

VILLAGE OF ATHENS BOARD MEETING

MINUTES—June 11, 2014 Time: 6:30 pm

Pledge of Allegiance

PRESENT: Mayor Christian Pfister, Trustee Robert June, Trustee Gail Lasher, Trustee Anthony Patsky and Trustee Peter Alberti.

The Mayor opened the Public Hearing on Local Law #2 at 6:30PM.

The Clerk was instructed to read the legal notice that was published in the newspaper stating that there would be a public hearing held this evening for the purpose of hearing public comment on the proposed adoption of the **best value procurement policy**.

The Mayor opened the meeting for public comment.

John Pulice asked the Village Board how this law came about?

The Mayor stated that it had come down from the State.

The Village Attorney explained how the law would work to make the bidding process a little more sensible in that it gives the Municipality a little more flexibility in the bidding process as opposed to having to go with the lowest bid with minimal exception.

Mr. Pulice also asked if there are other municipalities that have passed this law?

The Village Attorney stated that they have passed it as law in Greene and Albany Counties. Also, a number of towns and villages are looking into passing it as well.

No other public comment.

Motion made by Trustee June, seconded by Trustee Alberti, all in favor, to close the Public Hearing at 6:45 PM and begin the Regular Village Board Meeting.

Department Head Reports

- | | |
|-------------------------|-------------------|
| 1. Delaware Engineering | Brock Juusola |
| 2. DPW | Dennis Proper |
| 3. Police | Chief Roger Masse |
| 4. Fire Department | Chief Adam Greco |
| 5. Village Attorney | Tal Rappleyea |
| 6. Code Enforcement | Mike Ragaini |
| 7. VRI | Dale Post |
| 8. Recreation program | Dawn Schlenker |

Motions and Resolutions

1. Proposed Resolution to Approve the Minutes

BE IT RESOLVED, the minutes for the May 28 meeting are approved.

Offered by: Trustee Lasher

Seconded by: Trustee Patsky

Record of vote: All in favor

2. Proposed Resolution to Authorize Payment of the Vouchers

BE IT RESOLVED, the following vouchers are authorized for payment:

GENERAL – Abstract #1797, vouchers numbered #9913704 through #9913719 and voucher #991327 in the amount of \$8,231.34.

WATER – Abstract #10304, vouchers numbered #9913724 through #9913726 in the amount of \$9580.40.

SEWER – Abstract #10280, vouchers numbered #9913720 through #9913723 in the amount of \$8740.94.

Offered by: Trustee Patsky

Seconded by: Trustee Alberti

Record of vote: All in favor

3. Proposed Resolution Authorizing Retaining of Bond Counsel

BE IT RESOLVED, the Board of Trustees does, hereby, accept the proposal of Rodenhause Chale LLP, to provide bond counsel services to the Village of Athens in conjunction with purchase of a new ladder truck for the Athens Volunteer Fire Department, at an estimated cost of \$2250.00.

Offered by: Trustee June

Seconded by: Trustee Alberti

Record of vote: All in favor

4. Proposed Resolution Authorizing Use of Riverfront Park

BE IT RESOLVED, Animal Crackers Nursery School is hereby authorized to use Riverfront Park for a picnic on June 19, 2014.

Offered by: Trustee Lasher

Seconded by: Trustee Patsky

Record of vote: All in favor

5. Proposed Resolution Authorizing Temporary Suspension of Payment

WHEREAS, the property at 7 South Montgomery Street, owned by William Shapiro, did experience a sewer blockage on May 17, 2014,

WHEREAS, Mr. Shapiro incurred costs totaling \$870.20 in an attempt to have the blockage removed,

WHEREAS, a subsequent investigation of the problem determined that the blockage was caused by an action of a contractor/subcontractor retained by the Village of Athens,

WHEREAS, the contractor and its subcontractor accept full responsibility for action,

BE IT RESOLVED, the Village of Athens, hereby, retains an amount of \$870.20 from the final payment on the Village of Athens Sanitary Sewer and Manhole Rehabilitation Project, until such time as the property owner of 7 South Montgomery Street is fully reimbursed for costs incurred while trying to correct the sewer blockage referenced above.

