

**REGULAR MEETING – ATHENS TOWN BOARD**

December 1, 2025

The regular meeting of the Athens Town Board was called to order on December 1, 2025, 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 Michael Pirrone, Town Board members Tami Bone, Karen Haas (entered at 6:15), and Becky Pine. Absent: Tony Paluch

**The following Town Officers and Appointees were in attendance:** Town Clerk Phyllis Dinkelacker and Town Attorney George McHugh.

**The following people were in attendance**(signed in): Nancy Poylo, Brittany Palmateer, Michael Campbell, Eddie Lenzo, Gary Marsden, Sarah Steimel, and Mike Barton.

**Public Hearing:** The Public hearing notice was read.

*Athens Town Board will hold a public hearing on Monday December 1, 2025 at 6:00pm at the Athens Municipal Building, 2 First St. Athens, NY 12015. To hear all comments on proposed Local Law #3 for 2025. Entitled "Town of Athens Data storage facilities Or Data Centers Moratorium Law" This Moratorium is necessary in order to temporarily restrict the development of Data Center Facilities so that the Town Board may consider enactment of land use regulations to encourage appropriate development of Data Center Facilities that is consistent with the Town's land use development and zoning objectives. Anyone wishing to review proposed Local Law #3 2025 can contact the Town Clerk's office. Phyllis Dinkelacker, Athens Town Clerk.*

A motion to open the public hearing was made by Bone and seconded by Pine. Motion carried: Ayes’s – 4 (Bone, Pine, and Pirrone), No’s – 0, Absent - 2(Haas and Paluch).

The floor was open for discussion: Sarah Stein from Sleepy Hollow stated that she was in favor of going forward with the Moratorium. She went on to state the impact to not only the community that the Data storage is located but the surrounding communities.

A motion was made by Pine and seconded by Bone to keep the Public Hearing open to the end of the meeting. Motion carried: Ayes’s – 4 (Bone, Pine, and Pirrone), No’s – 0, Absent - 2(Haas and Paluch).

**PRIOR MEETING MINUTES:** The minutes to the November 17, 2025 meeting were not available for this meeting.

**VOUCHERS**

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

<u>General 2025 Abstract # 23</u>	Vouchers	482 – 501	\$98,160.92
<u>Highway 2025 Abstract # 23</u>	Vouchers	178 - 191	\$54,628.72
<u>T&amp;C Freepoint Solar Abstract #2</u>	Voucher	2	\$ 3,825.00

**TOWN CLERK'S REPORT:** The Town Clerk distributed her report for November 2025. The money turned over to the Town for October was decreased by \$150.00. A check for October was returned for insufficient funds after the November 6<sup>th</sup> meeting.

A motion was made by Pirrone and seconded by Bone to accept the Clerk's October report. Motion carried: Ayes's – 4 (Bone, Haas, Pine, Pirrone), No's – 0, Absent -1 (Paluch).

**Supervisor Report: Legal Items**

July 18, 2025, Teleport Communications Group, Inc. v. The Assessor of the Town of Athens, et al. Supreme Court of the State of New York, County of Greene-Index No.: EF2025-660. Notice of Petition Under Article 7 of The Real Property Tax Law of New York State for Review of Tax Assessments. 2025 Assessment Roll Taxes for the Year 2025/2026. Tax Map IDs: 622.89-0000-744.790-1881, 622.089-0000-744.790-1882, 622.0890000-744.790-1883.

**Supervisor Report on Current Business Items:**

-Peckham, Schoharie Turnpike odor issues. Odor complaints on Nov. 19, 2025 Nov. 6, Nov 3, Oct 24, Oct. 21, Oct 11, Oct. 3, 2025; Sept. 29, 2025; Sept 22, 2025. Town has received information and reports that track various conditions, date, time of odor complaints and other information.

-Village/Town Intermunicipal Agreement: Waiting for the appraisal and the title search. Those should be here soon and will share when they arrive.

