

VILLAGE OF ATHENS BOARD MEETING

MINUTES - December 9, 2015

Time: 6:30PM

Pledge of Allegiance

PRESENT: Mayor Christian Pfister, Trustee Robert June, Trustee Gail Lasher, Trustee Peter Alberti and Trustee Marla Butler.

Village Attorney Tal Rappleyea was also present

Department Head Reports

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| 1. Department of Public Works | Anthony Proper – no show |
| 2. Fire Department | Adam Greco |
| 3. Code Enforcement Officer | Mike Ragaini – no show |
| 4. VRI | Dale Post |
| 5. Police | Roger Masse – no show |

Public:

1. *Jim Steenburgh* – no show
2. *Sister Mary Mazza, resident of the village*, attended the meeting to ask the Village Board to approve her application for a building permit. She gave all of the Board members a copy of the Building permit application. Sister Mary informed the Village Board that she has already presented the application to the Planning Board and she has received no correspondence or response. She noted that they were not in favor of the application due to the fact that it is vinyl siding that she would like to install on the Parish house.

Mayor Pfister stated that the Planning Board was not in favor of approving the application due to the Historic nature of the building. It is important to preserve the architectural heritage of the building and the character of the neighborhood.

Sister Mary noted that the Victorian character will be preserved. A professional contractor will be preserving the original trim. She also noted that the building already has vinyl windows.

She stated that she cannot justify the cost of preparing and painting the building every few years at a cost of approximately \$40,000 whereas she can put siding on the building at a cost estimate of approx. \$38,000 that will last for over 25 years.

Trustee Alberti stated that he agreed with Sister Mary. The cost to prepare and paint a building professionally use to be cheap but that is not the case anymore.

Trustee Lasher also noted that the church will also be able to insulate the building as they side it as well.

Trustee June noted that he would rather see a well-maintained building that is sided professionally as opposed to a building that is 'run-down'.

Trustee Butler noted that the Minutes of the Planning Board Meeting (Sept. 15) reflect the fact that no action was taken on the building permit application. A Motion was made by one of the Board Members and no second was made. The Athens Village Code Book states that if no decision is made on a building permit application within 62 days by the Planning Board the application goes before the Village Board for a decision.

Mayor Pfister emphasized that the Planning Board was trying to maintain the character of the period by not approving the vinyl siding for that building in that neighborhood.

3. *Richard Surrano Jr., resident of the village*, attended the meeting to comment on the Planning Board's decision or indecision on Sister Mary's building permit application. He is in support of getting the Parish House sided and the Planning Board needs better supervision or they should be dissolved

Mr. Surrano stated that he thinks the Planning Board is a 'joke' in that all of their decisions are based upon their opinions and not factual information.

Installing new siding on the Parish house will allow them to decrease the draft into the house which lessens the usage of oil to heat the house. This is just common sense.

A lot of residents in the Village cannot afford to do some of the improvements that the Planning Board insists upon. A number of residents do the best they can to 'keep up their houses'.

Mr. Surrano stated that the Planning Board membership should be re-considered. Perhaps there needs to be a 'change of guard'. He noted that he has tried for 2 years to become a member of the planning board but no one has even gotten back to him regarding his request.

Mayor Pfister stated that it was not right to start off with a statement such as that regarding the Planning Board. The Planning Board dedicates their time and energy, with no pay, to try and retain the historic character of the Village and do the right thing.

4. *Carrie and Randall Feder, village residents*, attended the meeting to discuss a 'stop work order' that they received on their building permit which was issued by the Village code enforcement officer. They were told that the issue was that the Owners address was incorrect on the permit. She would like to know what the problem is.

Mayor Pfister stated that there is some confusion regarding the fence law which was passed as Village Code at a Village Board Meeting and that which was published by General Code Publishers. This is a good time to review this matter and make sure that what was intended to be law is law.

Discussion ensued between the Village Board and the Feder's regarding the fence law.

Trustee Butler provided Village Board Members and the Feder's with copies of documentation regarding their building application. She noted issues that were questionable.

The Waterfront zoning district and Historic homes were discussed as well.

The Feder's stated that as far they were concerned they went through the process as they had expected and tried to do things the right way to enhance the property. The Code Enforcement Officer provided them with a signed permit to complete the work as discussed.

The look of the fence was also discussed in detail.

Trustee June asked the Village Board members and the Village Attorney what can be done now going forward. What do we want the Applicant to do now?

Village Attorney Tal Rappleyea stated that a meeting will be set up between the applicant, the applicants attorney, the code enforcement officer and himself in order to find a solution or compromise. In the meantime we will look at the waterfront district zoning closer to see if variances are in order, planning board approval, waterfront advisory comment etc.

