

**ATHENS VILLAGE BOARD MEETING**  
**December 15, 2010**

PRESENT: Mayor Andrea Smallwood, Trustee Herman Reinhold, Trustee Tom Sopris, Trustee Robert June and Trustee Gail Lasher.

Fire Chief John Greco, Sergeant Mullen and Code Enforcement Officer Mike Ragaini were also in attendance.

*PLEDGE* to the Flag.

PUBLIC HEARING.

The Mayor opened the Public Hearing by stating that a NOTICE was published in the local newspaper for the purpose of holding a PUBLIC HEARING this evening to hear public comment on the Village Board's consideration to abolish the Village Justice Court and consolidate with the Town of Athens Justice Court.

Resident Carol Pfister stated that she was in favor of combining the two courts due to the fact that this had already been recommended years ago by the State Comptroller's Office and also due to the fact that presently there is a former Village Justice working for the Town Court as Justice. It would be an easier transition.

Resident Phyllis Dinkelacker asked if the Village Board would give any of the Revenue made by the Village back to the Town since the town will be doing the work.

Mayor Smallwood stated 'no' and that the Town would be getting the lions share of the revenue anyhow.

Trustee Reinhold stated that the town already has 3 full-time clerks that are readily available to take on the workload.

Town Councilperson Gene Hatton mentioned the fact that he has already spoken to the Mayor in regard to, in the spirit of municipal cooperation and shared resources that, since the town has been told by the Village DPW Director that they cannot use the rubbish pile behind the Firehouse, may soon discuss being able to use the Village's rubbish pile.

Mayor Smallwood stated that she has been discussing this with Councilperson Hatton already and replied that the Town already advertises on their website that the rubbish pile is accessible to town residents. However, she would like to discuss this idea further and also mentioned that a committee has been set up to explore other ways that the town and village can work together.

Resident Carol Pfister asked if there would be additional costs incurred due to the court consolidation?

Mayor Smallwood stated that it depended upon the caseload.

Trustee Reinhold also stated that there might be additional revenues that the Town would receive due to this consolidation.

Trustee June stated that he was more concerned not with the actual costs per se but whether this was a service that the village wanted to keep. He asked the public their opinion on this.

No reply.

Town Councilperson Phyllis Dinkelacker questioned whether the audit findings in 2003 were based purely on financials and also why this took so long.

Mayor Smallwood recited some of the findings from the NYS Comptrollers Audit findings of the court for 2003. She mentioned that the Village tried to eliminate it back when the findings came to light but the timing was wrong. The timing is correct now since the Justice position will be up for election in March.

Village Justice Dave Cole stated that the findings and statistics cited are from 2003 and that his workload increases yearly. He feels strongly that the Village needs to keep a justice court in the Village. He stated that he feels there is a discrepancy in the financials.

Mayor Smallwood asked him what his caseload was this past year.

Justice Cole stated that he does not have the information with him.

Justice Cole also stated that it will cost the taxpayers more money.

Mayor Smallwood replied that it would not cost village taxpayers more money given the fact that the village will not have the expense of running a village court but will receive a small portion of revenue from the Town Court for a portion of Village fines.

Trustee Sopris read a letter from Chief Masse in support of keeping the Village Court.

Trustee Sopris stated that he would like the public to decide and not speak for himself. He would like to see this issue go to a vote.

Mayor Smallwood stated that the goal of the Village is not to make revenue or profit from the court –that is not what this is all about. Efficiency in government is key here. After considering all of the information the court system consolidation seems like the logical thing to do.

**A MOTION was made to close the PUBLIC HEARING at 6:55PM and open REGULAR VILLAGE BOARD MEETING by Trustee Reinhold, seconded by Trustee June.**

**CLOSE PUBLIC HEARING.**

**OPEN REGULAR VILLAGE BOARD MEETING.**

**DEPARTMENT HEAD MEETING.**

**APPLICATION:** Fire Department. **APPLICANT:** Amanda Earl. **RESOLUTION** made by Trustee Reinhold, seconded by Trustee June, all in favor, approving application as completed to become a member of the Athens Fire Department.

