

REGULAR MEETING – ATHENS TOWN BOARD – April 7, 2014

The regular meeting of the Athens Town Board was called to order on April 7, 2014 at 7:00 p.m. by Supervisor Joseph Iraci with the Pledge of Allegiance to the Flag, followed by a moment of silence.

The following people were present: Councilman Robert F. Butler, Jr.; Councilwoman April Paluch; Councilwoman Mary H. Brandow; Councilman Michael Ragaini; Highway Superintendent John J. Farrell and Town Clerk Linda M. Stacey.

These people were also present; Attorney Virginia Benedict; Bookkeeper Michael Strenka; Assessor Laura Chase; Code Enforcement Officer George Holsopple; Michael Pirrone and Ron Puhalski.

The following bills were audited by the Board and ordered paid.

General Abstract #7, vouchers #154 through #187 inclusive for \$22,961.48.

Highway Abstract #7, vouchers #71 through #86 inclusive for \$13,252.45.

**Supervisor Joseph Iraci** made a motion seconded by Councilman Robert F. Butler, Jr. to approve the Town Clerk's Report as presented. Carried: Ayes-5 (Iraci; Butler; Paluch; Brandow; Ragaini) Noes-0 Absent-0 Abstentions-0

**Councilwoman April Paluch** made a motion seconded by Councilman Michael Ragaini to approve the minutes of March 17, 2014, and March 24, 2014, approved as read. Carried. Ayes-5 (Iraci; Butler; Paluch; Brandow; Ragaini) Noes-0 Absent-0 Abstentions-0

Assessor Laura Chase explained "hardship" renewal to Town Board. She would like to see Resolution passed before this May's Grievance Day (Last Tuesday in May). RPTS Tax Law Section 467 & Section 459.

Councilwoman Mary H. Brandow made a motion seconded by Councilwoman April Paluch to begin the process of the "hardship" renewal. Carried. Ayes-5 (Iraci; Butler; Paluch; Brandow; Ragaini) Noes-0 Absent-0 Abstentions-0

Highway Superintendent John J. Farrell went over the 2014 Highway Agreement. He explained that he was waiting for a Grant from State for Culvert. Councilman Robert F. Butler, Jr. suggested guide rail being replaced.

On the motion of Councilman Michael Ragaini seconded by Councilwoman April Paluch the following **RESOLUTION #2014-20** to approve and sign the 2014 Highway Agreement and forward it to the County for approval and signatures was adopted as follows:

**AGREEMENT FOR THE EXPENDITURE OF HIGHWAY MONEYS;**

*AGREEMENT between the Town Superintendent of the Town of Athens, Greene County, New York and the undersigned members of the Town Board.*

*Pursuant to the provisions of Section 284 of the Highway Law, we agree that moneys levied and collected in the Town for the repair and improvement of highways, and received from the State for State Aid for the repair and improvement of roadways, shall be expended as follows.*

*GENERAL REPAIRS, The sum of \$223,119 be set aside to be expended for primary work and general repairs upon 34 miles of town highways, including sluices, culverts and bridges having a span of less than five feet and boardwalks or the renewals thereof.*

**PERMANENT IMPROVEMENTS;**

**FIBER MAT**

Buttermilk Falls Road	#1a stone	1.3 miles x 22 feet	\$42,316.85
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**OIL & STONE**

Indian Ridge Exr. Road	#1a stone	6 miles x 18 feet	\$7,670.96
Gypsy Point Road	#1a stone	.8 miles x 20 feet	\$11,365.57
Pleasant Acres	#1a stone	.15 miles x 21 feet	\$1,983.52
Travis Blvd	#1a stone	.50 miles x 18 feet	\$6,390.63

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Highway Agreement Continued:

Lake Forest Drive	#1a stone	.30 miles x 21 feet	\$4,029.79
Black Lake	#1a stone	1.0 miles x 18 feet	\$12,780.25
Kings Road	#1a stone	.11 miles x 14 feet	\$1,098.26
Thorpe Road	#1a stone	.32 miles x 18 feet	\$4,116.96
<b>TOTAL OIL AND STONE</b>			<b>\$91,752.80</b>