-Athens Rivertown senior center building, awaiting confirmation of meeting with Shaun Groden, administrator and Amanda Lyons, ED, Human services

-Mountaintop Supervisors & Mayors Meeting, November 24, Town of Ashland.

- On behalf of Flint Mine Solar, a project that has been under development in Athens for the past few years.

*We have been in contact with you, and it has been some time since our last update. We appreciate your continued support and patience as the project has progressed. We are pleased to share a positive development — Flint Mine Solar has advanced through Step One and is now preparing a Step Two Bid Proposal under NYSERDA's Tier 1 solicitation.*

*Our team remains committed to Athens and to delivering on the commitments we made to your community. We will continue to keep you informed as the NYSERDA process advances and as other project milestones occur.*

*Thank you, and I hope you have a great holiday next week.*

*All the best, DESRI-Flint Mine Team.*

-NYS DOT, Region One, Town of Athens, Culvert Project, Route 385, Corlaer Kill, 2026 year.

-NYS DOT, Region One, Village of Athens, Pavement Corrective Maintenance, Route 385, RM385-130-1051 to RM 385-1301-1065, 2026 Year.

**New Business:**

-Discussion of proposed Local Law for TOWN OF ATHENS DATA STORAGE FACILITIES OR DATA CENTERS MORATORIUM LAW.”

-Discussion: Review of Proposed Local Laws for “Battery Energy Storage Systems” and “Noise.”

There will be a public hearing regarding the proposed Local Law (2026-1) for Noise. January 21, 2026.

-Town Action: To Authorize the Supervisor to Obtain a Quote for Services to Review the above-mentioned Proposed Local Laws for Clarity, Conformity, and Challenges. Supervisor Pirrone and Board member Pine had a phone call with MJ engineering. They were told they will have a quote for their services by December 15, 2025.

-Discussion: Review of Greene County Resolution #357-25, Dated Nov. 17, 2025, Chargebacks for Assessment Roll Related Services & Materials (State Software Licensing Fee 2025).

Town Action: To Authorize the Supervisor to Recognize the Current Greene County Chargebacks of \$ 1,300., Assessment Roll Related Services & Materials (State Software Licensing Fee 2025).

Motion By Bone and second by Pine, acknowledge Greene County resolution #357-25.

Motion carried: Ayes’s – 4 (Bone, Haas, Pine, Pirrone), No’s – 0, Absent -1 (Paluch).

-Discussion: Review Greene County Resolution #369-25, Dated Nov. 17, 2025, Changing, Altering or Revising Tentative Budget Following Public Hearing-Emergency Medical Services.

Greene County Legislature Has Chosen to Allocated Funds to the Towns within Greene County to Assist with Emergency Medical Services.

“A” Fund, A/C 1120 Non-Property Tax Distribution by County \$55,401.

“A” Fund, A/C 4540.4 Ambulance-Contractual, Basic Life Support \$55,401.

Nothing has to be done.

*EXCEPTIONS NOTED: Per consultation with Town Attorney McHugh & reconfirmed with NYAOT, Lori Mithen-Demasi, Chief Counsel, (NYAOT), there is nothing to do for current year, since Town Budget has been Certified & Delivered to Greene County, in accordance with NYS Town Law Section 109.*

### **Old Business:**

-Discussion: Alternative Investment of Funds. Ms. Kratz, Supervisor Bookkeeper, has been investigating Alternative Investment Vehicles for consideration. Current option is a Six-Month CD with a 3.55 APY.

Supervisor Pirrone asked if there update on the RFP for the position of Town Attorney? If anyone has any changes, they need to get them to Brittany Palmateer so she and board member Pine can move forward and post the position.

-There are no further questions, comments regarding proposed Local Law #202-3 Supervisor Pirrone entertain a motion to close the Public Hearing

A motion was made by Boen and seconded by Pine to close the public hearing at 6:21pm.

Motion carried: Ayes’s – 4 (Bone, Haas, Pine, Pirrone), No’s – 0, Absent -1 (Paluch).

