

TOWN OF AUSTERLITZ
Columbia County
New York

Robert Lagonia

Supervisor

Public Hearing/Workshop/Town Board Meeting
October 20, 2016
6:30 p.m.

*******AGENDA*******

- 1.) Call 2017 Budget Public Hearing to Order**
- 2.) Close Public Hearing**
- 3.) Call Zoning Updates Workshop to Order**
- 4.) Close Workshop**
- 5.) Call Regular Town Board Meeting to Order**
- 6.) Moment of Silence, Followed by the Pledge of Allegiance**
- 7.) Roll Call**
- 8.) Minutes**
- 9.) Budget Amendment/Auditing of Accounts and Claims**
- 10.) Reports**
 - A.) Monthly Cash Disbursements
 - B.) Supervisor Report
 - C.) Town Clerk/Tax Collector Report
 - D.) Highway Superintendent Report
 - E.) Planning Board
 - F.) Comprehensive Plan Oversight Committee
 - G.) Building Inspector Report
 - H.) Justice Court Reports
 - I.) Dog Control Report
- 11.) Correspondence**
 - A.) 2016 AOT Personnel Management School
 - B.) Ellsworth Kelly Foundation Grant
 - C.) NYSDOT Available Grand Funding Notice
- 12.) Unfinished Business**
 - A.) New Town Hall: Update Joe Iuviene
 - B.) Town Park Update
 - C.) Appointment Liaison Historical District Planning Cmt
 - D.) Resolution #39-2016, Adoption of 2017 Final Budget
 - E.) Resolution #40-2016. Town Court Audit

13.) New Business

- A.) Town Assessor Pam Cook Town Wide Evaluation
- B.) Land Conservancy
- C.) Land Conservancy Liaison Appointment

14.) Public Comments

15.) Adjournment

*****Next Town Board November 17, 2016*****

Town Of Austerlitz
Columbia County
New York

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Preliminary Budget of the Town of Austerlitz for the fiscal year beginning January 1, 2017 has been completed and filed in the office of the Town Clerk located at 812 Route 203, Spencertown, New York, where it is available for inspection by all interested persons during the regular hours of the Town Clerk.

FURTHER NOTICE IS HEREBY GIVEN that the Town Board of the Town of Austerlitz will hold a public hearing thereon, at the Town Hall, located at 812 Route 203, Spencertown, New York, at 6:30 p.m. on the 20 day of October, 2016 and at such hearing any person may be heard in favor of or against the Preliminary Budget as compiled for or against any item or items therein contained.

Pursuant to §113 of Town Law, the proposed salaries of the elected Town Offices are hereby specified as follows:

| | |
|--------------------------|-------------------|
| Town Supervisor | \$ 7,217.00 |
| Town Councilmen (4) | 2,317.50 (each) |
| Town Clerk/Tax Collector | 29,030.00 |
| Highway Superintendent | 53,040.00 |
| Town Justices (2) | 11, 255.00 (each) |

By order of the Town Board,
Susan A. Haag
Town Clerk
Dated: September 19, 2016

2017

**TOWN BUDGET - PRELIMINARY
TOWN OF AUSTERLITZ**

COLUMBIA COUNTY

CERTIFICATION OF TOWN CLERK

I, Susan Haag, Town Clerk, certify that the following is a true and correct copy of the 2017 budget of the Town of Austerlitz, adopted by the Town Board on the _____ day of November

Susan Haag

Date

Reference Material

OCT 20 2016

For
Town Board Meeting

| TOWN OF AUSTERLITZ | | | | | | | | | 2017 |
|---|----|--|-----------------------|-------------------------|-------------------------|------------------------------|--|--|------|
| FUND | | | APPROPRIATIONS | LESS ESTIMATED REVENUES | LESS UNEXPENDED BALANCE | AMOUNT TO BE RAISED BY TAXES | | | |
| GENERAL | A | | 638,215.00 | 538,318.00 | 70,000.00 | 29,897.00 | | | |
| HIGHWAY | DA | | 821,980.00 | 200,000.00 | - | 621,980.00 | | | |
| TOTAL | | | 1,460,195.00 | 738,318.00 | 70,000.00 | 651,877.00 | | | |
| FIRE PROTECTION DISTRICTS | | | | | | | | | |
| AUSTERLITZ | SF | | - | - | - | - | | | |
| RED ROCK | SF | | APPORTIONED AT COUNTY | | | - | | | |
| BRYARCLIFFE ROAD DIST | SM | | 135,508.00 | | \$ - | 135,508.00 | | | |
| GRAND TOTAL | | | \$ 1,595,703.00 | \$ 738,318.00 | \$ 70,000.00 | \$ 787,385.00 | | | |
| LESS TAX CAP RESERVE - To be applied against General & Highway Taxes only | | | | | | (22,318.00) | | | |
| AMOUNT TO BE RAISED BY TAX LEVY FOR 2017 | | | | | | \$ 765,067.00 | | | |

Reference Material

001 20 2016

For
Town Board Meeting

| TOWN OF AUSTERLITZ | | GENERAL FUND APPROPRIATIONS | | | | |
|-------------------------------|----------|-----------------------------|---------|-----------|-------------|---------|
| GENERAL GOVT SUPPORT | | ACTUAL | AMENDED | TENTATIVE | PRELIMINARY | ADOPTED |
| | | 2015 | BUDGET | BUDGET | BUDGET | BUDGET |
| | | | 2016 | 2017 | 2017 | 2017 |
| TOWN BOARD | | | | | | |
| Personal Service | A1010.1 | 9270 | 9270 | 9270 | 9270 | |
| Contractual | A1010.4 | 1172 | 1000 | 1000 | 1000 | |
| TOTAL | | 10442 | 10270 | 10270 | 10270 | 0 |
| COURT | | | | | | |
| Personal Service | A1110.10 | 32042 | 22510 | 22510 | 22510 | |
| Personal Service | A1110.11 | 0 | 9500 | 11500 | 11500 | |
| Personal Service | A1110.12 | | 700 | 5000 | 5000 | |
| Contractual | A1110.4 | 7374 | 8700 | 8700 | 8700 | |
| TOTAL | | 39416 | 41410 | 47710 | 47710 | 0 |
| SUPERVISOR | | | | | | |
| Personal Service | A1220.10 | 7075 | 7217 | 7217 | 7217 | |
| Budget Officer | A1220.11 | | 2500 | 2500 | 2500 | 0 |
| Contractual | A1220.4 | 1423 | 1000 | 1000 | 1000 | |
| TOTAL | | 8498 | 10717 | 10717 | 10717 | 0 |
| BOOKKEEPER | | | | | | |
| | A1320.1 | 12216 | 0 | 0 | 0 | 0 |
| Accountant | A1320.4 | | 12640 | 12640 | 12640 | |
| ASSESSORS | | | | | | |
| Personal Service | A1355.1 | 19898 | 20041 | 20642 | 20642 | |
| Personal Service | A1355.1 | 0 | 0 | 0 | 0 | 0 |
| Capital Outlay | A1355.2 | | 0 | 0 | 0 | 0 |
| Contractual | A1355.4 | 522 | 2500 | 2500 | 2500 | |
| TOTAL | | 20420 | 22541 | 23142 | 23142 | 0 |
| TOWN CLERK - COLLECTOR | | | | | | |
| Personal Service | A1410.1 | 27700 | 28184 | 29030 | 29030 | |
| Personal Service | A1410.11 | 0 | 1000 | 1000 | 1000 | |
| Capital Outlay | A1410.2 | 0 | | | | |
| Contractual | A1410.4 | 5301 | 6615 | 6770 | 6770 | |
| TOTAL | | 33001 | 35799 | 36800 | 36800 | |

Reference Material

MAY 2 2018

For
Town Board Meeting

OCT 20 2011

| TOWN OF AUSTERLITZ | | GENERAL FUND APPROPRIATIONS | | | | | For Town Board Meeting |
|----------------------------|----------|-----------------------------|---------------------------|-----------------------------|-------------------------------|---------------------------|---------------------------|
| GENERAL GOVT SUPPORT | | ACTUAL 2015 | AMENDED BUDGET 2016 | TENTATIVE BUDGET 2017 | PRELIMINARY BUDGET 2017 | ADOPTED BUDGET 2017 | |
| ATTORNEY | A1420.4 | 14791 # | 18000 | 18000 | 18000 | | |
| ENGINEER | A1440.4 | 3185 | 6000 | 6000 | 6000 | | |
| ELECTIONS | A1450.4 | 0 | | | | | |
| RECORDS MANAGEMENT | | | | | | | |
| Personal Service | A1460.1 | 0 | | | | | |
| Contractual | A1460.4 | 975 | 1500 | 2000 | 2000 | | |
| TOTAL | | 975 | 1500 | 2000 | 2000 | | |
| BUILDINGS | | | | | | | |
| Personal Service | A1620.1 | 1891 | 2500 | 3000 | 3000 | | |
| Contractual | A1620.4 | 20327 | 22500 | 32500 | 32500 | | |
| TOTAL | | 22218 | 25000 | 35500 | 35500 | | 0 |
| SPECIAL ITEMS | | | | | | | |
| Unallocated Ins | A1910.4 | 27444 | 27000 | 28500 | 28500 | | |
| Municipal Dues | A1920.2 | 800 | 800 | 800 | 800 | | |
| Contingent | A1990.4 | | 70000 | 70000 | 70000 | | |
| Expenditure of Donation | A2705 | 0 | 500 | 0 | 0 | | |
| TOTAL | | 28244 0 | 98300 0 | 99300 0 | 99300 0 | | 0 |
| TOTAL GENERAL GOVT | | 193386 | 282177 0 | 302079 0 | 302079 0 | #VALUE! | |
| PUBLIC SAFETY | | | | | | | |
| POLICE | A3120.4 | 27622 | 27000 | 27000 | 27000 | | |
| TRAFFIC CONTROL | A3310.1 | | 0 | 0 | 0 | | |
| | A3310.4 | 0 | 3000 | 500 | 500 | | |
| TOTAL | | 0 | 3000 | 500 | 500 | | 0 |
| ANIMAL CONTROL | | | | | | | |
| Personal Service | A3510.1 | 2060 | 2101 | 2164 | 2164 | | |
| Contractual | A3510.4 | 0 | 500 | 500 | 500 | | |
| TOTAL | | 2060 | 2601 | 2664 | 2664 | #VALUE! | |
| CODE ENFORCEMENT | | | | | | | |
| Personal Service | A3620.1 | 19516 | 13777 | 14190 | 14190 | | |
| Personal Service | A3620.11 | 0 | 7835 | 8070 | 8070 | | |
| Capital Expenditure | A3620.2 | 5000 | 350 | 350 | 350 | | |
| Contractual | A3620.4 | 2519 | 2005 | 2000 | 2000 | | |
| TOTAL | | 27035 | 23967 | 24610 | 24610 | | 0 |
| TOTAL PUBLIC SAFETY | | 56717 0 | 56568 0 | 54774 0 | 54774 0 | #VALUE! | |

| TOWN OF AUSTERLITZ | | GENERAL FUND APPROPRIATIONS | | | | |
|--|---------|-----------------------------|---------------------------|-----------------------------|-------------------------------|---------------------------|
| | | ACTUAL 2015 | AMENDED BUDGET 2016 | TENTATIVE BUDGET 2017 | PRELIMINARY BUDGET 2017 | ADOPTED BUDGET 2017 |
| HEALTH | | | | | | |
| REGISTRAR | | | | | | |
| Personal Service | A4020.1 | 450 # | 450 | 450 | 450 | |
| TOTAL HEALTH | | 450 | 450 | 450 | 450 | |
| TRANSPORTATION | | | | | | |
| HIGHWAY SUPT | | | | | | |
| Personal Service | A5010.1 | 49995 1 | 51495 | 53040 | 53040 | |
| Contractual | A5010.4 | 906 | 1500 | 1500 | 1500 | |
| TOTAL | | 50901 | 52995 | 54540 | 54540 | 0 |
| GARAGE | | | | | | |
| Contractual | A5132.2 | | | | | |
| Contractual | A5132.4 | 31496 | 32000 | 32000 | 32000 | |
| TOTAL | | 31496 | 32000 | 32000 | 32000 | #VALUE! |
| STREET LIGHTING | | | | | | |
| Contractual | A5182.4 | 2670 | 2800 | 2500 | 2500 | |
| TOTAL TRANSPORTATION | | 85067 | 87795 | 89040 | 89040 | #VALUE! |
| ECONOMIC ASSISTANCE AND OPPORTUNITY | | | | | | |
| PROGRAMS FOR AGED | | | | | | |
| Contractual | A6772.4 | 555 | 1000 | 500 | 500 | |

Reference Material

001 L D 2018

For
Town Board Meeting

| TOWN OF AUSTERLITZ | | GENERAL FUND APPROPRIATIONS | | | | |
|--|----------|-----------------------------|---------------------------|-----------------------------|-------------------------------|---------------------------|
| | | ACTUAL 2015 | AMENDED BUDGET 2016 | TENTATIVE BUDGET 2017 | PRELIMINARY BUDGET 2017 | ADOPTED BUDGET 2017 |
| CULTURE & RECREATION | | | | | | |
| PARKS & GROUNDS | | | | | | |
| Personal Service | A7140.1 | 0 | 0 | 0 | 0 | |
| Equipment | A1740.2 | | 0 | | | |
| Contractual | A7140.4 | 467 | 1000 | 1000 | 1000 | |
| TOTAL | | 467 | 1000 | 1000 | 1000 | 0 |
| YOUTH | | | | | | |
| Personal Service | A7310.1 | 10592 | 14000 | 14000 | 14000 | |
| Equipment | A7310.2 | 148 | 500 | 500 | 500 | |
| Contractual | A7310.4 | 5447 | 5400 | 6500 | 6500 | |
| TOTAL | | 16187 | 19900 | 21000 | 21000 | 0 |
| HISTORIAN | | | | | | |
| Personal Service | A7510.1 | 1850 | 1850 | 1850 | 1850 | |
| Contractual | A7510.4 | 535 | 2000 | 2000 | 2000 | |
| TOTAL | | 2385 | 3850 | 3850 | 3850 | #VALUE! |
| CELEBRATIONS | A7550.4 | 575 | 500 | 1000 | 1000 | |
| TOTAL CULTURAL & RECREATION | | 19614 | 25250 | 26850 | 26850 | #VALUE! |
| COMMUNITY SERVICES | | | | | | |
| ZONING | | | | | | |
| Zoning Board of Appeals (ZBA) | A8010.1 | 261 | 750 | 750 | 750 | |
| ZBA Contractual | A8010.4 | 136 | 1000 | 250 | 250 | |
| TOTAL | | 397 | 1750 | 1000 | 1000 | 0 |
| PLANNING | | | | | | |
| Planning Board Members | A8020.1 | 9646 | 6460 | 6460 | 6460 | |
| Planning Board Clerk | A8020.11 | 0 | 3918 | 4035 | 4035 | |
| Planning Board Minute Taker | A8020.12 | | 600 | 600 | 600 | |
| Contractual | A8020.4 | 1155 | 1630 | 1630 | 1630 | |
| Clearance, Demolition | A8666.4 | 0 | | | | |
| TOTAL | | 10801 | 12608 | 12725 | 12725 | 0 |
| TOTAL HOME AND COMMUNITY SERVICES | | 11198 | 14358 | 13725 | 13725 | 0 |

Reference Material

001 2 2017

For
Town Board Meeting

| TOWN OF AUSTERLITZ | | GENERAL FUND APPROPRIATIONS | | | | |
|------------------------------|---------|-----------------------------|---------|-----------|-------------|---------|
| | | ACTUAL | AMENDED | TENTATIVE | PRELIMINARY | ADOPTED |
| | | 2015 | BUDGET | BUDGET | BUDGET | BUDGET |
| | | | 2016 | 2017 | 2017 | 2017 |
| UNDISTRIBUTED | | | | | | |
| Retirement | A9010.8 | 29056 | 24000 | 24000 | 24000 | |
| Social Security | A9030.8 | 14740 | 16650 | 17462 | 17462 | |
| Disability | A9055.8 | 0 | 0 | 0 | 0 | 0 |
| Hospitalization | A9060.8 | 10747 | 12000 | 10000 | 10000 | |
| TOTAL | | 54543 | 52650 | 51462 | 51462 | 0 |
| DEBT SERVICE - Garage | | | | | | |
| Bonds - Principal | A9710.6 | 75000 | 80000 | 85000 | 85000 | |
| Bonds - Interest | A9710.7 | 12085 | 8335 | 4335 | 4335 | |
| BONDING COSTS | | 0 | 0 | 10000 | 10000 | |
| TOTAL | | 87085 | 88335 | 99335 | 99335 | #VALUE! |
| TRANSFERS | | | | | | |
| To Capital Fund | A9950.9 | 0 | | | | |
| TOTAL APPROPRIATIONS | | 508615 | 608583 | 638215 | 638215 | #VALUE! |

Reference Material

001 10 2011

For
Town Board Meeting

| TOWN OF AUSTERLITZ | | GENERAL FUND ESTIMATED REVENUES | | | | |
|----------------------------|-------|---------------------------------|---------------------------|-----------------------------|-------------------------------|---------------------------|
| | | ACTUAL 2015 | AMENDED BUDGET 2016 | TENTATIVE BUDGET 2017 | PRELIMINARY BUDGET 2017 | ADOPTED BUDGET 2017 |
| REVENUES | | | | | | |
| Real Property Taxes | A1001 | 46817 | 15265 | 29897 | 29897 | |
| Payments in Lieu of Taxes | A1081 | 0 | | | | |
| Tax Pcnalties | A1090 | 8832 | 9000 | 9310 | 9310 | |
| Sales Tax | A1120 | 231151 | 225000 | 235000 | 235000 | |
| Franchise Fees | A1170 | 3289 | 3500 | 3500 | 3500 | |
| Clerk Fees | A1255 | 2835 | 1000 | 1000 | 1000 | |
| Charge for Demolition | A1570 | 0 | | | | |
| Recreation Fees | A2001 | 3950 | 4000 | 9000 | 9000 | |
| Zoning Fees | A2110 | | | | | |
| Planning Fees | A2115 | 650 | 500 | 500 | 500 | |
| Local Municipal Aid | A2389 | 16490 | 16000 | 16000 | 16000 | |
| Joint Service - Other Govt | A2390 | 0 | 0 | 0 | 0 | 0 |
| USE OF MONEY | | | | | | |
| Interest | A2401 | 377 | 500 | 500 | 500 | |
| LICENSES | | | | | | |
| Dog License | A2544 | 895 | 500 | 500 | 500 | |
| Building Permits | A2555 | 23376 | 20000 | 20000 | 20000 | |
| Permits, other | A2590 | 1610 | 1000 | 1000 | 1000 | |
| FINES | | | | | | |
| Fines & Forfeitures | A2610 | 171465 | 160000 | 165000 | 165000 | |
| Dog Cases | A2611 | | | | | |
| SALES OF PROP | | | | | | |
| Minor Sales | A2655 | | | | | |
| Sales of Equipment | A2665 | | | | | |
| MISCELLANEOUS | | | | | | |
| Insurance Recovery | A2680 | | | | | |
| Refunds Prior Year Expense | A2701 | 4160 | 0 | 0 | 0 | |
| Gifts & Donations | A2705 | 0 | 0 | 0 | 0 | 0 |
| Miscellaneous | A2770 | 0 | 0 | 0 | 0 | |
| STATE AID | | | | | | |
| Revenue Sharing | A3001 | 5394 | 5000 | 5000 | 5000 | |
| Mortgage Tax | A3005 | 62780 | 55000 | 72000 | 72000 | |
| Real Property Tax Service | A3040 | 0 | | | | |
| Records Management | A3060 | 0 | | | | |
| Other | A3089 | 0 | | | | |
| Youth Program | A3820 | 694 | 0 | 0 | 0 | 0 |
| TOTAL REVENUE | | 584765 | 516265 | 568215 | 568215 | 0 |
| UNEXPENDED BALANCE | | 0 | 92318 | 70000 | 70000 | |
| TOTAL | | 584765 | 608583 | 638215 | 638215 | #VALUE! |

Reference Material

OCT 23 2016

For
Town Board Meeting

| TOWN OF AUSTERLITZ | | HIGHWAY FUND APPROPRIATIONS | | | | |
|--|-----------|-----------------------------|---------------------------|-----------------------------|-------------------------------|---------------------------|
| | | ACTUAL 2015 | AMENDED BUDGET 2016 | TENTATIVE BUDGET 2017 | PRELIMINARY BUDGET 2017 | ADOPTED BUDGET 2017 |
| GENERAL REPAIRS | | | | | | |
| Highway Staff Payroll - General Repairs | DA5110.1 | 91761 | 83000 | 100000 | 100000 | |
| Highway Clerk Payroll | DA5110.11 | | 7835 | 8070 | 8070 | |
| Highway Repairs and Maintenance | DA5110.41 | 115513 | 115123 | 130000 | 130000 | |
| Dust Control | DA5110.42 | | | 20000 | 20000 | |
| TOTAL | | 207274 | 205958 | 258070 | 258070 | 0 |
| Chips | DA5112.2 | 154288 | 135000 | 150000 # | 150000 | |
| BRIDGES | | | | | | |
| Personal Service | DA5120.1 | 0 1 | | | | |
| Contractual | DA5120.4 | | | | | |
| TOTAL | | 0 | 0 | 0 | 0 | 0 |
| MACHINERY | | | | | | |
| Highway Staff Payroll - Machinery | DA5130.1 | 34743 | 36300 | 39700 # | 39700 | |
| Machinery Equipment Acquisition & Paymen | DA5130.2 | 104090 | 50560 | 34000 | 34000 | |
| Machinery Repairs and Maintenance | DA5130.4 | 93615 | 110000 | 90000 | 90000 | |
| TOTAL | | 232448 | 196860 | 163700 | 163700 | 0 |
| BRUSH & WEEDS | | | | | | |
| Highway Staff Payroll - Brush and Weeds | DA5140.1 | 5092 | 26000 | 18000 | 18000 | |
| Contractual | DA5140.4 | 0 | 0 | 0 | 0 | 0 |
| TOTAL | | 5092 | 26000 | 18000 | 18000 | 0 |
| SNOW REMOVAL | | | | | | |
| Highway Staff Payroll - Snow Removal | DA5142.1 | 39117 | 62000 | 68800 | 68800 | |
| Salt and Sand | DA5142.4 | 57504 | 55000 | 55000 | 55000 | |
| TOTAL | | 96621 | 117000 | 123800 | 123800 | 0 |
| EMPLOYEE BENEFITS | | | | | | |
| Retirement | DA9010.8 | 21919 | 36000 | 36000 | 36000 | |
| Social Security | DA9030.8 | 13965 | 16584 | 18410 | 18410 | |
| Unemployment | DA9050.8 | 0 | 0 | 0 | 0 | |
| Disability | DA9055.8 | 0 | 0 | 0 | 0 | |
| Hospitalization | DA9060.8 | 43227 | 57000 | 51000 | 51000 | |
| Other employee benefits | DA9089.8 | 2494 | | | | |
| Uniforms | DA9090.8 | 0 | 3000 | 3000 | 3000 | |
| TOTAL | | 81605 | 112584 | 108410 | 108410 | 0 |

Reference Material

OCT 20 2015

For
Town Board Meeting

| TOWN OF AUSTERLITZ | | HIGHWAY FUND APPROPRIATIONS | | | | |
|--|----------|-----------------------------|---------------------------|-----------------------------|-------------------------------|---------------------------|
| | | ACTUAL 2015 | AMENDED BUDGET 2016 | TENTATIVE BUDGET 2017 | PRELIMINARY BUDGET 2017 | ADOPTED BUDGET 2017 |
| DEBT SERVICE - Truck | | | | | | |
| Principal, Bonds | DA9720.6 | 0 | 0 | 0 | 0 | |
| Interest, Bonds | DA9720.7 | 0 | 0 | 0 | 0 | |
| TOTAL | | 0 | 0 | 0 | 0 | 0 |
| TRANSFER | | | | | | |
| Capital Projects | DA9901.9 | | 0 | 0 | 0 | |
| TOTAL EXPENDITURES | | 777328 | 793402 | 821980 | 821980 | #VALUE! |
| HIGHWAY FUND ESTIMATED REVENUES | | | | | | |
| Property Taxes | 1001 | 594678 | 608402 | 621980 | 621980 | |
| Sales Tax | 1120 | 50000 | 50000 | 50000 | 50000 | |
| Service Other Govt | 2300 | | | | | |
| Interest | 2401 | 0 | 0 | 0 | 0 | 0 |
| Minor Sales | 2655 | 0 | | | | |
| Sale of Equipment | 2655 | 0 | | | | |
| Insurance Recovery | 2680 | 0 | | | | |
| Refunds PY Exp | 2701 | 0 | | | | |
| S/A - Chips | 3501 | 161449 | 135000 | 150000 | 150000 | |
| S/A - Hwy Projects | 3591 | | | | | |
| S/A - Sema | 3960 | 0 | | | | |
| F/A - Fema | 4960 | 0 | | | | |
| Transfers | 5031 | 0 | 797 | | | |
| TOTAL REVENUE | | 806127 | 794199 | 821980 | 821980 | 0 |
| UNEXPENDED BALANCE | | 0 | 0 | 0 | 0 | |
| TOTAL REVENUE & BALANCE | | 806127 | 794199 | 821980 | 821980 | 0 |

