

VILLAGE OF ATHENS BOARD MEETING MINUTES – March 10, 2021

Pledge to the Flag.

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

Clerk-Treasurer Mary Jo Wynne attended for the purpose of taking Minutes.

PUBLIC HEARINGS:

1. *Proposed Local Law #2 of 2021 amending the zoning law concerning the Mixed Use/Waterfront District (MU/W)*

PUBLIC COMMENT PERIOD

The Mayor noted that the changes are predominantly through omissions. There are no permitted uses. Any use would require the Planning Board to review and permit.

Resident Josh Lipsman asked about usage for arts and education?

Attorney Tal Rappleyea stated that that use was not on the previous list so therefore not carried over to the proposed law. Adding it to the list as a permitted use would be up to the VB. It would require another Public Hearing as that would be considered a substantial change to the proposed law and should have public comment.

Trustee Gabrielle asked how this would affect Peckham industries?
Mayor stated that 'it does not'.

Attorney confirmed that this change would not affect Peckham Industries since it is grandfathered in or a pre-existing non-conforming use.

Merrill Roth, resident of the Village, asked what would happen if Peckham sells or leases their building in that does the grandfathering continue?

Village Attorney replied that as long as the use continues as is then the grandfathering continues. There is an abandonment period of 2 or 3 years whereas if abandoned or not used in the same manner for that time period the property would revert to current zoning.

Village resident Robert Brunner asked how this affects Elco or the old Peckham plant. Is the VB okay with "erasing 200 years of history for Athens industrial usage on the river?"

The Mayor stated that this was the Comprehensive Plan's conclusions based upon the surveys.

Mr. Brunner questioned the survey results.

Were village respondents okay with erasing all manufacturing along the river. Even light manufacturing – boat making?

Resident Jane-Cole Raftery asked if there is any way in the future that the village can change the grandfathering?

The Attorney stated that it is possible but not without having a compelling argument to do so.

Trustee Serrago confirmed with the Attorney that in order to add the arts/education as a special use under MU/Waterfront it would require another public hearing.

Low impact industrial is another issue that the VB may revisit. Especially as it relates to something relevant to the history of the area.

Village resident Molly Little also noted her concern with vesting everything in Mixed Use to Waterfront. All uses being somehow related to the waterfront may limit the village's ability to grow.

Discussion ensued between those in attendance.

Resident Silvia Kolbowski noted the potential development in Brick Row area.

Discussion again ensued between those in attendance.

The Mayor noted the two areas of concern for this Proposed local law are perhaps adding arts and education to the list of special uses and perhaps revisiting including low impact fabrication. We will need to work on re-wording these issues.

At 7:07PM the VB decided, under the direction of the Village Attorney to move forward with the meeting and not close this Public Hearing. The Public Hearing will continue at the next VB meeting to be held on March 24th, 2021 at 6:30PM.

2. *Proposed Local Law #3 of 2021 repealing a temporary six-month moratorium on special use permits and site plan review for parcels located within the waterfront or mixed use/waterfront districts.*

PUBLIC COMMENT PERIOD

The Mayor noted that the VB will not repeal the 6-month moratorium on special use permits and site plan review for parcels located within the MU/Waterfront district at this point in time due to the fact that Proposed Local Law #2 has not been passed yet.

The Village Attorney informed the VB that the village is in month 5 of a 6-month moratorium so the Village may want to have a 3 month extension just to protect themselves.

CLOSE PUBLIC HEARING

3. *New York State Police Reform and Reinvention Collaborative*

PUBLIC COMMENT PERIOD

The Mayor went through the highlights of the document. Per NYS- the village has to have a plan in place and vote on it by April 1st.

Village resident Jane-Cole Raftery, noted several items:

As this process continues to unfold will there be other goals specific to the Village?

It is unfortunate that there were no public meetings held during the process. More transparency would have been nice.

Will the oversight committee be empowered to be proactive in creating a more diversified police force.

When the final document is approved will it be a guide for the oversight committee?

Greene County Civil Service was discussed as it relates to hiring.

Resident Lori Williams asked how the VB will recruit officers if not through Civil Service? What pool will they be using?

Mayor Bradicich noted that they will be using Civil Service but they would like to try and get Civil Service to broaden their pool of applicants.

CLOSE PUBLIC HEARING- 7:40PM

DEPARTMENT HEADS:

1. Village Attorney Tal Rappleyea.
Noted that the closing for the old DPW building will be held remotely on March 12, 2021. The Mayor will need to sign paperwork.
2. DPW Director Anthony Proper
Mr. Proper took this opportunity to thank the VB for the new building- it is very much appreciated.
The Mayor replied that 'it was well deserved'.

The General Contractor at the DPW garage asked if the DPW/Village would be interested in completing the grading on the West side of the building. They would issue the village a \$3,000.00 credit. It will cost the Village approximately \$1500.00 to complete the work, therefore saving the village \$1500.00.

