

REGULAR MEETING – ATHENS TOWN BOARD – September 21, 2015

A regular meeting of the Athens Town Board was called to order on September 21, 2015 at 7:00 pm by Supervisor Joseph B. Iraci, with the Pledge of Allegiance and a moment of reflection.

The following people were present: Supervisor Joseph B. Iraci; Councilman Robert F. Butler, Jr.; Councilwoman Mary H. Brandow; Councilman Michael Ragaini; Councilman Anthony Paluch and Town Clerk Linda M. Stacey. (Highway Superintendent John J. Farrell was absent.)

These people were also present: Code Enforcement Officer George Holsopple; Interim Assessor Carol McBride; Attorney Virginia Benedict; Greg Christy; Robert Hilbert; Phyllis Dinkelacker; and Carol Pfister.

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

General Abstract #18, vouchers #426 through #456 inclusive for \$20,127.06.

Highway Abstract #17, vouchers ##169 through #189 inclusive for \$64,648.72.

Supervisor Iraci made the following announcement:

This Saturday, September 26, will be Athens Bicentennial picnic at the Athens Fire House.

Need budget for the Association of Towns in Albany, in January for New officials.

This Thursday is the last budget workshop.

Interim Assessor Carol McBride reported that her first year of training is completed.

There is a class coming up at Columbia Greene Community College on Sales Analysis which she plans on taking.

Renewals for the Senior exemptions are being processed, so they can be sent to those enrolled in the program, and to be returned by March 1.

Bob Hilbert of Appraisal Consultants advised the Board that the Town is currently at 96-97 % of their Assessment rate. (We are within 5 %.) Local Governments are to stay at 100% of their Assessment rate.

Mr. Hilbert explained that the estimate to provide assistance in a full update assuming the Town of Athens maintains the inventory, photos, and all mailings costs could be in the \$12 to \$15,000 range. Otherwise the annual fee would be \$3,000.

The Board decided to wait and see what the State's new numbers will be in November/December.

Mr. Greg Christy, Project Manager for the Northeast Treaters of NY plant modernization project on Schoharie Turnpike, handed out an informative overview of the zoning change petition and requested a public hearing, and wanted to appoint the Town Board as Lead Agency. He also handed in a Full Environmental Assessment Form Part I- Project and Setting.

On the motion of Supervisor Joseph Iraci seconded by Councilman Robert F. Butler, Jr. the following **RESOLUTION #2015-29** was adopted:

**WHEREAS**, Northeast Treaters of New York, LLC (“Northeast Treaters”) has filed with the Town Board of the Town of Athens a Petition for Proposed Modification to the Town of Athens Zoning Code, (“the Petition”);

**WHEREAS**-the Town Board of the Town of Athens believes it is in the best interests of the Town to have the cost of retaining competent engineers and attorneys to be paid by those who seek to profit from such developments rather than from general Town Funds by taxpayers of the town,

**WHEREAS**, the Code of the Town of Athens Chapter 153, expressly authorizes the Town Board to require an applicant to deposit an initial sum of money into an escrow account in advance of the review of an application for a zoning amendment in order to cover the reasonable and necessary costs to the Town in obtaining professional review of an application;

**WHEREAS**, pursuant to the Code of the Town of Athens Code Chapter 153, costs may include Staff costs and consultant fees for planning, engineering, legal and other professional and technical services required for the proper and thorough review of an application.

**WHEREAS**, the Town Board of the Town of Athens believes it is in the Town's best interest to obtain legal representation in connection with the Petition filed by Northeast Treaters;

**WHEREAS**, the Town Board of the Town of Athens Believes it is in the Town's best interest to hire the law firm of Rapport Meyers LLP to represent the Town of Athens in connection with the Petition filed by Northeast Treaters;

**WHEREAS**, the Town Board of the Town of Athens believes it is in the Town's best interest to obtain the professional services of an engineer in connection with the Petition filed by Northeast Treaters; and

**WHEREAS**, the estimated fees associated with the Adoption of a Local Law to Amend the Town of Athens Zoning District Map are \$5,000 for legal fees and \$3,000 for an engineer.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town of Athens requires Northeast Treaters to deposit an initial sum of \$8,000 into an escrow account, and be it further

**RESOLVED**, that pursuant to the Code of Athens Chapter 153, the Town of Athens may require Northeast Treaters to deposit additional sums into the escrow account if at any time during the processing of the Petition, there are insufficient monies to meet expenses, and be it further

**RESOLVED**, that the Town Board of the Town of Athens hereby hires Rapport Meyers LLP, to represent the Town of Athens in connection with the Petition filed by Northeast Treaters at the rate of \$185 an hour, and be it further

**RESOLVED**, that the Town Board of the Town of Athens hereby gives authority to Rapport Meyers LLP to seek further estimates for engineering services in connection with the Petition filed by Northeast Treaters.

The above Resolution was adopted as follows: Ayes-5 (Iraci; Butler; Brandow; Ragaini; Paluch) Noes-0 Absent-0 Abstentions-0

The proposed Resolution having been approved by a majority of the Board, the same was declared duly adopted by the Town Board.

Code Enforcement Officer George Holsopple reported that Owen Lipstein's 2 story home at 216 Route 385 is in violation of the following items: the hot tub needs a fence around it with a child gate and lock; there are five bedrooms each of them need a smoke detector; there needs to be a smoke detector in the hallway.

