

## REGULAR MEETING – ATHENS TOWN BOARD

August 19, 2024

The regular meeting of the Athens Town Board was called to order on August 19, 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. Athens, NY.

**The following Town Board members were in attendance:** Supervisor Pirrone, Board Members Tami Bone, Mary Brandow, Becky Pine, and Tony Paluch

**The following Town Officers and appointees were in attendance:** Clerk Phyllis Dinkelacker, Deputy Supervisor Lasher, Town Attorney George McHugh, Code Enforcement Officer Albert Gasparini.

**The following people were in attendance:** F. McCusker, H. Dickson, M.K. Garvey, Mike Ragaini, Russ Nadler, Karen Haas, Margaret Muenkel, M. Campbell, David Barnes, Katherine Daly.

**The following signed in to talk at the public hearing:** None

**PUBLIC HEARING:** A motion was made by Pine and seconded by Brandow to open the public hearing for the proposed amendment to Town code regarding Solar energy and adoption of Local Law #2024-03. Motion carried. Ayes – 5, No's – 0.

**THE VILLAGE/TOWN INTER-MUNICIPAL AGREEMENT:** Town attorney, George McHugh, discussed how the Inter-Municipal agreement would work. The Town and Village would jointly own the building. The Town would be responsible for the cost of the changes they want to make and the same for the Village. Both the Town and Village would be responsible for the public areas.

The questions are: What will the cost be? Answer, it will depend on what each municipality wants to do in their area.

Question: How long will the IMA be for?

Answer, it can be years, decades, whatever both municipalities agree to.

Mr. McHugh suggested that the Board go into executive session to discuss with the Bond Council Chris Chale, she has made herself available via phone to discuss any questions the Town Board may have.

### **TOWN ACTION:**

Being no further comments, a motion was made by Brandow and seconded by Bone to close the public hearing at 6:35pm. Motion carried. Ayes – 5, No's – 0.

SEQRA, Short Environmental Assessment Form Review by Town Attorney McHugh.  
Town Action: Move to Adopted Resolution # 27, declaring the Town lead agency under SEQRA, incorporated Negative Declaration, authorized the Supervisor to sign & filed documents necessary to comply with SEQRA.  
Formal Resolution Attached.

At a Meeting of the Town Board of the Town of Athens, at 39 Third Street, Athens, New York, on August 19, 2024 there were:

|                 | PRESENT | ABSENT | AYE | NAY | ABSTAIN |
|-----------------|---------|--------|-----|-----|---------|
| Michael Pirrone | X       |        | X   |     |         |
| Rebecca Pine    | X       |        | X   |     |         |
| Mary Brandow    | X       |        | X   |     |         |
| Anthony Paluch  | X       |        | X   |     |         |
| Tami Bone       | X       |        | X   |     |         |
| Total           | 5       | 0      | 5   | 0   | 0       |

I, Supervisor Michael Pirrone, offer the following resolution, Resolution #2024-27, and move its adoption:

WHEREAS, the Town Board duly considered proposed Local Law #3 of 2024, the SEQRA Environmental Assessment Form, the criteria for determining whether the subject Local Law will have a significant adverse impact on the environment as set forth in 6 N.Y.C.R.R. 617.7(c) of the SEQRA regulations, coordinated review with other agencies including the New York State Department of Environmental Conservation and the Greene County Planning Board, and such other information deemed appropriate.

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Athens:

1. The Town Board is the lead agency under SEQRA, and the adoption of proposed Local Law #3 of 2024 will not result in a significant adverse impact on the environment.
2. The attached Negative Declaration, incorporated herein by reference, is issued, and adopted for the reasons stated in the attached Negative Declaration, and Parts 1, 2, and 3 of the Environmental Assessment Form are also incorporated herein by reference.
3. The Supervisor of the Town of Athens is authorized to sign and file or have filed on behalf of the Town all documents necessary to comply with SEQRA.