**PUBLIC:**

1. *Mary Beth Bianco and Brock Juusola*, representing Delaware Engineering attended the meeting to discuss the WWTP – phase II project. The final approvals on the plans have been approved by NYSDEC and they are ready to go out to bid in January. They stated that it should be a favorable bidding environment.

A RESOLUTION was made by Trustee Lasher, seconded by Trustee June, all in favor to go out to bid with the plans provided by Delaware Engineering, dated November 2010, and approved by the NYSDEC on the WWTP – phase II project, with the exception of Brick Row.

**CORRESPONDENCE:**

1. NYSDEC. Re: Approval of Engineering plans – WWTP.
2. Greene County Economic Development, Tourism & Planning. Re: Notice of recording of sub-division Plats.
3. Greene County Legislature. Re: Joint Landfill Venture.
4. Jennifer Petramale. Re: Application to use Community Center gym. MOTION made by Trustee June, seconded by Trustee Lasher, all in favor, approving the application as completed.
5. NYS Public Service Commission. Re: Champlain Hudson Power Express.
6. Teamsters Local 294. Re: Changes in Contract requested.
7. MBIA – NYCLASS. Re: Election Ballot – Governing Board Member Vacancy.
8. Athens Community Food Pantry. Re: Thank you.
9. APO- Sleepy Hollow Lake. Re: Sewer Plant.
10. Greene County Legislature. Re: Distribution of Mortgage Tax.

**OTHER BUSINESS:**

The possible purchase of the parking lot, presently owned by DPF Development, was discussed at length.

A RESOLUTION was made by Trustee Sopris, seconded by Trustee June, to purchase/acquire the Public Parking Lot (RESOLUTION attached) located on N. Franklin Street from DPF Development for \$50,000.00.

Trustee Lasher votes aye.

Trustee Reinhold votes no.

Mayor Smallwood votes aye.

RESOLUTION PASSES.

Trustee Reinhold stated that he voted ‘no’ due to the fact that, although he thinks it is positive for the Village to purchase the property; he thinks that the purchase price is too high.

Trustee Lasher discussed the fact that she believes that the entrance to the parking lot from Second Street should be a one way street into the parking lot. The Village Board agreed.

A RESOLUTION was made by Trustee June, seconded by Trustee Reinhold, all in favor, appointing Tom Sopris and Gail Lasher as members of the newly established liaison committee to the Town of Athens. These two Trustees also volunteered for this appointment.

Trustee Reinhold stated that because he feels that Village Residents are presently paying for two courts (the Village and the Town) and that the Town Court is better equipped to handle the Village Court business he would like to again make a RESOLUTION to enact a local law, which would abolish the Village Court (RESOLUTION attached) and consolidate with the Town Court.

Trustee Lasher seconds.

Trustee Sopris votes no.

Trustee June votes no.

Mayor Smallwood votes aye.

MOTION made by Trustee Reinhold, seconded by Trustee June, all in favor, approving payment of the following vouchers:

GENERAL – Abstract #1625 – vouchers numbered 9910373 through 9910414 in the amount of \$37,497.60.

WATER – Abstract #10209 – vouchers numbered 9910419 through 9910421 in the amount of \$12,434.36 and Abstract #10210 voucher number 9910422 in the amount of \$1176.47.

SEWER – Abstract # 10182 – vouchers numbered 9910415 through 9910418 in the amount of \$13,286.80.

A MOTION was made by Trustee Reinhold, seconded by Trustee June, all in favor, approving the Minutes from Meetings held on November 10, November 17 and December 1, 2010.

Sewer Rates were discussed.

The Town Lease was discussed. The Village Board agreed not to increase the amount for rent.

Financial Reports for November 2010 were distributed to all Village Board Members.

MOTION made to adjourn meeting at 10:00PM.

Good Evening!!!!

MJW