A motion was made by Pine and seconded by Bone to adopt Resolution 2025-37 passing Local Law #2025-3,

Motion carried: Ayes's – 4 (Bone, Haas, Pine, Pirrone), No's – 0, Absent -1 (Paluch).

**Town Council Concerns:**

-Board member Bone mentioned that the property on Green Lake has a For Sale sign up. She asked if anyone had heard anything about the property?  
Nothing at this time.

**Public Concerns: None**

Board member Pine asked about the vouchers and payment for the Lift. The bill is \$70,000+, we are only paying \$30,000.00, that is not half of what is owed currently. Will the village be paying the \$5,000.00?

Supervisor Pirrone said he would reach out to Mayor Serrago.

Board member also asked about the Medicare reimbursement to former Town employees. It is reimbursement of their Medicare payment that comes out of their SS check.

**Community Information:** All Dates Subjected to Change.

- \* Nov 6: Town Board Meeting. Municipal Building.
- \* Nov 11: Veterans Day. Town Offices Closed
- \* Nov 12: Zoning Board of Appeals Meeting. Municipal Building.
- \* Nov 17: Town Board Meeting. Municipal Building.
- \* Nov 20: Planning Board Meeting. Municipal Building.
- \* Nov 24: Mountaintop Supervisors & Mayors, Town of Ashland.
- \* Nov 27: Thanksgiving Day. Town Offices Closed.
- \* Dec 1: Town Board Meeting. Municipal Building.
- \* Dec 10: Zoning Board of Appeals Meeting. Municipal Building.
- \* Dec 15: Town Board Meeting. Municipal Building.
- \* Dec 18: Planning Board Meeting. Municipal Building.
- \* Dec 24: Christmas Eve, Half Day Holiday. Town Offices Close at 12:00
- \* Dec 25: Christmas Day Holiday. Town Offices Closed.
- \* Dec31: New Years Eve, Half Day Holiday Town Offices Closed.
- \* Jan 1: New Years Holiday. Town Offices Closed.
- \* Jan 5: Town Board Meeting. Municipal Building.
- \* Jan 8 to Jan 20: Supervisor will be out of Town.
- \* Jan 21: Wednesday, Town Board Meeting. Municipal Building.

Being there is no other business to come before the Board.

**A Motion was made** by Bone and second by Pine to adjourn the meeting at 6:28pm.

Ayes's – 4 (Bone, Haas, Pine, and Pirrone), No's – 0, Absent/Abstain -1(Paluch).

Respectfully submitted.

Phyllis Dinkelacker  
Athens Town Clerk

**Town of Athens, NY & Town Council Meeting**  
**Athens Municipal Building, 2 1<sup>st</sup> Street**  
**Michael N. Pirrone, Supervisor, Presiding.**  
**Agenda, Monday, December 1, 2025 @ 6:00pm**  
**Please Sign In, No Sign in-Not Included in Minutes.**  
**(PLEASE SILENCE YOUR CELL PHONES WHILE THE MEETING IS IN PROGRESS)**

**PLEASE NOTE: No person shall be entitled to the privilege of the floor during any session of this Town Council unless a request therefore has been submitted prior to the commencement of the meeting to the Town Supervisor, until the Public Open Session.**

- **CALL THE MEETING TO ORDER. PLEDGE of ALLEGIENCE.**

**Public Hearing: Town of Athens will hold a Public Hearing on Monday, December 1, 2025, at the Athens Municipal Building, 2 First Street, Athens, NY. To hear all comments on Proposed Local Law #3 for 2025. Entitled "Town of Athens Data Storage Facilities or Data Centers Moratorium Law". This Moratorium is necessary to temporarily restrict the development of Data Center Facilities, so that the Town Board may consider enactment of land use regulations to encourage appropriate development of Data Center Facilities, that is consistent with the Town's land use development and zoning objectives. Anyone wishing to review proposed Local Law #3 2025 can contact the Town Clerk's office. Copies of the Local Law # 3 will be made available @ the Town Clerk Office for Public Inspection during Normal Office Hours.**

