

VILLAGE OF ATHENS BOARD MEETING MINUTES – OCTOBER 28, 2020

PRESENT: Mayor Stephan Bradicich, Trustee Gail Lasher, Trustee Robert Scott, Trustee Amy Serrago and Trustee Rickie Gabrielle.

Village Attorney Tal Rappleyea was also present.

ZOOM meeting.

Meeting was conducted via online teleconferencing software as per emergency changes to Open Meetings Law in response to COVID-19 / Executive Order 2020.1 by the State of New York.

Pledge to the Flag.

PUBLIC HEARINGS:

1. *Proposed local law #6 amending Article 220 Vehicles & Traffic local law § 220-13 parking prohibited at all times in certain locations to add a new portion of N. Franklin St. to the list of streets on which parking is prohibited.*

The Mayor opened the meeting to Public comment.

Carol and Tod Bernard spoke in support of the proposed law

Annika Vogt voiced concern over the proposed local law in that it will force residents to park on one side causing a shortage of parking spots. Speeding is also an issue on that block. Opening up that street will create more speeding.

The Mayor stated that a study had just been completed with the new traffic camera on Franklin Street and it does not appear that there is a speeding problem on Franklin St. Average speed was determined to be 19mph.

Ms. Vogt noted that she would like to know what the highs and lows are on that study since her neighbors also see the speeding and hear it as well. She also noted that she is surprised by this study and would like more information about it.

Mr. Watkins also spoke on behalf of the speeding on that street. He never saw a traffic camera on this side of Franklin Street. He also noted that there is a blind hill on that street which makes it even more dangerous as they drive recklessly.

Marya Warshaw stated that generally speaking she is in favor of the one side parking. She does have serious concerns about speeding on that street in both directions. She also questioned snow plowing. Will all of the snow be pushed off to one side of the street. They mentioned having a problem when they lived on Third Street.

Trustee Serrago asked Mr. Butterworth (works for DPW) who is in attendance this evening how they would handle the plowing? He stated that after snow storms they go up those streets and clean up. Those streets are his routes and he pushes both sides

Jane noted that speeding is an issue every day not just once in awhile. Her house is on the most narrow section of the street and it is also very difficult to get out of the driveway. She also stated that she would like to know more about this study. She inquired as to the opinions of the AVFD, APD and DPW on this proposed law.

The Mayor stated that the APD maintains a neutral position, whereas the AVFD and DPW are in favor of passing the law.

The Mayor stated that he is a proponent of the best way to slow down traffic is to narrow streets and create 'obstacles'. 'People only drive as fast as they feel comfortable'.

Ms. Warshaw also noted that to compare S. Franklin St. to N. Franklin St. is like comparing apples to oranges. N. Franklin Street has Stewarts close by for example which creates a lot of traffic.

Mr. Watkins noted that it would be nice to see a patrol car parked on this street once in a while.

Trustee Lasher asked Mr. Watkins and all others where the patrol car should sit.

Ms. Bernard mentioned that speed bumps are very effective in other communities they have lived in. Perhaps that could be considered on N. Franklin St.

Michael Spiers stated that he is not in favor of the proposed law. Presently we have a deterrent to speeding with the narrow roads and he does not like creating competition for parking spots.

Kevin Boynton also mentioned parking becoming an issue if this proposed law is passed.

Trish Fleming is not in favor of the proposed law either. She noted that she always travels Franklin Street – never Route 385- and finds that people are very respectful in slowing down through these narrow roads. Speed bumps are a cool idea though.

Lowering the speed limit was also discussed. Village Attorney Tal Rappleyea and Trustee Lasher note that this would have to be passed as a local law and also approved by the NYSDOT (along with speed bumps) which takes time.

Trustee Lasher also noted that the Municipal Parking Lot located on N. Franklin Street can be used by residents for parking.

Trustee Serrago asked Fire Chief Wayne Butterworth if all of the Emergency vehicles can get through that section of N. Franklin Street.

Chief Butterworth replied 'barely...'. He also stated that it is also sometimes very difficult to get snow plows through that section of Franklin Street.

Trustee Serrago noted that there are two issues going on here – speeding – which is a problem that has gotten worse this summer and original issue which is that of whether the emergency vehicles can get through this street.

VB agreed that this topic needs further discussion.

Close Public Hearing.

2. *Proposed local law #7 extending local law #2 of 2020 imposing a six-month moratorium on Special Use Permits and Site Plan Reviews for those parcels located within the Waterfront or Mixed Use/Waterfront District.*

Public comment period.

The Mayor noted that the extension of this law is to protect the Waterfront and Mixed Use/Waterfront Districts in the village until the Comprehensive Plan Update is complete.