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

**Town Action:** Move to Approved Resolution # 28 to adopted Local Law # 2024-3, Amendments to Town of Athens Code 5 180-52. Solar Energy. Formal Resolution Attached.

At a Meeting of the Town Board of the Town of Athens, at 39 Third Street, Athens, New York, on August 19, 2024 there were:

|                 | PRESENT  | ABSENT   | AYE      | NAY      | ABSTAIN  |
|-----------------|----------|----------|----------|----------|----------|
| Michael Pirrone | X        |          | X        |          |          |
| Rebecca Pine    | X        |          | X        |          |          |
| Mary Brandow    | X        |          | X        |          |          |
| Anthony Paluch  | X        |          | X        |          |          |
| Tami Bone       | X        |          | X        |          |          |
| <b>Total</b>    | <b>5</b> | <b>0</b> | <b>5</b> | <b>0</b> | <b>0</b> |

I, Council member Tami Bone, offer the following resolution, Resolution #2024-28, and move its adoption:

WHEREAS, the Town Board of the Town of Athens has introduced a proposed Local Law to amend certain sections of the Athens Town Code, in particular Chapter 180 of the Code pertaining to Solar Energy, and

WHEREAS, a public hearing upon proper notice was held on August 19, 2024, and

WHEREAS, The Town Board acting as Lead Agency pursuant to the NYS Environmental Quality Review ACT (SEQRA) has determined that enactment of the proposed Local Law will not create the potential for any adverse environmental impacts and has adopted a Negative Declaration pursuant to SEQRA and its accompanying regulations,

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Athens does hereby enact the proposed Local Law attached hereto and made a part hereof which shall be numbered Local Law #3 of the year 2024.

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

**VOUCHERS**

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

2024

|         |              |                    |             |
|---------|--------------|--------------------|-------------|
| General | Abstract #16 | Vouchers 339 - 348 | \$ 5,353.14 |
| Highway | Abstract #16 | Vouchers 105 - 108 | \$ 825.38   |

**THE MINUTES FROM:** The minutes from July 17, 2024 and August 5, 2024 meetings were distributed to the Town board. A motion by Pine and seconded by Brandow, to accept the minutes was made.

Motion carried: Ayes – 4(Pirrone, Bone, Brandow, Pine) No’s – 0, Abstentions – 1(Paluch).

## **DEPARTMENT REPORTS**

HIGHWAY SUPERINTENDENT – JOHN J FARRELL. No Report.

CODE ENFORCEMENT – Albert Gasparini See attached.

- Mr. Gasparini discussed the building plans for the Cell Tower. Question if the plans he received were the plans approved by the planning board. He will investigate and get back to the board.
- Mr. DiStefano's property on Schoharie Tpk everything is gone that was stipulated in the court order. The heavy equipment is still there, but he has until October to have get the heavy equipment removed.

ASSESSOR – Ms. Dawn DeRose See attached.

- Question about what was wrong with the assessor's computer?  
Answer, it is out of date and should be ok with the update that I.T.S. is going to do.

FINANCIAL/BUDGET REPORT – See 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.

Town of Athens, Special Counsel, John Dowd, Dreyer-Boyajian has filed our Respondent Brief for the case. Awaiting determination from the NYS Supreme Court-Appellate Division.

2.Hailee Dickson, et al. v. Town of Athens Zoning Board of Appeals, et al.  
NYS Supreme Court, Greene County-Index No.: EF2024-400.  
Towns Special Counsel, John Dowd, Esq. preparing memorandum of law in opposition to Dickson and others' Article 78 Verified Petition.

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. On July 23, 2024, Honorable Sharon A. Graff, J.S.C., accordingly, hereby ORDERED that the petition/complaint is dismissed.

4.Town Attorney McHugh-Town Board legal update & explanations.

