

Pledge to the Flag.

VILLAGE OF ATHENS BOARD MEETING AGENDA – April 23, 2019

PRESENT: Mayor Stephan Bradicich, Trustee Robert Scott, Trustee Amy Serrago **PRESENT (via speaker phone):** Trustee Joshua Lipsman.

ABSENT: Trustee Gail Lasher

Village Attorney Tal Rappleyea was also present.

PUBLIC:

1. *Margery Wieseahn, village resident*, attended the meeting to discuss alleys (see attached correspondence).

VB members in attendance noted that they had received a copy of the letter that she submitted to the Clerk last week.

Ms. Wieseahan has an issue regarding the alley that lies between her and her neighbor's house. She stated that her problem or question lies in the fact that her neighbor has items/structures on his side of the alley thereby creating a situation whereas the DPW plows through the alley closer to her side therefore making a mess of her side of the alley.

She provided a copy of the map/survey of the area in question. She questioned the legal dimensions of the alleys as per Village code. Village Attorney Tal Rappleyea stated that the problem with these type of situations is that this is not a certified survey. It is hard to tell legally what is encroaching and what is not when both properties do not have certified surveys. In order to know exact dimensions for each property each property would need to be surveyed. Not fiscally responsible for villages to spend tax money on neighbor boundary issues.

The Mayor informed Ms. Wieseahn that he will take a look at the alley. However, if the problem is not obvious to him then there is not much that he can do. He confirmed that he will follow up with

her.

2. Nicholas Patestus. Re: Business in Athens. No Show.

3. *Nancy Poylo, village resident*, attended the meeting to discuss the issue of parking on Second Street. She noted that there was a public hearing regarding this issue and it seems as though the conversation has been shelved since then.

Mayor Bradicich stated that he would like to become more versed in the parking laws for the village and then reopen the conversation.

Ms. Poylo noted that the library had made a very strong presence at the public hearing against the proposed one side of the street parking law however there other residents that feel that it is a good idea as it has become a safety concern. There are compromises that can be made. She also noted that this street is a truck route.

Trustee Serrago noted that the VB just hasn't discussed it yet. There has been a changeover on the VB and the adoption of the budget was a priority.

Mayor Bradicich directed the Clerk to put this issue on the agenda for discussion of the VB at the second meeting of May.

4. *John Pieruzzi, representative of Athens Performing Arts Center*, attended the meeting to ask the VB's permission to hold their Summer Concert Series at the Riverfront Park (formal applications are part of the agenda) and to ask that the VB provide police protection, waive the open container law and provide the port-o-pots as they have done in the past.

Mayor Bradicich asked if they had their schedule finalized yet and also that the concerts end at 9:30PM?

Mr. Pieruzzi stated that they are still working on finalizing the schedule and will inform the VB of it when it is finalized. Concerts normally end at 9:30, however sometimes they run a bit past that.

5. *Peter Galenti, village resident*, attended the meeting to ask the VB about placing a business sign on either side of the village. Are there any guidelines or rules and regulations regarding this?

The Village Attorney noted that the regulations for signage are in the zoning law for the village.

Mr. Galente also informed the VB that that he and Mike Krstovich will be submitting an application for a Vendor permit for a mobile business that will be based by the Athens Kayak Launch.

6. *Lon Bollinger, owner of the Stewart House*, attended the meeting to discuss perhaps extending the summer hours for the Ferry that comes back and forth from Hudson on the weekends. Other merchants in the village also feel that this would be beneficial to everyone.

Mr. Bollinger also informed the VB that he has spoken to the Ferry Captain and he would be interested. However, he would have to be compensated for shortfalls that would occur if there are no customers.

Mr. Bollinger would like to know if the village would cover that cost? All of the merchants are hurting and it is important to a community that merchants stay healthy. The Village should show 'some love' to the businesses.