Reference Material

04/23/2016

For
Town Board Meeting

03/13/2011

For
Town Board Meeting

| TOWN OF AUSTERLITZ | | BRYARCLIFFE ROAD DISTRICT - APPROPRIATIONS | | | | | |
|---|----------------|--|-----------------------------|-------------------------------|---------------------------|--|--|
| | ACTUAL 2015 | AMENDED BUDGET 2016 | TENTATIVE BUDGET 2017 | PRELIMINARY BUDGET 2017 | ADOPTED BUDGET 2017 | | |
| Administration | 0 | | | | | | |
| SM1610.4 | | | | | | | |
| DEBT SERVICE | | | | | | | |
| Bond - Principal | 137434 | 142228 | 62729 | 62729 | 0 | | |
| Bond - Interest | 21523 | 16172 | 5563 | 5563 | 0 | | |
| SM9720.6 | | | | | | | |
| SM9720.7 | | | | | | | |
| Bond - Principal | 0 | 0 | 62157 | 62157 | 0 | | |
| Bond - Interest | 0 | 0 | 5059 | 5059 | 0 | | |
| SM9730.6 | | | | | | | |
| SM9730.7 | | | | | | | |
| Bond - Principal | 0 | 0 | 0 | 0 | 0 | | |
| Bond - Interest | 0 | 0 | 0 | 0 | 0 | | |
| SM9750.6 | | | | | | | |
| SM9750.7 | | | | | | | |
| Bond - Interest | 0 | 0 | 0 | 0 | 0 | | |
| TOTAL | 158957 | 158400 | 135508 | 135508 | 0 | | |
| TOTAL EXPENDITURES | 158957 | 158400 | 135508 | 135508 | 0 | | |
| BRYARCLIFFE ROAD DISTRICT - REVENUES | | | | | | | |
| Property Taxes | 134957 | 158400 | 135508 | 135508 | 0 | | |
| Interest | 11 | 0 | 0 | 0 | 0 | | |
| TOTAL REVENUE | 134968 | 158400 | 135508 | 135508 | 0 | | |
| UNEXPENDED BALANCE | 23989 | 0 | 0 | 0 | 0 | | |
| TOTAL REVENUE & BALANCE | 158957 | 158400 | 135508 | 135508 | 0 | | |

| | | | |
|---|--|-----------|------------------|
| TOWN OF AUSTERLITZ | | | 2016 |
| SCHEDULE SALARIES OF ELECTED OFFICIALS | | | |
| SUPERVISOR | | | 7,217.00 |
| TOWN BOARD | | 4@ | 2,317.50 |
| TOWN CLERK - COLLECTOR | | | 29,030.00 |
| TOWN JUSTICE | | 2@ | 11,255.00 |
| HIGHWAY SUPERINTENDENT | | | 53,040.00 |
| | | | |
| | | | |

Reference Material

001 80 2016

For
Town Board Meeting

Town of Austerlitz Tax ex Briarcliff Road District

| | <u>2017</u> | | <u>2016</u> | | |
|----------------------------|-------------|-----------|-------------|-----------|---|
| <u>Taxes to be raised</u> | 651,877 | | 645,985 | | |
| <u>Taxable Value Per M</u> | 417,853 | 1,560,063 | 417,586 | 1,546,951 | Town taxes on a \$200,000 home \$312.01 |
| <u>Taxes to be raised</u> | | | | | \$773.48 |
| <u>Taxable Value Per M</u> | | | | | |
| <u>Taxes to be raised</u> | | | | | \$780.32 |
| <u>Taxable Value Per M</u> | | 1,560,633 | | 1,560,633 | |
| <u>Taxes to be raised</u> | | | | | \$598.53 |
| <u>Taxable Value Per M</u> | | 1,197,050 | | 1,197,050 | |
| <u>Taxes to be raised</u> | | | | | \$613.99 |
| <u>Taxable Value Per M</u> | | 2,227,985 | | 2,227,985 | |
| <u>Taxes to be raised</u> | | | | | \$571.58 |
| <u>Taxable Value Per M</u> | | 1,143,316 | | 1,143,316 | |
| <u>Taxes to be raised</u> | | | | | \$572.22 |
| <u>Taxable Value Per M</u> | | 2,228,890 | | 2,228,890 | |
| <u>Taxes to be raised</u> | | | | | \$224.51 |
| <u>Taxable Value Per M</u> | | 1,122,546 | | 1,122,546 | |

Reference Material

OCT 13 2016

For
Town Board Meeting

Equalized Total Assessed Value 460,194,203

| Exemption Code | Exemption Name | Statutory Authority | Number of Exemptions | Total Equalized Value of Exemptions | Percent of Value Exempted |
|----------------|--------------------------------|------------------------|----------------------|-------------------------------------|---------------------------|
| 12100 | NYS - GENERALLY | RPTL 404(1) | 12 | 3,077,400 | 0.67 |
| 13500 | TOWN - GENERALLY | RPTL 406(1) | 9 | 2,025,566 | 0.44 |
| 13510 | TOWN - CEMETERY LAND | RPTL 446 | 2 | 7,000 | 0.00 |
| 21600 | RES OF CLERGY - RELIG CORP OWN | RPTL 462 | 1 | 269,000 | 0.06 |
| 25110 | NONPROF CORP - RELIG(CONST PRI | RPTL 420-a | 3 | 559,900 | 0.12 |
| 25210 | NONPROF CORP - HOSPITAL | RPTL 420-a | 3 | 581,000 | 0.13 |
| 25230 | NONPROF CORP - MORAL/MENTAL II | RPTL 420-a | 5 | 1,831,700 | 0.40 |
| 25300 | NONPROF CORP - SPECIFIED USES | RPTL 420-b | 2 | 452,480 | 0.10 |
| 26400 | INC VOLUNTEER FIRE CO OR DEPT | RPTL 464(2) | 3 | 992,700 | 0.22 |
| 27350 | PRIVATELY OWNED CEMETERY LANI | RPTL 446 | 5 | 112,700 | 0.02 |
| 32250 | NYS OWNED REFORESTATION LAND | RPTL 534 | 1 | 39,650 | 0.01 |
| 32251 | NYS OWNED REFORESTATION LAND | RPTL 534 | 1 | 39,650 | 0.01 |
| 41101 | VETS EX BASED ON ELIGIBLE FUND | RPTL 458(1) | 1 | 5,000 | 0.00 |
| 41120 | ALT VET EX-WAR PERIOD-NON-COMI | RPTL 458-a | 37 | 829,056 | 0.18 |
| 41130 | ALT VET EX-WAR PERIOD-COMBAT | RPTL 458-a | 38 | 1,451,925 | 0.32 |
| 41140 | ALT VET EX-WAR PERIOD-DISABILI | RPTL 458-a | 9 | 386,530 | 0.08 |
| 41161 | COLD WAR VETERANS (15%) | RPTL 458-b | 1 | 12,000 | 0.00 |
| 41690 | VOLUNTEER FIREFIGHTERS AND AM | RPTL 466-c,d,e,f,g,h&i | 1 | 3,000 | 0.00 |
| 41700 | AGRICULTURAL BUILDING | RPTL 483 | 3 | 229,740 | 0.05 |
| 41720 | AGRICULTURAL DISTRICT | AG-MKTS L 305 | 72 | 7,707,851 | 1.67 |
| 41800 | PERSONS AGE 65 OR OVER | RPTL 467 | 35 | 2,611,400 | 0.57 |
| 41930 | DISABILITIES AND LIMITED INCOM | RPTL 459-c | 1 | 101,000 | 0.02 |
| 47460 | FOREST LAND CERTD AFTER 8/74 | RPTL 480-a | 44 | 18,995,233 | 4.13 |

Reference Material

SEP 20 2016

For Town Board Meeting

Equalized Total Assessed Value 460,194,203

| Exemption Code | Exemption Name | Statutory Authority | Number of Exemptions | Total Equalized Value of Exemptions | Percent of Value Exempted |
|---|-----------------------------|---------------------|----------------------|-------------------------------------|---------------------------|
| 49500 | SOLAR OR WIND ENERGY SYSTEM | RPTL 487 | 2 | 19,000 | 0.00 |
| Total Exemptions Exclusive of System Exemptions: | | | | 42,340,481 | 9.20 |
| Total System Exemptions: | | | | 0 | 0.00 |
| Totals: | | | | 42,340,481 | 9.20 |

Values have been equalized using the Uniform Percentage of Value. The Exempt amounts do not take into consideration, payments in lieu of taxes or other payments for municipal services.

Amount, if any, attributable to payments in lieu of taxes: _____

Reference Material

October 2016
 For
 Town Board Meeting

Town of Austerlitz – Solar Energy Law

Draft as of August 19, 2016

Reference Material

OCT 20 2016

For
Town Board Meeting

1. Authority

This Zoning for Solar Energy Law is adopted pursuant to sections 261-263 of the Town Law of the State of New York, which authorize the Town to adopt zoning provisions that advance and protect the health, safety, and welfare of the community, and “to make provision for, so far as conditions may permit, the accommodation of Solar Energy Systems and equipment and access to sunlight necessary therefor.”

2. Statement of Purpose

This Zoning for Solar Energy Law is adopted to advance and protect the public health, safety, and welfare of the Town of Austerlitz, including:

- A. *Taking advantage of a safe, abundant, renewable, and non-polluting energy resource; *
- B. *Decreasing the cost of energy to the owners of commercial and residential properties, including single-family houses; and *
- C. *Increasing employment and business development in the region by furthering the installation of Solar Energy Systems. *

OCT 20 2015

For
Town Board Meeting

3. Definitions

BUILDING-INTEGRATED PHOTOVOLTAIC SYSTEM: A combination of photovoltaic building components integrated into any building envelope system such as vertical facades including glass and other facade material, semitransparent skylight systems, roofing materials, and shading over windows. 

GROUND-MOUNTED SOLAR ENERGY SYSTEM: A Solar Energy System that is anchored to the ground and attached to a pole or other mounting system, detached from any other structure for the primary purpose of producing electricity for onsite consumption. 

LARGE-SCALE SOLAR ENERGY SYSTEM: A Solar Energy System that is ground-mounted and produces energy primarily for the purpose of offsite sale or consumption. Any installation producing electricity greater than 110% of onsite electrical usage on average over the preceding 12 months as demonstrated on utility bills is considered a Large Scale Solar Energy System.

ROOF-MOUNTED SOLAR ENERGY SYSTEM: A Solar Panel System located on the roof of any legally permitted building or structure for the primary purpose of producing electricity for onsite or offsite consumption. 

SOLAR ENERGY EQUIPMENT: Electrical energy storage devices, material, hardware, inverters, or other electrical equipment and conduit of photovoltaic devices associated with the production of electrical energy. 

SOLAR ENERGY SYSTEM: An electrical generating system composed of a combination of both Solar Panels and Solar

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Town Board Meeting

Energy Equipment. 

SOLAR PANEL: A photovoltaic device capable of collecting and converting solar energy into electrical energy. 

PRIMARY USAGE (e.g. "use the electricity primarily onsite" or "produces energy primarily for") shall equal no more than 110% of onsite electrical usage on average over the preceding 12 months as demonstrated on utility bills.

4. Applicability

The requirements of this law shall apply to all Solar Energy Systems installed or modified after its effective date, excluding general maintenance and repair and Building-Integrated Photovoltaic Systems.

5. Solar as an Accessory Use/Structure

A. Roof-Mounted Solar Energy Systems.

1) Roof Mounted Solar Energy Systems that use the electricity onsite or offsite are permitted as an accessory use in all zoning districts when attached to any lawfully permitted building or structure.

2) Height. Solar Energy Systems shall not exceed maximum height restrictions within the zoning district it is located in and are provided the same height exemptions granted to building-mounted mechanical devices or equipment. 

3) Aesthetics. Roof-Mounted Solar Energy System installations shall incorporate, when feasible, the following design requirements: Panels facing the front yard must be mounted at the same angle as the roof's surface with a

maximum distance of 18 inches between the roof and highest edge of the system. [SEP]

4) Roof-Mounted Solar Energy Systems that use the energy onsite or offsite shall be exempt from site plan review under the local zoning code or other land use regulations.

5) Roof-Mounted Solar Energy Systems must allow room on the roof for Fire Company access. [SEP]

B. Ground-Mounted Solar Energy Systems.

1) Ground-Mounted Solar Energy Systems that use the electricity primarily onsite are permitted as accessory structures in Austerlitz Hamlet, Spencertown Hamlet and Rural Residential Districts. [SEP]

2) Height and Setback. Ground-Mounted Solar Energy Systems shall adhere to the height and setback requirements of the underlying zoning district in which they are located. [SEP]

3) All such Systems in all districts shall be installed in side or rear yards. [SEP]

4) Residential Ground-Mounted Solar Energy Systems in all districts that use the electricity primarily onsite shall be exempt from site plan review under the local zoning code or other land use regulations, although a permit is still required. Commercial Ground-Mounted Solar Energy Systems in all districts are subject to permit and require site plan reviews by the Planning Board.

5) Ground-Mounted Solar Energy Systems in all districts must allow room for Fire Company access to all out buildings. [SEP]

C. Directions for Solar Energy Systems

Reference Material
For
Town Board Meeting

Roof-Mounted Solar Energy Equipment such as batteries and control panels (except individual on/off switches) shall be installed inside walls and attic spaces to reduce their visual impact.

Reference Material

6. Large-Scale Solar Systems

Large-Scale Solar Systems are not permitted anywhere in the Town of Austerlitz.

7. Enforcement

Any violation of this Solar Energy Law shall be subject to the same civil and criminal penalties provided for in the zoning regulations of the Town of Austerlitz.

8. Severability

The invalidity or unenforceability of any section, subsection, paragraph, sentence, clause, provision or phrase of the aforementioned sections as declared by the valid judgment of any court of competent jurisdiction to be unconstitutional shall not affect the validity or enforceability of any other section, subsection, paragraph, sentence, clause, provision or phrase, which shall remain in full force and effect.

FINAL DRAFT – September 18, 2015

1.0 RIDGELINE PROTECTION OVERLAY ZONE

1.1 Purpose – The purpose of this law is to promote the health, safety and general welfare of the people of the Town of Austerlitz by insuring that any development that takes place on designated ridgelines preserves the rural character of the town; minimizes the visual impact of man-made features; minimizes the removal of native vegetation; minimizes the danger of erosion resulting from the excavation and alteration of land; minimizes the danger of flooding or pollution of the ground or surface water supply (public or private) in any adjacent low lying areas; and does not reduce property values by unnecessarily detracting from the visual setting or obstructing significant views.

1.2 Applicability – Regulations contained in this section apply to all commercial and residential uses, except as defined in Section 1.4 below, Permitted Uses.

1.3 Definitions

1. Adverse: indicates a negative impact on an identified source
2. Clear cutting: as defined in the Zoning Law
3. Hilltop: Plateau land that extends beyond the visible ridgelines as seen from view points
4. Ridgeline: the long, narrow crest or horizontal line of hills or mountains, usually at the highest elevation. The Town of Austerlitz had identified certain ridgelines, the development of which would require heightened scrutiny; more information may be found on the map available in the Town Hall, or at www.austerlitzny.com
5. Significant alteration: Any alteration which adds to the height of a structure, or which substantially alters the visual profile of the property
6. Steep slope: any area exceeding a slope of 30 per cent
7. Undue adverse: indicates that the proposed development violates one or more of the Standards set forth herein and that the impacts cannot be mitigated
8. Viewpoints: public roads and government properties. In reviewing projects located in an identified ridgeline overlay district, and to identify appropriate mitigation to ensure that a project does not result in an undue adverse impact on scenic resources, the Planning Board shall consider the relative importance of the view points from which the project is visible (affected view points). Such consideration shall include the number of affected view points; the volume of traffic using the affected roads or highways; the project's distance from affected view point; and the visibility of the project. Viewpoints may be found on the Ridgeline Protection Overlay Zone map available for review at the Town Hall.

1.4 Permitted Uses

1. Agricultural production, including but not limited to the raising of crops, livestock, poultry, nurseries, orchards and hay.
2. Recreational uses, as allowed in the Zoning Law.
3. Maintenance and repair usual and necessary for continuance of an existing use.
4. Conservation of water, plants and wildlife, including the raising and management of wildlife.
5. Non-commercial cutting of trees for fuel, as limited by 1.5(3) below.

1.5 Development Standards

1. All development, including grading, clearing and construction of driveways shall provide for the retention of native topsoil, stabilization of steep slopes, prevention of erosion and consequent sedimentation of streams and watercourses. In addition to State Environmental Conservation Law requirements regarding storm water management, peak storm water discharge from the site after development shall not exceed pre-development levels for a twenty-five (25) year/twenty four (24) hour storm event, and existing drainage patterns shall not be altered in a manner to cause an adverse impact on neighboring properties, town highways or surface waters.
2. Development shall not result in an undue adverse impact on fragile environments, including steep slopes, streams, wild life habitats and designated wetlands.
3. If the project encompasses a forested ridgeline, there will be no significant exposure of buildings, and all development shall be minimally visible and blend in with surroundings. The amount and location of clearing adjacent to structures shall be limited; additional tree planting may be required in instances where such planting is needed to visually interrupt the portion of structures visible from defined view points:
 - a) Clearing and forest management should be restricted to protect the unbroken forest backdrop. Generally, forest management will maintain a forested appearance.
 - b) Selective cutting shall meet standards set in the Town Zoning Law
 - c) Clearing of trees to create a driveway with adequate sight distance and proper drainage control should be minimal.
 - d) Clearing for views should be limited, with narrow view openings between trees and beneath tree canopies being a desired alternative to clearing large openings adjacent to building facades. View clearing should prioritize the selective cutting of small trees and the lower branches of large trees, rather than removing large trees.
 - e) On wooded sites, existing forest cover should be maintained adjacent to proposed building sites to interrupt the facades of buildings, provide a forested backdrop to buildings and reduce or eliminate the visual impact of new development from view points.
4. The following uses are subject to review prior to the issuance of a Building Permit or Special Permit:
 - a) The construction of a new dwelling or other structure.
 - b) Any construction or alteration of any dwelling or other structure that increases the square foot by up to fifteen per cent of the main residence.
 - c) Any use allowed by Special Use Permit in the underlying district.
 - d) Any subdivision which requires approval under the Town Subdivision Regulation.
 - e) The clear cutting of more than one half ($\frac{1}{2}$) acre for any purpose.

- f) The Planning Board may waive any or all requirements of the ridgeline review for dwelling additions and for accessory buildings of 400 square feet or less.

5. Exempt Uses

- a) Agricultural activities.
- b) Work incidental to construction on the premises under a currently valid building permit.

1.6 Ridgeline Standards

Buildings and landscaping are to be designed and located on the site to blend with the natural terrain and vegetation, and to preserve the scenic character of the site, conforming to the following standards:

1. Building characteristics
 - a) Building height shall not exceed 40 feet.
 - b) Buildings, alterations, additions or structures should be placed downgrade of the ridgeline.
 - c) Building materials shall blend with the natural landscape.
 - d) All exterior lighting shall be below treetop level and down lit.
2. Grading
 - a) Any grading or earth moving operation is to be planned and executed in such a manner that final contours appear to be consistent with the existing terrain, both on and adjacent to the site.
3. Prevention of Erosion and Sedimentation
 - a) No area or areas totaling one half (1/2) acres or more on any parcel or contiguous parcels in the same ownership shall have existing vegetation, including trees, clear-stripped or be filled six (6) inches or more so as to destroy existing vegetation unless: in conjunction with agricultural activity; or unless necessarily incidental to construction on the premises under a currently valid building permit; or unless within roads which are designated on an approved subdivision plan; or in connection with a Department of Environmental Conservation storm water management plan, on the condition that run-off will be controlled, erosion avoided and either a constructed surface or cover vegetation will be provided not later than the first full spring season immediately following completion of the stripping operation, or unless otherwise approved at the discretion of the Planning Board because the clearing does not affect the visible ridgeline.
 - b) No stripped area shall remain through the winter without a temporary cover of winter rye or similar plant materials being provided for soils control, except in the case of agricultural activity where such temporary cover would be unfeasible.

4. Utilities

- a) Utilities shall be constructed and routed underground except in those situations where natural features prevent the underground siting or where safety considerations necessitate above ground construction and routing. The Planning Board may waive this requirement, and any such waiver shall be explained in the record.
- b) Any above ground utilities shall be constructed and routed to minimize effects on the visual setting.

5. Site Planning

In the building of more than one structure, variable setbacks, multiple orientations and other site planning techniques shall be incorporated in order to avoid the appearance of a solid line of development. Access drives and roads shall be placed as close to the natural contours of the land as possible in order to minimize cutting and filling.

1.7 Procedures for review

The provisions of the Ridgeline Protection Overlay Zone shall be considered a part of the Site Plan Review and/or Special Use Permit process.

1. Prior to undertaking any work in the Ridgeline Protection Overlay Zone, including clearing and removal of vegetation, grading or construction, and prior to applying for a building permit, landowners must submit an application for ridgeline review to the Code Enforcement Officer.
2. The Code Enforcement Officer shall review the application and render a recommendation in writing, which shall be forwarded to the Planning Board according to the site plan review process.
3. The Planning Board shall:
 - a) Approve the proposed project as a suitable development and is in compliance with the criteria set forth in the Bylaw.
 - b) Approve the project subject to conditions, modifications and restrictions as may be deemed necessary.
 - c) Deny as failing to have met requirements.

1.8 Ridgeline Applications

In addition to the submission requirements set forth in the Zoning Law which apply to Site Plan Review and Special Use Permit, there are additional submission requirements when an application for Site Plan Review and/or Special Use Permit lies within the Ridgeline Protection Overlay Zone.

1. To facilitate siting and design of building sensitivity related to the natural setting, applications for the proposed development of ridgelines must be accompanied by the following:

- a) Plot plan
 - b) Viewpoints – photographs of the development site taken from viewpoints along the roads, together with a map indicating the distance between these points and the site. Viewpoints may be found on the Ridgeline Protection Overlay Zone map available for review at the Town Hall.
 - c) Placement, height and physical characteristics of all existing and proposed buildings and structures located on the development site.
2. In reaching a determination regarding siting and building design in the Ridgeline Protection Overlay Zone, the Planning Board shall also consider the requirements of the Town’s Site Plan review and Zoning Law standards and shall consider such waivers to the ridgeline requirements as may be appropriate under the standards articulated therein. The Planning Board must document all waivers.

1.9 Conflict with other laws

The provisions of this local law shall be considered supplemental of existing zoning law. To the extent that a conflict exists between this law and other laws, the more restrictive law, or provisions therein, shall apply.

2.0 Severability

If any provision of this law is held invalid by a court of competent jurisdiction, the remainder of the law shall not be affected thereby. The invalidity of any section or parts of any section or sections of this law shall not affect the validity of the remainder of the Town’s zoning bylaw.

Reference Material

11/15/2016

For
Town Board Meeting

Reference Material

TEST 2 1 2016

For
Town Board Meeting

Town of Austerlitz, NY

Draft as of Monday, June 27, 2016,

Chapter 160. STREETS AND DRIVEWAYS

Article I. Street Specifications

§ 160-1. Adoption of standards.

The following standards for the design and construction of Town roads, private roads and driveways in the Town of Austerlitz are hereby adopted.

§ 160-2. Town roads.

A. General Town road requirements.

(1) All Town roads constructed after the date of the adoption of this article shall have a minimum right-of-way of 50 feet, which right-of-way shall be wider in areas requiring more area for slope maintenance. The paved surface shall be a minimum of 20 feet wide, ~~consisting of~~ in addition there must be two shoulders and ditches, each having a combined minimum width of five feet being a minimum of 2.5 feet wide. The subbase must be approved by the Highway Superintendent and Town Engineer prior to the installation of gravel. The road base shall consist of a minimum of 12 inches compacted depth of bony bank-run gravel or hard shale to be approved by the Highway Superintendent. Over top, the stone or shale will consist of a minimum of six inches of compacted processed gravel (Subsection D). The Town Engineer may specify up to 18 inches of gravel and road fabric in road areas.

(2) The subbase materials as specified above shall be rolled and compacted to 95% standard proctor density with a ten-ton vibratory roller. The road base (Subsection D) shall also be compacted to 95% standard proctor density.

B. Drainage ditches.

(1) Ditches must be properly cut to 18 inches below the surface of the roadway to allow adequate drainage. On hills, as specified by the Highway Superintendent and Town Engineer, ditches shall be lined with stone six inches in diameter.

(2) All culvert pipes shall be sized by the developer's engineer and be approved by and be of materials acceptable to the Town Engineer, sufficient to handle the flow from a twenty-five-year storm event. Culverts shall be installed, with a minimum culvert of 12 inches in slopes of not ~~less~~ more than 5% ~~(1% is desirable).~~ All drainage improvements shall be reviewed and approved by the Highway Superintendent in consultation with the Town Engineer.

Commented [GV1]: What specifically are we updating and what are we deleting/repealing? Seems we have wording in both Zoning Law and Road Law so one must go and the other updated with this verbiage.

Commented [GV2]: Team believes this law applies to everyone, including Highway Dept

Reference Material

2024-2025

For
Town Board Meeting

C. Angle of intersection. In general, all roads shall intersect perpendicularly for a distance of at least 100 feet.

D. Top surface.

- (1) The top surface of the paved roadway shall consist of 2 1/2 inches of dense binder (Type 2 asphalt) rolled with a ten-ton roller.
- (2) A one-and-one-half-inch top course (Type 6F asphalt) shall then be applied and rolled with a ten-ton roller.
- (3) All roads must be properly crowned with the cross slope of 1/4 inch per foot.
- (4) In developments in which lots are sold and developed over a long period of time, paving of roads may be phased (subject to the approval by the Planning Board) so that pavement is required to be completed only as far as the farthest developed lot on the road.

E. Shoulders. Shoulders shall be constructed of compacted bank-run gravel, with a surface consisting of a three-fourths-inch-per-foot cross slope.

F. Dead-end roads. The maximum length of a dead-end road is 1/2 mile. All dead-end roads shall end in a cul-de-sac with a minimum of a fifty-foot radius to provide adequate area for turning for snow plows, fire trucks and other maintenance equipment.

