

# VILLAGE OF ATHENS BOARD MEETING

MINUTES - March 23, 2016 Time: 6:30 pm

## *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.

The Mayor opened the PUBLIC HEARING.

Tonight's public hearing is being held for the purpose of hearing public comment on the possible enactment of a local law authorizing games of chance within the village.

The Mayor asked if there were any comments from the public.

No comments.

## PUBLIC HEARING CLOSED

Offered by: Trustee Alberti

Seconded by: Trustee Butler

Record of Vote: All in favor

## REGULAR MEETING OPENS

### Public:

1. Janice Myers no show
2. *Derek Apa, resident of the Village*, attended the meeting to inform the Village Board that he is very upset about the tree in front of his house being cut down by the Village DPW. He is curious about how this decision was made since he was aware that there was some concern regarding the safety of some of the limbs on the tree but not the whole tree. He doesn't feel that the situation was handled correctly or professionally.

He mentioned the value that the tree has to his home as far as screening noise and dust.

Mr. Apa also noted that other communities have tree commissions to determine whether to remove a tree or not.

Trustee Alberti showed Mr. Apa several pictures of the deterioration of the tree. He stated that the extent of the deterioration of the tree was a real concern to the Village Board and a liability as far as insurance coverage in case of damage caused by it.

Trustee Alberti also emphasized the fact that the Mayor would never have authorized having that tree taken down if he didn't feel that it were absolutely necessary.

Mayor Pfister apologized if he had offended Mr. Apa. He stated that he stuck a screwdriver into the tree and it went in more than a foot. The tree was not a great specimen and he needed to make a decision on the spot. He also mentioned that he spoke with Mr. Apa prior to the event.

Mr. Apa also informed the Village Board that he had had the other tree in front of his house removed several years ago at his own expense as he was told at the time it was on his property. He would like to know what is going to happen to the sidewalks in front of his house since the trees have made them a mess.

The Village Board discussed the issue of sidewalks. They will look into the area in question and decide if they are partially the Village's and decide what can be done to improve them. Maintenance of sidewalks does belong to the homeowner.

3. *Representatives of Sleepy Hollow Lake and Delaware Engineering* attended the meeting to discuss the Wastewater consolidation feasibility study.

The Mayor informed everyone that Laurel Mann, Operations Manager of Sleepy Hollow Lake, contacted him and asked that they be able to speak to the Village Board regarding this study and the project. At a previous Village Board meeting the Village Board voted down 3-2 going forward with the consolidation of their sewer system with Sleepy Hollow Lake's.

Frank Grifford spoke on behalf of the APO for Sleepy Hollow Lake.

Brock Juusola, engineer for Delaware and Mary Beth Bianconni, project leader for Delaware Engineering spoke again about the project.

Many Village residents in attendance voiced their concerns and objections to the project going forward.

Village Board Members Trustee Butler and Trustee Alberti also voiced their concerns about the study and the project.

#### Motions and Resolutions

1. Proposed Resolution Approving Board Meeting Minutes

BE IT RESOLVED, the Board of Trustees, hereby, approves the minutes from the March 9, 2016 meeting.

Offered by:

Seconded by:

Record of Vote:

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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 #1874, vouchers numbered #10308 through #10324 in the amount of \$9,214.25.

WATER FUND – Abstract #10361, vouchers numbered #9915657 through #9915667 in the amount of \$14,724.80.

SEWER FUND – Abstract #10341, vouchers numbered #8668 through #8674 in the amount of \$14,163.87.

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

### 3. Proposed Resolution Awarding Lawn Care Bid

WHEREAS, the Board of Trustees has used, for several years, an outside service for the maintenance of its lawns,

WHEREAS, the use of this practice has allowed the Department of Public Works to focus its time on the various projects that are assigned,

WHEREAS, the Village of Athens requested bids for the service and two bids were received,

WHEREAS, Ron Rifenburg was the lowest responsible bidder,

WHEREAS, the Village can break the contract if unhappy with the services provided,

BE IT RESOLVED, the Board of Trustees does, hereby, award the bid for the 2016 lawn care season to Ron Rifenburg in an amount not to exceed \$9,752.00.

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

### 4. Proposed Resolution Approving Curb Cut

WHEREAS, Mr. Douglas Earle has requested permission to place a curb cut in front of his house at 108 Second Street,

WHEREAS, Mr. Earle has presented a detailed plan on the construction of the curb cut,

WHEREAS, Mr. Earle has agreed to contact the Code Enforcement Officer after framing the curb cut,

BE IT RESOLVED, the Board of Trustees does, hereby, approve the proposed curb cut at 108 Second Street.

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

### 5. Proposed Resolution Approving Waiver of Open Container Law

BE IT RESOLVED, the Board of Trustees does, hereby, waive the open container restriction for Saturday, July 9<sup>th</sup>, 2016, for an area to be designated by the Athens Street Festival Committee.

Offered by: Trustee Lasher

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

6. Proposed Resolution Approving Waiver of Open Container Law

BE IT RESOLVED, the Board of Trustees does, hereby, waive the open container restriction for the Athens Performing Arts Committee events in Riverfront Park, on Fridays, from 7:00 PM-10:00 PM, during concert events.

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

7. Proposed Resolution Closing Streets

BE IT RESOLVED, THE Board of Trustees does, hereby, authorize closure of the following streets on Saturday, July 9<sup>th</sup>, 2016,

1. Second Street from Montgomery to Water.
2. Water Street from Third Street to Route 385.

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

8. Proposed Resolution Transferring Landfill Proceeds

BE IT RESOLVED, proceeds, in the amount of \$76,320.00, from the area landfill fund are, hereby, transferred from the General Fund to the Water Fund for the payment of a voucher from Residuals Management Services/dba Earthcare, in the amount of \$75,000.

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

9. Proposed Resolution Setting Date for Public Hearing

BE IT RESOLVED, the public hearing on the 2016-2017 budget is set for 6:30 PM, April 13, 2016.

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

Past Business

1. Roof replacement at Water Plant
2. Lagoon and In House Construction

New Business

1. Budget
2. Water and Sewer Rates

3. Bond Anticipation Note
4. Cover for backwash tanks at WTP

#### Communications

1. Richard Armstrong: Thank you
2. Rapport and Meyers: Response to Board's Letter

#### Clerk's Report

The Tentative Budget was discussed

#### Trustees Reports

A MOTION was made to enter into Executive Session at 9:17PM for the purpose of discussing personnel issues and the employment history of a particular individual

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

A MOTION was made to exit Executive Session at 9:51PM.

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

Adjournment was made at 9:55PM

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