Offered by: Trustee Alberti

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

6. Proposed Resolution Approving Proposed Local Law #2 of 2014

WHEREAS, Paragraph 103, Subdivision 1, of the New York General Municipal Law, as amended by Charter 608 of Laws of 2011 and Chapter 2 of the Laws of 2012, authorizes the Village to award purchase contracts for services connected to competitive bidding on the basis of wither lowest responsible bidder or “best value”,

WHEREAS, the “best value” option may be used if it is more cost efficient over time to award the good or service to other than the lowest responsible bidder due to factor such as lowest cost of maintenance, durability, higher quality and longer product life.

WHEREAS, on June 11, 2014, at 6:30 P.M., a public hearing on proposed Local Law #2, 2014, Authorizing the Award of Purchase and Service Contracts on the Basis of Either Lowest Responsible Bidder or on Best Value Criteria,

BE IT RESOLVED, the Village of Athens does, hereby, approve Local Law #2, Authorizing the Award of Public Contracts on the Basis of Either Lowest Responsible Bidder or on the Basis of Best Value.

Offered by: Trustee Patsky
Record of vote:

Trustee Robert June, votes aye
Trustee Anthony Patsky votes aye
Trustee Gail Lasher votes aye
Trustee Peter Alberti votes aye
Mayor Christian Pfister votes aye

RESOLUTION PASSES

7. Proposed Resolution Approving Change Order #4 and Final Payment in the Village of Athens Sanitary Sewer and Manhole Rehabilitation Project

WHEREAS, it was impossible to determine the exact scope of certain necessary work items before the project was completed,

WHEREAS, such work items in this project were designated as billable on a unit price basis,

WHEREAS, upon review of the completed project by Delaware Engineering and the Contractor, Insituform, the work on the project was quantified,

WHEREAS, the calculated costs associated with this change order will result in a reduction of the contract price, totaling \$26, 825.00,

WHEREAS, this change order has been reviewed and approved by Delaware Engineering,

WHEREAS, Insituform Technologies has requested final payment on this project,

BE IT RESOLVED, the Village of Athens does hereby approve Change Order #4 and be it further,

RESOLVED, that the final adjusted contract price is \$486,317.84 and be it further,

RESOLVED, that the Village Clerk/Treasurer is authorized to pay Insituform Technologies a final payment in the amount of \$118,799.97 on the Village of Athens Sanitary Sewer and Manhole Rehabilitation Project.

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

8. Proposed Resolution Accepting Planning Board Resignation

BE IT RESOLVED, the Board of Trustees, hereby, accepts the resignation of Wayne Deyo from the Village of Athens Planning Board and expresses its appreciation for Mr. Deyo's many years of service on the Board.

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

The Mayor thanked Mr.Deyo for his years of work on the Planning Board.

9. Proposed Resolution Establishing Hearing Date for Public Nuisance Law.

BE IT RESOLVED, on June 25, 2014 at 6:30 P.M., the Village of Athens will hold a Public Hearing on Proposed Local Law # 3, Public Nuisance.

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

10. Proposed Resolution Authorizing Use of Athens Community Center gym.

BE IT RESOLVED, Lawrence Farrell is hereby authorized to use the Athens Community Center as per his submitted application.

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

11. Proposed Resolution Approving the Application for outdoor noise permit submitted by APAC for music throughout the summer in the Riverfront Park

BE IT RESOLVED, APAC's application for outdoor noise in the Riverfront Park has been approved as submitted.

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

Trustee Reports

Correspondence

1. Delaware Engineering: Final Payment Application & Change Orders on Village of Athens Sanitary Sewer and Manhole Rehabilitation Project
2. Letter from Herman Reinhold: Outdoor Entertainment Permit for Stewart House
3. Governor's Office of Storm Recovery: Request for documentation to aid State in obtaining CDBG monies.
4. Central Hudson: Denial of Main Street Grant Application
5. William Shapiro: Request for Reimbursement from Contractor on I & I Project
6. NYSDEC: Removal of Order on Consent
7. Lamont Engineering: Proposal for Engineering Services on Cleaning Lagoon
8. NY Rural Water: Conference/Training , August 20 in Coxsackie.
9. Denise Hartman: Possible conflict between WAC membership and AG's Office

Mayor's Report

Unfinished Business

1. Culvert Status/Easements
2. Park Project
3. Lagoon Cleaning and Response to DEC
4. Planning Board Vacancy
5. PRV valve

New Business

1. Constantine Court Drainage
2. Brick Row Sidewalk

Clerk's Report

Adjournment

Offered by: Trustee June

Seconded by: Trustee Patsky

Record of vote: All in favor

Time: 9:50PM