G. Watercourses.

- (1) Where a watercourse separates a proposed road from abutting property, provisions shall be made for access to all lots by means of culverts or other structures designed to handle a twenty-five-year storm event, to be approved by the Highway Superintendent in consultation with the Town Engineer.
- (2) Where a subdivision is transversed by a watercourse, drainageway, channel or stream, a twenty-foot-wide stormwater easement or drainage right-of-way shall be provided as may be required by the Town Highway Superintendent in consultation with the Town Engineer.

H. Grades, changes of grade and curves. The maximum grade for a Town road shall be 10%. The average grade shall be no more than 8%, with the grade not exceeding 3% of the first 50 feet of roadway. All changes of grade in said roadway will be accomplished with a vertical curve of at least of 100 feet in length. Radius of curves shall be 200 feet minimum.

I. Visibility of intersections. In order to provide visibility for traffic safety, that portion of any corner lot (whether at an intersection entirely within the subdivision or of a new road with an existing road) which is shown shaded on Sketch A, annexed hereto and made a part hereof,

Editor's Note: Sketch A is included at the end of this chapter.

Reference Material

For
Town Board Meeting

shall be cleared of all growth (except isolated trees) and obstructions above the level three feet higher than the center line of the road. If directed, ground shall be excavated to achieve visibility.

J. Guide rails. All new roadways shall have embankments of slope not greater than one on three (one vertical, three horizontal). Slopes that are steeper than one on three will require the installation of a guide rail, which shall meet the requirements of NYSDOT Standard Specifications, Section 606.

K. Road names. All roads must be named with names that are substantially different so as not to be confused in sound or spelling with present names. All project plans shall have road names on them prior to final approval by the Planning Board. All road names must be approved by the Town Board and then be filed with county. All roads must have road signs erected and maintained.

L. Performance bond. The Planning Board shall require a developer to provide a performance bond by a surety or other security acceptable to the Planning Board to secure the complete construction of any road that would be dedicated to the Town.

M. Enforcement. The Town Highway Superintendent or other designee, in consultation with the Town Engineer, shall (at the developer's expense) inspect the completed road for conformance with the approved plans prior to acceptance of the road by the Town Board and during such phases of construction as the Town deems appropriate. Each Town road shall be built so as to have standard cross sections generally in accordance with Sketch B, annexed hereto and made a part hereof.

Editor's Note: Sketch B is included at the end of this chapter.

§ 160-3. Private roads.

A. Applicability. The within private road specifications are applicable to ~~developments~~ access roads containing a maximum number of five building lots per access to a public road. For all ~~developments~~ access roads containing six or more building lots, the specifications concerning Town roads shall be applicable.

Commented [GV3]: Too low?

B. Dimensions. All private roads shall have a minimum right-of-way width of 50 feet. For all developments containing three building lots or less, the minimum travel surface in the said right-of-way shall not be less than 16 feet in width. For all developments containing four or five building lots, minimal travel surface within said right-of-way shall be a minimum of 18 feet in width. All private roads less than 18 feet in width shall have a turnoff or passing zone for every 400 feet of length of roadway. Each turnoff or passing zone shall be a minimum of 30 feet in length and shall provide an additional eight feet in width so that the width of the travel surface through the passing zone shall consist of a minimum of 24 feet.

C. Maintenance agreements; homeowners' association. The Planning Board will require a maintenance agreement or a homeowners' association for the maintenance of a private road as a condition of any subdivision approval.

D. Performance bond. The Planning Board may require a developer to provide a performance bond by a surety or other security acceptable to the Planning Board to secure the complete construction of any road that would be dedicated to the Town.

E. Maximum length. The maximum length of a dead-end private road shall be 1/2 mile, ending in a cul-de-sac with a fifty-foot radius or an L-shaped turnaround that meets with the approval of the Highway Superintendent.

F. Maximum number of parcels. The maximum number of parcels allowed on any private road with a single access to a public road is five. A development that is served by a series of private roads that have a single access to a public road may not include more than five parcels. The development of more than five parcels would require direct access to a public road. This additional access must be at least 1,500 feet from any other access road serving the development. The within requirement shall be applicable for every additional five building lots or parcels.

G. Grades, changes of grade and curves. The maximum grade for a private road shall be 10%, averaged over a distance of 500 feet. In no case shall the grade exceed 15%. The grade shall not exceed 3% for the first 50 feet of roadway. All changes of grade in said roadway will be accomplished with a vertical curve of at least 100 feet in length. Radius of curves shall be 200 feet.

H. Dedication of private roads as Town roads. Nothing herein shall be construed to mean or require the Town to accept private roads for dedication. However, if the owner of a private road is desirous of having a private road dedicated to the Town, he or she is responsible for the upgrading of that private road to Town road specifications as set forth in section 160-2, including grading, widening and paving, prior to making such dedication offer. Formal Town acceptance of any such private road can be made only after inspection by the Highway Superintendent, in consultation with the Town Engineer, and action by the Town Board.

I. Private road specifications. Private roads must meet all other specifications for a Town road except for the paving of the road surface.

J. Plan review. Before any subdivision approval is granted, the Planning Board ~~may elect to have the proposed road design reviewed~~ must obtain from ~~by~~ the Highway Superintendent and/or the Town Engineer ~~to determine a determination~~ that the private road, as designed, meets the Town's design and construction standards as set forth herein. Each private road shall be built so as to have standard cross sections generally in accordance with Sketch C, annexed hereto and made a part hereof.

Editor's Note: Sketch C is included at the end of this chapter.

K. Intersections. Where a private road intersects a paved road, it shall be paved for a distance of 50 feet from the edge of the intersection.

SECTION 160.4. DRIVEWAYS

A. Policy and Purpose

It is the policy of the Town of Austerlitz to further the safe access to properties and roads within the Town of Austerlitz and to ensure that private driveways facilitate the proper drainage of surface waters and storm water run off so as to not be detrimental to the Town's drainage ways and systems and to further the public health, safety and general welfare. The purpose of this section is to provide a process for review of new and existing driveways and to provide minimum requirements and standards for driveway construction and maintenance in furtherance of the aforesaid policy.

B. Application.

The requirements of this local law shall apply to all new and existing driveways accessing public and approved private roads in the Town of Austerlitz. Driveways proposed onto State highways also require approval from the State Department of Transportation (DOT) and driveways proposed onto County Highways also require approval from the Columbia County Department of Public Works (DPW).

C. Design Standards.

A. For access onto any public or private road:

1. **General Standards.** A driveway servicing one residence or parcel of real property shall have a minimum width of travel surface of 12 feet and be configured and situated so that vehicles are able to turn around and exit the premises without backing onto a main road. A turnoff or passing zone must be built into the driveway for every 400 feet of length, which turnoff or passing zone shall be at least 30 feet in length and shall provide an additional eight feet of width. All driveways in excess of 150 feet in length shall have an area (such as a loop or hammerhead design so that vehicles (including emergency vehicles) can turn around and exit the driveway
2. **Finished Grade:** All access grades within thirty (30) feet of the road's driving surface should be no more than 2% and in no case more than 3%. Any grade beyond this thirty (30) foot point shall not exceed 15%.
3. **Access grades** shall be constructed to slope downward from the edge of the road surface to the existing drainage ditch line at a rate of three-quarter (3/4) inch per foot.
4. **Ditching and drainage facilities** shall be adequate along length of driveway to accommodate runoff and not affect adjoining properties or roads.

B. For access onto Town roads:

1. The angle of all new driveways accessing Town roads shall be between eighty (80) and ninety (90) degrees for a minimum distance of the first twenty (20) feet from the edge of the Town roads driving surface.
2. The return radius between the edge of the driveway and the edge of the existing Town road's driving surface shall be a minimum ~~total~~ of fifteen (15) feet ~~on each side of the driveway.~~
3. Driveways shall have an adequate sight distance in each direction meeting the requirements of the Manual of Uniform Traffic Control devices measured twenty (20) feet back from the edge of the Town road's pavement at a forty two (42) -inch eye a height.
4. **Sight easements** shall be provided across all driveway corners. No obstructions to vision such as shrubbery, brush, trees, earth, fencing or structure shall be permitted at the road intersections within the triangle formed by the intersection of the road center lines and a line drawn between points along such lines thirty (30) feet distance from their point of intersection and ten (10) feet back from the edge of the pavement of the road. This restriction does not apply to U.S. Postal Service mailboxes.

C. For access onto State or County roads:

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The curb cut and driveway requirements of the State or County shall be adhered to in addition to the general standards set forth in this Section. If there is a conflict between jurisdictional requirements or standards, the stricter requirements or standards shall apply.

D. All driveways shall have at least five feet of setback between the edge of the driveway and the nearest property line.

D. Construction Specifications.

A. For any culvert that is installed to allow a driveway or private road to connect to a Town Road. Driveways for accessing single residential parcel or lot: Culvert pipe(s) shall be new and supplied by the property owner. Prior to construction, applicants shall contact the Town Highway Superintendent for specifications of the size of pipe and materials. Once the culvert pipe has been delivered and is available at the property for installation, the Highway Department shall be responsible for its proper installation. Such installation shall occur within a reasonable time after the culvert pipe is available at the property for installation. The Town will bear the cost of installing the culvert pipe to the extent that the installation does not involve stream crossings or specialized equipment and does not require more than one day of work by the Highway Department. The property owner will be responsible for reimbursing the Town for such additional costs if such are necessary.

B. For driveways accessing new roads. All driveway culverts and drainage systems shall be supplied and installed by the property owner at the property owner's expense.

C. For driveways accessing State or County roads. The requirements of the State or County, whichever applies shall be adhered to. Cost of construction or installation shall not be borne by the Town.

D. For all Driveways.

1. For any driveway, the Town Highway Superintendent reserves the right to review the site and advise Best Management Practices that shall be set in place before and during construction.

2. Driveways shall be constructed so that the entrance onto any state, county, Town or private road is consistent with the Highway Superintendent's requirements for safety and proper drainage.

3. Where any driveway ~~that~~ predates the adoption of this local law and subsequently requires a culvert to be installed in order to rectify a drainage issue affecting a Town road, the driveway culvert shall be ordered and installed by the Highway Department and the property owner shall reimburse the Town for 50% of the Town's costs for the culvert pipe and installation.

E. Maintenance.

A. All driveways within the Town of Austerlitz must be kept in good driving condition, free and clear of surface water, debris or obstacles that prevent or hinder access by vehicles including, but not limited to, emergency vehicles.

B. Surface water from driveways or onto driveways within the Town of Austerlitz shall be diverted away from roads and road drainage systems to avoid flooding or the ponding of surface water on any road and any surface water that flows along or down a driveway shall be diverted into the appropriate culvert or drainage ditch or facility.

C. All driveways within the Town of Austerlitz shall be maintained in such a way as not to cause any erosion or drainage to adjacent roads or property. Privately owned ditches must be maintained in a manner that prevents storm runoff from private drives from entering onto a Town Road. The Town will

hold individual property owner(s) financially responsible for any damage to Town roads relating from private drive runoff (i.e. washouts, debris, failure of proper ditch maintenance, drainage of surface water onto surface of driveway, etc.).

F. Approval of Driveways/Application for Driveway Permits.

Prior to the construction of a driveway that enters a Town, County, State or private road, approval must be obtained from the appropriate governing authority or agency, and a copy of such approval forwarded to the Code Enforcement Officer. Where a driveway enters a County or State road, a Driveway Permit from the Town of Austerlitz is still required and an inspection will be conducted in order to ensure that the design standards of Section 3 of this local law have been met.

1. Prior to obtaining a driveway permit, applicants shall arrange a time for the Town Highway Superintendent to conduct an initial inspection to review the location of the proposed driveway

2. Application for a driveway permit shall be filed with the Town Code Enforcement Officer. A Driveway Permit Application fee for residential properties and for non-residential properties, shall be paid in an amount established by a schedule of fees adopted by the Town Board by resolution and as amended from time to time.

Commented [GV-4]: Need fee schedule

3. The Code Enforcement Officer shall not issue a Driveway Permit for on-site construction until a Driveway Permit application together with the required fee has been submitted and an initial driveway inspection has been performed and an acceptable location has been sited. In order for the Code Enforcement Officer to perform necessary inspections, a passable driveway also must be constructed in the sited location prior to the issuance of any Building Permit Application for additional on-site construction, and the driveway must allow for emergency vehicle passage.

4. A final inspection will be performed to verify that the requirements and standards of this regulation have been met to the satisfaction of the Highway Superintendent or Town Engineer. All corrective actions must be taken by the driveway land owner.

5. The Code Enforcement Officer shall not issue a Certificate of Occupancy until ~~the a new~~ driveway is completed, inspected and approved by the Highway Superintendent.

6. The person to whom such permit is issued shall be responsible for all damages caused to the road itself, any public utilities in the road, any cracked or damaged sewer and water pipe shall be replaced with new pipe, under the supervision of the Highway Superintendent. Before the Certificate of Occupancy can be issued any damaged ditches, curbs, sidewalks, or other improvements shall be repaired or replaced in as good condition as before the construction commenced.

7. No debris shall be left on the Town Road.

8. If any excavation is caused in any Town street or highway relating to the driveway construction, it shall be restored within the time granted in the permit, with approved bank run gravel and shall be kept and maintained level with the unexcavated portion thereof, for a period of one year from the date of the permit, so that said excavated portion shall be left in as good, substantial and permanent condition as before the excavation; and if not so restored and maintained, the work shall be done under the direction of the Superintendent of Highways and the cost thereof shall be a lawful charge against the property

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owner. No person, persons, firm or corporation making or having made any such excavation in or upon any street or highway aforesaid, shall allow such excavation to remain open or uncovered either day or night, without having or causing the same to be properly barricaded by day and night and in addition thereto, shall place at such location, flares, red lanterns or other warning devices, by night, so as to properly warn all persons of the danger of such hole or excavation.

SECTION 7. Access for Proposed New Lots.

An applicant proposing a subdivision on a Town road shall not receive final approval without first meeting with the Town Highway Superintendent or Town Engineer regarding the accessibility of each lot. The applicant shall provide the Code Enforcement Officer with a signed letter from the Highway Superintendent on his letterhead verifying that he has inspected the site and has determined that each new lot can be adequately accessed from a Town road

Commented [GV5]: Section 7? Should this be a new section. e.g. 160-n? Does this belong on the DRIVEWAY section of the law?

G. Penalties.

A. A violation of this local law is an offense, punishable by a fine not exceeding two hundred fifty dollars (\$250.00) per day of continuing violation.

B. In addition to the above prescribed penalties, the Town Board may in its discretion revoke any permit previously issued after a public hearing at which the applicant shall have an opportunity to be heard, or in the alternative, may also maintain an action or proceeding in the name of the Town in a court of competent jurisdiction to compel compliance with this local law by injunction, abatement or otherwise compel cessation of each violation, and obtain restitution to the Town for costs incurred by the Town in remedying each violation, including but not limited to reasonable attorney's fees.

§ 160-5. Waivers and variances.

[Amended 8-14-2008 by L.L. No. 1-2008] The Planning Board, upon specific request and by specific resolution, including a statement of findings, may waive and/or vary any portion of § 160-2 relative to Town roads, § 160-3 relative to private roads and § 160-4 relative to single driveways, subject to the approval of the Town Planning Board and the Highway Superintendent. The Town Board, upon specific request and by specific resolution, including a statement of findings, may, without resolution from the Planning Board, waive and/or vary any portion of § 160-2 relative to Town roads. The statement of findings shall include, but not be limited to, written recommendations from the Town Engineer and Highway Superintendent. Waivers and variances may be subject to appropriate conditions and guarantees. Waivers and variances shall be specific to particular applications, shall be consistent with the intent of this article, and shall be made only upon a finding of the Town Board that the interests of justice will thereby be served without impairing the public health, safety and general welfare. Waivers and variances shall not nullify the intent of this article and shall only be given when, in the judgment of the Town Board, sections of this article are deemed inappropriate and when the interests of the public health, safety and general welfare of the Town are not served by strict compliance with the standards in this article.

SECTION 160-6 Liability

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Certificates of Insurance.

A. The permittee on all non-residential properties shall present to the Town certificates of insurance evidencing the acquisition of liability insurance coverage naming the Town as an additional insured on a non-contributory basis with the minimum limits of coverage for bodily injury equal to \$1,000,000.00 for each person injured, \$2,000,000.00 for aggregate bodily injury resulting from each occurrence, and \$500,000.00 property damage.

B. Said insurance shall be maintained throughout the term of the permit and the aforementioned certificates shall provide for thirty (30) days' notice to the Town prior to cancellation of coverage.

C. All persons performing work under this permit are to be covered by Workmen's Compensation Insurance and Disability Benefits insurances as required by State law.

Maintenance Bond and Letter of Credit.

The permittee on all non-residential properties shall present to the Town a maintenance bond and/or a bank letter of credit in favor of the Town in such amount as the Highway Superintendent with the advice of the Engineer serving the Town and/or the Attorney serving the Town shall recommend to the Code Enforcement Officer dependent upon the number and extent of the driveways being constructed pursuant to such permit. guaranteeing compliance with the provisions of the permit. At such time, if ever, that said bond or letter of credit is expended, the permittee shall replace the same within 5 days written notice of the Town, failing which the permit shall be subject to revocation.

Indemnity and Save Harmless.

The permittee on all non-residential properties shall agree to fully indemnify, defend, save and hold harmless the Town and all of its departments, bureaus, divisions, boards, officers and employees from and against any and all claims, costs, damages, expenses, charges, risks, losses, lawsuits, judgments, executions, penalties, fines, assessments or any other liability of any type arising out of, occurring in connection with, or resulting from any and all activity to be performed by permittee pursuant to said permit.

January, 2013

SUBDIVISION OF LAND CHAPTER 167

- Article I General Provisions**
§ 167-1 **Legislative authority; policy; title.**
§ 167-2 **Construal of provisions.**
§ 167-3 **Conflict with other provisions.**

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- Article II Terminology**
§ 167-4 **Word usage.**
§ 167-5 **Definitions.**

- ARTICLE III Preliminary Subdivision Procedures**
§ 167-6 **Application for subdivision approval required.**
§ 167-7 **Sketch plan requirements.**
§ 167-8 **Review of sketch plan.**
§ 167-9 **State environmental quality review.**

- ARTICLE IV Minor and Major Subdivision Process**
§ 167-10 **Plat Approval Process.**
§ 167-11 **Submission of required documents.**
§ 167-12 **Attendance at Planning Board Meeting Required.**
§ 167-13 **Official submission date.**
§ 167-14 **Consideration of plat.**
§ 167-15 **Subdivision requires access from highway.**
§ 167-16 **Public hearing with Planning Board as lead agency.**
§ 167-17 **Public hearing with other agency as lead agency.**
§ 167-18 **Certification of plat.**
§ 167-19 **Fees, costs.**
§ 167-20 **Submission of additional required documents for major subdivisions.**
§ 167-21 **Limitation on preliminary approval; certification of plat; submission
of final plat.**

- ARTICLE V Final Plat Process**
§ 167-22 **Requirements for approval.**
§ 167-23 **Submission of required documents.**
§ 167-24 **Certification and filing of plat.**
§ 167-25 **Approval of plat in sections.**
§ 167-26 **Expiration of conditional approval; extensions.**
§ 167-27 **Final plats approved by default.**
§ 167-28 **Required improvements; performance bond.**
§ 167-29 **Filing of approved plat; changes to approved plat.**
§ 167-30 **Town acceptance of roads and recreation areas.**
§ 167-31 **Phasing of subdivisions.**
§ 167-32 **Abandonment of subdivisions.**

- ARTICLE VI Modifications; Appeals**
§ 167-33 **Modification of requirements due to hardship.**

§ 167-34 Review of decision of Planning Board.

Article VII Effect of Other Provisions

§ 167-35 Statutory authority; supersession of other provisions.

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[HISTORY: Adopted by the Town Board of the Town of Austerlitz 6-9-2005 by L.L. No. 4-2005. Amendments noted where applicable.]

GENERAL REFERENCES

Planning Board — See Ch. 52.

Uniform construction codes — See Ch. 90.

Flood damage prevention — See Ch. 101.

Historic preservation — See Ch. 115.

Mobile homes and mobile home parks — See Ch. 131.

Streets and sidewalks — See Ch. 160.

Zoning — See Ch. 195.

Article I General Provisions

§167-1 Legislative authority; policy; title.

A. By the authority of the resolution of the Town Board of the Town of Austerlitz, and pursuant to the provisions of Article 16 of the Town Law of the State of New York, the Planning Board of the Town of Austerlitz is authorized and empowered to approve preliminary and final plats of subdivisions, showing lots, blocks or sites, with or without roads or highways, and to approve the development of entirely or partially undeveloped plats already filed in the office of the Clerk of the county.

B. It is to be the policy of the Planning Board to consider land subdivision plats as part of a plan for the orderly, efficient, environmentally safe and economically sound development of the Town of Austerlitz in accordance with the Comprehensive Plan adopted in September 2004, and as amended, and the zoning law, which may be amended from time to time. This policy requires, but is not limited to, meeting the following general standards:

(1) Land to be subdivided shall be of such character that, when it is used for building purposes, it will be safe and without danger to health or peril from fire, flood or other menace.

(2) That proper provision shall be made for drainage, water supply, sewage, utilities and other needed improvements.

(3) That all proposed lots shall be so laid out and of such size as to be in harmony with the development pattern of the neighboring properties and integrates new development into the existing road network if possible.

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(4) That the proposed roads shall compose a convenient system conforming to the Official Map, if such exists, and shall be properly related to the goals shown within the Town of Austerlitz Comprehensive Plan and be built in conformance with the Town of Austerlitz Road Law (as amended) to follow the natural contours of the land, and to facilitate emergency access.

(5) That proper provision shall be made for open spaces or for parks, trails and recreational areas.

(6) That due consideration be given to the protection and enhancement of the environment, and that human and community resources be given appropriate weight with social and economic consideration in reaching decisions regarding the subdivision of land. Proper provision shall be made for leaving undeveloped natural areas and corridors to mitigate the adverse environmental impacts of subdivision, to sustain a diversity of native vegetation and wildlife, and to protect water source and scenic viewsheds.

(7) That protection of land used for agricultural purposes and the continuation of agricultural activities be encouraged.

C. In order that land subdivisions may be made in accordance with this policy, this chapter shall be known as, and may be cited as, the "Town of Austerlitz Land Subdivision Regulations," having been duly adopted by the Town in accordance with applicable law.

§ 167-2 Construal of provisions.

All provisions of this chapter shall be construed to fulfill the purposes and policies stated in § 167-1 above.

§ 167-3 Conflict with other provisions.

Should this chapter conflict with or otherwise be inconsistent with any provision of any regulation of the Town of Austerlitz, the more stringent provision shall apply.

Article II Terminology

§ 167-4 Word usage.

- A. Words used in the present tense include the future.
- B. Words used in the singular number include the plural, and words used in the plural number include the singular, unless the context clearly indicates the contrary.
- C. The word "shall" is always mandatory. The word "may" is permissive.
- D. A "building" or "structure" includes any part thereof. "Building or other structure" includes all other structures of every description, regardless of dissimilarity to conventional building forms.

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E. The phrase "used for" includes "arranged for," "designed for," "intended for," "maintained for," and "occupied for."

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F. The word "person" includes a partnership or corporation, as well as an individual. Use of the masculine includes the feminine so that this chapter shall be interpreted as gender neutral.

G. The word "lot" includes the word "plot" or "parcel."

§ 167-5 Definitions.

For the purpose of this chapter, certain words and terms used herein are defined as follows:

APPLICANT

Any person, firm, corporation, partnership or association who shall lay out any subdivision or part thereof as defined herein, either for himself or others.

BOUNDARY LINE ADJUSTMENT

Any alteration to a boundary between two parcels where no new lots are created. The adjustment in parcel sizes shall not count toward the zoning law's limitation on number of parcels to be created from a single lot.

CLERK OF THE PLANNING BOARD

That representative of the Planning Board who shall be designated to perform the clerical duties of the Planning Board for purposes of this chapter. The Clerk of the Planning Board may also be the Secretary of the Planning Board.

COMPREHENSIVE PLAN

The plan adopted by the Town of Austerlitz on September 9, 2004, as it may be amended.

CONCEPTUAL PLAN

See also "Sketch Plan." Applicant provides the Planning Board with a map showing basic data including important existing natural and manmade features of the property and a sketch plan of the proposed subdivision.

CONSERVATION EASEMENT

An easement, covenant, restriction or other interest in real property, created under Article 49 of the Environmental Conservation Law of the State of New York, which limits or restricts development, management or use of such real property for the purpose of preserving or maintaining the scenic, open, historic, archeological, architectural, or natural condition, character, significance or amenities of the real property in a manner consistent with the public policy and purpose stated in § 49-0301 of the Environmental Conservation Law of the State of New York.

EASEMENT

Authorization by a property owner for the use by another, and for a specified purpose, of any designated part of his property.

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HOMEOWNERS' ASSOCIATION (HOA)

An incorporated organization or other legal entity that owns or maintains property for the common benefit of individual homeowners or lot owners where the homeowners or lot owners are required to contribute to the maintenance of a private road or common property or where the homeowners or lot owners are required to join the HOA as a condition of their ownership of the home or lot. As much as this definition conflicts with any definition of "homeowners' association" in state law, the Town intends to supersede state law on the definition of "homeowners' association."

IMPROVEMENTS

Those physical changes to the land or installation of certain services necessary to produce usable and desirable lots, blocks, or sites from raw acreage, including, but not limited to, water and septic systems, grading, pavement, curbs, gutters, storm drains and betterments to existing watercourses, sidewalks and other pedestrianways, street signs, shade trees, sodding or seeding and monuments, whether intended to be dedicated and maintained by the public or held in private ownership.