The Mayor stated that legally the Village could not 'cover the losses' since this type of activity would be something that would have to be 'bidded out'.

Village Attorney Tal Rappleyea concurred that this would be considered a service contract type of activity that would have to be bidded out so that others may have the opportunity to make money,

it would have to be budgeted and a formal contract would have to be signed.

The Mayor noted that perhaps this is a conversation that he and other merchants should enter into with the 'Friends of Athens', APAC, etc.

Lastly, Mr. Bollinger wanted the VB to know that the 385 Highway going through the village is very bumpy and they may want to keep requesting that the state fix it.

The Mayor informed Mr. Bollinger that he is meeting with engineers next week to discuss infrastructure repairs for Route 385.

7. *Derek Apa, representative from the Cocksackie-Athens Little League*, attended the meeting to discuss a few items with the VB:

- Request for 1 port-o-potty for Isabelle Rainey Field

- Willow trees have been taken down. Will the VB consider replacing them for another type of 'thirsty' vegetation as it is a very wet area

- Lawn mowing contract – when will they start mowing?

- The volunteers had their clean-up day and there are bags of yard debris – can the DPW take them away? Yes.

- They would like to replace the sign (money has already been allocated) would the

VB like to see the proof first? Yes.

- Opening day is May4 - all VB members are invited

8. *Bruce Pruiksma, resident of the village on the Northern end of Route 385*, attended the meeting to discuss the ongoing problem he has had with speeding by his residence.

He asked the Mayor if he was going to continue with the former Mayor's efforts with NYSDOT, which started over 2 years ago, to have the speed limit lowered to 45 MPH at this end of Route 385? The Village Attorney stated that if it lies with NYSDOT then they are probably working on their end of it as far as the engineering aspect.

The Mayor stated that he was unaware of this and he will look into it.

Mr. Pruiksma also made note of the fact that Supervisor Butler was also involved in trying to get the speed limited lowered on Route 385 towards Catskill by Howard Hall Road. He noted that it would be advantageous to all work together towards this project.

Mr. Pruiksma stated that he is frustrated because they have no enforcement. They have asked for police presence and do not receive any even though they pay taxes.

He has asked the Chief of police several times why there are no Police cars sitting and watching traffic up in this area and he gets no answer.

Discussion ensued regarding the certification updates on radar cameras in the police vehicles.

The Mayor stated that the Chief of Police told him they were both certified.

Trustee Scott mentioned the fact that in the past they have borrowed the speed trailer from the village of Catskill and it is

helpful for driver awareness.

APPLICATIONS:

1. Facility Use Applications:

Applicant: Applicant: Applicant:

Lighthouse Church. Riverfront Park.

Athens Community Day – Claire Parde. Riverfront Park.

APAC – John Pieruzzi. Riverfront Park

2. Outdoor Entertainment Permit for Commercial Establishments and events held on Village Property:

Applicant: APAC – John Pieruzzi Applicant: The Stewart House.

3. Permit to Peddle:

Applicant: Scarpa's Restaurant.

MOTIONS AND RESOLUTIONS:

1. Proposed Resolution Approving Minutes

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

Offered by: Trustee Serrago Seconded by: Trustee Scott 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 #1990, vouchers numbered #9918656 through #9918687 in the amount of \$36,937.76

WATER FUND – Abstract #10447, vouchers numbered #9918688 through #9918696 in the amount of \$4921.55

SEWER FUND – Abstract #10429, vouchers numbered #9918697 through #9918703 in the amount of \$13,863.01:

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

3. Proposed Resolution Approving Facility Use Request

BE IT RESOLVED, that the Village Board approves the application as submitted by the Lighthouse Church for use of the Riverfront Park on Sunday, May 26, 2019:

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

4. Proposed Resolution Approving Facility Use Request

BE IT RESOLVED, that the Village Board approves the application as submitted by Community Day Chairperson Claire Parde for the use of Riverfront Park on June 8, 2019:

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

5. Proposed Resolution Approving Facility Use Request and Outdoor Entertainment Permit Request

BE IT RESOLVED, that the Village Board approves the application for outdoor entertainment permit for commercial establishments and events held on village property and also the Facility use Request for use as submitted by APAC for use of the Riverfront Park for the Athens Concert Series for the summer of 2019:

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

6. Proposed Resolution Approving Outdoor Entertainment Permit Request

BE IT RESOLVED, that the Village Board approves the application for outdoor entertainment permit for commercial establishments and events held on village property as submitted by the Athens Stewart House:

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

7. Proposed Resolution Approving Vendor Permit

BE IT RESOLVED, that the Village Board approves the vendor permit application as submitted by Scarpas LLC.

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

8. Proposed Resolution Approving Budget

WHEREAS, the Village Board has reviewed the Tentative budget for the village of Athens and,

WHEREAS, a public hearing was held on April 9, 2019,

THEREFORE BE IT RESOLVED, that the Village of Athens Budget for fiscal year ending May 31, 2020 be adopted at the rate of 6.61 per thousand:

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

9. Proposed Resolution to Waive the Open Container Law

WHEREAS the village board has customarily approved APAC's request to waive the open container law for the Friday night concerts,

BE IT RESOLVED, that the village board waives the open container law for Friday night concerts held by APAC:

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

CORRESPONDENCE:

1. Margery Wieseahn. Re: Alley questions

2. Glen F. Kubista- Tin Pan North LLC. Re: liquor license
MOTION made by Trustee Lipsman, seconded by Trustee Serrago, a.i.f. approving sending a letter in support of waiving the standard 30 day waiting period for a liquor license.

3. Greene County Dept. of Human Services. Re: Older American Month- 9th Annual Senior Citizen Day.

4. Christian Pfister. Re: Flower program.
A liability waiver should be signed before Mr. Pfister can work on the village flower baskets.

5. Environmental Design and Research. Re: Flint Mine Solar Facility Identification of Visually Sensitive Resources. Request for information.

OLD BUSINESS:

1. A VFD – dinner invitation.
2. AVFD- we have not received check for half cleaning cost.
3. Discussion of Second Street – one side of the street parking.

NEW BUSINESS:

- The Mayor discussed the Village Budget and several items that were changed. The Town lease for office space and the fire protection contract were discussed..
- Trustee Lipsman discussed several items as a member of the Water Quality Committee.

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Annual Water Quality Report (AWQR- 2018) was received from Northdome. He has made some revisions.

SCADA system- made a request to Northdome to provide the VB with the history of problems with it and what would be needed in the way of changes to it in the future.

Inflow and infiltration. He has met with DPW Superintendent Anthony Proper and reviewed many issues that he states have never been addressed with water and sewer. Discussion as to whether I& I is still a problem with WWTP ensued. Village Attorney stated that there is infrastructure problems in the village however the WWTP does not have a 'SPDES issue in regard to exceeding maximum flow allowances. (Order on consent was lifted several years ago).

Attended a Climate Smart Communities and Clean Energy Communities workshop- discussed monies available for projects. He would like to invite them to attend the second meeting in May to discuss the village's issues with water and sewer and possible funding avenues.

Mayor Bradicich noted that he would like all of the information regarding issues the village faces with aging infrastructure together by the second meeting in May.

- Constantine Court and Union Street project were discussed.
- Town Emergency Response plan and the Sleepy Hollow Dam Emergency Plan were reviewed. Will be meeting soon to update documents.
- SWIFT 911 program was discussed.
- Trustee Serrago informed the VB of changes she is making to the village website. She has also created a new facebook page for the village.
- Trustee Scott will be meeting with Mayor Bradicich to review the site for possible DPW building.

ADJOURNMENT: 9:15 PM

A **MOTION** was made by Trustee Serrago, seconded by Trustee Scott, all in favor