The Village Attorney stated that we are all trying to resolve the situation.

Motions and Resolutions

1. Proposed Resolution Approving Board Meeting Minutes

BE IT RESOLVED, the Board of Trustees, hereby, approves the minutes from the, November 12, 2015 meeting.

Offered by: Trustee Alberti
Seconded by: Trustee June
Record of Vote: All in favor

2. Proposed Resolution Approving the Payment of the Vouchers

BE IT RESOLVED, the Board of Trustees hereby approves payment of the following vouchers as presented:

GENERAL FUND - Abstract #1863, vouchers numbered #9915319 through #9915357 in the amount of \$108,272.19

WATER FUND – Abstract #10352, vouchers numbered #9915358 through #9915373 in the amount of \$16,324.85

SEWER FUND – Abstract #10332, vouchers numbered #9915375 through #9915381 in the amount of \$9,437.09

Offered by: Trustee June
Seconded by: Trustee Lasher
Record of Vote: All in favor

3. Proposed Resolution Approving Permission to Place Sign

BE IT RESOLVED, Elba and Nick Patestas are, hereby, given to place one 4 x 8 sign on Village property that is located south of the village at the old dump site

Offered by: Trustee Lasher
Seconded by: Trustee Alberti
Record of Vote: All in favor

4. Proposed Resolution Approving the Disbursement of Catskill Landfill Funds

WHEREAS, the Village of Athens entered into agreements on February 24, 1981 and November 15, 1982, concerning the disposition of the Catskill Landfill,

WHEREAS, pursuant to a consent degree with the Department of Environmental Conservation the Town of Catskill is and has been required to perform certain tasks with respect to said the landfill including but not limited to closure,

WHEREAS, pursuant to said closure plan, the Town of Catskill is required to perform certain monitoring activities at the landfill for a period of thirty (30) years,

WHEREAS, the Town of Catskill as the owner and operator of said landfill has amassed sum of money approximating \$2 million,

WHEREAS, it is estimated that such money is in excess of funds needed to meet the long term monitoring or other costs that may be associated with the closure, operation and ownership of the landfill,

BE IT RESOLVED, the Village of Athens, does, hereby, approve the following disbursement of funds:

\$1 Million distributed to the member towns and villages
\$800,000 to remain in the savings account
\$200,000 to remain in the checking account

Offered by: Trustee Alberti
Seconded by: Trustee Butler
Record of Vote: All in favor

5. Proposed Resolution Approving Fire Department Membership

BE IT RESOLVED, the Board of Trustees, hereby, approves the application of Andrew Slater for membership in the Athens Volunteer Fire Department.

Offered by: Trustee June
Seconded by: Trustee Lasher
Record of Vote: All in favor

6. Proposed Resolution Approving Fire Department Membership

BE IT RESOLVED, the Board of Trustees does, hereby, approve the application of Donald Winegard for membership in the Athens Volunteer Fire Department.

Offered by: Trustee Butler
Seconded by: Trustee Alberti
Record of Vote: All in favor

7. Proposed Resolution Approving Building Permit Application

BE IT RESOLVED, the Board of Trustees does, hereby, approve the building permit application of St. Patrick's Church for the resurfacing of the building as stated on the application, known as the St. Patrick Parish House, located at 19 N. Franklin Street.

Offered by: Trustee Lasher
Seconded by: Trustee June
Trustee Butler votes aye
Trustee Alberti votes aye
Mayor Pfister votes no

RESOLUTION passes

8. Proposed Resolution to explore improving the electric service at the Athens Riverfront Park

BE IT RESOLVED, the Board of Trustees does, hereby approve the Street Festival Committee looking into the electric service at the Athens Riverfront Park and explore options for improving the service for future Street Festivals.

Offered by: Trustee Alberti
Seconded by: Trustee Butler
Record of Vote: All in favor

Mayor's Report

Trustees Reports

Past Business

1. Sleepy Hollow Consolidation
2. UST Compliance
3. Lagoon Cleanout
4. CDBG Audit
5. Town Lease/ Where does it stand?

New Business

1. Palmateer Suit
2. Policy on Weapons in the Workplace.

Communications

1. City of Albany: Gas pipeline and lead agency status
2. George Hebert: Pilgrim Holdings Pipeline
3. Amanda Boomhower: Abandoned vehicle
4. NYMIR: Vehicle maintenance program

Clerk's Report

Adjournment : 8:40 PM

Offered by: Trustee June

Seconded by: Trustee Alberti

Record of Vote: All in favor