

# VILLAGE OF ATHENS BOARD MEETING

MINUTES- March 28, 2018 6:30PM

*Pledge to the Flag*

**PRESENT:** Mayor Peter Alberti, Trustee Marla Butler, Trustee Gail Lasher, Trustee Shannon Spinner and Trustee Robert Scott.

Village Attorney Tal Rappleyea was also present.

## **PUBLIC HEARING:**

Tonight's Public hearing is being held for the purpose of hearing public comment on the proposed adoption of local law #5 for the year 2018 in order to override the tax levy limit established in General Municipal Law §3-c.

The Village Clerk-Treasurer read the notice that was published in the newspaper.

The Mayor informed everyone that last year the increase in the tax levy was \$24,897.00 being a 1.679% increase in the levy, keeping the increase under the 2% cap.

The Mayor asked if there were any questions or comments from the public.

Resident Larry Styles asked if this will impact the property taxes?

The Mayor answered 'yes – village taxes'. The law is passed just in case the Village needs to increase the levy over the tax cap. It does not mean that the VB will override the cap.

The Clerk-Treasurer noted that the last time the law was enacted was in 2015. The law was then repealed as the village did not raise the tax levy over the tax cap. The VB may pass the law at budget time in order to give it the flexibility to raise the levy over the tax cap if it becomes necessary.

**MOTION** made by Trustee Lasher, seconded by Trustee Butler, all in favor to **CLOSE THE PUBLIC HEARING.**

**REGULAR MEETING** is opened.

## **PUBLIC:**

1. *Kelly Raver, volunteer in charge of the Athens Dog Park*, attended the Village Board meeting to discuss some of the issues that she is having at the Dog Park.

Ms. Raver asked if the \$200.00 fine which is displayed on the sign outside the dog park has every been enforced?

There have been many problems with people being inconsiderate and not cleaning up after their dogs. She has a couple of suggestions that she would like to discuss with the VB.

One suggestion being that perhaps people could purchase a 'parking ticket' that allows them access to the dog park. If people have to pay for these tickets perhaps they would appreciate it more and take better care of it. The Police could randomly check the parking lot for stickers. The revenue created would be used to maintain the park.

Second suggestion is to install a 'doggy septic tank'. This not only helps clean-up the poop at the park but could be installed for the sake of conservation. The overuse of plastic bags used to cleanup the poop are very bad for the environment.

Trustee Butler informed Ms. Raver that the APD is part time and don't work during the day often.

Ms. Raver noted that 'the signs are no good then'.

Trustee Lasher also mentioned that she uses the Dog Park and one of the problems right now is that the snow is melting and the dog poop is very visible. It had been covered with a layer of snow that has melted.

Aggressive dogs were also mentioned.

Trustee Lasher also mentioned that it is a matter of being considerate of one another.

Mayor Alberti noted that the maintenance and care of the Dog Park might be better handled by forming a committee. He also mentioned that he recently spoke to the person who started the dog park regarding this issue. She made it clear that the park is suppose to be self supported. Those that use it should take care of it. The VB has the right to close it down if it is not being cared for.

Mayor Alberti stated that he does not want to do that.

Ms. Raver stated that she and her dogs love the dog park. However, when she set a date for a 'cleanup' day at the park no one showed up. Also, as for a committee, when she told people that she would be attending the VB meeting no one showed up here either.

The water spicket was also discussed. Mayor Alberti mentioned that he will be having the DPW install a new water spicket that has a time release nozzle on it due to the fact that people were letting the water run-not turning it off.

## **APPLICATIONS:**

1. APPLICATION: Outdoor Entertainment Permit for Commercial Establishments and Events held on Village Property. Applicant: Katie Tetro – Stewart House. Approved with stipulations (RESOLUTION).

## **BID OPENING:**

Two bids were received for the lawn Care Bid for 2018 season:

Rifenburg Landscaping- Greenville, N.Y. \$12,780.00  
Tom Scheffer, Athens N.Y. \$18,000.00

## **MOTIONS and RESOLUTIONS:**

### 1) Proposed Resolution Approving Minutes

BE IT RESOLVED, the Minutes from Village Board meeting held on February 28<sup>th</sup>, 2018 and March 14<sup>th</sup>, 2018 be approved:

Offered by: Trustee Lasher  
Seconded by: Trustee Spinner  
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 #1958, vouchers numbered #9917687 through #9917710 in the amount of \$25,518.36

WATER FUND – Abstract #10418, vouchers numbered #9917711 through #9917715 in the amount of \$2,615.66

SEWER FUND – Abstract #10400, vouchers numbered #9917716 through #9917720 in the amount of \$1379.55

