

REGULAR MEETING – ATHENS TOWN BOARD

December 2, 2024

The regular meeting of the Athens Town Board was called to order on December 2, 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 Town Board members were in attendance: Supervisor Pirrone, Council Members Tami Bone, Mary Brandow, Anthony Paluch and Becky Pine.

The following Town Officers and Appointees were in attendance: Town Clerk Phyllis Dinkelacker and Deputy Supervisor Lasher.

The following people were in attendance: Fran McCusker, Robert Brunner, Michael Campbell, Mathew Sovern, James O'Connell, Amy Serrago, Yves Goldberg, Jeanne Oliverira, Antonio Calarco, Carol Pfister.

Supervisor Pirrone asked if the Board was ok to go out of order so he could introduce the candidates for the ZBA member and alternate and Town historian.

Individually, each candidate stepped forward and told the board a little about themselves. The Board asked them questions and the candidates were given the opportunity to answer and ask questions of the board. They were also provided information about the Zoning Board of Appeals (ZBA), that they are required to do 4 hours of training a year, where they can find online training through webinars.

Town Action: To Appoint Antonio Calarco, Town of Athens resident, community activists and concerned citizen, nominated by Supervisor Pirrone, to the Town of Athens Zoning Board of Appeals as an Alternate member for a Term of One (1) years, effective December 2, 2024, to December 31, 2025.

Motion By Bone 2nd By Pirrone.

Motion was carried. Ayes – 3 Bone, Brandow, Pirrone. Nos 1 Paluch. Abstains – 1 Pine.

Town Action: To Appoint Matt Sovern, Town of Athens resident, community activists and concerned citizen, nominated by Supervisor Pirrone, to the Town of Athens Zoning Board of Appeals as a Regular member for a Term of Three (3) years, effective December 2, 2024, to December 31, 2027.

Motion By Bone 2nd By Brandow.

Motion was carried. Ayes – 4 Bone, Brandow, Pirrone ad Paluch, Nos – 0, Abstains – 1 Pine.

Town Action: To Appoint Jeanne Oliveira, Town of Athens resident, retired teacher, proud veteran, community activists and concerned citizen, nominated by Supervisor

Pirrone, to the Town of Athens Zoning Board of Appeals as Secretary for a Term of One Year (1) years, January 1, 2025, to December 31, 2025.

Motion By Bone 2nd By Brandow.

Motion carried. Ayes – 5, Nos – 0, Abstain – 0.

Town Action: To Appoint Sarah Dunlap, an independent researcher and explorer, that absolutely loves and cherishes history, architecture and what makes people move, enjoys sharing & telling others about the history that is uncovered in her research & field work. Sarah was born in Red Hook, NY and currently resides in Lake Katrine with her husband & children. Nominated by Supervisor Pirrone, as the Town of Athens Historian for a Term of One (1) years, effective January 1, 2025, to December 31, 2025.

Motion By Paluch 2nd By Brandow.

Motion carried. Ayes – 5, Nos – 0, Abstain -0.

Supervisor Pirrone informed the Board that he, the Town Attorney, The Village Mayor, the village attorney met on 11/20/24 to discuss the building and the Town and Village becoming joint owners of the building. Town & Village Joint Venture of both owning the Municipal Building. Here are some highlights of the ongoing discussions:

1. Both the Town Board & Village Board members will now need to decide how best to proceed.
2. The Village & Town shall own the real property, which is the current Village Hall/Town Hall, jointly on an equal basis.
3. Once the Village Board & Town Board members have a concept, a written agreement shall be drafted by independent counsel Christine Chale, which will detail, among several other things, the operations & maintenance costs for each municipality.
4. SEQRA shall be completed prior to transfer of ownership to Village & Town.
5. Once the transfer of ownership has been completed, the Town & Village shall engage Lamont Engineering to begin the planning & design process. Meanwhile, the Village & Town shall share in the costs of Operations & Maintenance consistent with the prorations currently in the lease agreement, & the new Agreement to be drafted.
6. The overarching sentiment of the meeting attendees was that the Village would bear the costs of the renovations to the space they plan to occupy. The Town would bear the costs of the renovations to the space they plan to occupy. And the Village and Town would bear the costs equally for any common spaces that they may both use & occupy. Additionally, the group appreciates that these are broad strokes, & that many details and decisions will need to be made as we navigate this process. However, if both the Village Board & Town Board agree in concept with joint ownership of the property & a fair proration of the expenses that will be incurred to satisfy the needs of both municipalities, the details will fall into place as the planning process proceeds.

Discussion followed with the Town Board and the Village Mayor, Amy Serrago. Mayor Serrago explained the importance of the Town Board making a decision regarding the village and Town becoming joint owners of the building.

A motion was made by Pine and seconded by Bone to approve the Supervisor to sign an agreement that will be written up by independent counsel Christine Chale. It will detail the operations and maintenance costs for each municipality, along with several other things.

Motion carried. Ayes – 4, Bone, Brandow, Pine and Pirrone. Nos – 1, Paluch.

