

VILLAGE OF ATHENS BOARD MEETING
MINUTES- August 22, 2018 - 6:30PM

Pledge to the Flag

PRESENT: Mayor Peter Alberti, Trustee Marla Butler, Trustee Shannon Spinner and Trustee Stephan Bradicich

Village Attorney Tal Rappleyea was also present

ABSENT: Trustee Gail Lasher

PUBLIC:

1. *Joshua Lipsman, resident of South Franklin Street*, attended the meeting to discuss the fact that his application for a building permit has been denied twice by the Village Planning Board. He would like the VB to override the Planning Board and approve his application thereby allowing him to build a deck onto the top of his house so that he may enjoy the view of the Hudson River.

Mr. Lipsman initially submitted an application for a cupola which the PB approved conceptually contingent upon receiving a height variance from the ZBA. After receiving the variance for height he went back to the PB and was denied. He then submitted an application for a deck to be constructed after removing part of the roof. A Motion was made by the chair to approve. There was no second. The project ended at that point. The PB thought the structure was too big – too visually imposing.

Mr. Lipsman referred to a number of architectural drawings and sketches of the deck he wished to have built and where it would be on the house. He shared them this evening with the VB. He questioned whether the VB had been given the ‘packet of information’.

The Clerk confirmed that the information he had emailed her was forwarded to all of the VB members prior to the meeting.

Mr. Lipsman reiterated that he came this evening to ask that the VB consider the situation and hopefully reverse the decision of the Planning Board.

Mayor Alberti informed Mr. Lipsman that he has reviewed the Minutes from the Planning Board meetings involving this application and has also reviewed the notice of action taken by the PB as a result of their review. Their reason for denial, as he sees it, has more to do with the historic aspect. The construction does not fit the historic nature of the house or the neighborhood.

Historical symmetry and asymmetry were discussed at length as it relates to the house.

In summary, Mayor Alberti stated that he sides with the PB’s decision in denying the application.

Trustee Butler noted that she also lives in the historic district and her house has nothing original in it besides the foundation. However, she must abide by the rules of the historic district code as sometimes implemented through the PB. She does not often agree with it and finds it extremely difficult to deal with but it is the basis of our government and some people worked hard on those rules. Rules are rules.

Trustee Bradicich stated that although he feels that owning a home in a historic district is your asset but it is also an asset of the historic village and as part of the VB we should generally support the Planning Board. However, he noted that he is not happy with the appeal process set forth in the code. The only appeal process is to just come back to the VB and try to get a different opinion. There is no basis for appeal. Therefore, in the absence of a basis for an appeal he does not feel that the decision made by the PB in this matter was improper or incorrect.

Mr. Lipsman stated that he appreciates the VB's thoughts but still does not feel that the integrity of the historic village or his house will be fatally compromised by the addition of this proposed deck and does not feel that he is ruining anything architecturally interesting by removing part of the roof to build a deck.

A **MOTION** was made by Trustee Butler, seconded by Trustee Bradicich, all in favor, to deny Mr. Lipsman's appeal to the Village Board to reverse the Planning Board's decision to not approve his building permit application to construct a deck onto his residence on South Franklin Street.

2. *Brandyn Place, resident on North Washington Street*, attended the meeting as a follow-up to the last VB meeting he attended. Drainage at his residence was the issue.

The Mayor noted that Trustee Bradicich (liaison to the DPW) and DPW Director Anthony Proper went and looked at the drainage in the area discussed.

Trustee Bradicich described what they did and what they are going to do to try and alleviate the problem. The big problem is the deterioration of the pipe behind the church parking lot. Therefore, first they will replace that pipe and secondly replace some of the curbing and lastly 'jet out' the pipe on Water Street.

Trustee Bradicich noted that the DPW has a paving project coming up next week and once that is done, weather permitting, they will begin working on this.

Mr. Place also mentioned the church parking lot and whether something should be done there as well since the grading is creating a bad drainage situation as well.

Mayor Alberti advised him to fill out a complaint form addressing the church property and give it to Code Enforcement. Trustee Bradicich also mentioned that he will be communicating with the church regarding trees so he will also discuss this issue with them.