MOTO PAVE Leeds Athens Road

1.0 mile x 21 feet wide x 2.5 inch thick #1 Stone	\$48,267.00
Seal Motor Pavement 1A Stone	<u>\$18,103.00</u>
<b>TOTAL PROJECTS FOR 2014</b>	<b>\$158,122.80</b>
<b>NYS CHIPS MONEY</b>	<b><u>-73,129.96</u></b>
<b>TOTAL COST TO THE TOWN</b>	<b>\$84,992.84</b>

The remaining funds in DB 5110.4 will be used for diesel fuel, equipment repair, EZ pass, Gas, Tires, Signs, Drainage, Uniforms and general repair on the remaining Town Roads.

Carried. Ayes-5 (Iraci; Butler; Paluch; Brandow; Ragaini) Noes-0 Absent-0 Abstentions-0

Highway Superintendent Farrell announced that he had interviewed a few men for the Town Highway opening.

Code Enforcement Officer George Holsopple, went over Fill permits and Fill permit fees . Fee Schedule –Raise the demolition fee.

Motion made by Councilman Michael Ragaini seconded Councilwoman April Paluch recommending changing to Local Law to read changed by Resolution.(Public Hearing to be May 5<sup>th</sup>) Carried. Ayes-5 (Iraci; Butler; Paluch; Brandow; Ragaini) Noes-0 Absent-0 Abstentions-0

Code Enforcement Officer Holsopple reported that Budget Inn on Rt 9W is abandoned. He has not received any cooperation from the owner or corporation. Not secured. Discussion followed.

Attorney Benedict stated that she would search at the County Clerk’s office, to see who actually owns the building at Gypsy Point Road.

Supervisor Iraci Treaters: major builders. RE: Process site Plan Review & Engineer.

On the motion of Councilwoman April Paluch seconded by Councilwoman Mary H. Brandow the following RESOLUTION # 2014-21, was adopted as follows:

WHEREAS, the Town of Athens received a check from New York State on March 20, 2014 for \$3,000, and

WHEREAS, the revenue received is for State Aid Justice Court Assistance Program, for Department Renovations and was not budgeted in the 2014 Budget, and

WHEREAS, the Town Board hereby authorizes recognition for budget purposes such receipt of revenues;

Now, therefore, be it resolved that the Town Board authorizes increasing estimated revenue Code A2770 State Aid JCAP by \$3000 and increasing appropriation line item A 1110.4 Renovations by \$3000.

Carried. Ayes-5 (Iraci; Butler; Paluch; Brandow; Ragaini) Noes-0 Absent-0 Abstentions-0

Councilman Robert F. Butler, Jr. made a motion seconded by Councilman Michael Ragaini *to approve the Supervisor's Financial Report* . Carried. Ayes-5 (Iraci; Butler; Paluch; Brandow; Ragaini) Noes-0 Absent-0 Abstentions-0

On the motion of Councilwoman April Paluch seconded by Councilman Michael Ragaini the following **RESOLUTION #2014-22** Supporting Efforts to relocate the preferred Route of the Proposed West Point Partners Project and In Support of Actions taken by the Village: to approve as amended ;

**WHEREAS**, the Town of Athens has reviewed the current preferred route for the West Point Partners Project, which runs from the Leeds Substation to a proposed New Northern Converter Station, then along Leeds Athens Road, to Second Street, to North Vernon Street, to Union Street and finally to State Route 385, before entering the Hudson River at the Northern landfall area, and

**WHEREAS**, an identified alternative route has been deemed by the West Point Partners to not be feasible because of the National Grid's refusal to provide access to its existing right-of-way to accommodate the West Point Partners Project, and

**WHEREAS**, the Town of Athens believes that the collocating the West Point Partners route along an existing right-of-way, such as the National Grid right-of-way, offers benefits superior to the preferred route and is consistent with recent statements by Governor Andrew Cuomo and initiatives taken by the NY Public Service Commission, and

**WHEREAS**, the Town of Athens believes further study of alternate routes and collocation opportunities is needed in order to minimize or avoid negative impacts to the Athens community that would result from use of the preferred route, and

**WHEREAS**, the Village of Athens has issued a resolution opposing the preferred route and continues to promote the collocation of the West Point Partners Projects along an existing right-of-way, such as the National Grid right-of-way,

**BE IT RESOLVED**, that the Town of Athens joins with the Village of Athens in calling for the West Point Partners preferred route to be relocated to an existing right-of-way or other route which would be less impacted to the Athens Community, and

**BE IT FURTHER RESOLVED**, the Town of Athens supports the Village's efforts and the Town will continue to actively participate in the regulatory proceedings before the New York State Public Service Commission to advocate, alongside the Village of Athens, for the relocation of the route to an existing right-of-way corridor.

