

VILLAGE OF ATHENS BOARD MEETING

Minutes—November 25, 2013 Time: 6:30 pm

PRESENT: Mayor Christian Pfister, Trustee Herman Reinhold, Trustee Robert June, Trustee Gail Lasher and Trustee Anthony Patsky.

Pledge of Allegiance

PUBLIC:

1. Several members representing the Athens Citizens Development Committee attended the meeting to speak:

Ralph Favicchio, presented the Village Board with a press release announcing the formation of a new citizens group comprising town and village of Athens residents (Athens Citizens Development Committee) that are concerned about the impact of the 5 power projects proposed to directly affect Athens in the near future.

Mr. Favicchio also provided the Village Board with a Resolution opposing the project that has been passed by another community that will be affected directly by the West Point Partners, LLC project. He is hopeful that the Village Board will review it and pass it as well.

Jackie Goddeau also spoke to the Village Board as a member of this committee. She inquired as to whether the proposed Resolution would be discussed by the Village Board and then put up for a vote. She also voiced her opposition to the route proposed.

Andrea Smallwood, also spoke to the Village Board as a member of this committee. She noted that the West Point Partners, LLC's proposed project does not fit into the Town and Village's Comprehensive Plan which was developed over several years and reviewed and implemented with funding through state grants. The area of the proposed project will be in violation of local zoning law.

The Mayor and the Village Board will review the sample Resolution as given.

The Mayor also noted that as can be seen on tonight's agenda there are a number of RESOLUTIONS up for a vote regarding this project and the Board's desire to keep apprised of all actions taken and also to protect its residents as much as possible. For example, a letter of engagement for both legal representation and engineering consultation in order to request intervenor status from the Public Service Commission is on the agenda this evening.

He also noted that the Town and Village have written to the Public Service Commission in opposition to the proposed route.

MOTIONS AND RESOLUTIONS:

1. Proposed Resolution Authorizing that the Mayor Sign the Planned Maintenance Agreement

WHEREAS, it has been recommended by VRI, contractor operator for Water and Sewer Operations, that the backup generators at the water and wastewater plants be inspected and serviced at least annually,

WHEREAS, a planned maintenance program is inspected to result in an overall lower cost for repairs of equipment,

WHEREAS, proposals were received from Cummins Northeast, Inc and Troy Belting,

WHEREAS, Cummins Northeast, Inc will inspect each generator twice per annum and thus was determined to have the best program,

BE IT RESOLVED, the Board of Trustees authorizes the Mayor to sign a Planned Maintenance Contract in the amount of \$2717.02 per annum, with Cummins Northeast, Inc.

Offered by: Trustee Reinhold

Seconded by: Trustee Lasher

Record of vote: All in favor

2. Proposed Resolution to Authorize Payment of Vouchers

BE IT RESOLVED, that the Village Clerk is authorized to pay the following vouchers as presented:

GENERAL FUND – Abstract #1770, vouchers numbered #9913155 through #9913185 in the amount of \$206,066.48.

WATER FUND – Abstract #10290, vouchers numbered #9913186 through #9913193 in the amount of \$17,980.28.

SEWER FUND – Abstract #10263, vouchers numbered #9913194 through #9913198, and voucher #9913201 in the amount of \$2474.28.

Offered by: Trustee Patsky

Seconded by: Trustee June

Record of vote: All in favor

3. Proposed Resolution Authorizing the Mayor to Sign a Letter of Engagement with Young/Sommers LLC

WHEREAS, the New York Department of Public Service has received numerous applications requesting the authority to construct a high voltage alternating current transmission facility as part of the Energy Highway Initiative,

WHEREAS, all of these applications have the potential to affect the Village of Athens,

WHEREAS, the Village of Athens is requesting intervenor funding through its legal representative, Young Sommer, LLC.,

WHEREAS, the funding application requires a letter of engagement between the Village and Young Sommer, LLC.,

WHEREAS, the current agreement only covers 15 hours of billable time,

BE IT RESOLVED, the Board of Trustees authorizes the Mayor to sign a new letter of engagement with Young Sommer, LLC for representation in the following matters:

Case 13-T-0454 North American Transmission Corporation

Case 13-E-0488 in the matter of Alternating Current Upgrades Comparative Procedures
Cases 13-T-0455 and 13-T-0456 NextEra Energy
Case 13-M-0457 New York Transmission Owners
Case 13-T-0461 Boundless Energy NE, LLC

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

4. Proposed Resolution Authorizing the Village of Athens to Retain Barton & Loguidice, P.C. for Consultation on Proposed Alternating Current Transmission Line Upgrades

WHEREAS, the Village of Athens has received notice that, as part of the State of New York's Energy Highway Initiative, numerous proposals for A/C transmission upgrades have been received by the NYSDPS,