Mr. Place also complained about the condition of the house on the north side of his house. It is deteriorating rapidly creating a nuisance.

Again, Mayor Alberti requested that he fill out another complaint form and submit it to Code Enforcement.

3. *Mary Ellen Gallagher, representing the tree committee*, attended the meeting to update the VB on their last meeting with the Arborist.

Discussions included treatment or not treatment of diseased trees, a resident's request for tree planting next to their house and a chart for tree priorities.

The VB thanked Ms. Gallagher for attending.

MOTIONS and RESOLUTIONS:

1. Proposed Resolution Approving Minutes

BE IT RESOLVED, the Minutes from Village Board meetings held on July 25th, 2018 and August 8th, 2018 be approved:

Offered by: Trustee Spinner
Seconded by: Trustee Bradicich
Trustee Butler: Abstained
Mayor Alberti votes aye.

2. Proposed Resolution Approving Payment of Vouchers as Presented

BE IT RESOLVED, that the Village Board Approve payment of the following vouchers as presented:

GENERAL FUND – Abstract #1971, vouchers numbered #9918064 through #9918084 in the amount of \$17,604.25

WATER FUND – Abstract #10431, vouchers numbered #9918085 through #9918094 and vouchers numbered #9918104 through #9918105 in the amount of \$17,431.45

SEWER FUND – Abstract #10411, vouchers numbered #9918095 through #9918103 in the amount of \$13,066.95

YOUTH FUND – Abstract #90, vouchers numbered #991807 through #9918109 in the amount of \$2,426.59

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

3. Proposed Resolution accepting County Bid for Gasoline

BE IT RESOLVED that the Village approve participation in Greene County Highway purchase of gasoline from Bottini Fuel Oil:

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

4. Proposed Resolution accepting County Bid for #2D Diesel Fuel

BE IT RESOLVED that the Village approve participation in Greene County Highway purchase of #2D Diesel Fuel from Main Brothers Oil Co., Inc.:

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

5. Proposed Resolution accepting County Bid for Propane

BE IT RESOLVED that the Village approve participation in Greene County Highway purchase of propane – Nolan Propane

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

6. Proposed Resolution authorizing the Mayor to sign contract for new copier lease

WHEREAS the lease for the copier in the Village Clerk's office is expiring in September and REPEAT Business Systems has provided the Village with a new contract for leasing a comparable copier at a cheaper cost per month;

BE IT RESOLVED that the Village authorizes the Mayor to sign a contract with REPEAT Business Systems, inc. for leasing a copier for the Clerk's office:

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

7. Proposed Resolution authorizing NorthDome to purchase white gravel at a cost of \$1163.00 for 116 50 pound bags

WHEREAS, in the process of replacing the carbon filters at the water filtration plant it was determined that the gravel in 2 of the underdrains could not be salvaged and needed replacement as soon as possible;

WHEREAS, Northdome, inc. received a price from R.C. Kolstad Water Corp. for the 116 – 50 lb. Bags of gavel at a price of \$1163.00;

THEREFORE BE IT RESOLVED that the VB authorizes purchasing 116-50 lb. Bags of subfill gravel from R.C. Kolstad Water Corp. for the AC filters at the WFP at a cost of \$1163.00:

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

OLD BUSINESS:

1. DPW applications

NEW BUSINESS:

1. Lease for new copier.
2. Insurance Company alerted to lightning strike damage at WFP.

CORRESPONDENCE:

1. Law offices of Rodenhausen Chale LLP. Re: Statutory Installment Bond, Series 2018A
2. NYS Department of Health. Re: Notice of Monitoring due.
3. NYCOM. Re: Fall training School
4. Greene County Legislature. Re: Resolution No.'s 225-18 and 226-18 gasoline and diesel fuel.

A MOTION was made by Trustee Spinner, seconded by Trustee Bradicich to enter into EXECUTIVE SESSION to discuss the employment history of a particular employee at 7:50PM

A MOTION was made by Trustee Spinner, seconded by Trustee Bradicich to adjourn tonight's EXECUTIVE SESSION at 8:05PM and resume the regular VB meeting.

ADJOURNMENT: 8:06 PM

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

Mary Jo Wynne
Clerk-Treasurer