

VILLAGE OF ATHENS BOARD MEETING

MINUTES– May 27, 2020

Pledge to the Flag.

PRESENT: Mayor Stephan Bradicich, Trustee Gail Lasher, Trustee Robert Scott, Trustee Amy Serrago and Trustee Dr. Josh Lipsman.

Village Attorney Tal Rappleyea was also present.

Public attendees: Susan Jainill, Diane Michener, Marya Warshaw, Jane Cole Raftery, Susan Grilli, Suzanne McAndrew, Merrill and Ellen Roth, Rob Brunner, Joanne, Andrea Smallwood, Adam G, The Joyces, 5xd5Fa, Tim, Christine McLaughlin, Todd Bernard and Nancy Poylo

Meeting held @ 6:30pm via Zoom

Link: <https://us02web.zoom.us/j/87518514488>

Dial-in: (646) 558-8656, ID# 875 1851 4488

Later available on youtube.

PUBLIC HEARINGS:

1. ***The first Public Hearing*** is being held for the purpose of hearing public comment on proposed local law #2 of 2020 imposing a temporary six-month moratorium on special use permits and site plan reviews for parcels located within the WATERFRONT or MIXED USE/WATERFRONT districts within the village.

The Mayor opened the Public Hearing for Public comment or comment by Village Board members.

One member of the public asked if this would prevent sales of property on the riverfront.

The Mayor stated 'no'.

Trustee Lipsman noted that he is in support of this law so that the update to the Comprehensive Plan can be completed without changes to the waterfront.

2. ***The second Public Hearing*** is being held for the purpose of hearing public comment on proposed local law #3 for the year 2020 regulating Short term rentals.

The Mayor opened the Public Hearing with an overview of the purpose of considering this local law. It is not intended to create revenue but to register short-term rental properties so that the village can monitor them and have accountability for owners.

Trustee Lipsman noted that this is the second public hearing held for this purpose due to the fact that public input at the first hearing was plentiful and resulted in revisions to the proposed law in order to accommodate some of the comments made.

Trustee Serrago also cited a written comment made by a new resident that formerly lived in Hudson that basically stated how she herself feels about enacting this law and why she supports it. In a small community- a large number of airbnb's price out renters, potential homebuyers/families that would become full-time members of the community. The loss of community is what concerns her.

The Mayor then opened the Public Hearing to Public Comment:

Marya Warsha supports and appreciates Trustee Serrago bringing that opinion to the Village Board.

Merrill Roth asked if this law only pertains to real property/homes? Does it exclude houseboats or other forms of dwellings, for example campers too.

Village Attorney stated 'yes'.

Mr. Roth noted that the VB may want to think about that as these other forms of dwellings can have the same issues.

Village Attorney replied 'that they could. The VB may want to include those type of dwellings in the law'.

Christine McAndrew stated that she is broadly in favor of the law. The followup and monitoring will be the challenge however.

Robert Brunner asked 'if a person never lives in the house why isn't it already covered under current law? Why do we need this law since there are plenty of houses in the village that people own but do not live in them.

Mayor noted that this keeps people accountable as they will have to register a short-term rental.

Trustee Serrago noted that short-term rentals in a residential zone are more like businesses. A rental in the residential zone that rents long-term is a different situation.

Diane Michener asked if this second version covers the issue she had with the first draft of the proposed law.

Discussion of registering and special use permits in regard to this law ensued.

Susan Grilli asked what the repercussions would be if someone did not register their property as a Short-Term Rental?

The Mayor responded that the VB can fine the property owner.

Nancy Poylo asked who was going to enforce this law?

The Mayor mentioned some avenues the VB can take for monitoring rentals. Perhaps a quarterly review of online sites.

Discussion on monitoring ensued with public input.

Trustee Lipsman noted that he received a comment pertaining to boats. Strongly suggested that that be in the law.

Mayor Bradicich stated that he thought it was an easy change to include that in the law.

Christine McLoughlin spoke in defense of her Airbnb. She is a responsible landlord and loves the community.

3. *The third Public Hearing* is being held for the purpose of enacting local law #3 establishing a Conservation Advisory Council of the Village of Athens, pursuant to Section 239-x of the General Municipal Law.

The village is striving to become a certified Climate Smart Community and in order to do that a task force or Conservation Advisory Council must be established.

The VB noted that this Council would work well with issues we have presently. For example, Peckham Materials and resident complaints about odor, Iroquois Compressor station and Athens Generating.

Opened to public comment:

Susan Grilli asked why organizing this task force has to become a law.

Trustee Lipsman stated that it doesn't have to but it gives the committee more significance or gravitas.

Robert Brunner questioned Section 5 – Part A - ‘council can accept gifts and property and can decide what to do with it or do what they want with it.’

Trustee Lipsman stated that any property can be accepted, for example for a park and the VB can decide what to use it for.

Public (unknown to clerk) asked about recruitment to this committee. When will it start etc.

Trustee Lipsman stated that he would like to start as soon as possible. The VB approves members and will be looking for the right people with the right background.

No other comments.

The Village Board decided to table enacting the proposed law as they would like to make a few small changes and need to discuss them with the Village Attorney.

CLOSE PUBLIC HEARINGS at 7:32 PM

OPEN REGULAR MEETING

LAWN MOWING BID OPENING

The Village received 5 bids for lawn mowing services:

1. Liberty Lawn Care, LLC.
2. Flats Brothers Landscaping, LLC.
3. Shortcut Lawn Care.
4. Double R Landscaping & Contracting.
5. Mountainview Lawn Care & Snowplowing.