They will have to blast for the Miller foundation on Farm to Market Road. He spoke to Joe McGrath of the Codes Division on 9/3/15; Briggs & Lang is the P.E Company, Wolf Builders Is the Contractor and Bill Schappert is the blaster.

Short Term Rentals: Thorp Road- B & B- Labor Day Week-end noise lasted until 4AM; dogs were running at large, 35-40 people were on the site day and night.

Andrew Peck is renting a house in the Town of Athens off Potic Mt, Rd., there is no Water, electric, or bathroom. (Dresser Properties, LLC)

Attorney Virginia Benedict spoke about short term renters and a local law for mass gatherings where they have to register with the Town, and there is a built in fee for non compliance.

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Mr. Daniel Gurgov of 270 Green Lake Rd. had his building red tagged for having a failing Septic system. He has Mr. Carl Zocolla to test soil & to design System.

He sent an order to Remedy Violation to Pine View Realty (Owner –Phil Budin) –Extermination They have bed bugs. This will be taken care of after the tenant is evicted. Only the common areas need to be done by the property owner.

Carol Pfister, of the Cultural Center came before the Board requesting the Town Board to apply for a grant from the Community Foundation Advisory Board, as a Sponsor for the Victorian Stroll. She wants money for the Stroll that isn't associated with the cultural center itself. She stated that if the Town put in for the Grant, the Cultural Center will do the Stroll.

Councilman Robert F. Butler, Jr. made a motion seconded by Councilman Michael Ragaini *to sponsor the Victoria Stroll this year, and have it be administered by the Cultural Center.* Carried. Ayes-5 (Iraci; Butler; Brandow; Ragaini; Paluch) Noes-0 Absent-0 Abstentions-0

Supervisor Iraci mentioned that decisions need to be made for North Shore Solutions who currently does our website; and Cornerstone Telephone our current service provider. He wants to have enough money in the budget to send at least two council people to the January School that the Association of Towns holds every year in Albany for newly elected officials.

Supervisor Iraci reported that he had received a proposal from Cossackie Athens /school District for several possible improvements at its existing facilities. The Improvements are at the Edward J. Arthur Elementary School, in Athens and high school, middle School, and elementary school facility on Sunset Blvd in Cossackie, NY The Board of Education will act as Lead Agency. They requested that Mr. Iraci sign off allowing them to be Lead Agency and send the duplicate letter back.

Councilman Michael Ragaini made a motion seconded by Councilwoman Mary H. Brandow *authorizing the Supervisor to sign the duplicate letter allowing the Cossackie- Athens Central School District to act as Lead Agency* was carried. Ayes-5 (Iraci; Butler; Brandow; Ragaini; Paluch) Noes-0 Absent-0 Abstentions-0

Supervisor Joseph B. Iraci made a motion seconded by Councilman Michael Ragaini *to approve the minutes of September 8, 2015 as read.* Ayes-5 (Iraci; Butler; Brandow; Ragaini; Paluch) Noes-0 Absent-0 Abstentions-0

Supervisor Joseph B. Iraci made a motion seconded by Councilwoman Mary H. Brandow to declare the chairs that were ordered, and no longer wanted, that the Chair Company doesn't want back, be declared as surplus. Ayes-5 (Iraci; Butler; Brandow; Ragaini; Paluch) Noes-0 Absent-0 Abstentions-0

Greene County Resolution has been received that they will be paying 100% of the Community College fees for 2016.

Village and Town Cooperation Meeting:

Discussion was held on Monday, on how the two departments work together now, and how they can work together in the future.

Budget Workshop Thursday at 7:00 PM

**Building Committee -Councilman Robert Butler**

Highway Garage- 2 separate additions but it can be done as one. We can save money for Attorneys and engineering.

This would be subject to Permissive Referendum

Discussion followed on: Noise Mass Gatherings/ Assemblies/ Short Term Renters

1. Short Term renters- Register with the Town
  - Set fine
  - Certain number of people
  - Owner responsible

**Athens Community Foundation Advisory Board:**

Names of people who applied for Appointment:

Monty Jordan; Nora Adelman; Jane Wais; Karen Boeri; Michael Pirrone; Nancy Clark; Ron Puhalski.

**Councilman Butler's recommendations:** Jane Wais; Nancy Clark and Karen Boeri

Phyllis Dinkelacker advised the Board that she had attended the EMS meeting, and had met with Aiden.

Supervisor Iraci Informed the Board that He had received a phone call from Edward Romangano complimenting the Town of Athens Highway Crew.

Councilman Michael Ragaini made a motion seconded by Anthony Paluch to go into Executive Session to discuss Teamster negotiations. Carried. Ayes-5 (Iraci; Butler; Brandow; Ragaini; Paluch) Noes-0 Absent-0 Abstentions-0 Time: 9:10 pm

Supervisor Joseph B. Iraci made a motion seconded by Councilman Michael Ragaini to adjourn the Executive Session and reconvene the regular meeting. Ayes-5 (Iraci; Butler; Brandow; Ragaini; Paluch) Noes-0 Absent-0 Abstentions-0 Time: 9:20 pm

As there was no further business to come before the meeting a motion to adjourn was made by Councilman Robert F. Butler, Jr. seconded by Councilman Michael Ragaini and Carried. Ayes-5 (Iraci; Butler; Brandow; Ragaini; Paluch) Noes-0 Absent-0 Abstentions-0 Meeting Adjourned at 9:30 pm.