

# VILLAGE OF ATHENS BOARD MEETING

MINUTES- June 14, 2017 6:30PM

**PRESENT:** Mayor Peter Alberti, Trustee Marla Butler, Trustee Gail Lasher, Trustee Shannon Spinner and Trustee Robert Scott.

Clerk-Treasurer Mary Jo Wynne

*Pledge to the Flag*

## **PUBLIC HEARING:**

The Mayor opened the Public Hearing.

Published notices for both public hearings were read aloud. Those being:

1. Consideration of a local law amending the local law establishing seasonal parking restrictions within the village.
2. Consideration of a local law amending the local law establishing a village planning board to include training pursuant to NYS Law.

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

No Public comment.

**The PUBLIC HEARING was closed.**

**REGULAR VILLAGE BOARD MEETING opened.**

## **DEPARTMENT HEADS:**

1. Tal Rappleyea – Village Attorney    Mike Ragaini – Code Enforcement Officer

Working with the Town Attorney on Florak, Ochs, St. Pierre and Maurer property.

Dennis Heines will be back in Court on June 28<sup>th</sup> to clean up his property. If it is not cleaned up they will schedule a trial and start fining him.

Public Hearing on Solar law will be scheduled. It was discussed to keep it similar to the Town's.

Work Place Violence Policy is being updated and will be ready for Resolution at next VB meeting.

Mike Ragaini mentioned starting paperwork on complaints received about Brunner's property on Greenwich St.

2. Fire Chief Adam Greco – Athens Fire Department

PESH inspection completed at the Firehouse – waiting for the report.

Schedule of parade routes given to the VB

\$650.00 towbar needs to be replaced on fire truck.

3. Anthony Proper – DPW

Guide rails will be installed at the Municipal Parking Lot next week.

DPW replaced 2 hydrants.

Need to purchase a new chainsaw for \$749.95 (Greenville saw). Getting another verbal quote.

The tree in front of Gritmans residence on South Franklin Street was cut down. Mr. Proper provided pictures of rotten tree limbs for the VB to see due to the controversy it caused.

The Mayor asked Mr. Proper if the County worker who specialized in trees confirmed the condition of the tree.

Mr. Proper stated that the county did confirm that the tree was not going to be around for long due to the fact that it was in very bad condition and very unsafe.

The Mayor verified that the County worker was experienced in trees.

Mr. Proper confirmed that he indeed had years of experience in this area.

Mr. Proper also made mention of the fact that the tree on the corner of 4<sup>th</sup> Street and Franklin Street is also in bad shape and should come down. Also confirmed by the County.

The DPW is scheduled to begin paving project in August and everything will need to be prepped. The discussion of bluestone curbing and drainage was discussed.

Mr. Proper also noted that he has passed the test for his water operator license.

4. Roger Masse – Police Department

Timesheets have been modified to reflect school detail and overtime more accurately.

Timeclock will again be installed.

Street Festival/ Friday night concerts cop coverage and parking were discussed.

Amendment to Snow Emergency Law was discussed.

5. Seth Sheridan – VRI

Presented a report to the VB on WWTP's and the WFP.

Spring cleaning is taking place at all plants.

Recommended that the village have an annual maintenance service contract with Ross Valve.

He will reach out to Anthony Proper (DPW) regarding the leaking pipe at the WFP when they are working on the the drying beds.

Working on pricing for chemicals.

**PUBLIC:**

1. *Katherine Montague, member of the Athens Garden Club*, attended the meeting to discuss the south end (Rt. 385) welcome sign and garden bed. She provided the

VB with some sketches for improvements they would like to make there. She noted that the sign and some of the plantings are in tough shape.

The VB was positive towards the changes and Mayor Alberti provided Ms. Montague with the necessary paperwork to be completed and sent to NYSDOT. (Due to the fact that Rout 385 is a state highway) before they begin work.

Mayor Alberti also noted that the Garden Club may begin work on the north end of the village's (Rt. 385) welcome sign and garden bed. The garden club had stopped taking care of that area several years ago when a resident claimed that they owned the property and did not want the liability of having the garden club work on it any longer. After discussion with the NYSDOT it was confirmed, again, that that property was given over to the village years ago. According to NYSDOT the village owns that property. If anyone other than the Village claims that they own it they must prove it.

Ms. Montague stated that the Garden Club will be very happy to hear that they can begin taking care of that area again.

A **MOTION** was made to grant the Athens Garden Club permission to continue with the changes they would like and care for both plantings (north and south end) by Trustee Lasher, seconded by Trustee Spinner, all in favor.

The Mayor also asked if the Garden Club would be interested in taking over the 'hanging baskets' program in the village?