WHEREAS, these proposals have the potential, to directly or indirectly impact the Village of Athens,

WHEREAS, an application for intervenor funding must be accompanied by a letter of engagement for any consultants that will be reimbursed through said funding,

WHEREAS, after review it was determined that Barton & Loguidice P.C. possesses the expertise to advise the Village in these matters,

BE IT RESOLVED, the Board of Trustees does hereby, authorize the Mayor to sign a letter of engagement with Barton & Loguidice P.C. for engineering services, for an initial cost not to exceed \$5000, provided to the Village of Athens in the following matters:

Case 13-E-0488 in the matter of Alternating Current Upgrades Comparative Procedures
Case 13-T-0454 North American Transmission Corporation
Cases 13-T-0455 and 13-T-0456 NextEra Energy
Case 13-M-0457 New York Transmission Owners
Case 13-T-0461 Application of Boundless Energy NE, LLC for a Certificate of Environmental Compatibility and Public Need Pursuant to Article VII for the Leeds path West Project.

Offered by: Trustee Reinhold
Seconded by: Trustee Patsky
Record of vote: All in favor

5. Proposed Resolution Authorizing the Village of Athens to Retain Barton & Loguidice, P.C. for Consultation on the Proposed West Point Partners Direct Current Transmission Line Project

WHEREAS, the West Point Partners LLC has filed an application for a Certificate of Environmental Compatibility and Public Need with the New York State Department of Public Service,

WHEREAS, this proposal has the potential, to directly or indirectly impact the Village of Athens,

WHEREAS, an application for intervenor funding must be accompanied by a letter of engagement for any consultants that will be reimbursed through said funding,

WHEREAS, after review, it was determined that Barton & Loguidice P.C. possesses the expertise to advise the Village in this matter,

WHEREAS, Barton & Loguidice P.C. will also carry out studies for the Town of Athens resulting in a cost reduction for both municipalities

BE IT RESOLVED, the Board of Trustees does hereby, authorize the Mayor to sign a letter of engagement with Barton & Loguidice P.C., for engineering services, for an initial cost not to exceed \$5000, provided to the Village of Athens in Case 13-T-0292, West Point Partners LLC Direct Current Transmission Line Project.

Offered by: Trustee Reinhold
Seconded by: Trustee June
Record of vote: All in favor

6. Motion to Retain Roto Rooter/CSI Plumbers to Install Wastewater Plant Backflow Preventer at a Cost of \$1370.13.

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

7. Resolution Authorizing the Mayor to Sign a Contract with Delaware Engineering, P.C. for Planning and Engineering Services on the Riverfront Park Upgrade Project

WHEREAS, additional improvements to Riverside Park are necessary to further develop its potential,

WHEREAS, proper planning and design are necessary for the success of the project,

WHEREAS, the previous project engineer has declined further involvement,

WHEREAS, adequate funds exist in the park reserve fund,

WHEREAS, Delaware Engineering has presented a proposal to complete the following:

1. Planning and Preliminary Design
2. Design Services
3. Construction Phase Engineering to include the preparation of bid documents and inspection services

BE IT RESOLVED, the Board of Trustees authorizes the Mayor to accept and sign a Professional Services Agreement with Delaware Engineering, P.C. in the amount of \$15,325.

Offered by: Trustee Reinhold
Seconded by: Trustee Patsky
Record of vote: All in favor

8. Motion to Cancel the December 25, 1013 Meeting

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

9. Motion to approve gym request application

Application approved for James Murphy to use the gym as requested in completed application under the following conditions:

- Must provide the Village with a Deposit for \$25.00 for key
- Hold harmless agreement must be signed by all individuals using the gym

Offered by: Trustee Reinhold

Seconded by: Trustee Lasher

Record of vote: All in favor

CORRESPONDENCE:

1. Letter from New York State DEC: Dam Inspection
2. Letter from NYS Department of Public Service: Request for outreach and education effort to publicize assistance programs.
3. Central Hudson: Request for meeting to be used to market gas to Phase 1 customers, December 9th 7:00 PM, Athens Firehouse.

Mayor's Report

Unfinished Business

1. Gas Expansion Update
2. Discussion of Union Street Culvert
3. I & I Project Update
4. Update on WPP Project
5. Water meters bids: Badger
6. Franklin Street Paving Concerns

New Business

1. Recent damage to parking lot and future plans. Is additional lighting needed?
2. Second Street Problems
3. Backwash Study
4. Other Water Plant Repairs

Clerk's Report

Trustee Reports

Adjournment (8:30PM)

Offered by: Trustee June

Seconded by: Trustee Lasher

Record of vote: All in favor