OFFICIAL MAP

The map which may be established by the Town Board under § 270 of the Town Law showing roads, highways and parks and drainage theretofore laid out, adopted and established by law and any amendments thereto adopted by the Town Board or additions thereto resulting from the approval of subdivision plats by the Planning Board and the subsequent filing of such approved plats. To the extent that the Town has information regarding land held under conservation easement, that shall be shown on the map.

ONE-HUNDRED-YEAR FLOOD AREA

Area where there is a 1% or greater chance of flooding in any given year.

OWNER

Any person, firm, corporation, partnership or association who shall lay out any subdivision or part thereof as defined herein for himself or herself.

PARCEL

An area of land with definite boundaries, all parts of which are owned by the same person(s)/entity(ies), the boundaries of which are established either by the filing of an approved subdivision plat or by the recording of a deed prior to the adoption of subdivision regulations by the Town of Austerlitz in May of 1973.

PHASE DEVELOPMENT

Reference Material

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Development that occurs in defined stages.

PLANNING BOARD or BOARD

The Planning Board of the Town of Austerlitz, Columbia County, New York.

PLAT, FINAL

A drawing, clearly marked or stamped by the Planning Board as "final," showing the layout of the proposed subdivision, as specified in this chapter, and containing in such additional detail all information required to be shown on a preliminary plat and the modifications, if any, required by the Planning Board at the time of approval of the preliminary plat if such preliminary plat has been so approved.

PLAT, PRELIMINARY

A drawing or drawings, clearly marked "preliminary plat," showing the layout of a proposed subdivision, as specified in this chapter, submitted to the Planning Board for approval prior to submission of the plat in final form and of sufficient detail to apprise the Planning Board of the layout of the proposed subdivision.

ROAD

A public or private way which affords the principal vehicular access to abutting property. Public roads are streets, roads, avenues, lanes, or other trafficways. The definition of "road" is further defined in Chapter 160, Article I, Street Specifications, of the Code of the Town of Austerlitz, which establishes standards for the design and construction of Town roads, private roads and driveways in the Town of Austerlitz, or as may be amended.

ROAD, DEAD-END OR CUL-DE-SAC

A road or a portion of a road with only one vehicular traffic outlet.

ROAD PAVEMENT

The wearing or exposed surface of the roadway used by vehicular traffic.

ROAD, PRIMARY

Where the subject property has frontage on two or more roads, this refers to the road that is used most intensively (e.g., has the greater volume of vehicular traffic). This usually corresponds to the public road classification and size, assuming county roads receive greater traffic than local roads and that state highways have greater traffic volumes than county roads.

ROAD RIGHT-OF-WAY

An area defined by a boundary which provides for road construction, maintenance, improvement and/or widening.

ROAD, SECONDARY

Where the subject property has frontage on two or more roads, this refers to the second (or least) most intensively used road. (See "road, primary.")

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ROAD WIDTH

The width of the right-of-way, measured at right angles to the center line of the road.

RUNOFF

Surface water that flows onto, within, and/or off of the site area.

SEDIMENT

Soils or other surface materials transported by surface water as a product of erosion.

SEDIMENTATION (SILTATION)

The deposition of sediment and silt in drainageways, watercourses and water bodies which may result in pollution, murkiness, accumulation, and blockage.

SEPARATION DISTANCE

The distance between the two closest points of reference between two facilities, structures, uses or properties (e.g., the distance between an on-site septic system absorption field and a well).

SEPTIC SYSTEM

A sewage disposal system designed and built in compliance with state and county regulations.

SEQR (STATE ENVIRONMENTAL QUALITY REVIEW)

Review of an application according to the provisions of the State Environmental Quality Review Act, 6 NYCRR Part 617 (statutory authority: Environmental Conservation Law, § 8-0113), which incorporates the consideration for environmental, social and economic factors into the planning, review and decisionmaking processes of state, county and local government agencies.

SETBACK

A minimum horizontal distance from a given point or line of reference, such as from a road edge or right-of-way, within which development is restricted.

SIGHT DISTANCE

The length of an unobstructed view from a particular access point to the farthest visible point of reference on a roadway; used in this chapter as a reference for unobstructed road visibility.

SILTATION CONTROL

Placement of station barriers, such as sod, matting, hay bale barriers, or silt fencing, or other methods to prevent pollution and blockage of watercourses and water bodies by silt and other sediment.

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SKETCH PLAN

A sketch of a proposed subdivision showing the information specified in this chapter to enable the owner or applicant to reach conceptual agreement with the Planning Board as to the prospective layout of a subdivision and compliance with the objectives of this chapter.

SKETCH PLAN CONFERENCE

An optional initial Planning Board review of the project proposal with the applicant. The sketch plan conference provides an opportunity for an applicant to learn from the Planning Board what the subdivision submission requirements will be prior to submitting the plat. Sketch plan review does not constitute formal submission of an application and SEQRA does not usually apply at this point.

START OF CONSTRUCTION

The initiation of any physical alteration of the property, excluding planning and design, during any phase of a project and shall include land preparation, such as clearing, grading and filling; installation of roads; excavation for a basement, footings, or foundations; or the erection of temporary forms. "Start of construction" also includes the placement and/or installation on the property of accessory buildings, storage trailers and building materials.

STRUCTURE

Anything constructed or built, any edifice or building of any kind, which requires location on the ground or is attached to something having a location on the ground, including, but without limitation, swimming pools, covered patios, towers, poles, sheds, signs or tanks, excepting outdoor areas such as paved areas and walkways.

SUBDIVIDER

See "owner" and "applicant."

SUBDIVISION

The legal division of a parcel into a number of lots for the purpose of development and sale, in conformance with use and dimensional requirements found in the zoning law.

SUBDIVISION, MAJOR

Any subdivision including, but not limited to, subdivisions of five or more lots from the same parcel of land, or any subdivision requiring any new road. Major subdivisions are usually reviewed in a two-step process involving both a preliminary plat and final plat. This process provides the opportunity to comprehensively address the concerns of larger scale development, such as higher density on clustered plats, open space ownership and road construction and maintenance.

SUBDIVISION, MINOR

Any division of land consisting of four lots or less that fronts on an existing road, where no new roads are created, where the development of the remainder of the parcels or adjoining property is not adversely affected, and is not in conflict with any provision or portion of the Comprehensive Plan, Official Map, site plan review regulations, or any other law, ordinance or regulation of the Town of Austerlitz.

Editor's Note: See Ch. 195, Zoning, Art. VIII, Site Plan Review.

SURVEYOR

A person licensed as a land surveyor by the State of New York.

TOWN ENGINEER

The duly designated Engineer of the Town, licensed by the State of New York.

TRACT

An area of land composed of two or more contiguous lots.

WATER BODY

Any natural or man-made body of water, such as a pond, lake, wetland or wet area, which does not necessarily flow in a definite direction or course.

WATERCOURSE

A channel in which a flow of water occurs, either continuously or intermittently.

WATER, GROUNDWATER

The water that infiltrates into the ground, accumulating and saturating the spaces in earth material.

WATER, POTABLE

Water safe for human consumption.

WATERSHED

The area which is a drainage basin for a particular freshwater body.

WATER, SURFACE

Water contained in streams, rivers, ponds, wet areas, lakes and other water bodies and watercourses or that drains across land.

WETLANDS

Lands and submerged lands, commonly called "marshes," "swamps," "sloughs," "bogs" and "flats," supporting aquatic or semiaquatic vegetation, as determined by federal and/or state environmental agencies.

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For
Town Board Meeting**ARTICLE III Preliminary Subdivision Procedures****§ 167-6 Application.**

Whenever any subdivision of land or boundary line adjustment is proposed to be made, and before any contract for the sale of or any offer to sell any lots in such subdivision or any part thereof is made, and before any permit for the erection of a structure in such proposed subdivision shall be granted, the owner or his duly authorized agent shall apply, in writing, for approval of such proposed subdivision, and approval must be obtained in accordance with the following procedures.

§ 167-7 Sketch plan requirements.

A. Any owner of land is encouraged, prior to subdividing or resubdividing land or implementing a lot line adjustment, submit to the Secretary of the Planning Board, at least 10 days prior to the regular meeting of the Board, five copies of a sketch plan of the proposed subdivision, which shall comply with the requirements of this chapter for the purposes of classifications of the subdivision and preliminary discussion of the application.

B. The sketch plan initially submitted to the Planning Board shall be based on Tax Map information or some other similarly accurate base map, at a scale preferably not less than 400 feet to the inch to enable the entire tract to be shown on one sheet.

C. This plan must be submitted on a sheet of paper no smaller than 8.5 inches by 11 inches.

D. The sketch plan shall be submitted, showing the following information:

(1) A location map to indicate the relationship of the proposed subdivision to existing community facilities which will serve or influence the layout, such as existing road patterns, parks and other public lands, local hamlets, and special districts, including school, fire, agricultural, etc.

(2) All existing structures, existing property lines, wooded areas, streams or watercourses, wetlands and other significant physical features within the area to be subdivided and within 500 feet thereof.

(3) The kind of development proposed, including uses (such as residential, commercial, mixed use, etc.).

(4) The proposed pattern and approximate dimensions and areas of lots (including lot width and depth), building sites, road and driveway type and configuration, recreation areas, conservation easement areas, systems of drainage, sewage, and water supply within the subdivided area, including scale, North arrow and acreage involved.

(5) The name of the owner of all adjoining property.

(6) All existing restrictions on the use of the land, such as easements, covenants, and conservation easements.

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(7) An aerial image of the subject property, e.g. those found at “Google Earth.”

(8) For boundary line adjustments, the sketch plan needs to show only a location map as described in Subsection D(1) above, the names of the owner and of adjoining owners whose lot lines will also be changed, and the revised lot layout, including a filed survey of the old and new lot lines.

§ 167-8 Review of sketch plan.

A. The owner or applicant, as subdivider, or his duly authorized representative, shall attend the meeting of the Planning Board to discuss the requirements of this chapter and other applicable Town laws or road improvements, drainage, sewage, water supply, fire protection, recreation and similar aspects, as well as the availability of existing services and other pertinent information.

B. The Planning Board shall determine whether the sketch plan meets the purposes of this chapter and shall, where it deems it necessary, make specific recommendations, in writing, to be incorporated by the applicant in the next submission to the Planning Board.

C. Upon acceptance of the sketch plan, the Planning Board will determine whether it is a boundary line adjustment, minor subdivision or major subdivision, as defined in this chapter. The Board may require, however, when it deems it necessary for protection of the public health, safety and welfare, that a minor subdivision comply with all or some of the requirements specified for major subdivisions.

D. All costs for outside expertise, including engineering, planning, legal and/or other project costs deemed necessary by the Planning Board, for either a minor or a major subdivision, shall be borne by the applicant.

E. Within six months after classification of the sketch plan, the owner or applicant shall submit an application for approval of a minor or major subdivision preliminary plat. Otherwise, any conceptual agreement made by the Planning Board shall lapse.

Article IV Minor and Major Subdivisions Process.

§ 167-9 Plat Approval Process.

If an owner or applicant wishes to propose a subdivision without having proceeded through the sketch plan process, the owner/applicant shall submit an application, together with five copies of a subdivision plat, to the Secretary of the Planning Board. Where the owner or applicant has not obtained prior sketch plan approval, or such approval has lapsed, the requirements of Article III for sketch plans shall be applied to the plat that shall be deemed preliminary, submitted by the owner or applicant. All applications for plat approval shall be accompanied by the required fee.

§ 167-10 Submission of required documents.

The following documents shall be submitted with the application:

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A. A copy of such covenants, deed restrictions, road requirements or road maintenance agreements as are intended to cover all or part of the subdivision, or a statement by the owner that no such restrictions exist; and all appropriate environmental forms, assessments and impact statements which the Planning Board deem necessary in connection with the environmental review process. For
Town Board Meeting

B. Applications requiring agricultural data statements. (1) Any application for subdivisions that would occur on property within an agricultural district containing a farm operation or on property within 500 feet of a farm operation located in an agricultural district shall include an agricultural data statement. The Planning Board shall evaluate and consider the agricultural data statement in its review of the possible impacts of the proposed project upon the functioning of farm operations within such agricultural district.

(2) Upon receipt of such application by the Planning Board, the Secretary of such Board shall mail written notice of such application to the owners of land as identified by the applicant in the agricultural data statement. Such notice shall include a description of the proposed project and its location and may be sent in conjunction with any other notice required by state or local law, ordinance, rule or regulation for said project. The cost of mailing said notice will be borne by the applicant.

C. The plat shall show:

(1) An actual field survey of the boundary lines of that portion of the tract to be offered for sale, giving complete descriptive data by bearings and distances, made and certified to or by a licensed land surveyor. The corners of the tract shall also be located on the ground and marked by monuments and shall be referenced and shown on the plat. The plat shall show all existing structures, wooded areas, streams, wetlands and other significant features within the portion to be subdivided and within 200 feet thereof. Topical contours shall also be included in intervals of not more than 10 feet.

(2) All on-site sanitation and water supply facilities shall be designed to meet or exceed the minimum of the current state/county sanitation laws. The data on sanitation facilities, including percolation test, that water and stormwater drainage complies with State Environmental Conservation Law permit requirements, as needed; including documentation from on-site investigation by the Columbia County Department of Health or a licensed engineer, shall be noted on the plat and signed by a duly appointed agent of the county or a licensed engineer.

(3) The proposed subdivision name and the name of the Town and county in which it is located.

(4) The date, North point, map scale, and the name and address of the record owner and owner or applicant, the name of the surveyor or engineer, including license number and seal.

(5) For all major subdivisions and all lots consisting of five acres or less, all approved leach field sites shall be shown and designed to meet the minimum specifications of, and

be under the permit of, the Columbia County Department of Health, and the plat shall bear the stamp of the Department so stating, prior to filing with the County Clerk.

D. Coordination with the State Environmental Quality Review Act. The owner or applicant shall provide full disclosure and truthfully cooperate with the Planning Board in its efforts to comply with the provisions of the State Environmental Quality Review Act under Article 8 of the Environmental Conservation Law and its implementing regulations.

E. Receipt of a complete application and preliminary plat. An application and preliminary plat, or final plat where a preliminary plat is not required, shall not be considered complete until a negative declaration, or until a notice of completion of the draft environmental impact statement, has been filed in accordance with the provisions of the State Environmental Quality Review Act.

F. Filing requirements. The plat to be filed with the County Clerk shall be printed on such paper or materials as may be required from time to time by the County Clerk for Columbia County and shall be in conformance with the requirements of the Columbia County Clerk. Applicant shall submit five copies of the subdivision plat to the Clerk of the Planning Board at least ten days prior to the regular Planning Board meeting.

§ 167-11 Attendance at Planning Board meeting required.

The owner or applicant, or his duly authorized representative, shall attend the meeting of the Planning Board to discuss the subdivision plat.

§ 167-12 Official submission date.

The time of submission of the subdivision plat shall be considered to be the date of the Planning Board's regular meeting on or before which the application for plat approval, complete and accompanied by the required fee and all data required by this chapter, has been filed with the Secretary of the Planning Board. The application shall not be considered complete until either a negative declaration has been filed or a notice of completion of a draft environmental impact statement has been filed in accordance with the provisions of the State Environmental Quality Review Act. The time periods for review of the plat shall begin upon filing of the negative declaration or the notice of completion.

Editor's Note. See Art. 8 of the Environmental Conservation Law.

§ 167-13 Consideration of plat.

The Planning Board shall study the practicability of the plat, taking into consideration the requirements of the community and the best use of the land being subdivided. Particular attention shall be given to the arrangement, location and width of roads, their relation to the topography of the land, road requirements or road maintenance agreements, water supply, sewage disposal, drainage, lot sizes and arrangement, the future development of adjoining lands as yet not subdivided, the environmental assessment form and impact

statement, if any, and the requirements of the Comprehensive Plan, the Official Map, and the zoning law.

Reference Material

Editor's Note: See Ch. 195, Zoning.

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§ 167-14 Subdivisions requiring access from highway.

For
Town Board Meeting

In any application for a subdivision that will require access from a state, county or Town highway, the applicant will forward copies of the plat to the appropriate agency for review and comment, with proof of such submission to be filed with the application.

§ 167-15 Public hearing with Planning Board as lead agency.

A. The time within which the Planning Board shall hold a public hearing on the plat shall be coordinated with any hearings the Planning Board may schedule pursuant to the State Environmental Quality Review Act, as follows:

(1) If such Board determines that the preparation of an environmental impact statement on the preliminary plat is not required, the public hearing on such plat shall be held within 62 days after receipt of a completed plat by the Secretary of the Planning Board; or

(2) If such Board determines that an environmental impact statement is required, and a public hearing on the draft environmental impact statement is held, the public hearing on the plat and the draft environmental statement shall be held jointly within 62 days after filing of the notice of completion of such draft environmental statement in accordance with the provisions of the State Environmental Quality Review Act. If no public hearing is held on the draft environmental impact statement, the public hearing on the plat shall be held within 62 days of filing the notice of completion.

B. Notice and length.

(1) The hearing on the plat shall be advertised at least once in a newspaper of general circulation in the Town at least five days before such hearing if no hearing is held on the draft environmental impact statement, or 14 days before a hearing held jointly therewith. The Planning Board may provide that the hearing be further advertised in such a manner as it deems most appropriate for full public consideration of such plat. The hearing on the plat shall be closed upon motion of the Planning Board within 120 days after it has been opened.

(2) In cases of all subdivisions, the applicant shall mail notice of the filing of the application and all public hearings directly to all owners of abutting parcels of the parcel or parcels proposed to be subdivided. Notification of all cases shall be made by certified mail, return receipt requested, at least 10 days prior to the scheduled Planning Board meeting. Documentation of the foregoing notification shall be submitted to the Planning Board prior to the public hearing.

C. Decision.

(1) The Planning Board shall approve, with or without modification, or disapprove such plat as follows:

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(a) If the Planning Board determines that the preparation of an environmental impact statement on the plat is not required, such Board shall make its decision within 62 days after the close of the public hearing; or

(b) If the Planning Board determines that an environmental impact statement is required, and a public hearing is held on the draft environmental impact statement, the final environmental impact statement shall be filed within 45 days following the close of such public hearing in accordance with the provisions of the State Environmental Quality Review Act. If no public hearing is held on the draft environmental impact statement, the final environmental impact statement shall be filed within 45 days following the close of the public hearing on the plat. Within 30 days of the filing of such final environmental impact statement, the Planning Board shall issue findings on the final environmental impact statement and make its decision on the plat.

(2) The time in which the Planning Board must take action on such plat may be extended by mutual consent of the owner or applicant and the Planning Board.

(3) Grounds for decision. The grounds for a modification, if any, or the grounds for disapproval shall be stated upon the records of the Planning Board. When approving a plat, the Planning Board shall state, in writing or its minutes, any modifications it deems necessary for submission of the plat in final form.

§ 167-16 Public hearing with other agency as lead agency.

A. Public hearing on plats. The Planning Board shall, with the agreement of the lead agency, hold the public hearing on the plat jointly with the lead agency's hearing on the draft environmental impact statement. Failing such agreement, or if no public hearing is held on the draft environmental impact statement, the Planning Board shall hold the public hearing on the plat within 62 days after receipt of a complete preliminary plat by the Secretary of the Planning Board.

B. Public hearing; notice; length.

(1) The hearing on the plat shall be advertised at least once in a newspaper of general circulation in the Town at least five days before such hearing if held independently of the hearing on the draft environmental impact statement, or 14 days before a hearing held jointly therewith. The Planning Board may provide that the hearing be further advertised in such a manner as it deems most appropriate for full public consideration of such plat. The hearing on the plat shall be closed upon motion of the Planning Board within 120 days after it has been opened.

(2) In cases of all subdivisions, the applicant shall mail notice of all public hearings relating to the application directly to all owners of abutting parcels of the parcel or parcels proposed to be subdivided. Notification of all cases shall be made by certified mail, return receipt requested, at least 10 days prior to the scheduled Planning Board meeting. Documentation of the foregoing notification shall be submitted to the Planning Board prior to the public hearing.

C. Notice to adjacent municipalities. When the subdivision is within 500 feet of an adjacent municipal boundary, notice must be given to the clerk of the adjacent municipality by mail or electronic transmission at least ten days prior to hearing. Reference Material

D. Decision.

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For
Town Board Meeting

(1) The Planning Board shall, by resolution, approve, with or without modification, or disapprove the plat as follows:

(a) If the preparation of an environmental impact statement on the plat is not required, the Planning Board shall make its decision within 62 days after the close of the public hearing on such plat.

(b) If an environmental impact statement is required, the Planning Board shall make its own findings and its decision on the plat within 62 days after the close of the public hearing on such preliminary plat or within 30 days of the adoption of findings by the lead agency, whichever period is longer.

(2) The time in which the Planning Board must take action on such plat may be extended by mutual written consent of the owner or applicant and the Planning Board, or by notation of the minutes of the Planning Board meeting where the owner, applicant or representative has appeared and consented.

(3) Grounds for decision. The grounds for a modification, if any, or the grounds for disapproval shall be stated upon the records of the Planning Board. When conditionally approving a plat, the Planning Board shall state, in writing or in its minutes, any modifications it deems necessary for submission of the plat in final form.

§ 167-17 **Certification of plat.**

Within five business days of the adoption of the resolution granting conditional or final approval of the plat, the plat shall be certified by the Secretary of the Planning Board as having been granted conditional or final approval. The Clerk of the Planning Board shall file a copy of such resolution and plat in the office of the Town Clerk. A copy of such a resolution and plat shall be mailed or otherwise provided to the owner. In the case of a conditionally approved plat, such a resolution shall include a statement of the requirements which, when completed, will authorize the signing by the duly designated officer of the Planning Board. Conditional approval of a plat shall expire 180 days after the date of the resolution granting such approval unless the requirements have been certified as completed within that time. The Planning Board may extend the time within which a conditionally approved plat may be submitted for signature, if, in its opinion, such an extension is warranted by the circumstances, for two additional periods of 90 days each.

§ 167-18 Fees; costs.

A. The Town Board shall establish a fee schedule for the review of lot line adjustments and minor and major subdivision applications. Any subdivision review funds not expended by the Town in the consideration and review of the owner's or applicant's application shall be returned to the owner or applicant upon completion of the subdivision review process or the withdrawal of the subdivision application.

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B. The owner or applicant shall be responsible for all engineering, planning, ^{For} ~~Town~~ Board Meeting and other consultant costs incurred by the Town in connection with the subdivision application. Any consultant costs incurred by the Town in excess of the funds deposited shall be paid by the owner or applicant to the Town prior to final approval of the subdivision plat. The Town reserves the right to request additional deposits to the subdivision review fund, if necessary, to cover additional costs.

§ 167-19 Submission of additional required documents for major subdivisions.

The following documents shall be submitted with the application, in addition to those listed in section 167-10:

(1) If the application covers only a part of the owner's or applicant's entire contiguous holdings, the applicant shall submit a map or sketch of the entire contiguous holdings, indicating acreages and the relation of the proposed subdivision to the entire holdings. The map shall show an outline of the planned area with its proposed roads and shall indicate the probable future road system with grades and drainage in the remaining portion of the tract and the probable future drainage layout of the entire subdivision. The area proposed for subdivision shall be considered in light of the entire holdings.

(2) The name of all owners of parcels immediately adjacent to and within 200 feet of the property, including opposite side of roads or highways.

(3) All parcels of land proposed to be dedicated to public use or preserved as open space and the conditions of such dedication or preservation.

(4) The location of existing property lines, easements, buildings, watercourses, rock outcrops, wetlands, soil types, slopes greater than 15% and 30%, and other significant existing physical features and critical environmental resources as identified by the Town for the proposed subdivision and adjacent property.

(5) The location of existing and proposed culverts and drains on the property, with pipe sizes, grades and direction of flow.

(6) Contours with intervals of 10 feet or less as required by the Board, including elevations of existing roads; approximate grading plan if natural contours are to be changed more than two feet.

(7) All existing and proposed roads or public ways or places shown on the Official Map if such exists, within the area to be subdivided, including width, location, grades, road profiles and cross sections of all roads or public ways as proposed by the developer.

(8) Lots, reservations, easements and areas to be dedicated to public use.

(9) Sufficient data acceptable to the Planning Board to readily determine the location, bearing and length of every road line, lot line, boundary line, including chord bearing, curve radii and arc length or central angle and to reproduce such lines upon the ground. Where applicable, these should be referenced to monuments included in the state system of plane coordinates and, in any event, should be tied to reference points previously established by a public authority. For Town Board Meeting

(10) The length and bearing of all straight lines, radii, chord bearing, arc and/or central angles of all curves shall be given for each road. All dimensions shall be shown in feet and decimals of a foot.

(11) A storm drainage plan indicating the approximate location and size of proposed lines and their profiles; connection to existing lines or alternate means of discharge.

(12) Plans and cross sections showing the proposed location and type of road, trees, curbs, and storm drains, and including the size and type thereof; the character, width and depth of pavements and subbase; catch basins and overhead lines, underground conduits, i.e., telephone, CATV, power, and gas, and all contemplated infrastructure.

(13) Preliminary designs of any bridges or culverts which may be required.

(14) The proposed lot lines, with approximate dimensions and area by each lot.

(15) Where topography is such as to make difficult the inclusion of any of the required facilities within the public areas as laid out, the preliminary plat shall show the boundaries of proposed permanent easements over and under private property, which permanent easements shall not be less than 20 feet in width and which shall provide satisfactory access to an existing public highway or other public highway or public open space shown on the subdivision or the Official Map.

(16) An actual field survey of the boundary lines of the tract, giving complete descriptive data by bearings and distances, made and certified to by a licensed land surveyor. The corners of the tract shall also be marked by monuments of such size and type as provided for in Article IV, § 167-11B(1), of this chapter.