The Mayor stated that as long as the DPW has the time then they can complete the grading on the West side.

The Mayor discussed the results of the Leak Detection Report with Mr. Proper. The Mayor would like a plan to address fixing the leaks.

April 24th is Cleanup day.

3. Fire Chief Wayne Butterworth
Turnout gear received and Security system installed.
4. Chief of Police Roger Masse

Discussed the Resume he forwarded to the VB for potential new employee.

A MOTION was made by Trustee Gabrielle, seconded by Trustee Serrago, all in favor, to approve hiring Katelyn Rainer to the APD.

5. Code Enforcement – Jeff Ruso
Informed the VB on current building permits, Short-term rentals.
6. Northdome – WFP and WWTP
Provided a report.
Cellular alarm system will be installed tomorrow.
Non-compliance at WWTP discussed.
AWQR was discussed

APPLICATIONS:

1. Facility use application. Applicant: Edward J. Arthur Elementary School – PTO - Margaret Schmidt Memorial 5K
The Mayor stated that he will contact the applicant for clarification.
2. Applications for Membership – AVFD
Applicant: Ashley Petrocca
Applicant: George Baker
Applicant: David Scott Sergy Jr.
A MOTION was made by Trustee Serrago, seconded by Trustee Gabrielle, all in favor, to approve applicants for membership to the AVFD.

RESOLUTIONS:

1) Proposed Resolution Approving Minutes

BE IT RESOLVED, the Minutes from Village Board meeting held on February 24, 2021 be approved:

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

2) Proposed Resolution Approving Payment of Vouchers as Presented on Abstracts

BE IT RESOLVED, that the Village Board approve payment of the following vouchers as presented:

GENERAL FUND – Abstract #2053, vouchers numbered #9920495 through #9920524 in the amount of \$21,619.71

WATER FUND – Abstract #10496, vouchers numbered #9920525 through #9920531 in the amount of \$9,699.67

SEWER FUND – Abstract #10481, vouchers numbered #9920532 through #9920536 in the amount of \$1675.88

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

3) Proposed Resolution Approving Local Law #2 of 2021

BE IT RESOLVED, that the Village Board approves local law #2 of 2021 amending the zoning law concerning the Mixed Use/Waterfront District (MU/W) (as attached):

Offered by:
Seconded by:

Record of vote

TABLED - Public Hearing still open

4) Proposed Resolution Approving Local Law #3 of 2021

BE IT RESOLVED, that the Village Board approve Local Law #3 of 2021 repealing a temporary six-month moratorium on special use permits and site plan review for parcels located within the waterfront or Mixed Use/Waterfront District (as attached):

Offered by:

Seconded by:

Record of vote

TABLED – Public Hearing still open

5) Proposed Resolution Approving Sale of DPW garage

WHEREAS the new DPW garage is near completion and the DPW workers have officially moved into their new location and,

WHEREAS, the old DPW garage located at 93 N. Washington Street has been for sale and the village has received several offers from interested parties and has accepted the offer from Moira Little to purchase the property,

THEREFORE BE IT RESOLVED that the VB accept the offer made by Moira Little to purchase the property located at 93 N. Washington Street, known as the DPW garage:

Offered by: Trustee Gabrielle

Seconded by: Trustee Scott

Record of vote: All in favor

CORRESPONDENCE:

1. NYS Board on Electric Generation Siting and the Environment. Re: CASE 18-F-0087 Application of Flint Mine Solar, LLC – Third ruling modifying schedule.
2. NYS Board on Electric Generation Siting and the Environment. Re: CASE 18-F-0087 Notice canceling Evidentiary Hearing.
3. NYS Board on Electric Generation Siting and the Environment. Re: CASE 17-F-0619 Hecate Energy – Ruling Granting Motion and Admitting Evidence.
4. Greene County Dept. of Human Services. Re: Greene County Senior Nutrition Site - Memorandum of Understanding. An amended Memorandum of Understanding will be resent to the AVFD.
5. NYS Board on Electric Generation Siting and the Environment. Re: CASE 17-F-0619 Hecate Energy. Ruling confirming briefing Schedule and admitting evidence.

NEW BUSINESS:

1. Leak Detection Report
2. Tentative Budget

OLD BUSINESS:

1. Short term rentals
2. DPW garage

A MOTION was made by Trustee Scott, seconded by Trustee Lasher, all in favor, to exit Regular Village Board Meeting and enter into EXECUTIVE SESSION at 8:25PM to discuss personnel issues

A MOTION was made by Trustee Gabrielle, seconded by Trustee Serrago, all in favor, to exit EXECUTIVE Session and resume the Regular Village Board Meeting.

ADJOURNMENT:

A MOTION was made by Trustee Gabrielle, seconded by Trustee Lasher, all in favor to adjourn Village Board Meeting.