

ATHENS VILLAGE BOARD MEETING
March 9, 2011

PLEDGE to the Flag.

PRESENT: Mayor Andrea Smallwood, Trustee Herman Reinhold and Trustee Robert June.

ABSENT: Trustee Tom Sopris and Trustee Gail Lasher.

Village Attorney Tal Rappleyea, Fire Chief John Greco, Code Enforcement Officer Mike Ragaini and Chief of Police Roger Masse were also in attendance.

The Mayor opened the PUBLIC HEARING at 6:30PM by stating that the purpose of tonight's meeting is to hear public comment regarding the proposed law requiring the removal of snow, ice and other obstructions from sidewalks within the Village.

Mayor Smallwood asked for public comment.

Maggie Moree, village resident and also Chairperson of the Village Planning Board noted that the proposed law, as stated, is in the section which defines penalties, instead of section 72-36 Maintenance of Sidewalk where the snow removal law is presently. Instead of creating a new portion of the code she would like the VB to consider, for the sake of clarity, keeping it in the section under sidewalks as it is. Enacting this proposed law puts it in fines and penalties which, as written, could be pretty harsh.

Mayor Smallwood stated that penalties are at the discretion of the judge.

Ms. Moree asked if the Village Board was willing to do that.

Ms. Moree also inquired as to whom the complaints would go to. Who would enforce this new law. As written, the proposed law does not state this information. Wouldn't it be clearer not to create new code but to simply amend or add to section 72-36 maintenance of sidewalks?

Carol Pfister, resident of the Village, asked if the Village Board was going to hire an outside contractor to perform this task or would the DPW take care of it? The reason that she asks is that presently the Village does not shovel its own sidewalks and therefore when will they have time to do this? She also asked who would be in charge of enforcing this new law? Code Enforcement Officer, Police, DPW?

Mayor Smallwood replied that her initial thought was that people would call in and report the problem to the office. The Village of Catskill uses this particular code presently for enforcement of their snow removal for sidewalks.

John Pulice, another resident of the Village, questioned the fine intended. If someone gets a ticket for not shoveling their sidewalk, then how will they pay the fine, since they probably cannot afford to hire someone to shovel in the first place. That is probably why the sidewalk is not shoveled.

Ms. Pfister stated that there is a resident on Rt. 385 that never shovels and she is pretty sure that they can afford it. She noted that it is very annoying to have to walk in the road when there are sidewalks available but unusable because they are not shoveled or cleared of snow and ice.

The Village Attorney stated that as a property owner you have an obligation to take care of your sidewalks. If you are not available or unable to shovel them yourself then you must find someone who can.

The cost to have your sidewalks shoveled can be placed on your taxes.

MOTION made to close Public Hearing at 7:50PM.

OPEN REGULAR VILLAGE BOARD MEETING.

APPLICATIONS:

Athens Fire Department. APPLICANT: John A. Bunt, Jr. RESOLUTION made by Trustee Reinhold, seconded by Trustee June, all in favor, approving application as submitted.

Community Center Gym. APPLICANT: Vincenzina Carl ('Vee'). RESOLUTION made by Trustee Reinhold, seconded by Trustee June, all in favor, approving application as submitted.

PUBLIC:

1. *Mary Beth Bianconi and Brock Jussola, representing Delaware Engineering,* attended the meeting this evening to review and answer any questions the Village Board has on the construction bids received.

A RESOLUTION was made by Trustee Reinhold, seconded by Trustee June awarding the construction bid to Kingsley Arms Construction and awarding the Electrical bid to Stilsing Electric. (RESOLUTION attached)

The Village Board discussed financing and grant money with Delaware Engineering.

CORRESPONDENCE:

1. Mid-Hudson Cablevision. Re: Annual Franchise Fee.
2. Benjamin Orcutt, Assistant Ride Director, Parks and Trails New York. Re: Request to use the Riverfront Park. MOTION made by Trustee Reinhold, seconded by Trustee June, all in favor, granting permission for them to use the park as requested.
3. NYS DOH. Re: Public Health Law regarding Summer Day Camps.
4. Segal, Goldman, Mazzotta & Siegel, P.C. Re: Copy of letter to Assessor regarding Crossroads Brewing Company, Inc.
5. Fourth grade teachers –E.J. Arthur Elementary School. Re: Request to use Riverfront Park. The Village Board agrees that they may use the Park provided that construction is done. The clerk was instructed to inform them that they should call a month prior to their scheduled activity to see if the park is available.

6. Brian G. Whiteman. Re: Bill for services rendered at his property.
7. County of Greene Court. Re: Petition and Notice of Foreclosure.
8. Waterfront Advisory Committee (WAC) – Village of Athens. Re: NYS DOS: F-2010-1162: Champlain Hudson Power Express, Inc. Comments on application concerning its consistency with the Athens LWRP.

OTHER BUSINESS:

A RESOLUTION was made by Trustee Reinhold, seconded by Trustee June, Mayor Smallwood votes aye to continue the Volunteer Recognition Program.

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

GENERAL – voucher number #9910591 and #9910593 and vouchers numbered #9910587 through #9910600 in the amount of \$29,878.95 – Abstract #1637.

WATER – vouchers numbered #9910607 and #9910608- Abstract #10190 in the amount of \$456.67.

SEWER – voucher number #9910605 – Abstract #10190 in the amount of \$500.98

A RESOLUTION was made by Trustee Reinhold, seconded by Trustee June, all in favor, Approving the Minutes from meetings held on January 26, February 9 and February 23, 2011.

Financial Statements for the month of February have been distributed to all Village Board Members.

The Village Board discussed the Budget.

MOTION made by Trustee June, seconded by Trustee Reinhold, all in favor to adjourn tonight's meeting.

Mary Jo Wynne