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

### 3) Proposed Resolution Approving Application for outdoor entertainment

BE IT RESOLVED, that the Village Board approve the application for outdoor entertainment (as submitted by Katie Tetro- Stewart House) with the following stipulations:

- A schedule be provided to the Village Board
- Entertainment end as per the village code

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

### 4) Proposed Resolution accepting reimbursement from NYS Division of Homeland Security and Emergency Services (NYSDHSES) for expenses incurred by the village during Winter Storm Stella on March 14-15, 2017

WHEREAS the Village was eligible to receive funding from NYSDHSES for expenses incurred as a result of Winter Storm Stella – DR4322 in 2017 and has received word from this department that monies will be distributed,

THEREFORE BE IT RESOLVED that the village accept reimbursement from said agency for 75% (federal share) of the costs associated with the result of damages and manpower used during this weather event;

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

5) Proposed Resolution to pass Local Law #5 for tax override

BE IT RESOLVED that the Village Board pass Local Law #5 enabling the Village Board to override the tax levy limit established in General Municipal Law §3-c:

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

6) Proposed Resolution to Approve the attached Appropriation Transfers

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

7) Proposed BIDDING Resolution for lowest responsible bidder for the Lawn Care Bid - 2018

WHEREAS, the Village Board recognizes that in the first instance, it is generally required to accept the lowest responsible bidder for public contract pursuant to Article 5-A of the General Municipal Law, but is not required to accept the lower bidder in situations when such lowest bidder is not responsible; and

WHEREAS, the Village has properly advertised for and received bids for a certain mowing contract and received multiple bids; and

WHEREAS, the lowest bidder has in previous years bid on and obtained the contract for such mowing, but has failed to satisfactorily complete such contract and failed to properly perform the contractor's requirements thereunder.

NOW THEREFORE, the Village Board finds that the lowest bidder for the mowing contracts is not the lowest responsible bidder and thus awards the bid to Hilltop Lawn Service Plus, the second lowest bidder who is also the lowest responsible bidder.

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

**OLD BUSINESS:**

1. Town lease has been signed- waiting for check.

**NEW BUSINESS:**

1. Tentative Budget. The Clerk-Treasurer presented the Tentative Budget to the VB.
2. Recreation Program – looking for a Director- Resignation letter received from Dawn Schlenker.
3. Organizational Meeting is scheduled for April 2, 2018 – 6:00PM.
4. Appropriation Transfers were discussed.

## **CORRESPONDENCE:**

1. Greene County Legislature. Re: Reappointing member of the Greene County Planning Board (Peter Alberti).
2. Athens Volunteer Fire Department, Inc. Re: Invitation.
3. Audrey Kropp – Cornell Cooperative Extension of Columbia-Greene Counties. Re: Award for funding the Climate Smart Resiliency Planning Tool project. Looking for a point person.

The possible purchase of the DBTL property (Peckham) for the purpose of a village DPW garage was discussed at length.

A MOTION was made by Trustee Spinner, seconded by Trustee Butler, all in favor, to accept the proposal for Appraisal services with Hilco Real Estate Appraisal, LLC. in the amount of \$3700.00.

The Village Attorney noted that the appraisal will be based upon comparable sales as opposed to income, as the village will not be using it for income purposes.

Trustee Lasher asked whether the ground around where the tanks are stored has been tested?

Mayor Alberti and the Village Attorney stated that Lamont Engineering has found the soil was tested and is not contaminated. A structural inspection was also performed.

The issues of flood plain certification, waiting to receive a cost estimate to insure the property and obtaining Bond Counsel were discussed.

Trustee Lasher asked if anyone has looked into the impact on the tax rolls – what we are losing in assessed valuation and also what direct cost for taxpayers after bonding.

Trustee Lasher also discussed whether the village really wants to take the riverfront property and own it. Is it developable. Also, for what?

The Village Attorney also discussed the commercial zoning in that area.

Trustee Butler agreed with the fact that she would like to see what the impact will be on the taxpayer as well – by taking this land off the tax roll and then the effect of the bond on the tax payer.

Mayor Alberti also mentioned to defray costs that the village owned property behind the firehouse could be sold as well as the present dpw garage. He also noted that the construction of a new dpw garage would be at least 1.5 – 2 million dollars.

The poor condition of the present garage was also discussed at length.

The owners (DBTL) of the property that the village is considering purchasing would like the sale finalized by June.

The VB does not feel that that is practical in order to be sure that a thorough analysis be completed.

Trustee Scott stated that it has been a pleasure working with the VB and wishes Stephan Bradicich the best of luck as Trustee.

Mayor Alberti and the Village Board thanked Trustee Scott for stepping up to the plate as Trustee. It has been a pleasure for all of us as well.

**ADJOURNMENT: 8:15 PM**

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

Clerk-Treasurer Mary Jo Wynne