(17) Road requirements or road maintenance agreement notes approved by the Planning Board.

(18) Photos or aerial photographs, if available; a satellite image may be substituted for an aerial map/photograph.

(19) Layout of all utilities and proposed easements.

§ 167-20 Limitations on preliminary approval; certification of plat; submission of final plat. For Town Board Meeting

A. Approval of a preliminary plat shall not constitute approval of the subdivision plat, but rather it shall be deemed an expression of approval of the design submitted on the preliminary plat as a guide to the preparation of the final plat, which will be submitted for approval of the Planning Board and for recording upon fulfillment of the requirements of this chapter. Prior to approval of the final subdivision plat, the Planning Board may require additional changes as a result of further study of the subdivision or as a result of new information obtained at the public hearing.

B. Certification and filing of preliminary plat. Within five business days of the adoption of the resolution granting approval of the preliminary plat, such plat shall be certified by the Clerk of the Planning Board as having been granted preliminary approval, and a copy of the plat and resolution shall be filed in the office of the Clerk. A copy of the resolution shall be mailed or otherwise provided to the owner or applicant.

C. Revocation. Within six months of the approval of the preliminary plat, the owner must submit the plat in final form. If the final plat is not submitted within six months, approval of the preliminary plat is subject to extension by the Planning Board.

ARTICLE VI Final Plat process

§ 167-21 Requirements for approval.

A. Final plats shall conform to the definition provided in this chapter. Final plats may require other further review under the State Environmental Quality Review Act.

Editor's Note: See Art. 8 of the Environmental Conservation Law.

B. When a final plat, clearly marked "final plat," is submitted which the Planning Board deems to conform with the preliminary plat previously approved, including meeting any conditions of such approval, or conforms to an approved sketch plan where the Planning Board approves going directly to a final plat, the Planning Board shall, by resolution, either conditionally approve, with or without modification, disapprove, or grant final approval and authorize the signing and certification of such final plat within 62 days of its receipt by the Planning Board. Failure of the Planning Board to act within such time, unless extended through mutual agreement with the Applicant and noted in the meeting minutes, shall constitute approval of such a final plat.

C. When a final plat is submitted which the Planning Board deems not to conform, all appropriate public hearings shall be conducted, during which such approval period shall be tolled.

§ 167-22 Submission of required documents.

The final plat for a major subdivision to be filed with the County Clerk shall be printed upon linen or Mylar or upon such paper or material required by the County Clerk of Columbia County so as to entitle the final plat to be duly filed. The plat shall show:

A. The proposed subdivision's name or identifying title and the name of the Town Board Meeting and county in which the subdivision is located; the name and address of the record owner and owner or applicant; the name, license number, and seal of the licensed land surveyor; a surveyor's certificate showing the date of completion of the survey and making of the map.

B. The plat shall also show dedicated public open spaces, all areas protected by conservation easements, and all open spaces or recreation areas where title is reserved by the owner or applicant. The agreements or documents as are necessary to show the manner in which such areas are to be owned, maintained and preserved, including road maintenance agreements approved by the Planning Board, shall be noted on or appended to the plat.

C. Road lines, pedestrianways, lots, reservations, easements and areas to be dedicated to public use.

D. The length and bearing of all straight lines, radii, chord bearing, arc and/or central angles of all curves shall be given for each road. All dimensions shall be shown in feet and decimals of a foot. The plat shall show the boundaries of the property, location, graphic scale and true or magnetic North point.

E. Sufficient data acceptable to the Planning Board to readily determine the location, bearing and length of every road line, lot line, boundary line, including chord bearing, curve radii and arc length or central angle and to reproduce such lines upon the ground. Where applicable, these should be referenced to monuments included in the state system of plane coordinates and, in any event, should be tied to reference points previously established by a public authority.

F. Lots and blocks within a subdivision shall be numbered and lettered in accordance with the prevailing Town practice.

G. A map shall be submitted to the satisfaction of the Planning Board, indicating the location of monuments marking all underground utilities as actually installed. If the owner or applicant completes all required improvements without a security agreement, then such a map shall be submitted prior to final approval of the subdivision plat. However, if the owner or applicant elects to provide a security agreement for all required improvements, such bond or other security shall not be released until such a map is submitted in a form satisfactory to the Planning Board.

§ 167-23 Certification and filing of plat.

Upon resolution of conditional or final approval of such final plat, the Planning Board shall empower a duly authorized officer to sign the plat upon completion of such requirements as may be stated in the resolution. Within five days of such resolution, the plat shall be certified by the Clerk of the Planning Board as having been granted conditional or final approval, and a copy filed in his/her office and a copy mailed to the owner or applicant. In the case of a conditionally approved plat, such resolution shall

include a statement of the requirements which, when completed, will authorize the signing of the conditionally approved plat. Upon completion of such requirements, the plat shall be signed by the duly authorized officer of the Planning Board, and a copy of the signed plat shall be filed in the office of the Clerk of the Planning Board.

§ 167-24 Approval of plat in sections.

In granting conditional or final approval of a plat in final form, the Planning Board may permit the plat to be subdivided and developed in two or more sections and may, in its resolution granting conditional or final approval, state that such requirements as it deems necessary to insure the orderly development of the plat be completed before the sections may be signed by the duly authorized officer of the Planning Board. Conditional or final approval of the sections of a final plat may be granted concurrently with conditional or final approval of the entire plat, subject to any requirements imposed by the Planning Board.

§ 167-25 Expiration of conditional approval; extensions.

Conditional approval of the final plat shall expire within 180 days after the resolution granting such approval unless all requirements stated in such resolution have been certified as completed. The Planning Board may extend, by not more than two additional periods of 90 days each, the time in which a conditionally approved plat must be submitted for signature if, in the Planning Board's opinion, such extension is warranted by the particular circumstances.

§ 167-26 Final plats approved by default.

Any default approval of a preliminary plat shall not avoid the need for final plat submission and approval.

§ 167-27 Required improvements; performance bond.

A. Before the Planning Board grants final approval of the subdivision plat, the owner or applicant shall complete all improvements (including roads and highways) or follow the procedure set forth in Subsection A(1) below.

(1) In an amount set by the Planning Board, the owner or applicant owner or applicant shall either file with the Town Clerk a certified check to cover the full cost of the required improvements, or the owner or applicant shall file with the Town Clerk a performance bond, letter of credit or other acceptable security to cover the full estimated cost of the required improvements (hereinafter "security agreement"). Any such security shall comply with the requirements of § 277 of the Town Law, as the same now exists or may hereafter be amended, and shall be satisfactory to the Planning Board, Town Board and Town Attorney as to form, sufficiency, manner of execution and surety. A period of one year, or such other period as the Planning Board may determine, in writing, to be appropriate, not to exceed three years, shall be set forth in the security agreement, within which required improvements must be completed.

B. If at any time before or during the construction of the required improvements it is demonstrated to the satisfaction of the Planning Board that unforeseen field conditions

make it necessary or preferable to modify the location or design of such required improvements, the Planning Board may, without requiring resubmission of the final plat, authorize such modifications within the spirit and intent of the Planning Board's prior approval without waiving or substantially altering the function of any such improvements.

C. At least five days prior to commencing construction of required improvements, the owner or applicant shall pay to the Town Clerk the inspection fee required by the Town Board and shall notify the Town Board, in writing, of the time when the owner or applicant proposes to commence construction of such improvements so that the Town may cause review to be made to assure that all Town specifications and requirements shall be met during the construction of required improvements and to assure the satisfactory completion of improvements required by the Planning Board.

D. If, upon inspection of the improvements performed before the expiration date of the security agreement, the Town Engineer finds that any of the required improvements have not been constructed in accordance with the approved final plat and any approved field condition modifications, the Town Engineer shall so report to the Town Board, Building Inspector, Highway Superintendent, and Planning Board. The Town Board then shall notify the owner or applicant and, if necessary, the surety and take all necessary steps to preserve the Town's rights under the security agreement.

E. Failure to complete improvements.

(1) Without security agreement. If the improvements are not completed within the period specified by the Planning Board in the resolution approving the subdivision plat, the approval shall be deemed to have expired, and the plat shall not be signed. The applicant may reapply for approval of the proposed subdivision in accordance with this chapter.

(2) Default with a security agreement. In the event that any required improvements have not been installed within the term or expiration date and nonrenewal of a security agreement, the Town Board may thereupon declare the security agreement to be in default and collect the sum remaining payable thereunder. Upon receipt of the proceeds, the Town shall install such improvements that have taken place in the subdivision, not exceeding in cost the amount of the proceeds. If none of the required improvements have been installed within the time period specified in the security agreement or any renewal or replacement thereof, the approval of the subdivision shall be deemed null and void, and the Town may institute proceedings to have the plat stricken from the records of the County Clerk.

F. Extension of period specified in security agreement.

(1) The time period for the completion of all required improvements as set forth in the security agreement and any renewals or replacements thereof shall not be extended except upon approval of the Planning Board. Requests for an extension shall be addressed, in writing, to the Planning Board and shall set forth the following:

- (a) Detailed reasons for failure or inability to complete the work within the time specified in the security agreement.
- (b) The amount of work which has been completed, as certified by the applicant's engineer.
- (c) The maximum estimated time required to complete the remainder of the work.
- (d) The terms of the security agreement.

(2) The Planning Board shall consider escalations in construction costs and may require the amount of security/bond to be increased to reflect the increased construction costs.

G. Reduction in security. Upon approval of the Town Board and after due notice, the Planning Board may reduce the required amount of a performance bond or other security during its term if the Planning Board finds that sufficient improvements have been installed to warrant such a reduction. Requests for a reduction shall be made, in writing, to the Planning Board and shall itemize the amount of required improvements already completed and the amount of reduction requested. The Planning Board shall forward such application to the Town Board for its action.

§ 167-28 Filing of approved plat; changes to approved plat.

A. Upon completion of the requirements in § 167-35 of this article and above, and notation to that effect upon the subdivision plat, it shall be deemed to have final approval and shall be properly signed by the duly designated officer of the Planning Board and shall be filed by the applicant in the office of the County Clerk. Any subdivision plat not so filed or recorded by reasons of the failure of the owner or applicant to act, within 62 days of the date upon which such plat is approved or considered approved, shall lapse and shall require resubmission to the Planning Board for restamping or review as a preliminary or final plat as the Planning Board determines, given the duration of such failure, the reasons therefor, the performance of required improvements and the applicability of intervening laws, standards or requirements.

B. No changes, erasures, modifications, or revisions shall be made in any subdivision plat after approval has been given by the Planning Board and signed and certified on the plat, unless the said plat is first resubmitted to the Planning Board and such Board approves any modifications or field condition modifications described in § 167-36B of this article. In the event that any such subdivision plat is recorded without complying with this requirement, the same shall be considered null and void, and the Board shall institute proceedings to have the plat stricken from the records of the County Clerk.

§ 167-29 Town acceptance of roads and recreation areas.

A. The approval by the Planning Board of a subdivision plat shall not be deemed to constitute or be evidence of any acceptance by the Town of any road, easement, or other open space shown on such subdivision plat.

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B. When a conservation easement, trail, park, playground or other recreation area shall have been shown on a plat, the approval of said plat shall not constitute an acceptance by the Town of such area. The Planning Board shall require the plat to be endorsed with appropriate notes to this effect. The Planning Board may also require the filing of a written agreement between the applicant and the Town Board covering future need and title, dedication and provision for the cost of grading, development, equipment, and maintenance of any such recreation area. For
Town Board Meeting

§ 167-30 Phasing of subdivisions.

In granting conditional or final approval of a plat in final form, the Planning Board may permit the plat to be subdivided and developed in two or more phases and may, in its resolution granting conditional or final approval, state that such requirements as it deems necessary to insure the orderly development of the plat be completed before said phases may be signed by the duly authorized officer of the Planning Board. Conditional or final approval of the sections of a final plat may be granted concurrently with conditional or final approval of the entire plat, subject to any requirements imposed by the Planning Board.

§ 167-31 Abandonment of subdivisions.

The owner of an approved subdivision may abandon such subdivision pursuant to the provisions of § 560 of the Real Property Tax Law.

ARTICLE VII Modifications; Appeals

§ 167-32 Modification of requirements due to hardship.

A. Hardship. Where the Planning Board finds that, because of the special circumstances of a particular subdivision, extraordinary hardship may result from strict compliance with this chapter, the Planning Board shall have the authority to vary or modify the application of any of the requirements herein, not requisite in the interest of public health, safety and general welfare; provided, however, that any such waiver will not have the effect of nullifying the spirit and intent of these standards, the Comprehensive Plan, the Official Map, or any other regulations or ordinance, if such exists. If the Town's financial interests are affected, any such waiver by the Planning Board shall be preceded by recommendation to, and concurrence by, the Town Board.

B. Modification of specific requirements. Where the Planning Board finds that compliance with this chapter would cause unusual hardship or extraordinary difficulties because of exceptional and unique conditions of topography, access, location, shape, size, drainage or other physical features of the site, the minimum requirements of this chapter may be modified by specific resolution of the Planning Board to mitigate the hardship, provided the public interest is protected, and the development is in keeping with the general spirit and intent of these and other Town regulations.

§ 167-33 Review of decision of Planning Board.

Any officer, department, board or bureau of the Town, with the specific approval of the Town Board, or any person or persons, jointly or severally aggrieved by any decision of

the Planning Board concerning a plat decision, may bring a proceeding to review such decision, in the manner provided by Article 78 of the Civil Practice Law and Rules, in a court of record on the ground that such decision is illegal in whole or in part. Such proceeding must be commenced within 30 days after the filing of the decision in the office of the Town Clerk.

Article VIII Effect of Other Provisions

§ 167-34 Statutory authority; supersession of other provisions.

This chapter is adopted pursuant to § 10 of the Municipal Home Rule Law of the State of New York. The Planning Board shall have such powers in its subdivision review as are provided by Article 16 of the Town Law of the State of New York; provided, however, that in the event that any provision of this chapter shall conflict with any provision of Article 16 of the Town Law, this chapter shall supersede such provision and govern. This chapter shall further supersede all prior Town subdivision regulations previously adopted by the Town of Austerlitz.

Reference Material

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For
Town Board Meeting

**TOWN OF AUSTERLITZ
SUPERVISOR'S REPORT**

September 30, 2016

AT THE END OF SEPTEMBER THE CASH BALANCES WERE:

| | ELLSWORTH KELLY GRANT | | TOWN HALL | | TOWN PARK | | TRUST & AGENCY | | RESERVE FUND | | ROAD DISTRICT | | TOTALS |
|---------------------------|-----------------------|----------------------|--------------------|---------------------|---------------------|-----------|--------------------|---------------------|---------------------|------------------|---------------|------------------------|--------|
| | GENERAL | HIGHWAY | HIGHWAY RESERVE | TOWN HALL | TOWN PARK | TOWN PARK | TRUST & AGENCY | RESERVE FUND | RESERVE FUND | ROAD DISTRICT | ROAD DISTRICT | TOTALS | |
| General Money Market | \$ 680,867.71 | \$ 286,565.48 | \$ 4,426.93 | \$ 80,864.79 | \$ 82,411.72 | | | | | | | \$ 1,135,136.63 | |
| Checking | \$ 3,000.42 | | | | | | | | | | | \$ 3,000.42 | |
| Escrow Savings | \$ 1,000.21 | | | | | | | | | | | \$ 1,000.21 | |
| Trust & Agency Checking | | | | | | | \$ 4,979.58 | | | | | \$ 4,979.58 | |
| Special tax reserve | | | | | | | | \$ 22,319.00 | | | | \$ 22,319.00 | |
| Road District Checking | | | | | | | | | \$ 661.39 | | | \$ 661.39 | |
| Petty Cash | \$ 200.00 | | | | | | | | | | | \$ 200.00 | |
| TOTAL ALL ACCOUNTS | \$ 685,068.34 | \$ 286,565.48 | \$ 4,426.93 | \$ 80,864.79 | \$ 82,411.72 | | \$ 4,979.58 | \$ 22,319.00 | \$ 22,319.00 | \$ 661.39 | | \$ 1,167,297.23 | |

AT THE DATE OF THIS REPORT, COLLATERAL AT THE BANK IS SUFFICIENT WHEN COMPARED WITH BANK BALANCES

Reference Material

OCT 20 2016

For
Town Board Meeting

OCT 23 2016

For
Town Board Meeting

| TOWN OF AUSTERLITZ | | KINDERHOOK | | | | | | | | | | ROAD DIST | | | |
|------------------------------------|------------------------|----------------------|----------------------|--------------------|----------------------|---------------------|-----------------------|--------------------|--------------------|----------------------|--|------------------|--|--------------|--|
| BANK ACCOUNT ACTIVITY AND BALANCES | | GENERAL MONEY MARKET | | | | | ELLSWORTH KELLY GRANT | | | | | CHECKING | | | |
| FYE 12/31/2016 | | HIGHWAY | | RESERV | | TOWN HALL | | TOWN PARK | | ESCROW | | GENERAL CHECKING | | T&A CHECKING | |
| TOTAL | | GENERAL | HIGHWAY | H-WAY RESERV | TOWN HALL | TOWN PARK | ESCROW | GENERAL CHECKING | T&A CHECKING | ROAD DIST CHECKING | | | | | |
| Bal 1/1/2016 | \$ 980,788.08 | \$ 536,186.03 | \$ 122,001.84 | \$ 4,426.93 | \$ 234,262.18 | \$ 93,911.10 | 1,000.12 | \$ 2,167.66 | \$ 4,978.36 | \$ 650.85 | | | | | |
| Interest | 27.05 | 27.05 | | | | | | | | 0.09 | | | | | |
| Receipts | 881,953.40 | 273,663.40 | 608,402.00 | | (112.00) | | 0.01 | 350,531.45 | 32,525.24 | 158,400.36 | | | | | |
| Trans out | (382,943.62) | (260,483.60) | (93,748.22) | | (28,711.80) | | | (349,957.57) | (32,241.33) | | | | | | |
| Balance 1/31/2016 | \$ 1,479,824.91 | \$ 539,392.88 | \$ 636,655.62 | \$ 4,426.93 | \$ 205,550.38 | \$ 93,799.10 | \$ 1,000.13 | \$ 2,741.54 | \$ 5,262.27 | \$ 159,051.30 | | | | | |
| Interest | 37.33 | 37.33 | | | | | 0.01 | | | 1.35 | | | | | |
| Receipts | 105,404.09 | 105,404.09 | | | | | | 64,364.72 | 55,645.56 | | | | | | |
| Trans out | (120,008.82) | (39,436.76) | (45,048.62) | | (35,523.44) | | | (64,947.59) | (33,610.27) | | | | | | |
| Interfund Transfer | | | | | | | | | | | | | | | |
| Balance 2/29/2016 | \$ 1,465,257.51 | \$ 605,397.54 | \$ 591,607.00 | \$ 4,426.93 | \$ 170,026.94 | \$ 93,799.10 | \$ 1,000.14 | \$ 2,158.67 | \$ 27,297.56 | \$ 159,052.65 | | | | | |
| Interest | 36.70 | 36.70 | | | | | 0.01 | | | 1.35 | | | | | |
| Receipts | 23,153.00 | 23,153.00 | | | | | | 35,225.65 | 45,193.48 | | | | | | |
| Trans out | (80,407.62) | (33,118.29) | (35,625.33) | | (11,664.00) | | | (34,011.71) | (44,299.30) | | | | | | |
| Interfund Transfer | | | | | | | | | | | | | | | |
| Balance 3/31/2016 | \$ 1,408,039.59 | \$ 595,468.95 | \$ 555,981.67 | \$ 4,426.93 | \$ 158,362.94 | \$ 93,799.10 | \$ 1,000.15 | \$ 3,372.61 | \$ 28,191.74 | \$ 159,054.00 | | | | | |
| Interest | 32.97 | 32.97 | | | | | 0.01 | | | 1.26 | | | | | |
| Receipts | 97,135.43 | 47,135.43 | 50,000.00 | | | | | 102,547.45 | 31,545.25 | | | | | | |
| Trans out | (134,092.13) | (32,261.39) | (83,881.46) | | (17,949.28) | | | (102,919.78) | (32,438.85) | | | | | | |
| Interfund Transfer | | | | | | | | | | | | | | | |
| Balance 4/30/2016 | \$ 1,371,115.86 | \$ 610,375.96 | \$ 522,100.21 | \$ 4,426.93 | \$ 140,413.66 | \$ 93,799.10 | \$ 1,000.16 | \$ 3,000.28 | \$ 27,298.14 | \$ 159,055.26 | | | | | |
| Interest | 33.88 | 33.88 | | | | | 0.01 | | | 1.39 | | | | | |
| Receipts | 74,837.09 | 74,837.09 | | | | | | 142,521.39 | 22,884.27 | | | | | | |
| Trans out | (174,365.70) | (99,393.57) | (74,972.13) | | (50,859.30) | (6,318.77) | | (127,122.62) | (45,203.09) | | | | | | |
| Interfund Transfer | | 59,178.07 | | | | | | | | | | | | | |
| Balance 5/31/2016 | \$ 1,271,621.13 | \$ 645,031.43 | \$ 447,128.08 | \$ 4,426.93 | \$ 89,554.36 | \$ 85,480.33 | \$ 1,000.17 | \$ 18,399.05 | \$ 4,979.32 | \$ 159,056.65 | | | | | |
| Interest | 30.53 | 30.53 | | | | | 0.01 | | 0.12 | 1.31 | | | | | |
| Receipts | 43,023.59 | 42,226.80 | 796.79 | | | | | 55,976.14 | 32,317.77 | | | | | | |
| Trans out | (109,848.09) | (77,890.88) | (30,202.24) | | (594.82) | (1,160.15) | | (55,619.08) | (32,317.77) | | | | | | |
| Interfund Transfer | | | | | | | | (14,803.68) | | | | | | | |
| Balance 6/30/2016 | \$ 1,219,630.84 | \$ 609,397.88 | \$ 417,722.63 | \$ 4,426.93 | \$ 103,763.22 | \$ 84,320.18 | \$ 1,000.18 | \$ 3,952.43 | \$ 4,979.44 | \$ 159,057.96 | | | | | |
| Interest | 29.08 | 29.08 | | | | | 0.01 | | | 1.26 | | | | | |
| Receipts | 110,414.34 | 110,214.34 | 200.00 | | | | | 51,943.97 | 34,691.53 | | | | | | |
| Trans out | (86,635.33) | (40,585.03) | (26,374.58) | | (18,877.43) | (798.29) | | (38,419.68) | (34,691.53) | | | | | | |
| Balance 7/31/2016 | \$ 1,243,438.93 | \$ 679,056.27 | \$ 391,548.05 | \$ 4,426.93 | \$ 84,885.79 | \$ 83,521.89 | \$ 1,000.19 | \$ 2,673.04 | \$ 4,979.44 | \$ 159,059.22 | | | | | |
| Interest | 32.79 | 32.79 | | | | | 0.01 | | | 1.44 | | | | | |
| Receipts | 35,374.11 | 35,374.11 | | | | | | 56,372.81 | 36,616.82 | | | | | | |
| Trans out | (92,989.42) | (44,620.49) | (48,368.93) | | | | | (56,045.64) | (36,616.82) | | | | | | |
| Interfund Transfer | | | | | | | | | | | | | | | |
| Balance 8/31/2016 | \$ 1,185,856.41 | \$ 669,842.68 | \$ 343,179.12 | \$ 4,426.93 | \$ 84,885.79 | \$ 83,521.89 | \$ 1,000.20 | \$ 3,000.21 | \$ 4,979.44 | \$ 159,060.66 | | | | | |
| Interest | 28.90 | 28.90 | | | | | 0.01 | | | 1.09 | | | | | |
| Receipts | 61,632.07 | 61,632.07 | | | | | | 228,025.97 | 42,755.66 | | | | | | |
| Trans out | (112,380.75) | (50,635.94) | (56,613.64) | | (4,021.00) | (1,110.17) | | (228,025.76) | (42,755.52) | (158,400.36) | | | | | |
| Interfund Transfer | | | | | | | | | | | | | | | |
| Balance 9/30/2016 | \$ 1,135,136.63 | \$ 680,867.71 | \$ 286,565.48 | \$ 4,426.93 | \$ 80,864.79 | \$ 82,411.72 | \$ 1,000.21 | \$ 3,000.42 | \$ 4,979.58 | \$ 661.39 | | | | | |