- **Discussion: Public Hearing, Local Law # 3, Town of Athens Data Storage Facilities or Data Centers Moratorium Law.**

**Town Action: Supervisor hereby requests a Motion to Open the Public Hearing for the Purpose of Hearing All Comments from the Public.**

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

**EXCEPTIONS NOTED:**

- **Discussion: Public Hearing, Local Law # 3, Town of Athens Data Storage Facilities or Dats Center Moratorium Law**

**Town Action: Supervisor hereby requests a Motion to Keep the Public Hearing Open until the completion of the Regular Agenda, for the Purpose of Hearing All Comments from the Public.**

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

**EXCEPTIONS NOTED:**

- **Discussion: Public Hearing, Local Law # 3, Town of Athens Data Storage Facilities or Data Centers Moratorium Law**

**Town Action: Supervisor hereby requests a Motion to Closed the Public Hearing, Local Law # 3, Town of Athens Data Storage Facilities or Data Centers Moratorium Law.**

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

**EXCEPTIONS NOTED:**

- **PRIOR MEETING MINUTES: To Approve the Minutes of the Meeting of November 17, 2025. Attached.**

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

**EXCEPTIONS NOTED:**

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

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

EXCEPTIONS NOTED:

- **TOWN CLERK'S REPORT:** To Accept Town Clerk Report for the month of November 2025. Report Attached.

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

EXCEPTIONS NOTED:

**Supervisor Report on Legal Items:**

1. **July 18, 2025, Teleport Communications Group, Inc. v. The Assessor of the Town of Athens, et al. Supreme Court of the State of New York, County of Greene-Index No.: EF2025-660. Notice of Petition Under Article 7 of The Real Property Tax Law of New York State for Review of Tax Assessments. Town Roll for the Year 2025/2026. Tax Map IDs: 622.89-0000-744.790-1881, 622.089-0000-744.790-1882, 622.0890000-744.790-1883.**

**Supervisor Report on Current Business Items:**

- A. **Peckham, Schoharie Turnpike odor issues. Odor complaints on Nov. 19, 2025, Nov 6, 2025; Nov. 3, 2025; Oct. 24, 2025; Oct. 21, 2025; Oct 11, 2025; Oct. 3, 2025; Sept. 29, 2025; Sept 22, 2025. Peckham Industries, follow up to the Supervisor regarding clarification of Report from the Fence Line Monitoring System.**
  - i. **Following up on Chris's note, I wanted to add a little more context around what we've been reviewing. The data Chris sent summarizes the odor complaints we've received in relation to wind direction and time of day. We've been using this information to identify patterns and better understand when conditions are most likely to create nuisance odors in the community.**
  - ii. **We also pair this with real-time terminal activity to see what was happening operationally when a complaint came in - things like railcar unloading, truck loading, or offloading. This helps us better correlate site activity with reported conditions and pinpoint where improvements can make the most difference.**
  - iii. **This correlation work is guiding how we prioritize infrastructure improvements so that any projects planned for the upcoming off-season are based on measurable benefit, not assumption. I met with our engineering partner, SPEC, yesterday to continue that review and discuss potential upgrades that could be implemented ahead of next season.**
  - iv. **It's important to note that any major infrastructure changes have to occur during the off-season, not because of business obligations, but because of the time required for design and contractor scheduling to perform the work safely and effectively. We understand residents' frustration and don't take it lightly - but these processes do take time to do right.**
  - v. **I'd be happy to walk through the data with you or help address any questions that come from residents. Our goal is to stay transparent about how we're approaching this and make sure any communication accurately reflects the facts.**
  - vi. **Please feel free to call me at your convenience if you'd like to discuss further.**

**Thanks, Scott Pooters**

B. **Village/Town Intermunicipal Agreement:** Waiting for the appraisal and the title search. Those should be here soon and will share when they arrive.