**PUBLIC HEARINGS CLOSE
REGULAR VILLAGE BOARD MEETING OPENS**

PUBLIC:

1. Sandra Strauss. Re: Fluoride in the water. No show.
2. Margery Wiesehahn. Re: Alley. She was attending in the beginning but then absent.

APPLICATIONS:

1. Facility Use Application: Community Center gym. Applicant: Jesse Cartelli. AA meeting. MOTION made by Trustee Serrago, seconded by Trustee Gabrielle approving application as submitted.

RESOLUTIONS:

1. Proposed Resolution Approving Minutes

BE IT RESOLVED, the Minutes from Village Board meeting held on October 14, 2020 be approved:

Offered by: Trustee Scott
Seconded by: Trustee Lasher
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 #2041, vouchers numbered #9920141 through #9920165 in the amount of \$336,692.97

WATER FUND – Abstract #10487, vouchers numbered #9920133 through #9920140 in the amount of \$5437.71

SEWER FUND – Abstract #10474, vouchers numbered #992124 through #9920132 in the amount of \$1988.56

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

3. Proposed Resolution Approving the Adoption of Local Law #6

BE IT RESOLVED, that the Village Board approve the adoption of local law #6 which will add a section of N. Franklin Street to the list of streets which parking will be prohibited on one side of the street, amending Article 220 Vehicles & Traffic Local Law §220-13:

Offered by:
Seconded by:
Record of vote:

TABLED. Village Board agreed to continue the discussion using comments made this evening.

4. Proposed Resolution Approving the Adoption of Local Law #6

BE IT RESOLVED, that the Village Board approve the Adoption of Local Law #6 which will extend Local Law #2 of 2020 thereby imposing a six-month moratorium on Special Use Permits and Site Plan Reviews for those parcels located within the Waterfront or Mixed Use/Waterfront District:

Offered by: Trustee Serrago

Seconded by: Trustee Scott

Record of vote: All in favor

5. Proposed Resolution Approving the Public Hearings for Comprehensive Plan Update

WHEREAS the Village and Town of Athens are completing the update to the Comprehensive Plan Update and are required to hold two Public Hearings one to be held in November and the second to be held in December,

THEREFORE BE IT RESOLVED that the Village Board Approve a Public Hearing on November 12, 2020 and a joint Public Hearing with the Village and Town of Athens on December 2, 2020:

Offered by: Trustee Lasher

Seconded by: Trustee Serrago

Record of vote: All in favor

6. Proposed Resolution Authorizing the Radiant Heat Installation at the New DPW Garage

WHEREAS the Village had made preparation to possibly install the radiant heat at the DPW garage pending final budget figures,

THEREFORE BE IT RESOLVED that the Village Board, given that budget figures allow the expense, approve the hook-up of radiant floor heating at the new DPW garage:

Offered by: Trustee Lasher

Seconded by: Trustee Serrago

Record of vote: All in favor

CORRESPONDENCE:

1. Young/Sommer LLC. Re: Case 10-T-0139 Application of Champlain Hudson Power Express, Inc. for a certificate of environmental compatibility and public need.
2. NYS Board on Electric Generation Siting and the Environment. Case 18-F-0087- App. Of Flint Mine Solar LLC. for a certificate of environmental compatibility and public need.
3. NYS Board on Electrical Generation Siting and the Environment. Case 17-F-0619 – Application of Hecate Energy Greene 1 LLC, 2 LLC, 3 LLC for a certificate of environmental compatibility and public need.
4. Catskill Mountain Housing Development Corporation. Re: Affordable Housing Corporation for Mobile/Trailer Home Replacements funding.
5. NY Rural Water Association. Re: Membership
6. NYMIR- Roger Cuva. Re: Loss review results. The Mayor asked that Trustee Scott get back to NYMIR.

NEW BUSINESS:

1. *Police Reform*

The Mayor spoke on behalf of police reform. Executive Order 203 from Governor Cuomo requires that Municipalities with a police force must conduct a review of policies and procedures for diversity and inclusion.

The Village has established a 10 panel committee to look at 6 priorities and create sub-committees to review and create or update their practices on each. Policy review, training, community policing, governance, community services and fundraising, and hiring.

Resident Marya Warshaw noted that Trustee Lasher is the only woman on the committee. She would like to see more women represented as there are many in this community that would be an asset.

Resident Carol Bernard mentioned that the Friday night concerts are a nice way that the police officers get to spend walking and talking with residents. Perhaps more of this would be advantageous.

Trustee Lasher mentioned that the police officers have been walking more and also riding their bikes.

