

**ATHENS VILLAGE BOARD MEETING**  
**MINUTES - February 13, 2019**

*Pledge to the flag.*

PRESENT: Mayor Peter Alberti, Trustee Gail Lasher, Trustee Stephan Bradicich and Trustee Marla Butler

ABSENT: Trustee Shannon Spinner

**PUBLIC HEARINGS:**

The Mayor instructed the Clerk-Treasurer to read the notice that was published in the newspaper announcing the 3 public hearings for tonight.

*PUBLIC HEARING #1-* Held for the purpose of considering adopting local law #1 of 2019 amending local law §250-17, Paragraph N modifying the standards for appeals on Planning Board historic review decisions.

The Mayor asked for public comment.

*Maggie Moree, Planning Board Chairperson and resident of the village,* commented on some observations she would like the VB to consider strictly made from the role of PB Chairperson.

Ms. Moree noted that she is unclear of the wording in Section 2 that states that the Village Board may conduct a ‘further public hearing’ was there already a public hearing or are all appeals public hearings? The PB meetings are not public hearings.

Chairperson Moree also questioned that if different information is given to the VB during the appeal than that which was given previously to the PB and the VB then comes to a different conclusion based upon differing information then shouldn’t it be sent back to the PB so they may review it again based upon the same new information?

Village Attorney Tal Rappleyea noted that they wanted to try and streamline the process by not having the applicant return to the PB.

Ms. Moree noted that she is not quite sure what to do with that as a Planning Board.

Mayor Alberti informed the VB that the County Planning Board has reviewed the proposed change (all zoning changes must go before the County PB and neighboring municipalities) and they had no objections.

*Chris Pfister, resident of the village,* noted that he felt the amendment was unnecessary.

Mr. Pfister also stated that he objected to the word ‘rational’ being used in the amendment as it sounds like you are saying that the VB is more rational than the PB. It sounds insulting.

The Village Attorney noted that that terminology is used quite frequently in this capacity. From a legal standpoint it gives credence if challenges on rulings take place.

**CLOSE PUBLIC HEARING** at 6:40PM.

*PUBLIC HEARING #2* - Held for the purpose of considering Local Law #2 of 2019, upon the recommendation of the Greene County Legislature, implementing and updated sliding scale of maximum income limits and exemption percentages for both the Senior citizen and disabled tax exemptions.

No PUBLIC COMMENT.

**CLOSE PUBLIC HEARING** at 6:45 PM.

*PUBLIC HEARING #3* – Held for the purpose of receiving public comment on the conveyance of the Village Community Center to the Town of Athens.

The Mayor informed the public that the Athens Town Board presented this project to the Athens Village Board at least 3-4 years previous. It has been determined by an engineer hired by the Town that the building is structurally sound.

The Village is not financially able to complete all of the renovations that should be done in the Community Center building. For example, the building needs a new heating and cooling system, electrical upgrade, new windows etc. The Town is willing to take on this project if the village is willing to convey the building to them.

The Village Attorney stated that the statute does allow municipalities to convey real property that it owns to other municipalities as long as there is continued municipal use.

*Resident Chris Pfister* wanted to commend Town Supervisor Butler and the Village Board for moving forward with this project. It is a big project and long overdue.

*Town Supervisor Butler* asked that the Village Board allow the town exemption from having to go before the Planning Board for approval through this process. Although he does value their input and does plan to present the project to the Planning Board as the project progresses. The project will be costly and expansive and any delays on getting approvals would be more costly.

As the plans for the building become final the architect will present them to the PB and there will also be public meetings for input from the public.

Town Supervisor Butler discussed the exterior plans for the building and also some changes for the gym. Interior floor plans have been devised and he is willing to take input from anyone regarding suggestions on interior modifications, etc.

Village Attorney Tal Rappleyea concurred that it is a good idea to forgo Planning Board approval during this process streamlining the project and making it more efficient. The next step will be to complete a title search.

The Monroe Analysis was discussed as it relates to municipalities being able to bypass or streamline projects legally.