C. **Athens Rivertown Senior Center Building,** awaiting confirmation of meeting with Shaun Groden, Administrator & Amanda Lyons, ED., Human Services.

D. **Mountaintop Supervisors & Mayors Meeting,** March 2026.

E. On behalf of Flint Mine Solar, a project that has been under development in Athens for the past few years.

We have been in contact with you, and it has been some time since our last update. We appreciate your continued support and patience as the project has progressed. We are pleased to share a positive development — Flint Mine Solar has advanced through Step One and is now preparing a Step Two Bid Proposal under NYSERDA’s Tier 1 solicitation.

Our team remains committed to Athens and to delivering on the commitments we made to your community. We will continue to keep you informed as the NYSERDA process advances and as other project milestones occur.

Thank you, and I hope you have a great holiday next week.

All the best, DESRI-Flint Mine Team.

F. NYSDOT, Region One, Town of Athens, Culvert Project, Route 385, Corlaer Kill, 2026 year.

G. NYSDOT, Region One, Village of Athens, Pavement Corrective Maintenance, Route 385, RM385-130-1051 to RM 385-1301-1065, 2026 Year.

**New Business:**

Discussion of proposed Local Law for TOWN OF ATHENS DATA STORAGE FACILITIES OR DATA CENTERS MORATORIUM LAW”.

- Town Action: Motion By 2<sup>nd</sup> By AIF

EXCEPTION NOTED:

Discussion: Review of Proposed Local Laws for ““Battery Energy Storage Systems” and “Noise”.

- Town Action: To Authorize the Supervisor to Obtain a Quote for Services to Review the above-mentioned Proposed Local Laws for Clarity, Conformity, and Challenges.

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

EXCEPTIONS NOTED:

Discussion: Review of Greene County Resolution #357-25, Dated Nov. 17, 2025, Chargebacks for Assessment Roll Related Services & Materials (State Software Licensing Fee 2025).

Town Action: To Authorize the Supervisor to Recognize the Current Greene County Chargebacks of \$ 1,300., Assessment Roll Related Services & Materials (State Software Licensing Fee 2025).

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

EXCEPTIONS NOTED:

Discussion: Review Greene County Resolution #369-25, Dated Nov. 17, 2025, Changing, Altering or Revising Tentative Budget Following Public Hearing–Emergency Medical Services.

Greene County Legislature has Chosen to Allocated Funds to the Towns within Greene County to Assist with Emergency Medical Services.

“A” Fund, A/C 1120 Non-Property Tax Distribution by County \$55,401.

“A” Fund, A/C 4540.4 Ambulance-Contractual, Basic Life Support \$55,401.

Town Action: : To Authorize the Supervisor to Recognize the Current Greene County Actions as stated.

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

EXCEPTIONS NOTED: Per consultation with Town Attorney McHugh & reconfirmed with NYAOT, Lori Mithen-Demasi, Chief Counsel, (NYAOT), there is nothing to do for current year, since Town Budget has been Certified & Delivered to Greene County, in accordance with NYS Town Law Section 109.

Discussion: Alternative Investment of Funds. Ms. Kratz, Supervisor Bookkeeper, has been investigating Alternative Investment Vehicles for consideration. Current option is a Six-Month CD with a 3.55 APY.

- Town Action: To Authorize the Supervisor to oversee the Bookkeeper with the exploration of Alternative Investment Vehicles.

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

EXCEPTIONS NOTED:

Discussion:

- Town Action: Motion By        2<sup>nd</sup> By        AIF

EXCEPTIONS NOTED:

#### **Other New Business:**

**Old Business Issues: Alternative Investment of Funds. Ms. Kratz, Supervisor Bookkeeper, has been investigating Alternative Investment Vehicles for consideration. Current option is a Six-Month CD with a 3.55 APY.**