LL 12/31/16

| TOWN OF AUSTERLITZ GENERAL FUND ESTIMATED REVENUES FYE DECEMBER 31, 2016 | | | | | | | | | | | | |
|--|------------|------------|-----------|-----------|-----------|------------|-----------|-----------|------------|-------------|---------|------------|
| REVENUES | ORIGINAL | ADJUSTED | APRIL | MAY | JUNE | JULY | AUGUST | SEPTEMBER | YTD | BALANCE | % Rec'd | 2016 |
| | | | | | | | | | | | | BUDGET ADJ |
| Local Sources | | | | | | | | | | | | |
| 1001 REAL PROPERTY TAXES | 37,583.00 | 37,583.00 | | | | | | | 37,583.00 | | 100.00% | |
| 1005.1 INTERFUND TRANSFER | | | | | | | | | 432.00 | (432.00) | n/a | |
| 1089 OTHER TAX ITEMS | 9,000.00 | 9,000.00 | | | | 9,251.42 | | | 9,251.42 | (251.42) | 102.79% | |
| 1090 INTEREST ON TAXES | 225,000.00 | 225,000.00 | 17,607.82 | | | 71,161.04 | | | 162,736.33 | 62,263.67 | 72.33% | |
| 1120 SALES TAX | 3,500.00 | 3,500.00 | 2,987.45 | | | 1.35 | | | 2,988.80 | 511.20 | 85.39% | |
| 1170 FRANCHISE TAX | | | | | | | | | | | | |
| Local Sources | 275,083.00 | 275,083.00 | 20,595.27 | | | 80,413.81 | | | 212,991.55 | 62,091.45 | 0.00% | |
| Departmental | | | | | | | | | | | | |
| 1255 CLERK FEES | 1,000.00 | 1,000.00 | 158.66 | 128.81 | 11.88 | 14.53 | 154.61 | 159.69 | 985.35 | 14.65 | 98.54% | |
| 1570 CHARGE FOR DEMO OF BLDGS | 4,000.00 | 4,000.00 | | | 2,050.00 | 1,600.00 | | | 3,650.00 | 350.00 | 91.25% | #DIV/0! |
| 2001 PARK/RECREATION FEES | 500.00 | 500.00 | | 100.00 | | | | | 100.00 | 400.00 | 20.00% | |
| 2115 PLANNING | 16,000.00 | 16,000.00 | | | | | | | | 16,000.00 | 0.00% | |
| 2389 LOCAL MUNICIPAL AID | | | | | | | | | | | | |
| 2390 JOINT SERVICE WITH OTHER | | | | | | | | | | | | |
| Total Departmental | 21,500.00 | 21,500.00 | 158.66 | 228.81 | 2,061.88 | 1,614.53 | 154.61 | 159.69 | 4,735.35 | 16,764.65 | 22.02% | |
| Use of Money | 500.00 | 500.00 | 33.26 | 34.44 | 30.86 | 29.26 | 33.01 | 29.42 | 293.82 | 206.18 | 58.76% | |
| 2401 INTEREST & EARNINGS | | | | | | | | | | | | |
| Licenses | | | | | | | | | | | | |
| 2544 DOG LICENSES | 500.00 | 500.00 | 53.00 | 30.00 | 78.00 | 35.00 | 55.00 | 110.00 | 489.00 | 11.00 | 97.80% | |
| 2555 BUILDING PERMITS | 20,000.00 | 20,000.00 | 3,089.00 | 709.00 | 4,083.10 | 4,447.00 | 3,283.50 | 3,837.00 | 26,075.19 | (6,075.19) | 130.38% | |
| 2590 SEARCH FEES | 1,000.00 | 1,000.00 | 105.00 | 105.00 | | 175.00 | 70.00 | 70.00 | 1,050.00 | (50.00) | | |
| Total Licenses | 21,500.00 | 21,500.00 | 3,247.00 | 844.00 | 4,171.10 | 4,657.00 | 3,408.50 | 4,017.00 | 27,614.19 | (6,114.19) | 128.44% | |
| Fines | | | | | | | | | | | | |
| 2610 FINES & FORFEITURES | 160,000.00 | 160,000.00 | 14,380.00 | 15,718.00 | 20,545.00 | 13,695.00 | 19,025.00 | 22,200.00 | 145,498.00 | 14,502.00 | 90.94% | |
| Miscellaneous | | | | | | | | | | | | |
| 2701 REFUND OF PRIOR YR EXP | | | | | | | | | | | | #DIV/0! |
| 2770 MISCELLANEOUS | 160,000.00 | 160,000.00 | 14,380.00 | 15,718.00 | 20,545.00 | 13,695.00 | 19,025.00 | 22,200.00 | 145,498.00 | 14,502.00 | 0.00% | |
| Total Miscellaneous | | | | | | | | | | | | #DIV/0! |
| State Aid | | | | | | | | | | | | |
| 3001 S/A PER CAPITA | 5,000.00 | 5,000.00 | | | | | | 5,394.00 | 5,394.00 | (394.00) | 107.88% | |
| 3005 S/A MORTGAGE TAX | 55,000.00 | 55,000.00 | 45,239.88 | | | | | | 45,239.88 | 9,760.12 | 82.25% | |
| 3820 S/A YOUTH | | | | | | | | | 694.00 | (694.00) | n/a | |
| 3890 S/A TOBACCO SETTLE | | | | | | | | 16,550.48 | 16,550.48 | (16,550.48) | n/a | |
| Total State Aid | 60,000.00 | 60,000.00 | | 45,239.88 | | | | 21,944.48 | 67,878.36 | (7,878.36) | 113.13% | |
| TOTAL REVENUES | 538,583.00 | 538,583.00 | 38,414.19 | 62,065.13 | 26,808.84 | 100,409.60 | 22,621.12 | 48,350.59 | 459,011.27 | 79,571.73 | 85.23% | |
| Unexpended Balance | 70,000.00 | 70,000.00 | | | | | | | | 70,000.00 | | |
| Grand Total available funds | 608,583.00 | 608,583.00 | | | | | | | 459,011.27 | 149,571.73 | | |

Town Meeting

OCT 20 2016

For
Town Board Meeting

| TOWN OF AUSTERLITZ GENERAL FUND FOR YEAR ENDING 12/31/2016 | 2016 BUDGET | | 2016 ACTUAL | | | | | ACTUAL | BALANCE | % USED | | | | |
|--|-------------|------|-------------|-----------|-----------|-----------|-----------|-----------|-----------|------------|------------|------------|------------|---------|
| | ORIGINAL | ADJ. | ADJUSTED | APRIL | MAY | JUNE | JULY | | | | AUGUST | SEPTEMBER | YTD | |
| APPROPRIATIONS | | | | | | | | | | | | | | |
| General Government Support | | | | | | | | | | | | | | |
| 1010.1 TOWN BOARD | 9,270.00 | | 9,270.00 | 772.52 | 772.52 | 772.52 | 772.52 | 772.52 | 772.52 | 772.52 | 772.52 | 6,952.68 | 2,317.32 | 75.00% |
| 1010.4 TOWN BOARD | 1,000.00 | | 1,000.00 | 297.05 | | | | | | | | 538.98 | 461.62 | 53.84% |
| 1110.1 TOWN JUSTICE | 22,510.00 | | 22,510.00 | 1,875.84 | 1,875.84 | 1,875.84 | 1,875.84 | 1,875.84 | 1,875.84 | 1,875.84 | 1,875.84 | 16,852.56 | 5,627.44 | 75.00% |
| 1110.11 JUSTICE - CLERK | 9,500.00 | | 9,500.00 | 1,583.34 | 1,583.34 | 1,583.34 | 1,583.34 | 1,583.34 | 1,583.34 | 1,583.34 | 1,583.34 | 7,125.03 | 2,374.97 | 75.00% |
| 1110.12 JUSTICE - CLERK | 700.00 | | 700.00 | | | | | | | | | | | |
| 1110.4 TOWN JUSTICE | 8,700.00 | | 8,700.00 | 907.94 | 705.56 | 257.98 | 282.00 | 282.00 | 682.29 | 4,211.93 | 4,211.93 | 4,211.93 | 4,488.07 | 48.41% |
| 1220.1 SUPERVISOR | 7,217.00 | | 7,217.00 | 601.42 | 601.42 | 601.42 | 601.42 | 601.42 | 601.42 | 601.42 | 601.42 | 5,412.78 | 1,804.22 | 75.00% |
| 1220.11 BUDGET OFFICER | 2,500.00 | | 2,500.00 | 208.33 | 208.33 | 208.33 | 208.33 | 208.33 | 208.33 | 208.33 | 208.33 | 1,874.97 | 625.03 | 75.00% |
| 1220.4 SUPERVISOR | 1,000.00 | | 1,000.00 | 19.72 | | | | | | | | 19.72 | 980.28 | 1.97% |
| 1320.4 ACCOUNTANT | 12,640.00 | | 12,640.00 | 985.50 | 1,007.50 | 1,348.50 | 151.84 | 1,897.60 | 1,897.60 | 6,784.44 | 3,875.56 | 6,784.44 | 4,460.28 | 69.34% |
| 1355.1 ASSESSOR | 20,041.00 | | 20,041.00 | 1,670.08 | 1,670.08 | 2,220.08 | 1,670.08 | 1,670.08 | 1,670.08 | 15,580.72 | 4,460.28 | 15,580.72 | 77.74% | 75.00% |
| 1355.4 ASSESSOR | 2,500.00 | | 2,500.00 | | 71.91 | 49.00 | 21.59 | | | 246.50 | 2,253.50 | 246.50 | 2,253.50 | 9.86% |
| 1410.1 TOWN CLERK | 28,184.00 | | 28,184.00 | 2,168.00 | 2,185.31 | 2,168.00 | 2,168.00 | 2,168.00 | 3,252.00 | 21,676.04 | 6,507.96 | 21,676.04 | 76.91% | |
| 1410.11 TOWN CLERK-DEP | 1,000.00 | | 1,000.00 | 34.50 | 34.50 | 115.00 | 92.00 | 92.00 | | 241.50 | 758.50 | 241.50 | 24.15% | |
| 1410.4 TOWN CLERK | 6,615.00 | | 6,615.00 | 155.00 | 1,475.94 | 562.91 | 100.24 | 100.24 | 35.00 | 4,677.18 | 1,937.82 | 4,677.18 | 70.71% | |
| 1420.4 ATTORNEY | 18,000.00 | | 18,000.00 | 3,165.00 | | | 2,025.00 | 2,025.00 | 9,735.00 | 9,735.00 | 8,265.00 | 9,735.00 | 54.08% | |
| 1440.4 ENGINEER | 6,000.00 | | 6,000.00 | | 399.00 | | 134.10 | 302.75 | 45.93 | 1,291.65 | 4,708.35 | 1,291.65 | 21.53% | |
| 1460.4 RECORD | 1,500.00 | | 1,500.00 | | | | | | | 95.93 | 1,404.07 | 95.93 | 6.40% | |
| 1620.1 BUILDING | 2,500.00 | | 2,500.00 | 168.06 | 168.06 | 168.06 | 168.06 | 168.06 | 252.09 | 1,660.61 | 819.39 | 1,660.61 | 67.23% | |
| 1620.4 BUILDING | 22,500.00 | | 22,500.00 | 1,313.32 | 1,516.96 | 5,014.16 | 1,327.42 | 1,356.00 | 1,557.13 | 14,540.09 | 7,959.91 | 14,540.09 | 64.62% | |
| 1910.4 INSURANCE | 27,000.00 | | 27,000.00 | | (38.40) | 26,012.46 | | | | 27,964.31 | (964.31) | 27,964.31 | 103.65% | |
| 1920.2 DUES | 800.00 | | 800.00 | | | | | | | 800.00 | | 800.00 | 100.00% | |
| 1990.4 CONTINGENT | 70,000.00 | | 70,000.00 | | | | | | | | | | 70,000.00 | 0.00% |
| 2705 EXPENDITURE OF DONATION | 500.00 | | 500.00 | | | | | | | 500.00 | | 500.00 | | 100.00% |
| Total General Gov't Support | 282,177.00 | | 282,177.00 | 14,807.78 | 13,838.87 | 42,554.93 | 12,397.10 | 13,944.65 | 13,944.65 | 150,832.02 | 131,344.98 | 150,832.02 | 131,344.98 | 53.45% |
| Public Safety | | | | | | | | | | | | | | |
| 3120.4 POLICE | 27,000.00 | | 27,000.00 | | 3,043.20 | | 7,471.52 | | 6,945.06 | 17,459.78 | 9,540.22 | 17,459.78 | 9,540.22 | 64.67% |
| 3310.1 TRAFFIC CONTROL | 3,000.00 | | 3,000.00 | | 204.54 | 209.87 | | | | 414.41 | 2,585.59 | 414.41 | 2,585.59 | 13.81% |
| 3510.1 DOG CONTROL | 2,101.00 | | 2,101.00 | 175.08 | 175.08 | 175.08 | 175.08 | 175.08 | 175.08 | 1,575.72 | 525.28 | 1,575.72 | 525.28 | 75.00% |
| 3510.4 DOG CONTROL | 500.00 | | 500.00 | | | | (15.00) | | | | | (15.00) | | -9.00% |
| 3620.1 SAFETY INSPECTION | 13,777.00 | | 13,777.00 | 1,059.76 | 1,294.81 | 1,216.46 | 1,059.76 | 1,059.76 | 1,589.64 | 10,978.97 | 2,798.03 | 10,978.97 | 2,798.03 | 79.69% |
| 3620.11 BLDG INSPECTOR CLERK | 7,835.00 | | 7,835.00 | 454.43 | 282.06 | 282.06 | 235.05 | 235.05 | 893.19 | 4,337.49 | 3,497.51 | 4,337.49 | 3,497.51 | 55.36% |
| 3620.2 CAPITAL EXPENDITURE | 350.00 | | 350.00 | | | | | | | | | | | 0.00% |
| 3620.4 BUILDING INSPECTOR | 2,005.00 | | 2,005.00 | 79.00 | 588.98 | 79.00 | 117.61 | 664.00 | 569.67 | 2,177.26 | 172.26 | 2,177.26 | 108.59% | |
| Total Public Safety | 56,568.00 | | 56,568.00 | 1,768.27 | 5,588.67 | 1,962.47 | 2,133.89 | 10,172.64 | 10,172.64 | 35,698.63 | 19,669.37 | 35,698.63 | 19,669.37 | 65.23% |
| Health | | | | | | | | | | | | | | |
| 4020.1 REGISTRAR | 450.00 | | 450.00 | 34.62 | 34.62 | 34.62 | 34.62 | 34.62 | 51.93 | 328.89 | 121.11 | 328.89 | 121.11 | 73.09% |
| Total Health | 450.00 | | 450.00 | 34.62 | 34.62 | 34.62 | 34.62 | 34.62 | 51.93 | 328.89 | 121.11 | 328.89 | 121.11 | 73.09% |
| Transportation | | | | | | | | | | | | | | |
| 5010.1 HIGHWAY SUPER | 51,495.00 | | 51,495.00 | 3,961.14 | 3,961.14 | 3,961.14 | 3,961.14 | 3,961.14 | 5,941.71 | 39,553.71 | 11,941.29 | 39,553.71 | 11,941.29 | 76.81% |
| 5010.4 HIGHWAY SUPER | 1,500.00 | | 1,500.00 | 89.58 | 37.28 | 67.57 | 111.45 | 37.34 | 37.34 | 617.88 | 862.12 | 617.88 | 862.12 | 41.19% |
| 5132.4 GARAGE | 32,000.00 | | 32,000.00 | 915.47 | 624.96 | 966.69 | 262.18 | 194.91 | 4,494.63 | 15,787.67 | 16,212.33 | 15,787.67 | 16,212.33 | 49.34% |
| 5182.4 STREET LIGHTING | 2,800.00 | | 2,800.00 | 192.69 | 193.07 | 181.93 | 170.82 | 195.18 | 195.25 | 1,566.87 | 1,233.13 | 1,566.87 | 1,233.13 | 55.96% |
| Total Transportation | 87,795.00 | | 87,795.00 | 5,158.88 | 4,816.45 | 5,177.33 | 4,505.59 | 4,386.57 | 10,668.93 | 57,526.13 | 30,268.87 | 57,526.13 | 30,268.87 | 65.52% |
| Economic Assistance and Opportunity | | | | | | | | | | | | | | |
| 6772.4 AGED PROGRAMS | 1,000.00 | | 1,000.00 | 32.40 | 21.60 | | | | | 142.56 | 857.44 | 142.56 | 857.44 | 14.26% |
| Total E & O | 1,000.00 | | 1,000.00 | 32.40 | 21.60 | | | | | 142.56 | 857.44 | 142.56 | 857.44 | 14.26% |
| Culture and Recreation | | | | | | | | | | | | | | |
| 7140.1 PARKS | 1,000.00 | | 1,000.00 | | 1,000.00 | 942.79 | 86.24 | | | 1,000.00 | (1,000.00) | 1,000.00 | (1,000.00) | #DIV/0! |
| 7140.4 PLAYGROUNDS | 14,000.00 | | 14,000.00 | | | | 3,395.00 | 6,335.00 | | 1,029.03 | 4,270.00 | 9,730.00 | 4,270.00 | 102.90% |
| 7310.1 YOUTH PROGRAMS | 500.00 | | 500.00 | | | | 3,383.15 | 2,478.71 | | 5,861.86 | 500.00 | 5,861.86 | 500.00 | 0.00% |
| 7310.2 YOUTH PROGRAMS | 5,400.00 | | 5,400.00 | | | | 154.16 | 154.16 | | 1,387.44 | 462.56 | 1,387.44 | 462.56 | 75.00% |
| 7310.4 YOUTH PROGRAMS | 1,850.00 | | 1,850.00 | 154.16 | 154.16 | 154.16 | 154.16 | 154.16 | 154.16 | 2,000.00 | 2,000.00 | 2,000.00 | 2,000.00 | 0.00% |
| 7510.1 HISTORIAN | 2,000.00 | | 2,000.00 | | | | | | | | | | | 0.00% |
| 7550.4 CELEBRATIONS | 500.00 | | 500.00 | | | | | | | | | | | 0.00% |
| Total Culture and Recreation | 25,250.00 | | 25,250.00 | 154.16 | 154.16 | 2,096.95 | 7,018.55 | 8,967.87 | 154.16 | 19,008.33 | 6,241.67 | 19,008.33 | 6,241.67 | 75.28% |

| APPROPRIATIONS | 2016 BUDGET | | 2016 ACTUAL | | | | | | | | | | | | % USED | | |
|--------------------------------------|-------------|-----|-------------|-----------|-----------|-----------|-----------|-----------|-----------|------------|------------|--------|---------|--|-----------|--|--------|
| | ORIGINAL | ADJ | ADJUSTED | APRIL | MAY | JUNE | JULY | AUGUST | SEPTEMBER | YTD | BALANCE | ACTUAL | | | | | |
| | | | | | | | | | | | | YTD | BALANCE | | | | |
| Home and Community Services | | | | | | | | | | | | | | | | | |
| 8010 1 ZONING | 750.00 | | 750.00 | | | | | | | | | | | | 750.00 | | 0.00% |
| 8010 4 ZONING | 1,000.00 | | 1,000.00 | | | | | | | | | | | | 855.00 | | 14.50% |
| 8020 1 PLANNING MEMBERS | 6,460.00 | | 6,460.00 | 605.83 | 538.33 | 538.33 | 538.33 | 538.33 | 538.33 | 4,957.47 | 1,502.53 | | | | 2,169.35 | | 76.74% |
| 8020 11 PLANNING CLERK | 3,918.00 | | 3,918.00 | 109.69 | 172.37 | 219.38 | 156.70 | 52.68 | 297.73 | 1,748.65 | 300.00 | | | | 300.00 | | 50.00% |
| 8020 12 PLANNING BD MINUTE TAKER | 600.00 | | 600.00 | 50.00 | 50.00 | 50.00 | 80.00 | 600.24 | | 1,150.40 | | | | | | | 70.58% |
| 8020 4 PLANNING | 1,630.00 | | 1,630.00 | 19.35 | | 22.34 | | | | | | | | | | | 0.00% |
| 8666 4 CLEARANCE DEMO & REHAB | | | | | | | | | | | | | | | | | 0.00% |
| Total Home and Comm. Services | 14,358.00 | | 14,358.00 | 765.52 | 780.05 | 830.05 | 825.03 | 1,251.25 | 836.06 | 8,301.52 | 6,056.48 | | | | | | 57.82% |
| Undistributed | | | | | | | | | | | | | | | | | |
| 9010 8 RETIREMENT | 24,000.00 | | 24,000.00 | | | | | | | | | | | | 24,000.00 | | 0.00% |
| 9030 8 SOCIAL SECURITY | 16,650.00 | | 16,650.00 | 1,076.27 | 1,204.47 | 1,189.75 | 1,404.59 | 1,602.96 | 1,458.53 | 11,652.98 | 4,997.02 | | | | | | 69.99% |
| 9055 8 DISABILITY INSURANCE | 12,000.00 | | 12,000.00 | 567.55 | 490.85 | 567.55 | 529.20 | 1,020.05 | 38.35 | 4,762.80 | 7,237.20 | | | | | | 39.69% |
| 9060 8 HOSPITALIZATION | 80,000.00 | | 80,000.00 | | | | | | | | | | | | 80,000.00 | | 0.00% |
| 9710 6 PRINCIPAL SER BONDS | 8,335.00 | | 8,335.00 | | | 4,167.50 | | | | 4,167.50 | | | | | | | 50.00% |
| 9710 7 INTEREST SERIAL BONDS | | | | | | | | | | | | | | | | | |
| Total Undistributed | 140,985.00 | | 140,985.00 | 1,643.82 | 1,695.32 | 5,924.80 | 1,933.78 | 2,623.01 | 1,496.88 | 20,563.28 | 120,401.72 | | | | | | 14.60% |
| TOTAL APPROPRIATIONS | 608,583.00 | | 608,583.00 | 24,365.45 | 26,912.43 | 56,581.15 | 35,245.98 | 31,796.31 | 57,325.25 | 293,621.36 | 314,961.64 | | | | | | |

Reference Material

001 20 2016

For
Town Board Meeting

**TOWN OF AUSTERLITZ
HIGHWAY FUND
FOR YEAR ENDING DECEMBER 31, 2016**

| | 2016 BUDGET | | 2016 ACTUAL | | | | | | | | | | | | % RECD |
|-------------------------------|--------------|------------|-------------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|------------|------------|---------|--------|
| | ORIGINAL ADJ | ADJUSTED | JANUARY | FEBRUARY | MARCH | APRIL | MAY | JUNE | JULY | AUGUST | SEPTEMBER | YTD | BALANCE | | |
| REVENUES | | | | | | | | | | | | | | | |
| 1001 PROPERTY TAXES | 608,402.00 | 608,402.00 | 608,402.00 | | | | | | | | | 608,402.00 | | 100.00% | |
| 1120 SALES TAX | 50,000.00 | 50,000.00 | | | | 50,000.00 | | | | | | 50,000.00 | | 100.00% | |
| 2401 INTEREST | | | | | | | | | | | | | | 0.00% | |
| 2655 SALE OF EQUIPMENT | | | | | | | | | | | | | | 0.00% | |
| 3501 S/A CHIPS | 135,000.00 | 135,000.00 | | | | | | | | | | | 135,000.00 | 0.00% | |
| 5031 OTHER INCOME | | 796.79 | | | | | | 796.79 | | | | 796.79 | | 0.00% | |
| TOTAL REVENUES | 793,402.00 | 794,198.79 | 608,402.00 | | | 50,000.00 | | 796.79 | | | | 659,198.79 | 135,000.00 | 83.00% | |
| UNEXPENDED BALANCE | | | | | | | | | | | | | | 0.00% | |
| TOTAL AVAILABLE FUNDS | 793,402.00 | 794,198.79 | 608,402.00 | | | 50,000.00 | | 796.79 | | | | 659,198.79 | 135,000.00 | 83.00% | |
| APPROPRIATIONS | | | | | | | | | | | | | | | |
| 5110.1 GEN REPAIRS (PAYROLL) | 83,000.00 | 83,000.00 | 366.96 | 1,282.48 | 15,065.74 | 7,672.54 | 8,848.79 | 9,108.10 | 8,581.92 | 11,190.83 | 13,536.79 | 75,654.15 | 7,345.85 | 91.15% | |
| 5110.11 GEN REPAIRS (CLERK) | 7,835.00 | 7,835.00 | 435.66 | 626.80 | 940.20 | 470.10 | 548.45 | 548.45 | 579.79 | 544.94 | 893.19 | 5,587.58 | 2,247.42 | 71.32% | |
| 5110.4 GENERAL REPAIRS | 115,123.00 | 115,123.00 | | 203.52 | | 14,856.74 | 2,001.46 | 11,959.87 | 407.95 | 4,396.56 | 278.27 | 34,104.37 | 81,018.63 | 29.62% | |
| 5112.2 CHIPS | 135,000.00 | 135,000.00 | | | | | | | | 21,028.72 | 31,809.10 | 52,837.82 | 82,162.18 | 39.14% | |
| 5130.1 MACHINERY | 36,300.00 | 36,300.00 | 9,825.20 | 4,621.95 | 3,498.68 | 4,350.45 | 3,811.73 | 2,192.96 | | 515.35 | 1,158.95 | 29,975.28 | 6,324.72 | 82.58% | |
| 5130.2 MACHINERY EQ | 50,560.00 | 50,560.00 | | | | 33,559.88 | | (200.00) | | | | 33,359.88 | 17,200.12 | 65.98% | |
| 5130.4 MACHINERY | 110,000.00 | 110,000.00 | 124.41 | 5,484.67 | 7,303.29 | 8,365.63 | 55,536.14 | 4,637.92 | 5,256.55 | 1,551.95 | 3,313.85 | 91,574.41 | 18,425.59 | 83.25% | |
| 5140.1 BRUSH & WEEDS | 26,000.00 | 26,000.00 | | 4,170.64 | | | | 519.90 | 3,835.17 | 668.80 | 3,847.80 | 13,042.31 | 12,957.69 | 50.16% | |
| 5142.1 SNOW REMOVAL (PAYROLL) | 62,000.00 | 62,000.00 | 4,576.22 | 5,128.72 | 3,397.15 | 2,615.34 | | | | | | 15,717.43 | 46,282.57 | 25.35% | |
| 5142.4 SNOW REMOVAL | 55,000.00 | 55,000.00 | | | | 6,985.66 | | | | | | 6,985.66 | 48,014.34 | 12.70% | |
| 9010.8 RETIREMENT | 36,000.00 | 36,000.00 | | | | | | 946.26 | 984.28 | 988.36 | 1,486.91 | 10,708.27 | 5,875.73 | 64.57% | |
| 9030.8 SOCIAL SECURITY | 16,584.00 | 16,584.00 | 1,163.13 | 1,211.02 | 1,752.02 | 1,155.80 | 1,010.49 | | 3,503.85 | 6,718.92 | 288.78 | 31,466.96 | 25,533.04 | 55.21% | |
| 9060.8 HOSPITALIZATION | 57,000.00 | 57,000.00 | 6,651.23 | 221.09 | 3,215.07 | 3,860.32 | 3,215.07 | 3,792.63 | | | | | | 0.00% | |
| 9090.8 UNIFORMS | 3,000.00 | 3,000.00 | | | | | | | | | | | 3,000.00 | 0.00% | |
| TOTAL APPROPRIATIONS | 793,402.00 | 793,402.00 | 23,142.81 | 22,950.90 | 35,172.15 | 83,892.46 | 74,972.13 | 33,706.09 | 22,969.51 | 47,604.43 | 56,613.64 | 401,014.12 | 352,387.88 | 50.54% | |