Carried. Ayes-5 (Iraci; Butler; Paluch; Brandow; Ragaini) Noes-0 Absent-0 Abstentions-0

Supervisor Iraci spoke about the ambulance billing being \$225 per call.

He reported to the Board that the Annual Consolidated Health Report has been filed.

He reported that due the visit by the Labor Department a list of Policies has been made up.

The Town Board received a list of Officers from Athens Volunteer Fire Department on their 2014 Election.

9W Zoning between Schoharie Turnpike and Leeds Athens Road on the West side of 9W was brought up. Supervisor Iraci will research. He asked for a month and the Attorney to email him information.

Grant writers turned in a new retainer for \$9,600, with a list of suggested projects.

On the motion of Councilwoman April Paluch seconded by Councilwoman Mary H. Brandow the following **RESOLUTION #2014-23** was adopted as follows:

**WHEREAS**, the Town and Village of Athens are intervening parties in the AC Transmission Proceeding currently pending before the New York State Public Service Commission (PSC), and

**WHEREAS**, in an effort to share the cost and ensure that the interests of its citizens are protected in an efficient and cost-effective manner, the Town and Village have jointly retained Young/Sommer LLC and Barton & Loguidice P.C. to provide legal and technical assistance in the AC Transmission Proceedings and have waived any potential conflicts of interest associated with this joint representation, and

**WHEREAS**, the Town and Village were jointly awarded \$40,000 in intervenor funding to defray the cost of their participation in the AC Transmission Proceeding, and

**WHEREAS**, as a prerequisite into entering into a contract for funding, the PSC has requested the intervenor funding agreement be signed by either the Town or the Village, and that the municipalities coordinate reimbursement to the other, in order to obtain the \$40,000 in intervenor funding,

**BE IT RESOLVED**, that the Town and the Village hereby authorize the Town Supervisor to sign the AC Transmission Proceeding intervenor funding agreement with the PSC on behalf of the Town and Village of Athens, and

**BE IT FURTHER RESOLVED** that the Town of Athens agrees to receive disbursements of AC Transmission intervenor funding on behalf of the Town and Village and to divide those disbursements equally between the Town and the Village in accordance with the vouchers submitted to the PSC in the proceeding's quarterly reporting.

Carried. Ayes-5 (Iraci; Butler; Paluch; Brandow; Ragaini) Noes-0 Absent-0 Abstentions-0  
Councilwoman April Paluch made a motion seconded by Councilwoman Mary H. Brandow to *go into Executive Session to discuss contract negotiations*. Carried. Ayes-5 (Iraci; Butler; Paluch; Brandow; Ragaini) Noes-0 Absent-0 Abstentions-0 9:00

Councilwoman April Paluch made a motion seconded by Councilwoman Mary H. Brandow to *adjourn the Executive Session and reconvene the regular meeting*. Carried. Ayes-5 (Iraci; Butler; Paluch; Brandow; Ragaini) Noes-0 Absent-0 Abstentions-0 9:15

Councilwoman April Paluch made a motion seconded by Councilwoman Mary H. Brandow to *extend the current Grant Writers Contract until December*. Carried. Ayes-5 (Iraci; Butler; Paluch; Brandow; Ragaini) Noes-0 Absent-0 Abstentions-0

As there was no further business to come before the meeting, a motion to adjourn was made by Councilman Michael Ragaini seconded by Councilwoman Mary H. Brandow. Carried. Ayes-5 (Iraci; Butler; Paluch; Brandow; Ragaini) Noes-0 Absent-0 Abstentions-0 9:17