VOUCHERS

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

<u>General 2024 Abstract #23</u>	Vouchers	500 - 521	\$19,132.82
<u>Highway 2024 Abstract #23</u>	Vouchers	163 – 172	\$38,442.47

The minutes from 11/7/2024 were distributed to the Town board and motion by Bone and seconded by Paluch, to accept the minutes. Motion carried: Ayes – 5, No’s – 0.

Clerk’s Report: The Clerk’s report for November was presented to the Board. A motion was made by Brandow and seconded by Pine to accept the Clerk’s report.

Motion Carried. Ayes – 5, No’s – 0.

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 All the appellate briefs have been filed with the Appellate Division Scheduled for oral arguments in November 2024.
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; There is an indication that Sleepy Hollow Lake is filing an Appeal.

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

Supervisor Report: General Items

Peckham, Schoharie Turnpike odor issues. The Town & residents have been in touch with the Plant Manager. Waiting for cleaning of air filters, etc.

Greene County Ambulance Review Study Meeting #3, December 11 @ 6:00 pm.
Location to be determined.

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

New Business:

Town Action: To Authorized Supervisor Pirrone to sign the contract with Intelligent technology Solutions, Inc. for planned upgrades, related services, and machinery changes. The contract cost is \$29,389.34. Contract costs are partially provided for in A/C # 878F \$ 16,011. Additional funding is available via Contingency A/C 1990.4 \$ 10,000. and A/C 1680.40, potential \$ 3,379.

Motion was made by Brandow and seconded by Bone.
Motion carried. Ayes – 5, Nos – 0.

FYI: To Accept Resolution # 426-24, Amount due to County by Respective Towns, for the Town of Athens \$1,200.00 for various services performed by Greene County.

Proposed change for the Town Clerk's Financial Institution, to accommodate use of "Automated Magnetic Ink Character Recognition Machine," improve services and operation.

Discussion followed about the Town earning interest on our accounts.

The clerk explained that she did reach out to the manager of NBC and asked if the monthly fees and/or the cost of the Check machine could be waived or decreased. The clerk was told, "no, they wouldn't do that," by the Bank manager. The clerk further explained that earning interest on the account was not a deciding factor to change banks.

A motion by Pine and seconded by Brandow to allow the clerk to set up her checking accounts with The Bank of Greene County, with the stipulation that the Town Attorney reviews the Town's investment policy and is made aware of history regarding interest bearing accounts.

Motion carried. Ayes – 4, Bone, Brandow, Paluch and Pine. Nos – 0, Abstain – 1, Pirrone.

Supervisor Pirrone said that he would follow up with the Town Attorney Tuesday morning.

Proposed Option to include Agent Print Fee of \$ 1.00 to cover cost of printing materials. See attached guidelines.

A Motion was by Bone and seconded by Pirrone to allow the clerk to charge a \$1.00 license print fee.

Motion not carried. Ayes -2, Bone and Pirrone. Nos – 3, Brandow, Paluch and Pine.

Council Member Pine & Code Enforcement Officer Gasparini has prepared a draft of proposed Building Department Permit & Fees revisions for consideration by the Council.

The first page of the proposed changes is attached. Discussion followed. The board decided to set up workshops to go over the proposed changes.

Old Business Issues:

Town Facebook Proposal. No action currently.
Planning Board & ZBA. Was discussed above.

Town Council Concerns:

Ms. Pine suggested that now that the budget is done that the Board should start working on the laws.

Public Concerns:

Mr. Brunner asked what investments the town make?
Answer, the bookkeeper invests into money markets.

Mike Campbell stated, “You need to Let Albert do his job, instead of it going upstairs and being dismissed.” He said there are a lot of violations around the town.

More discussion followed on investments and whether it is legal for the town’s accounts to earn interest.

Carol Pfister, Reminder that the Victorian Stroll will be Saturday December 14th.

Community Information:

Dec 2: Town Board Meeting. Municipal Building.
Dec 11: Zoning Board of Appeal Meeting. Municipal Building.
Dec 14: Victorian Stroll. Village of Athens.
Dec 16: Town Board Meeting. Municipal Building.
Dec 19 or 26 TBD: Planning Board Meeting. Municipal Building.
Dec. 24: Town Office Closed in the Afternoon.
Dec. 25: Christas Day Holiday. Town Offices Closed All Day.
Dec. 31: Town Offices Closed in the Afternoon.
Jan. 1: New Years Holiday. Town Offices Closed all Day.
Jan 6: Town Board Meeting. Yearly Organizational Meeting. Municipal Building.
Jan. 8: Zoning Board of Appeal Meeting. Municipal Building.
Jan. 20: Martin Luther King, Jr. Day. Town Offices Closed All Day.
Jan. 21: Town Board Meeting. Municipal Building.
Jan. 23: Town Planning Board Meeting. Municipal Building.

Being no other business to come before the Board.

A Motion was made by Brandow and second by Bone to adjourn the meeting at 7:29pm. Motion passed. Ayes – 5, No’s – 0.

Respectfully submitted.

Phyllis Dinkelacker
Athens Town Clerk