2. Steering Committee for Comprehensive Plan update request for public hearing.

Two Public Hearings will be scheduled in November and December.

3. Sliplining project.

Trustee Gabrielle noted that he was there to check on the project for two days and the job is complete with no problems.

OLD BUSINESS:

1. Fire Protection Contract.

2. Town of Athens.

Trustee Lasher informed the VB that she met with Supervisor Butler regarding the Fire Protection Contract. The past contract had no increase per gentleman's agreement and the village is asking for a 2% increase which is being questioned by Supervisor Butler. As far as the lease and payment for utilities on the Community Center building Supervisor Butler feels that they were not given a lease or bill for utilities and again feel that the village's cost increase of 2% in 2 years is too much.

They also discussed the status of the Town taking over the Village building. Supervisor Butler feels that if the village does not make the lot behind the building part of the deal then his board will not agree to the acquisition. Without the second parcel there will be no deal. Trustee Lasher noted that the VB does not have a problem with it and the Town Attorney should have had it in the agreement.

Mayor Bradicich stated that it is time to schedule a meeting with the Town Supervisor and Town Attorney to discuss these issues again. They have been given invoices and also given an invoice for the amount they promised to contribute to the Comprehensive Plan. The Village has not received this money.

Village Attorney Tal Rappleyea clearly stated that the Village has tried continually to set up a meeting with the Town.

DISCUSSIONS:

Trustee Scott discussed the Ford pickup truck that the Village ordered months ago from Romeo Ford for the DPW. The DPW has been notified that Ford has stopped production of 2020 models. They have one 2021 model available but it has a plow attached. The dealer does not want to take the plow off, however, the village already has a plow that they were planning on attaching.

The dealer stated that he would let the village have the 2021 pickup truck for the same price quoted for the 2020. It would not be ready though until next year.

Mayor Bradicich asked if they could look at other brands but similar models.

Trustee Serrago noted that there is a 'time crunch' this year and it sounds like a good deal to get next year's model for the same price.

The Mayor asked DPW Wayne Butterworth how he felt about switching to a Chevy as opposed to the Ford they had ordered.

Mr. Butterworth replied that he prefers the Ford and he is very familiar with working on them. In his opinion the Ford has a better product in this model vehicle.

Mayor stated to go for the 2021 if they won't take the plow off.

NEW DPW Garage projects were discussed.

Trustee Scott informed the VB of the following projects and costs related:

Car port (16x 16x8) for the fuel tank was discussed. Two prices were received:

Rebussmen - \$2865.00

Carolina Carport- \$3735.00

A **MOTION** was made by Trustee Scott, Seconded by Trustee Gabrielle, all in favor, to approve purchase (lowest bidder – Rebussment) of Carport for fuel tank.

The salt shed was discussed, along with concrete blocks. Two prices were received. \$7445.00 and \$5105.00.

A **MOTION** was made by Trustee Scott, seconded by Trustee Gabrielle, all in favor, to approve the construction of the salt shed at a cost not to exceed \$7,000.00.

A **MOTION** was made by Trustee Scott, seconded by Trustee Serrago, all in favor, to approve the diesel tank cover for a cost not to exceed \$3000.00.

The Mayor reviewed the final costs for the construction of the new DPW garage and so far it looks like the costs will be approximately \$1,050,200.00. This figure is less than the anticipated bond amount and we will also be using funds in our Reserve account to pay for costs. At this point, the VB needs to decide whether to hook up the radiant heat at an added cost of \$22,650.00. The basics for installing had been put in place and now is the time to finalize. VB agreed to complete installation (RESOLUTION listed).

Trustee Serrago discussed the fact that she would like to explore the possibility of updating and improving signage at the Riverfront Park. Also, people are driving and parking in the areas where it is designated for the DPW to enter the park to collect trash and so forth. Perhaps a chain across these areas?

The Mayor discussed the two solar projects that the village has been watching (Flint Mine and Hecatate). A previous engineering report mentioned the possibility of increased earthen erosion at the dam in Sleepy Hollow Lake due to this project. Safety and longevity of SHL dam is important for the welfare of the village.

A **MOTION** was made by Trustee Lasher, seconded by Trustee Scott, all in favor, to enter into Executive Session at 8:25 PM to discuss potential purchase or sale of real estate whereas the information could impact possible sale.

A **MOTION** was made by Trustee Serrago, seconded by Trustee Gabrielle to exit Executive Session at 8:28PM and resume regular VB meeting.

ADJOURNMENT:

A **MOTION** was made by Trustee Serrago, seconded by Trustee Gabrielle to adjourn the meeting at 8:28PM.

Respectfully submitted,

Mary Jo Wynne