**CLOSE PUBLIC HEARING** at 6:55PM

**OPEN REGULAR VILLAGE BOARD MEETING**

A **MOTION** was made by Trustee Lasher, seconded by Trustee Butler, all in favor, to enter into EXECUTIVE SESSION to discuss the possible hiring, firing, disciplinary action or promotion of an employee.

A **MOTION** was made by Trustee Lasher, seconded by Trustee Butler, all in favor, to exit EXECUTIVE SESSION and resume the regular work meeting.

A **MOTION** was made by Trustee Bradicich, seconded by Trustee Lasher, all in favor, to proceed with Arbitration and defer decision on arbitration to the Village Attorney.

**DEPARTMENT HEADS:**

1. Village Attorney – Tal Rappleyea

Village Attorney Tal Rappleyea informed the VB that they must complete an environmental review (SEQR) on all 3 projects. Since the Hearings were done together the review can also be completed together.

The VB completed Part I and Part II of the SEQR for all projects and found that all projects will not have a negative impact on the environment and therefore:

A **RESOLUTION** was made by Trustee Bradicich, seconded by Trustee Lasher, all in favor, declaring a negative declaration for all three projects as listed stating that there will be no negative impact on the environmental in completing the three projects.

2. Code Enforcement Officer - Mike Ragaini

3. DPW – Anthony Proper

Mr. Proper requested permission to purchase a new sound/leak detector due to the fact that the current one, which is over 30 years old, has perished. He received prices from USA Blue Book for \$2189.00 and Coreman for \$2625.00. He prefers purchasing it from Coreman as there is a salesperson involved that he can communicate with if there are problems or issues with the purchase.

A **MOTION** was made by Trustee Lasher, seconded by Trustee Butler, all in favor to purchase a new leak/sound detector for the Department of Public Works for a cost not to exceed \$2625.00.

Mr. Proper mentioned the projects he has scheduled as soon as the weather gets better:

- Replace the culvert pipe on Union Street and Constantine Court and repair the sewer line on Union Street. These two projects will cost \$16725.00 which he has in the current budget.

- Replace the water line on Chatham Street and Livingston Street at a cost of \$5301.45.

He approached the county regarding the sinking culvert pipe by the guard rails on Union street guardrails. They are going to review it as a shared project and get back to him.

A **MOTION** was made by Trustee Bradicich, seconded by Trustee Lasher, all in favor, to approve the two projects as discussed.

4. Fire Department - Wayne Butterworth

Mayor Alberti informed Mr. Butterworth that he would like to schedule a meeting between the President of the Fire Dept., The Fire Chief, the VB liaison and himself to discuss the fact that membership applications are not given to the VB in a timely fashion and also that there are no insurance certificates for private functions being held at the firehouse.

Mr. Butterworth noted that the Department is looking into purchasing a new UHF radio for the Firehouse for \$2272.53 and upgrading the siren box at the WWTP for a cost of \$700.00.

Discussion of purchasing more turnout gear ensued. It was decided to wait until the end of the month when the actual amount in the equipment line item can be reviewed and confirmed due to the DCJS grant money being transferred in and out of the equipment line.

A **MOTION** was made by Trustee Bradicich, seconded by Trustee Butler, all in favor, to approve the purchase of the UHF radio for the firehouse and the Fire siren box.

5. Northdome Operations. Seth Mann

Mr. Mann provided the village board with the monthly reports for the WWTP's and the WFP.

He noted that they are working on completing the Annual Water Quality Report (AWQR).

6. Police Department. Roger Masse – no show

**APPLICATIONS:**

Athens Volunteer Fire Department Membership Application. Applicant: Marly Schlenker and Evan lane.

A **MOTION** was made by Trustee Lasher, seconded by Trustee Butler, all in favor approving the applications as submitted for the Athens Fire Department.

Facility Use Application: Riverfront Park. Applicant: Community Band.

A **MOTION** was made by Trustee Bradicich, seconded by Trustee Lasher, all in favor approving the application as submitted.