#### **Town Council Concerns:**

#### **Public Concerns:**

- **Town Action: Move to Executive Session**  
Motion By        2<sup>nd</sup> By        AIF  
EXCEPTION NOTED:
- **Town Action: To Adjourn from Executive Session.**  
Motion By        2<sup>nd</sup> By        AIF  
EXCEPTION NOTED:
- **Town Action: To Reconvene Regular Session.**  
Motion By        2<sup>nd</sup> By        AIF  
EXCEPTION NOTED:

#### **Community Information: All Dates Subjected to Change.**

- Dec 10: Zoning Board of Appeals Meeting. Municipal Building.
- Dec. 13: Athens Victoria Stroll. Village of Athens.
- Dec 15: Town Board Meeting. Municipal Building.
- Dec 18: Planning Board Meeting. Municipal Building.
- Dec 24: Christmas Eve, Half Day Holiday. Town Offices Close at 12:00
- Dec 25: Christmas Day Holiday. Town Offices Closed.

- Dec31: New Years Eve, Half Day Holiday Town Offices Closed.
- Jan 1: New Years Holiday. Town Offices Closed.
- Jan 5: Yearly Town Board Organizational Meeting. Municipal Building.
- Jan 8 to Jan 20: Supervisor will be out of Town.
- Jan 21: Wednesday, Town Board Meeting. Municipal Building.
- 

Town Action: Move to Adjourn,

Motion By

2<sup>nd</sup> By

AIF

Account Description	Fee Description	Account#	Qty	Local Share
Building Permits	Building Permit	B2555	3	720.49
			<b>Sub-Total:</b>	<b>\$720.49</b>
Certificate Of Occupancy	Certificate Of Occupancy	B2770	1	75.00
			<b>Sub-Total:</b>	<b>\$75.00</b>
Conservation	Conservation	A1255	4	7.06
			<b>Sub-Total:</b>	<b>\$7.06</b>
Dog Licensing	Female Spayed	A2544	3	33.00
Dog Licensing	Male, Neutered	A2544	1	11.00
Dog Licensing	Male, Unneutered	A2544	2	32.00
			<b>Sub-Total:</b>	<b>\$76.00</b>
Marriage Lic.	Marriage License Fee	A 1255	1	17.50
			<b>Sub-Total:</b>	<b>\$17.50</b>
Misc Clerk/Registrar Fee	Marriage Transcript Fee	A1255	2	20.00
			<b>Sub-Total:</b>	<b>\$20.00</b>
Misc Code Fees	Municipal Search	B2770	4	625.00
Misc Code Fees	Short Term Rental	B2770	1	425.00
Town Clerk/Registrar Fees	Death Certificate/Copies	A1255	17	170.00
			<b>Sub-Total:</b>	<b>\$1,220.00</b>

**Total Local Shares Remitted: \$2,136.05** 1986 10

Amount paid to: NYS Ag. & Markets for spay/neuter program 10.00  
 Amount paid to: NYS Environmental Conservation 424.94  
 Amount paid to: State Health Dept. for Marriage Licenses 22.50

**Total State, County & Local Revenues: \$2,593.49** **Total Non-Local Revenues: \$457.44**

To the Supervisor:  
 Pursuant to Section 27, Sub 1, of the Town Law, I hereby certify that the foregoing is a full and true statement of all fees and monies received by me, Phyllis Dinkelacker, Town Clerk, Town of Athens during the period stated above, in connection with my office, excepting only such fees and monies, the application of which are otherwise provided for by law.

Supervisor \_\_\_\_\_ Date \_\_\_\_\_ Town Clerk \_\_\_\_\_ Date \_\_\_\_\_

**1804**

**TOWN OF ATHENS**  
 TOWN CLERK ACCOUNT  
 2 FIRST ST  
 ATHENS, NY 12015-1300

DATE 12/1/25 50-705/213

PAY TO THE ORDER OF Town of Athens \$ 1986.05  
ONE THOUSAND NINE HUNDRED EIGHTY SIX AND 05/100 DOLLARS

FOR NOV clerks inc

⑈001804⑈ ⑆021307054⑆ 06 04704056 ⑈

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