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

A. Planning meeting with Catskill Supervisor Patrick McCulloch for the Leeds VFD budget review, TBD.

B. Greene Sheriff Office conducting Dog Control Officer Training on Oct 26, 2024. Town DCO Vieta has been notified of the Training.

C. Town of Athens Code books, discussion.

D. Building Fees, last time updated, June 7, 2021. Will consider review.

E. Renewal of Catskill Ambulance BLS contract, discussion.

**New Business:**

Town Action: To Authorize the Supervisor to sign the Catskill Ambulance BLS services Contract. No action taken. The board would like to wait until they get a reply to Supervisor Pirrone's request for call volume and other statistical information.

**Old Business Issues:**

1. Town Board Video Conferencing consideration can be allowed, provided the conditions have been satisfied.
2. Employee Dental & Vision Policy. The policies are employee only plans. No participation in the Town required. Please consider & advise.
3. Even Year Election Legislation, Proposed Public Hearing, Mandatory Referendum, Local Law, Change the Term of Supervisor, Town of Athens.

**TOWN BOARD CONCERNS:** None

**PUBLIC CONCERS:**

Katherin Daly asked for the changes that were made to the amended code 180, Solar Energy.

Supervisor Pirrone said he would email her a copy of the red line version.

Russ Nadler, per CEO Gasparini report, asked that he confirm the plans for the cell tower before he issues a permit.

Hailee Dickson had questions:

-What will the ownership of the building between the Town and the Village if the proposed project goes forward?

Answer From Town Attorney McHugh. It would be 50/50. They would own the building jointly.

-Why is the board more concerned about making money and not the residents?

Answer from Board member Bone. Just like herself the State takes away the Home Rule and, in her case, Solar Farms will surround her.

-Why didn't the planning board want to work with Town Attorney McHugh?

Answer from Supervisor Pirrone, there is no issue Mr. McHugh's services are not needed and if they are needed the planning board chairperson will reach out to him.

-Why did the clerk not send me the information in my FOIL request about Attorney McHugh's contract?

Answer. He does not have a contract; he is an employee.

Mike Ragaini What will the Town and Village share if they proceed with the building update project?

Answer Town Attorney McHugh all the building and the property.

Margaret Munkel, it has been 5 months and still no answers to her concerns mentioned in the letter sent to supervisor Pirrone.

Answer Supervisor Pirrone stated that he has resent the letter to all the board members.

**Community Information:**

Aug 22: Planning Board Mtg. Municipal Building.

Aug 24: Town & Village Yard Sale Day.

Sep 3: Town Board Meeting. Municipal Building.

Sep 7: Greene County YMCA Triathlon. Sleepy Hollow Lake.

Sep 10: Code Review Committee. Municipal Building.

Sep 11: Zoning Board of Appeal. Municipal Building.

Sep 13: Annual Senior Citizens Day. Historic Catskill Point.

Sep 16: Town Board Meeting. Municipal Building.

At 7:11pm a motion was made by Pine and seconded by Bone to go into executive session, to discuss the Inter-Municipal agreement with council if needed.

At 7:56pm a motion was made by Pine and seconded by Brandow to come out of executive session and resume the regular meeting.

A motion was made by Pirrone and seconded by Bone authorizing Supervisor to sign the engagement letter with Rodenhausen, Chale and Polidoro for the preparation of an Inter-Municipal agreement between the Town and Village of Athens.

Motion carried. Ayes – 4 (Pirrone, Bone, Brandow, Pine), No's -1 (Paluch).

A motion was made Pine at 8:02pm seconded by Bone to adjourn the meeting.

Motion Carried. Ayes – 5.

Respectfully submitted.