Ms. Montague noted how much the baskets are appreciated throughout the village and she would hate to see the program end. She was under the impression that the Pfisters always took care of them and that the liability issue became a problem. Didn't they sign a waiver? She will ask the club if they are interested, however it seems to her that they probably do not have the capability.

Mayor Alberti stated that since leaving office Mr. Pfister is not insured by the village and the waiver/agreement had expired in 2011. By the time the paperwork had been completed by the Attorney and the Insurance Company, and then Village Board approval was needed at a meeting, the flowers were in bad shape. At that point, the Pfisters felt that the baskets were past the point of survival and were not interested in doing it anymore.

Trustee Lasher opened up the discussion of replacing those baskets that need replacing at no cost to the Pfisters. Maybe they would be interested again. The VB agreed to pursue this discussion with the Pfister's.

Mayor Alberti stated that the VB is not opposing the project but he did want to make sure that things were done the right way. Having an agreement and waiver in place before using the water truck is important protection for the village. "Hopefully we can make this right".

Ms. Montague stated that she would be in touch.

The VB thanked her for coming.

**APPLICATION:**

1. Fireworks Display Permit. Applicant: Athens Street Festival
2. Facility usage- Riverfront Park. Applicant: Athens Street Festival. Permission to hold BBQ's on July 21<sup>st</sup> and August 18
3. Membership to AVFD. Applicant: Brittany Williams

**MOTIONS and RESOLUTIONS:**

1. Proposed Resolution Approving Minutes

BE IT RESOLVED, the Minutes from the Village Board meeting held on May 10<sup>th</sup>, 2017 be approved:

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

2. Proposed Resolution approving payment of vouchers as presented

BE IT RESOLVED that the Village Board Approves payment of the vouchers as presented:

GENERAL FUND- Abstract #1926, vouchers numbered #9916929 through #9916950 in the amount of \$14,177.76

WATER FUND – Abstract #10395, vouchers numbered #9916951 through #9916956 in the amount of \$6237.77

SEWER FUND – Abstract #10378, vouchers numbered #9916957 through # 9916959 in the amount of \$1088.31.

YOUTH FUND- Abstract #80, voucher #9916960 in the amount of \$25.00

Offered by: Trustee Lasher  
Seconded by: Trustee Spinner  
Record of vote: All in favor

3. Proposed Resolution approving estimate from JJJ – Locksmithing

WHEREAS, it is standard procedure to change the lock on the Clerk's office every few years for the purpose of added security,

BE IT RESOLVED that the Village Board Approves the estimate for services including a restricted key cylinder and 12 non-duplicating keys in the amount of \$191.42 from JJJ- Locksmithing.

Offered by: Trustee Spinner  
Seconded by: Trustee Scott  
Record of vote: All in favor

4. Proposed Resolution approving lifting the open container law for the day of the Street Festival

BE IT RESOLVED that the ‘open container law’ be lifted on Water Street located East of Route 385 for the day of July 8<sup>th</sup>, 2017 (Street Festival)

Offered by: Trustee Spinner

Seconded by: Trustee Lasher

Record of vote: All in favor

5. Proposed Resolution approving fireworks display application

BE IT RESOLVED that the Application submitted by the Athens Street Festival committee be approved

Offered by: Trustee Butler

Seconded by: Trustee Spinner

Record of vote: All in favor

6. Proposed Resolution lifting the no-smoking regulation in Athens Riverfront Park

BE IT RESOLVED that the VB will lift the ban on smoking in the Athens Riverfront Park on Friday evenings while concerts are being held from June to September, as per APAC’s submitted application

Offered by: Trustee Lasher

Seconded by: Trustee Butler

Record of vote: All in favor

7. Proposed Resolution approving Application for use of Riverfront Park

BE IT RESOLVED that the VB approves the Street Festival committee’s submitted application to use the Riverfront Park for barbecues to be held on July 21<sup>st</sup> and August 18<sup>th</sup> of this year

Offered by: Trustee Scott

Seconded by: Trustee Spinner

Record of vote: All in favor

8. Proposed Resolution approving the Application for membership to the Athens Volunteer Fire Department

BE IT RESOLVED that the VB does hereby approve Brittany Williams’ application to become a member of the AVFD on the recommendation of the Fire Chief

Offered by: Trustee Spinner

Seconded by: Trustee Scott

Record of vote: All in favor

9. Proposed Resolution approving the Summer parade schedule as submitted by the Athens Volunteer Fire Department

Offered by: Trustee Scott  
Seconded by: Trustee Spinner  
Record of vote: All in favor

10. Proposed Resolution approving amendment to the local law establishing seasonal parking restrictions

WHEREAS a Public Hearing has been held for the purpose of hearing public comment regarding the proposed amendment (as attached) to seasonal parking restrictions in the village of Athens

BE IT RESOLVED that the amendment be passed and sent to the Department of State by the Village Attorney

ROLL CALL VOTE:

TRUSTEE SPINNER votes aye  
TRUSTEE BUTLER votes aye  
TRUSTEE LASHER votes aye  
TRUSTEE SCOTT votes aye  
MAYOR ALBERTI votes aye

RESOLUTION passes.