Reference Material

OCT 20 2016

For
Town Board Meeting

| TOWN OF AUSTERLITZ BRIARCLIFF ROAD DISTRICT FOR YEAR ENDING DECEMBER 31, 2016 | | | | | | | | | | | | | | | | | |
|---|-----------------------|------------------|-----------------|----------|---------|---------|---------|---------|---------|---------|---------|---------|-------------|---------------|------------|---------|---------|
| | 2016 BUDGET ADJ | 2016 ADJUSTED | 2016 ACTUALS | | | | | | | | | | | | | | |
| | | | JANUARY | FEBRUARY | MARCH | APRIL | MAY | JUNE | JULY | AUGUST | SEPT | YTD | 2015 YTD | BALANCE | % RECD | | |
| REVENUES | | | | | | | | | | | | | | | | | |
| 1001 REAL PROPERTY TAXES | 158,400.36 | 158,400.36 | 158,400.36 | 1.35 | 1.35 | 1.26 | 1.39 | 1.31 | 1.31 | 1.26 | 1.44 | 1.09 | 1.09 | 158,400.36 | 158,400.36 | | 100.00% |
| 2401 INTEREST | 158,400.36 | 158,400.36 | 158,400.45 | 1.35 | 1.35 | 1.26 | 1.39 | 1.31 | 1.31 | 1.26 | 1.44 | 1.09 | 1.09 | 158,410.90 | 158,410.90 | (10.54) | #DIV/0! |
| LINE EXPENDED BALANCE | | | | | | | | | | | | | | | | | 0.00% |
| TOTAL AVAILABLE FUNDS | \$ 158,400.36 | \$ 158,400.36 | \$ 316,800.90 | \$ 1.35 | \$ 1.35 | \$ 1.26 | \$ 1.39 | \$ 1.31 | \$ 1.31 | \$ 1.26 | \$ 1.44 | \$ 2.18 | \$ 2.18 | \$ 316,821.80 | \$ (21.08) | | |
| 9720 6 BOND #2 PRINC | 60,120.06 | 60,120.06 | | | | | | | | | | | | 60,120.06 | 60,120.06 | | 100.00% |
| 9720 7 BOND #2 INTEREST | 8,172.27 | 8,172.27 | | | | | | | | | | | | 8,172.27 | 8,172.27 | | 100.00% |
| 9730 6 BOND #3 PRINC | 22,336.00 | 22,336.00 | | | | | | | | | | | | 22,336.00 | 22,336.00 | | 100.00% |
| 9730 7 BOND #3 INTEREST | 556.17 | 556.17 | | | | | | | | | | | | 556.17 | 556.17 | | 100.00% |
| 9750 6 BOND#5 PRINCIPAL | 59,771.90 | 59,771.90 | | | | | | | | | | | | 59,771.90 | 59,771.90 | | 100.00% |
| 9750 7 BOND#5 INTEREST | 7,443.96 | 7,443.96 | | | | | | | | | | | | 7,443.96 | 7,443.96 | | 100.00% |
| | \$ 158,400.36 | \$ 158,400.36 | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ 158,400.36 | \$ - | | |

Reference Material

OCT 0 2016

For
Town Board Meeting

09/30/2016

For
Town Board Meeting

11:09 AM

10/03/16

**Austerlitz General Fund
Reconciliation Detail
General Checking, Period Ending 09/30/2016**

| Type | Date | Num | Name | Clr | Amount | Balance |
|--|------------|------|-------------------------|-----|--------------------|--------------------|
| Beginning Balance | | | | | | 9,904.87 |
| Cleared Transactions | | | | | | |
| Checks and Payments - 20 Items | | | | | | |
| Check | 08/18/2016 | 4856 | Michael S Johnston... | X | -2,250.00 | -2,250.00 |
| Check | 08/18/2016 | 4863 | WILLIAMSON LAW... | X | -100.24 | -2,350.24 |
| Check | 08/18/2016 | 4849 | COUNTY OUTHOU... | X | -90.00 | -2,440.24 |
| Check | 08/18/2016 | 4848 | CHATHAM HARD... | X | -15.26 | -2,455.50 |
| Check | 08/23/2016 | 4877 | Guardian Dental | X | -327.13 | -2,782.63 |
| Check | 08/30/2016 | 4879 | Blue Shield of NENY | X | -3,705.92 | -6,488.55 |
| Check | 08/30/2016 | 4878 | NYSEG | X | -416.11 | -6,904.66 |
| Check | 09/15/2016 | 4904 | STATE COMPTRO... | X | -12,423.00 | -19,327.66 |
| Check | 09/15/2016 | 4898 | COLUMBIA COUN... | X | -7,547.35 | -26,875.01 |
| Check | 09/15/2016 | 4911 | Architectural Bureau | X | -4,021.00 | -30,896.01 |
| Check | 09/15/2016 | 4900 | Furlano & Arace, PC | X | -1,700.00 | -32,596.01 |
| Check | 09/15/2016 | 4899 | Fairpoint Communi... | X | -316.49 | -32,912.50 |
| Check | 09/15/2016 | 4905 | NYSEG | X | -195.25 | -33,107.75 |
| Check | 09/15/2016 | 4909 | Technology 4 All, Inc | X | -134.99 | -33,242.74 |
| Check | 09/15/2016 | 4893 | Carmen Barbato Inc | X | -62.00 | -33,304.74 |
| Check | 09/15/2016 | 4906 | NYS Industries for t... | X | -45.93 | -33,350.67 |
| Check | 09/15/2016 | 4910 | VERIZON | X | -37.34 | -33,388.01 |
| Check | 09/15/2016 | 4901 | Susan Haag | X | -35.00 | -33,423.01 |
| Check | 09/15/2016 | 4897 | Canon Solutions A... | X | -24.26 | -33,447.27 |
| Check | 09/15/2016 | 4895 | BUSINESS AUTO... | X | -18.62 | -33,465.89 |
| Total Checks and Payments | | | | | -33,465.89 | -33,465.89 |
| Deposits and Credits - 7 Items | | | | | | |
| Check | 09/15/2016 | 4903 | Morris Associates, ... | X | 0.00 | 0.00 |
| Transfer | 09/15/2016 | | | X | 4,021.00 | 4,021.00 |
| Transfer | 09/15/2016 | | | X | 29,910.94 | 33,931.94 |
| General Journal | 09/26/2016 | | | X | 158,400.36 | 192,332.30 |
| Transfer | 09/28/2016 | | | X | 3.15 | 192,335.45 |
| General Journal | 09/28/2016 | | | X | 288.78 | 192,624.23 |
| Deposit | 09/30/2016 | | | X | 0.52 | 192,624.75 |
| Total Deposits and Credits | | | | | 192,624.75 | 192,624.75 |
| Total Cleared Transactions | | | | | 159,158.86 | 159,158.86 |
| Cleared Balance | | | | | 159,158.86 | 169,063.73 |
| Uncleared Transactions | | | | | | |
| Checks and Payments - 10 Items | | | | | | |
| Check | 09/15/2016 | 4894 | Jeffrey W Braley Sr | | -4,377.50 | -4,377.50 |
| Check | 09/15/2016 | 4902 | Howes Horticultural | | -1,118.00 | -5,495.50 |
| Check | 09/15/2016 | 4908 | Staples | | -490.67 | -5,986.17 |
| Check | 09/15/2016 | 4907 | NYS Assoc of Magi... | | -80.00 | -6,066.17 |
| Check | 09/15/2016 | 4896 | Town of Canaan | | -79.00 | -6,145.17 |
| Check | 09/22/2016 | 4912 | Morris Associates, ... | | -1,190.65 | -7,335.82 |
| Check | 09/26/2016 | 4915 | Kinderhook Bank | | -68,292.33 | -75,628.15 |
| Check | 09/26/2016 | 4913 | The Bank of Green... | | -67,215.86 | -142,844.01 |
| Check | 09/26/2016 | 4914 | The Bank of Green... | | -22,892.17 | -165,736.18 |
| Check | 09/28/2016 | 4916 | Guardian Dental | | -327.13 | -166,063.31 |
| Total Checks and Payments | | | | | -166,063.31 | -166,063.31 |
| Total Uncleared Transactions | | | | | -166,063.31 | -166,063.31 |
| Register Balance as of 09/30/2016 | | | | | -6,904.45 | 3,000.42 |
| Ending Balance | | | | | -6,904.45 | 3,000.42 |

09/30/2016

For
Town Board Meeting

10:45 AM

10/03/16

**Austerlitz Highway
Reconciliation Detail
Highway Checking, Period Ending 09/30/2016**

| Type | Date | Num | Name | Clr | Amount | Balance |
|--|------------|------|------------------------|-----|------------|------------|
| Beginning Balance | | | | | | 632.19 |
| Cleared Transactions | | | | | | |
| Checks and Payments - 13 Items | | | | | | |
| Check | 08/18/2016 | 4870 | MOORADIAN HYD... | X | -118.42 | -118.42 |
| Check | 08/18/2016 | 4874 | S & S Fabrication | X | -38.05 | -156.47 |
| Check | 09/14/2016 | 4889 | PECKHAM MATER... | X | -26,846.63 | -27,003.10 |
| Check | 09/14/2016 | 4884 | COLARUSSO QUA... | X | -3,320.11 | -30,323.21 |
| Check | 09/14/2016 | 4885 | Colarusso Blacktop ... | X | -1,642.36 | -31,965.57 |
| Check | 09/14/2016 | 4888 | Paraco Gas | X | -1,383.31 | -33,348.88 |
| Check | 09/14/2016 | 4892 | The Tire Store | X | -1,358.60 | -34,707.48 |
| Check | 09/14/2016 | 4881 | CHATHAM AUTO P... | X | -240.01 | -34,947.49 |
| Check | 09/14/2016 | 4883 | COLARUSSO QUA... | X | -156.77 | -35,104.26 |
| Check | 09/14/2016 | 4887 | NAPA AUTO PARTS | X | -135.36 | -35,239.62 |
| Check | 09/14/2016 | 4886 | Dolan's Welding & ... | X | -132.00 | -35,371.62 |
| Check | 09/14/2016 | 4890 | Ravena Welding Su... | X | -29.45 | -35,401.07 |
| Check | 09/14/2016 | 4891 | SOUTHWORTH-MI... | X | -10.48 | -35,411.55 |
| Total Checks and Payments | | | | | -35,411.55 | -35,411.55 |
| Deposits and Credits - 2 Items | | | | | | |
| Check | 08/18/2016 | 4864 | CHATHAM AGWAY | X | 0.00 | 0.00 |
| Transfer | 09/15/2016 | | | X | 35,401.22 | 35,401.22 |
| Total Deposits and Credits | | | | | 35,401.22 | 35,401.22 |
| Total Cleared Transactions | | | | | -10.33 | -10.33 |
| Cleared Balance | | | | | -10.33 | 621.86 |
| Uncleared Transactions | | | | | | |
| Checks and Payments - 2 items | | | | | | |
| Check | 09/14/2016 | 4880 | BOB BOLL EXCAV... | | -121.50 | -121.50 |
| Check | 09/14/2016 | 4882 | CHATHAM HARD... | | -24.64 | -146.14 |
| Total Checks and Payments | | | | | -146.14 | -146.14 |
| Total Uncleared Transactions | | | | | -146.14 | -146.14 |
| Register Balance as of 09/30/2016 | | | | | -156.47 | 475.72 |
| Ending Balance | | | | | -156.47 | 475.72 |

001 - J 2016

10:39 AM

10/03/16

**Austerlitz TA Payroll
Reconciliation Detail
T&A Checking, Period Ending 09/30/2016**

For
Town Board Meeting
Balance

| Type | Date | Num | Name | Clr | Amount | Balance |
|--|------------|--------|--------------------|-----|-------------------|-------------------|
| Beginning Balance | | | | | | 10,151.38 |
| Cleared Transactions | | | | | | |
| Checks and Payments - 20 Items | | | | | | |
| Check | 06/09/2016 | 750463 | Robert A Meehan | X | -1,476.45 | -1,476.45 |
| Check | 08/18/2016 | 780503 | Robert A Meehan | X | -1,476.45 | -2,952.90 |
| Check | 08/18/2016 | 780510 | Shawn M Williams | X | -1,097.96 | -4,050.86 |
| Check | 08/18/2016 | 780508 | Jenna R Smith | X | -526.06 | -4,576.92 |
| Check | 09/01/2016 | DM | Adirondack Payroll | X | -4,792.11 | -9,369.03 |
| Check | 09/01/2016 | DM | Adirondack Payroll | X | -3,410.43 | -12,779.46 |
| Check | 09/01/2016 | 750512 | Robert A Meehan | X | -1,476.45 | -14,255.91 |
| Check | 09/01/2016 | 750513 | Shawn M Williams | X | -1,097.96 | -15,353.87 |
| Check | 09/01/2016 | 750511 | Duane Hotaling | X | -933.94 | -16,287.81 |
| Check | 09/01/2016 | DM | Adirondack Payroll | X | -54.08 | -16,341.89 |
| Check | 09/15/2016 | DM | Adirondack Payroll | X | -4,557.76 | -20,899.65 |
| Check | 09/15/2016 | DM | Adirondack Payroll | X | -3,306.84 | -24,206.49 |
| Check | 09/15/2016 | 780516 | Shawn M Williams | X | -1,097.96 | -25,304.45 |
| Check | 09/15/2016 | 780514 | Duane Hotaling | X | -929.94 | -26,234.39 |
| Check | 09/15/2016 | DM | Adirondack Payroll | X | -54.08 | -26,288.47 |
| General Journal | 09/27/2016 | 103 | | X | -875.96 | -27,164.43 |
| Check | 09/29/2016 | DM | Adirondack Payroll | X | -9,940.37 | -37,104.80 |
| Check | 09/29/2016 | DM | Adirondack Payroll | X | -4,766.41 | -41,871.21 |
| Check | 09/29/2016 | 750517 | Duane Hotaling | X | -929.94 | -42,801.15 |
| Check | 09/29/2016 | DM | Adirondack Payroll | X | -89.44 | -42,890.59 |
| Total Checks and Payments | | | | | -42,890.59 | -42,890.59 |
| Deposits and Credits - 9 Items | | | | | | |
| Transfer | 09/01/2016 | | | X | 4,504.93 | 4,504.93 |
| Transfer | 09/01/2016 | | | X | 7,534.66 | 12,039.59 |
| Transfer | 09/15/2016 | | | X | 1,006.43 | 13,046.02 |
| Transfer | 09/15/2016 | | | X | 4,403.70 | 17,449.72 |
| Transfer | 09/15/2016 | | | X | 6,287.18 | 23,736.90 |
| Transfer | 09/29/2016 | | | X | 103.75 | 23,840.65 |
| Transfer | 09/29/2016 | | | X | 7,101.79 | 30,942.44 |
| Transfer | 09/29/2016 | | | X | 11,813.22 | 42,755.66 |
| Deposit | 09/30/2016 | | | X | 0.12 | 42,755.78 |
| Total Deposits and Credits | | | | | 42,755.78 | 42,755.78 |
| Total Cleared Transactions | | | | | -134.81 | -134.81 |
| Cleared Balance | | | | | -134.81 | 10,016.57 |
| Uncleared Transactions | | | | | | |
| Checks and Payments - 9 Items | | | | | | |
| Check | 05/01/2014 | DM | Payroll Taxes | | -473.62 | -473.62 |
| Check | 05/01/2014 | 1157 | Tammi Page | | -75.08 | -548.70 |
| Check | 06/21/2016 | 750474 | Elizabeth Whiteman | | -46.18 | -594.88 |
| Check | 09/15/2016 | 780515 | Robert A Meehan | | -1,476.45 | -2,071.33 |
| Check | 09/29/2016 | 750519 | Robert A Meehan | | -1,476.45 | -3,547.78 |
| Check | 09/29/2016 | 750522 | Shawn M Williams | | -1,097.96 | -4,645.74 |
| Check | 09/29/2016 | 750521 | Gregory Vogler | | -178.36 | -4,824.10 |
| Check | 09/29/2016 | 750520 | Thomas Moreland | | -142.36 | -4,966.46 |
| Check | 09/29/2016 | 750518 | Richard Medonia | | -70.41 | -5,036.87 |
| Total Checks and Payments | | | | | -5,036.87 | -5,036.87 |
| Total Uncleared Transactions | | | | | -5,036.87 | -5,036.87 |
| Register Balance as of 09/30/2016 | | | | | -5,171.68 | 4,979.70 |
| Ending Balance | | | | | -5,171.68 | 4,979.70 |

Town of Austerlitz
Town Board Meeting
September 15, 2016

Present: Robert Lagonia, Supervisor, Greg Vogler, Nansi Friedman and Matthew Verenazi,
Town Board Members, Robert Meehan, Highway Superintendent, and Susan Haag, Town Clerk.

Town Board Member Jere Wrightsman absent due to vacation.

Meeting called to order at 7:02 p.m.

Moment of Silence, followed by the Pledge of Allegiance.

Minutes

A motion to accept the August 18, 2016 Town Board Meeting minutes was made by N. Friedman and seconded by M. Verenazi.

R. Lagonia: yes

G. Vogler: yes

M. Verenazi: yes

N. Friedman: yes

J. Wrightsman: absent

Motion carried 4:1.

Auditing of Accounts and Claims

A motion to pay General Fund, #264-292, in the amount of \$30821.26, Highway Fund, #141-155, in the amount of \$38905.07, and the Capital Fund #36, in the amount of \$4021.00 was made by M. Verenazi and seconded by G. Vogler.

R. Lagonia: yes

G. Vogler: yes

M. Verenazi: yes

N. Friedman: yes

J. Wrightsman: absent

Motion carried 4:1.

Reports

Monthly Cash Disbursement and Supervisor Report

Monthly Cash Disbursement for the Month of August 2016 submitted. Supervisor Lagonia noted that the town is tracking very well and many line items are below budget. Some line items that have higher balances normally use the budgeted amounts later on in the year. Supervisor Lagonia noted some specific line items with money ahead. There are only a couple of line items that are over their budgeted amount. The total in all accounts is roughly \$1.4 million. Next month, Supervisor Lagonia will start to go over the line items in the Highway Fund with Highway Superintendent Meehan to find areas that have overages where the money can be spent on the roads before the end of the year.

OCT 29 2016

Town Park: Supervisor Lagonia noted that the new pavilion in the park will be going up in the next couple of weeks. Highway Superintendent Meehan has done the prep work. This new building will be a great addition. Town resident, Harry Newton, has been approached by Town Board Member Nansi Friedman to see if he would like to donate funds to be used at the baseball field or on exercise equipment.

Dust on Ten Broeck is being monitored because of road closure crossover traffic. Highway Superintendent Meehan has been there several times and the Enhanced Patrol has sat a number of times noting that there are not that many speeders. The Town's speed sign has been in use on Ten Broeck as well.

At the last Town Board Meeting some residents from Austerlitz brought up that sometimes it feels like the Town has forgotten that there are additional parts to our Township than just Spencertown. There were suggestions to try and do something with the park in Austerlitz and Supervisor Lagonia has looked at the maps of this area. He and Superintendent Meehan will go up and look to see what land is available and maybe with grant money, something can be done. Town Board Member Friedman would like to go as well. Findings will be brought back to the Town Board.

Supervisor Lagonia met with the Pintos concerning draining issues on Fire Hill Road. They walked the road. This was also discussed with Engineer for the Town, Ray Jurkowski.

Supervisor Lagonia was contacted by Town resident Howard Reznikoff about the condition of State Route 203. R. Lagonia made some phone calls and the NYSDOT was able to come out the very next day to fix the issues.

On a County level, discussions have begun on the pros and cons of changing the County Executive make-up, changing from a County Board of Supervisors to a County Executive. One of the biggest cons is the loss of tax money for individual Towns forcing the Towns to raise this in Town taxes. A home town feel would be lost as well. A pro seems to be that utilizing a County Executive provides better management. This is just in discussion mode currently.

Highway Superintendent Report

Highway Superintendent Meehan reported that oil and stone have been placed on Rigor Hill Road and Punsit Road. Brush trimming has been done and a few new culverts put in. Grading has been done on some of the Town roads. Prep work for the new pavilion at the Town park has been completed as well. Highway Superintendent Meehan has spoken with Engineer for the Town, Ray Jurkowski, concerning Town Park project. Pavilion construction should begin mid-September; the tresses have been ordered by contractor Wes Coons.

The culvert on Frank Fizzinoglia's will be put in next week. Additional material will be put down on Ten Broeck once the level of crossover traffic is down. A roller will need to be rented for roads throughout the Town. Guardrails on Harvey Mountain have been put in. Money spent for Rigor Hill Road, Punsit Road and Harvey Mountain will be taken out of C.H.I.P.s.

09/13/2016

Highway Form 284 work that has been completed to date include: Harvey Mountain Road guardrails, oil and stone on Punsit Road and Rigor Hill. Still needed to be done are: A box culvert on School House Road which R. Meehan is waiting for the Engineer, and placing of item 4 on Longview Drive. Still waiting on Engineer Jurkowski as well in order to start the ditching on Middle Road. One spot needs to be done over that is holding water.

Highway Superintendent Meehan met with Engineer for the Town, Ray Jurkowski, concerning Fire Hill Road drainage. After looking over the area and discussion, the decision was made to leave the area as is and just keep grading the road as necessary. Engineer Jurkowski tried to find a way to divert the water in a different way, but no good solution could be found.

Town Clerk Report for the month of August 2016 submitted.

Planning Board Report for the month of August 2016 submitted.

No Comprehensive Plan Oversight Committee Report for the month of August 2016 submitted.

Building Inspector/Code Enforcement Report for the month of August 2016 submitted.

Justice Grubin Justice Court Report for the month of August 2016 submitted.

Justice Cassuto Court Report for the month of August 2016 submitted.

Dog Report for the month of August 2016 submitted.

A motion to accept the above reports was made by G. Vogler and seconded by M. Verenazi.

R. Lagonia: yes

G. Vogler: yes

M. Verenazi: yes

N. Friedman: yes

J. Wrightsman: absent

Motion carried 4:1.

Correspondence

Resignation letter from Lee Heim, Code Enforcement Officer, effective September 29, 2016. Supervisor Lagonia noted that he has spoken with the Supervisors from the Towns of Hillsdale and Canaan and all have agreed that the Town of Austerlitz will make the September payment due for the Shared Service Agreement and a reimbursement of \$2000.00 for the shared vehicle will be sent to the Town of Austerlitz. This will complete the agreement and the Town of Austerlitz will be out of it.

Unfinished Business

New Town Hall Update: Architect Joe Iuviene came out and went over updated plans for the new Town Hall with Town Clerk Haag and Property Clerk Mary Davis. J. Iuviene will sit down with both Town Justices as well. This stage is close to being completed so the project can go out to bid. Supervisor Lagonia has met with J. Iuviene and Jack Shear to go over the plans. Additional funding is expected in October. Supervisor Lagonia is trying to time the bidding

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process with the funding so there is no lag in time. The Town Board discussed particulars. Supervisor Lagonia noted this is exciting and the hope is to have the project begin by October For Meeting
November.

Town Park Update: Discussed.

Possible Code Update Cost: Changes and updates to the Town's Ridgeline Protection Law and Road Law, and a new Solar Law are ready to be handed over to the Town Board for consideration. Supervisor Lagonia has spoken with Attorney for the Town, Joseph Catalano, who has scanned the new law and updates. Attorney Catalano has advised Supervisor Lagonia there will be some cost in making the noted changes. Supervisor Lagonia questioned the Town Board as to their thoughts on spending the money. The Town Board would like to have a workshop with Attorney Catalano present to discuss the proposed changes, and what they will mean in the overall picture.

New Business

Historical Districts: Tom Moreland, Town Historian, and Bill Krattinger, a program analysis with the Historic Preservation Division of the NYS Department of Parks, Recreation and Historic Preservation, came before the Town Board to discuss the possibility of creating a historical district in the Hamlets of Spencertown and Austerlitz.

Historian Moreland suggested that the Board consider applying to place the Hamlets of Spencertown and Austerlitz on the National Register of Historic Places, as historic districts. The discussion was just to introduce the topic without any suggestion that action be taken at this time. T. Moreland believes that no application should be submitted until and unless, after appropriate public hearings and other outreach, it appears to the Town Board that there is broad community support for the applications.

Historian Moreland advised that The National Register was created, pursuant to federal legislation enacted in 1966, to recognize buildings or districts of historic significance. Based on their wealth of old buildings and their history, T. Moreland believes that both Spencertown and Austerlitz are deserving of historic district recognition.

The National Register program in New York is coordinated by the Historic Preservation Division of the NYS Department of Parks, Recreation and Historic Preservation.

Historian Moreland advised that it is important to understand that creation of a historic district does not, in any way, restrict the rights of any property owner within that district. There is no mandatory consequence of the designation, unlike in the case of a zoning law or a historic preservation law. The owners of a historic house in an historic district are not limited by the designation in any way and can do whatever they want with the house -- even tear it down -- without the need for any governmental review or approval.

T. Moreland continued asking what then is the reason for seeking an historic district designation, given that it is purely honorific. The answer is to create and/or increase public awareness of the Town's historic heritage. In the Town of Austerlitz' case, it would be especially fitting as part of the 2018 celebration of the Town's bicentennial. The hope is that by heightening public

awareness of our heritage, the preservation of historic houses will be encouraged, and perhaps we will even attract to our town some potential homebuyers interested in purchasing an old house. But, again, such encouragement is never accompanied by any restriction on the freedom of any homeowner.