**RESOLUTIONS:**

1. Proposed Resolution Approving Minutes

BE IT RESOLVED, the Minutes from Village Board meeting held on January 9, 2019 be approved:

Offered by: Trustee Lasher  
Seconded by: Trustee Bradicich  
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 following vouchers as presented:

GENERAL FUND – Abstract #1985, vouchers numbered #9918477 through #9918509 in the amount of \$37,945.11

WATER FUND – Abstract #10422, vouchers numbered #9918522 through #9918526 in the amount of \$6693.50

SEWER FUND – Abstract #10423, vouchers numbered #9918510 through #9918522 in the amount \$14970.87

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

3. Proposed Resolution Approving Annual Yard Sale Date

BE IT RESOLVED that the Village Board approve August 24<sup>th</sup>, 2019 as the Annual Yard Sale day for the Village (raindate August 25<sup>th</sup>, 2019):

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

4. Proposed Resolution Approving Adoption of Local Law #1 for 2019

WHEREAS copies of the proposed amendment to the section of the zoning has been advertised in the legal section of the newspaper and was also sent to neighboring municipalities and the Greene County Planning Board prior to tonight's public hearing;

BE IT RESOLVED that the Village Board approve Local Law #1 for 2019 amending the zoning law to change the standard of appeals of historic review under section 250-17N of the zoning law (amendment attached):

Offered by: Trustee Lasher  
Seconded by: Trustee Bradicich  
Record of vote: all in favor

5. Proposed Resolution Approving Adoption of Local Law #2 for 2019

WHEREAS, the Greene County Legislature, on December 19, 2018, adopted a maximum income limit of \$28,500.00 with full sliding scale for 2019 for both the Senior Citizen and Disabled Tax Exemptions (as attached) and;

THEREFORE BE IT RESOLVED, that the Village Board approve Local Law #2 for 2019 adopting the maximum income limits for the Senior Citizen and Disabled tax exemptions upon the recommendation of the Greene County Legislature:

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

6. Proposed Resolution Approving Conveyance of Community Center Building to the Town of Athens

BE IT RESOLVED that the Village Board of Trustees hereby authorizes the Village Mayor to take all actions and execute all documents necessary to convey, without consideration, the Community Center located at 2 First Street, Athens, N.Y. to the Town of Athens subject to the conditions that 1) the Town of Athens is able to affirmatively secure appropriate funding for the needed upgrades and renovations and that the same are completed; and 2) that the Community Center must continue to be utilized for a municipal purpose and if such use is ever terminated, ownership thereof shall revert to the Village.

(Full Resolution attached)

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

7. Proposed Resolution Approving Annual Family Fun 5K Race

BE IT RESOLVED that the Village Board approve the Annual Family Fun 5K race to be held on April 13, 2019 and sponsored by the EJ Arthur Elementary School PTO:

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

**NEW BUSINESS:**

1. Budget requests have been sent to department heads.
2. Preparing for Annual Water Quality Report for 2018 (AWQR).
3. E.J. Arthur Elementary School. Training – Active Shooter.

**OLD BUSINESS:**

1. Develop a fund balance policy.
2. Climate Smart Resiliency Planning Tool.

3. NYSDOT changes for streets.

**CORRESPONDENCE:**

1. Nancy Poylo. Re: letter of interest for ZBA secretary. **MOTION** made by Trustee Bradicich, seconded by Trustee Lasher, all in favor to appoint Ms. Poylo as ZBA secretary.
2. E.J. Arthur Elementary School PTO (A. Martin). RE: Annual Family Fun 5K race. (RESOLUTION approving)
3. PERMA. Re: Safety Coordinator Certificate Training.
4. NYSDOH. Re: Monitoring Notice
5. NYS- Public Employment Relations Board. Re: Grievance.

**ADJOURNMENT:**

Offered by: Trustee Bradicich  
Seconded by: Trustee Butler  
Record of vote: all in favor  
8:45PM

*Mary Jo Wynne*  
*Village Clerk-Treasurer*