Phyllis Dinkelacker

Athens Town Clerk





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

**Building Permits: 4 –**

New Firehouse, Total 921 Schoharie Turnpike 10,353 Square Feet  
Manufactured Home 3 Bedroom 2 Bath, Total 880 Sq. Ft, 503 Flats Road  
Electric Vehicle Charger Installation, 251 Sleepy Hollow Road  
Barn Garage 26 Ft. by 30 Ft, 160 Sandy Plains Road

**Building Inspections: 14 –**

**Building Permit Inquiries:** Inquiries of parcels of land to build homes, Residential Solar Panels, Garage, Shed, Cellphone Concrete tower structure Farm to Market Road.

Certificate of Occupancy:

**Temporary Certificate of Occupancy:**

**Certificate of Compliance: 3** Removal of House 314 Quarry Road.  
Angelo Rakitis Quarry Road, Removal of Barn, 1030 Leeds Athens Road

**Certificate of Occupancy Search Request: 1**

**Complaints:1,** 632 Potic Mountain Road, 14 Chicken evading neighbor's property. Received pictures of chickens on neighbors' property in August.

**Demolition Permits: 4** Removal of Barn at 1030 Leeds Athens Road,  
Removal of Garage 664 Vosenkill Road, Removal a Single Family Manufactured Home 503 Flats Road (Catskill Mountain Housing), Removal of Home (Destroyed by fire) 270 Green Lake Road,

**Septic Permit: 1,** At 1204 Schoharie Turnpike

Sign Permits:

Short Term Rental Certificates:

Fire / 911 Calls: -

Fireworks Permit:

**Violations:**

**Violations: On going,**

**Note:**

- 1030 Leeds Athens Road: Wells Fargo maintenance company Altisource had Innovative Field Services clear barn area. \$8,000.00 dumpster fees.
- 8/15/2024 a site inspection was done and the Vacant Property on Schoharie Turnpike was cleared of litter and debris.
- Certified letter to property owner using vacant land for housing in 5 recreation vehicles was returned undeliverable 8/15/2024.

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

Our office has received and processed the following:

- Village Permits/CO/CC: 0 (Received from V-CEO)
- Town Permits/CO/CC: 2 (Received from T-CEO)
- Village Deeds via parcels: 11 (Received from RPTS-County)
- Town Deeds: 19 (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: 5 (Received from RPTS-County)

The final roll was completed and filed on July 1<sup>st</sup>, 2024.

There were 11 sales received for the Village this month, ranging from 275,000 to 695,000, and still reflecting a strong market, (deeds with conditions are not part of this statistic).

There were 19 deeds filed for the Town this month, ranging from 70,000 to 1,100,000, and again still reflecting a strong market, (deeds with conditions are not part of this statistic).

Still working on all of the exemptions, and the property owners have been very cooperative with submitting the documentation required.

We are still experiencing issues with our computers.

The Board of Assessment Review will be meeting on 10/23/2024 to act on "Petitions to the Board of Assessment review" for corrections to the final assessment roll for the January 2024 Town/County taxes.

We have received 6 SCAR cases and 1 Article 7 case.

NYS Taxation and Finance increased the Enhanced STAR income level to \$107,300 based on the 2023 Federal Income Tax Return (AGI less IRA) for 2025.

We are continuing to update our files, adding pictures, verifying data, filing, collecting data and working on valuation for the 2025 assessment roll.

Otherwise, conducting business as usual,

Thank you.

Dawn DeRose  
Assessor

**Town of Athens  
Operational Narrative  
July 2024**

- 1. Financial office moving along quite well.**
- 2. All financial activity through July 31 recorded in the General Ledger.**
- 3. Current Summary of Cash & Combing Balance Sheet is updated & attached to the rear of the report.**
- 4. The Operating & Reserve Bank statements are reconciled.**
- 5. The Retirement Report is being prepared & filed.**
- 6. All Accounts Payable activity is coded, processed & paid as of July 31, 2024.**
- 7. Time Reports are monitored, reviewed, and submitted for processing. Transition to outside service has been well received.**
- 8. The bookkeeper has sent out the 2025 Budget information request. Consulting with the Supervisor with additional information.**