11. Proposed Resolution approving the amendment to the local law for establishing a village planning board to require training

WHEREAS a Public Hearing has been held for the purpose of hearing public comment regarding the proposed amendment to Section 54-1 (as attached) requiring that each such Board member shall obtain the necessary training as set forth in the New York State Village Law.

BE IT RESOLVED that the amendment be passed and sent to the Department of State by the Village Attorney.

ROLL CALL VOTE:

TRUSTEE SPINNER votes aye  
TRUSTEE BUTLER votes aye  
TRUSTEE LASHER votes aye  
TRUSTEE SCOTT votes aye  
MAYOR ALBERTI votes aye

RESOLUTION passes.

12. Proposed Resolution authorizing Chris & Carol Pfister to use the Village's water truck

WHEREAS Chris & Carol Pfister have been using the village's truck to care for the hanging flower baskets and containers throughout the village in the past while Chris was employed by the village, or entered agreements in the past, and

WHEREAS Chris Pfister is no longer employed by the village and no agreement is presently in place,

BE IT RESOLVED that a waiver will be signed and the insurance company's driver license search will be completed and then the Pfisters have the VB permission to use the village's truck to water the plants

Offered by: Trustee Lasher  
Seconded by: Trustee Scott  
Record of vote: All in favor

13. Proposed Resolution authorizing Chris & Carol Pfister to replace those flower baskets which have died.

BE IT RESOLVED that the village will replace and pay for any flower baskets that have perished

Offered by: Trustee Lasher  
Seconded by: Trustee Spinner  
Record of vote: All in favor

14. Proposed Resolution to sign proposal with Woidt Engineering & Consulting, PC.

WHEREAS the village has received three proposals to complete a dam safety inspection at Hollister Lake and that Woidt Engineering & Consulting, P.C. was the least expensive proposal at a cost of \$1650.00 to complete the inspection

THEREFORE, BE IT RESOLVED that the Mayor is authorized to sign the proposal for work to be completed in the amount of \$1650.00

Offered by: Trustee Lasher  
Seconded by: Trustee Spinner  
Record of vote: All in favor

15. Proposed Resolution to create a 'local traffic only' situation on a small section of S. Washington Street Extension starting at S. Franklin Street (south end) and ending at Route 385 (north end)

WHEREAS a local resident is having a large gathering and parking in this area of the village for guests would create a dangerous situation for pedestrians and traffic as there are no sidewalks and the small amount of through traffic is usually going above the speed limit and

WHEREAS this resident has asked that this be done in the past and the VB approved it

THEREFORE BE IT RESOLVED that only local traffic will be allowed on this aforementioned section of South Franklin Street Extension on June 17<sup>th</sup>, 2017 from the hours of 2-9:00 PM per the request of Leo Palmateer

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

**CORRESPONDENCE:**

1. Whitbeck, Benedict and Smith, LLP. Re: Town of Athens Solar Energy Law. Notice of Public Hearing – June 19, 2017
2. NYSDEC. Re: SPDES #NY-0102041 - Sludge Drying Bed. Approval of final engineering report.
3. Athens Performing Arts Corporation (APAC). Re: donation request.
4. Greene County Legislature – Resolution #179-17 Awarding fuel bids.
5. Greene County Legislature – Resolution #187-17 Awarding bid for washed and screened crushed stone.
6. Greene County Legislature – Resolution #186-17 Awarding bids to purchase Materials- highway department

RESOLUTION made by Trustee Lasher, Seconded by Trustee Butler, All in favor, authorizing the Village to join with the county on bid prices received if so needed.

7. NYSDOT. Re: Safety investigation – Route 385
8. NYSDOT. Re: Speed limit reduction/crosswalk request
9. NYSDOT. Re: Speed limit investigation – Route 385
10. Leo Palmateer. Re: Request to close road.

**OLD BUSINESS:**

1. DPW contract.
2. Timeclock & time sheets for police department.

**NEW BUSINESS:**

1. Greene County Legislature. Re: distribution of mortgage tax \$2,813.56
2. Estimate for replacing locks on Village Clerk's door received.
3. NYMIR. Insured's loss history.
4. NYMIR. Water Filtration Plant. Replacement cost for filter #1 - \$41,966.00.

**ADJOURNMENT: 9:15PM**

Offered by: Trustee Lasher  
Seconded by: Trustee Spinner  
Record of vote: All in favor