PUBLIC:

1. Frank Pedatella. Re: water/sewer rates. No show.

APPLICATIONS:

1. Water Connection Application. Applicant: James and Natasha Robinson III. MOTION made by Trustee Serrago, seconded by Trustee Lasher, all in favor, approving application as submitted for connection to municipal water system.
2. Water Connection Application. Applicant: Andrew Scarpinati. MOTION made by Trustee Scott, seconded by Trustee Serrago, all in favor, approving application as submitted for connection to municipal water system

RESOLUTIONS:

1. Proposed Resolution Approving Payment of Vouchers as Presented on Abstracts

BE IT RESOLVED, that the Village Board approves payment of the following abstracts and vouchers as presented:

GENERAL FUND – Abstract #2027, vouchers numbered #9919670 through #9919689 in the amount of \$9,388.02.

WATER FUND – Abstract #10475, vouchers numbered #9919690 through #9919697 in the amount of \$1908.88

SEWER FUND – Abstract #10459, vouchers numbered #9919698 through #9919701 in the amount of \$366.72.

Offered by: Trustee Serrago

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

2. Proposed Resolution Accepting Lawn Mowing Bid

WHEREAS, the Village has rebid the contract for lawn care service due to the fact that the original bidding last month only provided the village office with one bid which was very expensive and,

WHEREAS, the Village decided to re-bid the lawn care services for the village and publicized the information in the official newspaper, the village website and facebook page and has received 5 legitimate and complete bids for services,

THEREFORE, BE IT RESOLVED, that the village will grant the award for lawn care services for the season 2020 to the lowest responsible bidder, that being Flats Brothers Lawn care at an estimated annual cost of \$14625.00, pending all paperwork is intact;

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

3. Proposed Resolution Adopting Local Law #2 of 2020 (complete law attached)

THEREFORE, BE IT RESOLVED, that the Village Board adopts Local Law #2 imposing a temporary six-month moratorium on special use permits and site plan reviews for parcels located within the Waterfront or Mixed use/Waterfront Districts;

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

4. Proposed Resolution Adopting Local Law #3 of 2020 (complete law attached)

WHEREAS, the Village Board finds that it is in the interest of public health, safety and welfare to regulate through a permitting process the use of short-term rental lodging facilities occurring within the village through the enactment of the attached local law,

THEREFORE, BE IT RESOLVED, that the Village Board adopts Local Law #3 regulating short-term rental lodging facilities in the village of Athens;

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

CORRESPONDENCE:

1. NYSDEC. Re: Spill #1407781 – Athens (V) WWTP.
Mayor will contact Delaware Engineering regarding background.

NEW BUSINESS:

1. Greene Complete Streets Plan – Cornell Cooperative Extension Grant Application. Trustee Lipsman looking for approval through signed letter from the Mayor.

OLD BUSINESS:

1. DPW building. Trustee Scott noted test digs have been completed and nothing of significance has been found by native american tribal members so therefore construction can go forward.
2. Comprehensive Plan update. Trustee Lipsman informed the VB that the surveys will be going out.

3. Farmer's Market.

Trustee Serrago informed the VB that they have sent applications out and have received 2 completed applications back so far. They are cautiously moving forward with a July 19th opening.

Trustee Lipsman updated the VB on Community Choice Aggregation. They will be going forward with advertising soon.

NYSERDA grant was also discussed.

Trustee Scott noted that the new DPW truck is at the truck dealer in Latham. The DPW asked that a few items be added to the truck before it leaves the shop. Items needed include an electric tarp, light for salt preparation and ladder in the back. These extra items will cost approximately \$4,000.00. A **MOTION** was made by Trustee Scott, seconded by Trustee Serrago, all in favor to approve the purchase of these items. Monies to be taken from the new budget (2020-2021).

DPW contract will be reviewed.

Trustee Lasher updated the VB on information she has been reviewing from the FORWARD NY website. This area of the state will begin PHASE II on June 3rd, 2020. Once the Village Board has completed the online safety plan template the Village Building can open. She also attended a meeting at Crossroads Brewery to discuss opening village businesses.

Trustee Lasher asked the Mayor how he would like to go forward with the Town on opening the building. Mayor Bradicich noted that he will set the plan in action and then contact the Town Supervisor and share it with him. The Town of Athens must also comply with the safety plan as a tenant of the building.

The VB discussed closing some village streets so that local restaurants can serve food outside. Perhaps putting up a tent as well.

The Village Attorney expressed concern about liability issues. To be discussed further.

The Clerk-Treasurer asked for permission to purchase a drop box for the front of the village building so that customers can leave payments for water and sewer or taxes. The box had been approved over a year ago but then discussion of construction of the building curtailed the purchase.

Cost of the drop box researched is \$1485.00

A **MOTION** made by Trustee Lasher, seconded by Trustee Lipsman approving the dropbox at a cost not to exceed \$1500.00, all in favor.

Mayor asked that he be able to review the drop box for aesthetics and placement of box before final purchase.

ADJOURNMENT: 9:15 PM

MOTION made by Trustee Serrago, seconded by Trustee Lipsman. All in favor

Respectfully submitted,

Mary Jo Wynne

