, Change the Term of Supervisor, Town of Athens.
  - Town Action: To Authorized the Supervisor to sign the Letter of Engagement with Dreyer-Boyajian, providing legal services in connection with “FreePoint” appeal from Judge Mott’s Decision/order dtd., April 28, 2024, dismissing FreePoint’s Article 78 Petition relation to the Town ZBA determination denying FreePoint’s application for a use variance. 2024 Budget Item A/C 8010, Attorney Fees.







- June 26: Village Board Meeting. Municipal Building.
- June 27: Planning Board Mtg. Municipal Building.
- July 1: Town Board Meeting, Cancelled. Summer Recess.
- July 10: Zoning Board of Appeals. Municipal Building.
- July 10: Village Board Meeting. Municipal Building.
- July 15: Town Board Meeting. Municipal Building.
- July 24: Village Board Meeting. Municipal Building.
- July 27: Planning Board Mtg. Municipal Building.
- August 24: Town & Village Yard Sale Day.
- September 7: Greene County YMCA Triathlon. Sleepy Hollow Lake.

Old Business Issues: Planning Board items of concern.

1. Update to Code, Fees, Fine schedules.
2. Committee to do codes.
3. Additional, alternate members.
4. Code book (Hard Copy).
5. Attendance & Training., Maps

New Business: Zoning Board of Appeals needs a secretary.

- Town Council Concerns:

- Public Concerns:

- Town Action: Move to Executive Session to discuss Highway Department employees Teamsters Union contract renewal.

Motion By

2<sup>nd</sup> By

AIF

EXCEPTIONS NOTED:



**TOWN OF ATHENS**  
**Assessor's Monthly Report May 2024**

Our office has received and processed the following:

- Village Permits/CO/CC: 20 (Received from V-CEO)
- Town Permits/CO/CC: 4 (Received from T-CEO)
- Village Deeds via parcels: 11 (Received from RPTS-County)
- Town Deeds: 23 (Received from RPTS-County)
- Village Map Revisions: 0 (Received from RPTS-County)
- Town Map Revisions: 0 (Received from RPTS-County)
- Village E-911 number Revision: 0 (Received from RPTS-County)
- Town E-911 number Revision: 1 (Received from RPTS-County)

We are continuing to update our files, adding pictures, verifying data, filing, collecting data and valuation.

The Village sales range from 95,000 – 505,000 \*Not including the conditional deeds.

The Town sales range from 50,000-955,000 \*Not including the conditional deeds.

The legal notice was posted in the Daily Mail and posted on the bulletin board and Assessor's door for public review.

The 2024 Tentative assessment roll was filed with the Town Clerk's office on April 29<sup>th</sup>, 2024, and the Town's (Assessor's page) was updated on the website, and the 2024 tentative roll posted accordingly.

NYS Taxation and Finance has advised the STAR Credit program now has available a Direct Deposit of the STAR checks statewide, whereas those recipients would need to log into the new "Homeowner Benefit Portal" and would be for the property owners who receive the STAR credit check in September, NOT the property owners who receive the STAR exemption (reflected off their school tax bill).

Grievance Day is quickly approaching, and we are asking for the RP-524 (required form) and documentation to be filed with the Assessor's office on or before May 22<sup>nd</sup>, 2024. The Town of Athens Board of Assessment review will hold the hearing on May 30<sup>th</sup>, 2024, from 4:00-8:00pm via appointment, but walk-in will be worked in the schedule.

Otherwise, we are continuing to update our files, pictures, data, etc. and conducting business as usual,

Thank you.

Dawn DeRose  
Assessor

*gave this page to phyllis for the meeting.*

**COPY**

**TOWN OF ATHENS**  
**Building Department**  
**Report for April 2024**

**Building Permits: 3** – Build a 16 Ft. by 24 Ft. Deck, Total 384 Sq. Ft  
Install 15.58 Kw Mounted Solar Array, Total of 798.76 Sq. Ft.  
Build a 12 Ft. by 20 Ft. Shed

**Building Inspections: 15**

**Building Permit Inquiries:** Inquiries of parcels of land to build homes, Residential Solar Panels, Garage, Shed.

Certificate of Occupancy:

Temporary Certificate of Occupancy:

Certificate of Compliance:

**Certificate of Occupancy Search Request: 4**

**Complaints:**

Demolition Permits:

Septic Permit:

Sign Permits:

**Short Term Rental Certificates:1-** 36 Greensburgh Ct

Fire / 911 Calls: -

Fireworks Permit:

**Violations: On going,**

- Stop Work Order has been lifted for the new convenience/ gas station. For violating the site plan conditions approved by the planning board. Work continues.
- A contractor has applied for a building permit to do repairs to the roof of 1540 Leeds Athens Road to bring the building roof into compliance. Violation of Property Maintenance Code of New York State, Chapter 3 General Requirements, 304.7 Roofs and drainage, 305.3 Interior surfaces. Red Tagged as Dangerous and Unsafe.
- Vandalized Property at 1030 Leeds Athens Road:  
Wells Fargo maintenance company Altisource has been contacted to have the area of the property around the barn cleaned up and to apply for a demolition permit to remove the deteriorated barn. Waiting for a reply. Three different departments are involved.

*Municipal Search*