The cost to the Town of pursuing historic district status should be zero or minimal. The cost of hiring a consultant to research and draft the applications -- a helpful though not required step -- should be funded by a grant from the Preservation League of New York State, which regularly makes grants for this purpose. T. Moreland has been in touch with the League, and it will inform him of the timing of its next grant application cycle, sometime in early 2017. Further, in our case, the cost of the consultant (and therefore size of the grant requested) should be substantially less than usual because the Austerlitz Historical Society has already researched the history of each of the 160 houses in the Town which date from 1888 or earlier, as part of its old house project. Any consultant would have full access to the Society's research.

One requirement of NYS is that any application must have a sponsor: a local group or person who would oversee the application by acting as the contact with the State office and, importantly, organizing the public outreach and information program to solicit community support for the application. The Austerlitz Historical Society has agreed to sponsor these applications, should the Town Board decide to move forward.

In closing, T. Moreland noted some of the other hamlets in Columbia County which have received historic district status: New Concord (2010), Hillsdale (2010), North Chatham (2012) and Ancram (2016). T. Moreland hopes that Spencertown and Austerlitz can join them.

Bill Krattinger believes that community support is essential. As far as the application process, B. Krattinger confirmed that there would be no cost if the information needed is already compiled and his office would be willing to put the documentation together. B. Krattinger believes that there would be no problem achieving Historical District status in the Town of Austerlitz.

B. Krattinger has been involved in program analysis for 20 years and notes that Historical District status is not a bad thing for towns or villages. Some are offered tax incentives, but that would not be available in the Town of Austerlitz because of income levels. Again, the essential part of this process is municipal support, and support of the property owners. B. Krattinger's objective is to edify; identify the area, hold public hearings and make sure this endeavor is a viable entity. His department chooses the areas to classify as historical districts and the Hamlets of Spencertown and Austerlitz are what his department is looking for.

Discussion on the difference between a Historical District and a historical overlay district managed by a governing municipal body. The Town of Kinderhook has a historical overlay district that puts constraints on homes and homeowners. What is being proposed does not do that. This is just a registry with the State.

Discussion continued on what is exactly looked for when a Historic District is created and timing of putting in applications for both Hamlets at the same time or separately. The process normally takes a year to a year and a half, but this can be fast tracked because of the work already done by the Austerlitz Historical Society. B. Krattinger cautions that his office is heavy with applications

OCT 10 2016

currently so doing both Hamlets at the same time may increase the approval time. Historian Moreland advised that a consultant can be hired through grant funding to do the remaining leg work to move this application process along faster.

Town Board Member Vogler stated that this is a very positive and encouraging project and asked what the next steps were. Supervisor Lagonia advised that the Town Board needs to agree it wants to go forward with this project, and if so the community would be engaged. The general consensus of the Town Board was to move forward and ascertain the feelings of the community. Historian Moreland will put together a package for the community, and asked that he work with a member of the Town Board and a member of the Austerlitz Historical Society. It was decided that the Town Board will support this endeavor, but the project will be put together by the Austerlitz Historical Society.

B. Krattinger has some generic information he can send for informational purposes.

2017 Tentative Budget: Town Clerk formally presented the Town Board with the 2017 Tentative Budget.

Supervisor Lagonia thanked Town Board Member Gregg Vogler for being such a tremendous help during the budget compilation process. The Town of Austerlitz is one of the only Towns to complete a tentative budget done this early. The goal for budgeting is to have a budget where the figures are accurate and close as possible to actual numbers. Both Supervisor Lagonia and Town Board Member Vogler met with Accountant for the Town, Nelson Furlano, who although put some eyes on it, did little work as the work was done by R. Lagonia and G. Vogler.

Supervisor Lagonia and Member Vogler noted the following: spending is up, as we continue to understand and right-size the budget. Increase in spending is funded mostly thru recognition of increased non-property tax sources of revenue. The budget is the most accurate it's been maybe ever, and continues to be lean. The Town is compliant with the tax cap law.

Overall:

- 1) Property Tax increase calculated at .0068% increase as allowed by law
- 2) Overall budget General and Highway appropriations and revenue increases \$58,210 or 4.2%
- 3) General Appropriations:
 - a) Overall, General Appropriations increases \$29,632 or 4.8%
 - b) Notable spending increases:
 - i. Court increases \$6,300 with Clerk salary increase of \$2,000, and Deputy Court Clerk pay increases from \$700 to \$5,000. Overall court increase is 15.2%
 - ii. \$10,000 additional spend in Building A1620.4 for Academy septic
 - iii. \$10,000 for Bonding
 - iv. 3% pay increase for Town Clerk, Assessor, CEO, Dog Control and Mary Davis.
 - c) No increase in salary for Town Board, Supervisor, Justices, Historian, ZBA or Planning Board.
 - d) CPOC continues to work with no compensation.

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For
Town Board Meeting

- e) \$500 donation to St. Peter's eliminated
- 4) General Revenue increases (ex-property taxes):
 - a) \$10,000 in Sales tax (Love's is helping overall county numbers)
 - b) \$5,000 in Rec fees – attendants to pay bus and swimming cost
 - c) \$5,000 increase in mortgage tax revenue (2016 is above budget)
 - d) \$5,000 increase in court revenue (2016 is above budget)
- 5) In Highway appropriations, we have:
 - a) Overall increase of \$28,578 or 3.6%
 - b) Spending increases:
 - i. \$20,000 for dust control
 - ii. Highway guys ex-Bobby get 10% pay increase to get closer to market rates. Bobby gets 3% increase (in general fund)
 - iii. Highway General Repairs (road maintenance) budget increase \$15,000 over 2016 to better fix gravel roads while Machinery Repairs decreases \$20,000 as equipment getting newer.

Justices Cassuto and Grubin came before the Town Board to discuss the proposed 2017 Court budget as presented. Justice Cassuto appreciates all the work that goes into compiling a budget, but with all due respect and candor, the Justices feel the proposed 2017 court budget ignores the needs of the court as discussed on previous occasions. The Justices are again seeing no raises as has been the case in the last 8 years. The Town of Austerlitz is the 3rd busiest court in the County and all Town Departments have gotten raises except the Justices. This is with the court bringing in about 20% of the Town's revenue. Justice Cassuto also notes that although additional increases for the Court Clerk and Deputy Court Clerk were given, the requested amount was not.

The Justices discussed the 2013 budget in which a raise for the Justices was budgeted, but not given. It was suggested that 'taking' away a raise is unconstitutional during a Justice's term. Town Clerk Haag explained that due to a discrepancy in two different pages in the budget, when elected official's salaries were noticed, the wrong figure was used. The Town was advised at the time to use the noticed figure for salaries. This was not a decrease in salary, but rather the Town kept the same amount and gave no raise.

Discussion was heard on the fact that the budget does not reflect the data the Justices submitted as substantiation for requested budget amounts, what supports the budget numbers used, and what was the thinking behind the salary decisions for Justices.

Justice Grubin noted that she feels it is insulting that the Town Board does not feel that a raise in the Justices' salary is warranted after 8 years.

Town Board Member Vogler noted that what he is hearing from the majority of the conversation is that the Justices want to discuss their lack of a raise over everything else. Justice Cassuto said he is also concerned about the Court Clerk and Deputy Court Clerk, whereas Justice Grubin agreed her proposed salary is the point of contention. Member Vogler advised that he felt the budget is reflective of a very generous increase in the overall court budget of \$6300.00 when the tax cap is so low, and the budget is highly accommodating in working toward making this a better situation. G. Vogler feels that the Justices are very well compensated for one official court

001 00 2016

night a month each and any additional call in time and will not support any additional with the tight tax cap. Justice Grubin noted that the percentage increase of the 2017 budget as compared to the 2016 budget is because money and positions were taken away in the past that need to be reestablished.

Justice Cassuto does not believe that the Town Board understands what the court actually does and is responsible for. Member Vogler reminded all that he has in fact spend time in the Town Hall during court nights, spend time in other courts, and has audited the court ledgers in the past.

Supervisor Lagonia reminds the Justices that he was a Town Justice for many years and in fact knows what they are responsible for and feels that the Justices are very well compensated for the time they put in. The Justices asked for \$19000.00 and were given a \$6300.00 increase with the priority on the Court Clerk and Deputy Court Clerk area. Supervisor Lagonia actually did research the salaries across the County and feels that the budget reflects the best the Town could offer with such a tight tax cap.

Town Board Member Vogler recommends that if the Justices feel that additional money is still needed, they should submit supporting documentation for the 2018 budget cycle and if the figures are substantiated, the Town Board will consider them. For 2017, priority was given the Court Clerk and Deputy Court Clerk area.

Town Board Member Friedman had no comment. Town Board Member Verenazi notes that he is sure no disrespect was intended when the budget was done. Justice Cassuto does not believe the 2017 budget is respectful of the Judicial Department and a cost of living adjustment is appropriate at the very least.

A motion to adopt Resolution #37-2016, Adoption of 2017 Tentative Budget as the 2017 Preliminary Budget was made by M. Verenazi and seconded by N. Friedman.

R. Lagonia: yes

G. Vogler: yes

M. Verenazi: yes

N. Friedman: yes

J. Wrightsman: absent

Motion carried 4:1.

Resolution #37-2016, Adoption of 2017 Tentative Budget as the 2017 Preliminary Budget

WHEREAS, the Supervisor of the Town of Austerlitz prepared a Tentative Budget for the Town's fiscal year 2017 and presented that Tentative Budget at a meeting of the Town Board held on September 15, 2016; and

WHEREAS, the Town Board has reviewed the Tentative Budget and has discussed and analyzed it with the Town Supervisor, and

WHEREAS, the Town Board is prepared to adopt the Tentative Budget without changes made by the Town Board during the course of discussions regarding same as the Preliminary Budget;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Austerlitz hereby adopts the Tentative Budget for 2017, as the Preliminary Budget for the fiscal year of 2017 of the Town of Austerlitz; and

BE IT FURTHER RESOLVED, that the Town Board hereby schedules a public hearing on said 2017 Preliminary Budget for Thursday, October 20, 2016, at 6:30 pm at the Austerlitz Town Hall and directs the Town Clerk to post and publish the required notices for said hearing.

Code Enforcement Shared Service Agreement Termination: Discussed.

Code Enforcement Officer Replacement:

Supervisor Lagonia spoke with two gentlemen who were interested in the Code Enforcement Officer position. Previously retired Code Enforcement Officer for the Town of Austerlitz, Glenn Smith, agreed to come back at the salary currently in place. No Town car would be necessary as the Town will pay mileage and G. Smith's required education is current and up-to-date as he is also the CEO for the Village of Kinderhook. G. Smith is available to start anytime.

A motion to adopt Resolution #38-2016, Appointment of Code Enforcement Officer was made by G. Vogler and seconded by M. Verenazi.

R. Lagonia: yes
G. Vogler: yes
M. Verenazi: yes
N. Friedman: yes
J. Wrightsman: absent
Motion carried 4:1.

Reference Material

OCT 10 2016

For
Town Board Meeting

Resolution #38-2016, Appointment of Code Enforcement Officer

WHEREAS, the Town Code Enforcement Officer, Lee Heim, appointed on January 4, 2016, for a one-year term has submitted his letter of resignation on August 30, 2016 effective September 29, 2016; and

WHEREAS, since Mr. Heim informed the Town of his resignation as Town Code Enforcement Officer, the Town Supervisor interviewed a couple of potential candidates for the position one of which is Glenn Smith who served as Code Enforcement Officer prior to the tenure of Mr. Heim; and

WHEREAS, Mr. Smith expressed a desire and an ability to fill the Code Enforcement Officer's position as soon as it is vacant; and

WHEREAS, the Town Board desires to fill the Code Enforcement Officer's position without a gap in service, with an efficient transition, and with an experienced individual, and Mr. Smith's prior experience with the position and willingness to start as soon as the position is vacant satisfies those objectives;

NOW, THEREFORE, BE IT RESOLVED as follows:

09/02/2016

The Town Board accepts the resignation of Lee Heim from his employment as the Town of Austerlitz Code Enforcement Officer and determines that Mr. Heim's last day of employment service with the Town will be September 29, 2016.

The Town Board hereby appoints Glenn Smith, effective October 1, 2016, as Town of Austerlitz Code Enforcement Officer to fill the vacancy in that position that will occur on September 30, 2016, for the remainder of the calendar year at the salary rate of \$13,777.00 per year as pro-rated for the last three months of 2016 and to be paid on a bi-weekly basis. Mr. Smith will use his own vehicle while on Town of Austerlitz business and will be reimbursed for mileage at the current federal per mile rate. Mr. Smith shall maintain a mileage log and shall submit the log together with a completed voucher for reimbursement of travel expenses on a monthly basis. Mileage to and from the Town Hall for fulfillment of his office hours shall not be included except for returning from and leaving for inspection appointments and other meetings or activities in the Town of Austerlitz. Mr. Smith as the Town's Code Enforcement Officer shall maintain a minimum of 7 hours per week of regularly scheduled and noticed office hours on at least two days of the week and shall be responsible for the administration, inspections, and enforcement of the State Building Code, Property Maintenance Code and Town Zoning Code together with any other responsibilities typically conducted by a Town Code Enforcement Officer. Mr. Smith shall be also responsible to provide the Town Board with monthly reports (either in writing or in person at the regular monthly Town Board meetings) summarizing the activities of the Building Department and to properly maintain and keep the records of the Building Department and the required application and permit forms for that Department as well as updating and maintaining the Building Department page on the Town's official website.

This resolution shall take effect immediately, but Mr. Smith's first day as the appointed Code Enforcement Officer and employee of the Town is to occur on October 1, 2016.

Public Comments

Charles Vander Weit asked if the County has considered a referendum for changing the structure of County government to which Supervisor Lagonia answered that this is only being discussed at the time. Nothing is being considered yet.

Sharon Grubin asked if Beale Road was being considered for dust control. Speeding is an issue as is the depth of the ditches. Superintendent Meehan advised that the last couple of rain storms have taken their toll and his crew will get to Beale Road. Supervisor Lagonia advised that the speed sign can be moved to Beale Road as well. R. Lagonia also advised that the Town is looking for a piece of equipment to purchase to use in dust control. Town Board Member Friedman asked if the Town could put up caution signs to slow people down. Highway Superintendent Meehan advised that when the bridge in Red Rock is opened back up that will cut down traffic. Supervisor Lagonia noted that the speed sign does work.

Adjournment

A motion to adjourn was made by M. Verenazi and seconded by G. Vogler.

R. Lagonia: yes

G. Vogler: yes

M. Verenazi: yes

N. Friedman: yes

J. Wrightsman: absent

Motion carried 4:1. Meeting adjourned at 8:37 p.m.

Respectfully Submitted,
Susan A. Haag, Town Clerk

Reference Material

OCT 20 2016

For
Town Board Meeting

Reference Material

OCT 23 2016

| Account# | Account Description | Fee Description | For Town Board Meeting | |
|-------------------|---------------------|-----------------------|------------------------|-----------------|
| | | | Qty | Local Share |
| A1255 | Certified Copies | Marriage | 2 | 20.00 |
| | Conservation | Conservation | 10 | 76.76 |
| | Solid Waste | 15 Gallon Garbage Bag | 10 | 1.00 |
| | | 30 Gallon Garbage Bag | 20 | 4.00 |
| | Supervisor | EZPass | 2 | 50.00 |
| Sub-Total: | | | | \$151.76 |
| A1255 | Supervisor | Marriage License | 2 | 35.00 |
| Sub-Total: | | | | \$35.00 |
| A2544 | Dog Licensing | Female, Spayed | 9 | 45.00 |
| | | Female, Unspayed | 1 | 10.00 |
| | | Male, Neutered | 7 | 35.00 |
| Sub-Total: | | | | \$90.00 |

Total Local Shares Remitted: \$276.76

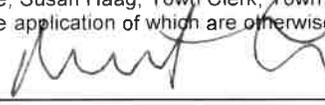
| | |
|---|----------|
| Amount paid to: Columbia County Solid Waste | 75.00 |
| Amount paid to: New York State Dept. Of Health | 45.00 |
| Amount paid to: NYS Ag. & Markets for spay/neuter program | 19.00 |
| Amount paid to: NYS Environmental Conservation | 1,316.24 |

Total State, County & Local Revenues: \$1,732.00

Total Non-Local Revenues: \$1,455.24

To the Supervisor:

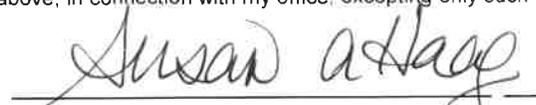
Pursuant to Section 27, Sub 1, of the Town Law, I hereby certify that the foregoing is a full and true statement of all fees and monies received by me, Susan Haag, Town Clerk, Town of Austerlitz during the period stated above, in connection with my office, excepting only such fees and monies, the application of which are otherwise provided for by law.



Supervisor

10/4/16

Date



Town Clerk

10/4/16

Date

**Town of Austerlitz
Planning Board Chairman's Report
September 2016**

Reference Material

OCT 1 2016

For
Town Board Meeting

The September Planning Board meeting was cancelled due to no new or unfinished business.

TOWN OF AUSTERLITZ
RECEIVED
OCT 1 2016
TOWN
CLERK
COLUMBIA COUNTY

Printed : October 11, 2016

Austerlitz Permit Monthly Report

From : September 01, 2016 To: September 30, 2016

| <u>Document #</u> | <u>Issue Date</u> | <u>Owner</u> | <u>Document Type</u> | <u>Property Location</u> <u>SBL</u> | <u>Valuation</u> | <u>Town Amount</u> |
|-------------------|-------------------|---------------------|------------------------|--|------------------|--------------------|
| September | | | | | | |
| P13-038 | 4/25/2013 | Robert Meehan | Residential Alteration | 1084 Route 203 77.-1-7.200 | \$0.00 | \$25.00 |
| P16-018 | 3/1/2016 | Daniel Albohn | Residential Alteration | 351 Fire Hill Rd 86.-2-48.220 | \$50,000.00 | \$200.00 |
| P16-085 | 9/6/2016 | Louden Hildegard E | Communication Antenna | Louden Rd 94.-1-18.-2 | \$15,000.00 | \$85.00 |
| P16-086 | 9/6/2016 | Steven Hay | PVA Solar Panels | 842 Dugway Rd 86.-2-48.210 | \$30,000.00 | \$145.00 |
| P16-087 | 9/6/2016 | Richard Watt | PVA Solar Panels | 46 Lunde Ln 96.-1-25 | \$30,000.00 | \$145.00 |
| P16-088 | 9/8/2016 | Gregory Vogler | Residential Addition | 164 Beale Rd 77.-1-73.112 | \$150,000.00 | \$625.00 |
| P16-089 | 9/13/2016 | Nelson Boxer | Res. Add/Alter | 798 Dugway Rd 86.-2-49 | \$400,000.00 | \$1,625.00 |
| P16-090 | 9/13/2016 | Deborah Lans | Demolition | Beale Rd 77.-1-72 | \$0.00 | \$75.00 |
| P16-091 | 9/13/2016 | Elizabeth Whiteman | Accessory | 69 Angell Hill Rd 77.-1-38 | \$3,000.00 | \$50.00 |
| P16-092 | 9/15/2016 | Jack Shear | Residential Alteration | 551 Pratt Hill Rd 86.-1-13 | \$50,000.00 | \$225.00 |
| P16-093 | 9/15/2016 | Earth Food Land Llc | Commercial Alteration | 317 Route 203 87.-2-44.11 | \$30,000.00 | \$145.00 |
| P16-094 | 9/15/2016 | William Van Alstine | C/O Search | 369 Beale Rd 77.-1-92 | \$0.00 | \$35.00 |
| P16-095 | 9/20/2016 | Jessica Davis | Residential Addition | 23 Lilac Ln 95.-1-42 | \$35,000.00 | \$165.00 |
| P16-096 | 9/20/2016 | Joseph Medina | Residential Alteration | 11488 Route 22 88.-2-35.200 | \$5,000.00 | \$50.00 |
| P16-097 | 9/22/2016 | Robert Pinto | Barn/Shed | 21 Higgins Rd 87.-1-43.11 | \$38,000.00 | \$177.00 |
| P16-098 | 9/22/2016 | April Bergman | Residential Addition | 1327 Route 203 66.-1-26 | \$5,000.00 | \$50.00 |

Reference Material

For
Town Board Meeting

OCT 11 2016

TOWN OF AUSTERLITZ
RECEIVED

TOWNSHIP CLERK

| <u>Document #</u> | <u>Issue Date</u> | <u>Owner</u> | <u>Document Type</u> | <u>Property Location</u> | <u>Valuation</u> | <u>Amount</u> |
|-------------------|-------------------|----------------|----------------------|---------------------------------------|-----------------------|--------------------|
| P16-099 | 9/27/2016 | Charles Kuhnow | Demolition | <u>SBL</u> 3 Sawyer Rd 107-1-11 | \$0.00 | \$50.00 |
| | | | | September Total : | \$841,000.00 | \$3,872.00 |
| | | | | Reporting Period Total: | \$841,000.00 | \$3,872.00 |
| | | | | Year-to-Date : | \$5,651,500.00 | \$27,175.19 |

Reference Material

OCT 20 2016

For
Town Board Meeting

09/30/2016

For
Town Board Meeting

10/11/2016

Payment Detail Report

From September 01, 2016 to September 30, 2016

For User : All

| Payment Date | Parent Type | Transaction | Customer | Payment Type | Payment # | Amount |
|-------------------|------------------------|-------------|-------------------------------|-----------------------------|----------------|-------------------|
| 09/06/2016 | | | | | | |
| 09/06/2016 | Residential Alteration | P16-018 | | | | |
| | | | Daniel Albohn | Check #276 | 00000531 | \$200.00 |
| 09/06/2016 | Communication Antenna | P16-085 | | | | |
| | | | Empire Telecom USA | Check #017039 | 00000528 | \$85.00 |
| 09/06/2016 | PVA Solar Panels | P16-086 | | | | |
| | | | Kasselman Solar, LLC | Check #2477, Check #2478 | 00000529 | \$145.00 |
| 09/06/2016 | PVA Solar Panels | P16-087 | | | | |
| | | | Kasselman Solar, LLC | Check #2475, Check #2476 | 00000530 | \$145.00 |
| | | | | | Total : | \$575.00 |
| 09/08/2016 | | | | | | |
| 09/08/2016 | Residential Alteration | P13-038 | | | | |
| | | | Robert Meehan | Check #6503 | 00000533 | \$25.00 |
| 09/08/2016 | Residential Addition | P16-088 | | | | |
| | | | AG Carpentry | Check #1949 | 00000532 | \$625.00 |
| | | | | | Total : | \$650.00 |
| 09/13/2016 | | | | | | |
| 09/13/2016 | Res. Add/Alter | P16-089 | | | | |
| | | | Bill Stratton | Check #4977 | 00000534 | \$1,625.00 |
| 09/13/2016 | Demolition | P16-090 | | | | |
| | | | Bill Stratton | Check #4979 | 00000535 | \$75.00 |
| 09/13/2016 | Accessory | P16-091 | | | | |
| | | | Elizabeth Whiteman | Check #1465 | 00000536 | \$50.00 |
| | | | | | Total : | \$1,750.00 |
| 09/15/2016 | | | | | | |
| 09/15/2016 | Residential Alteration | P16-092 | | | | |
| | | | Ag Contracting | Check #1951 | 00000537 | \$225.00 |
| 09/15/2016 | Commercial Alteration | P16-093 | | | | |
| | | | Salvador Sanchez | Check #221 | 00000538 | \$145.00 |
| 09/15/2016 | C/O Search | P16-094 | | | | |
| | | | Rappart, Meyers & Whitbeck | Check #1016 | 00000539 | \$35.00 |
| | | | | | Total : | \$405.00 |
| 09/20/2016 | | | | | | |

10/11/2016

Payment Detail Report

From September 01, 2016 to September 30, 2016

09/01/2016

For
Town Board Meeting

For User : All

| Payment Date | Parent Type | Transaction | Customer | Payment Type | Payment # | Amount |
|-------------------|------------------------|-------------|--------------------------|--------------|----------------------|-------------------|
| 09/20/2016 | Residential Addition | P16-095 | | | | |
| | | | Flatbrook Development | Check #172 | 00000540 | \$165.00 |
| 09/20/2016 | Residential Alteration | P16-096 | | | | |
| | | | Joseph Medina | Check #1504 | 00000541 | \$50.00 |
| | | | | | Total : | \$215.00 |
| 09/22/2016 | | | | | | |
| 09/22/2016 | Barn/Shed | P16-097 | | | | |
| | | | Robert Pinto | Cash | 00000542 | \$177.00 |
| 09/22/2016 | Residential Addition | P16-098 | | | | |
| | | | April Bergman | Check #5119 | 00000543 | \$50.00 |
| | | | | | Total : | \$227.00 |
| 09/27/2016 | | | | | | |
| 09/27/2016 | Demolition | P16-099 | | | | |
| | | | Charles Kuhnow | Check #304 | 00000544 | \$50.00 |
| | | | | | Total : | \$50.00 |
| | | | | | Grand Total : | \$3,872.00 |

October 11, 2016

Austerlitz Inspection Schedule

From September 01, 2016 to September 30, 2016
For Inspector : All

| <u>Inspection Date/Time</u> | <u>Inspection Type</u> | <u>Inspector</u> | <u>Property Location</u> | <u>Identifier</u> | <u>Permit Type</u> | <u>Permit #</u> |
|-----------------------------|------------------------------|------------------|--------------------------|-------------------|------------------------|-----------------|
| 09/02/2016 11:48 am | County Septic | CCDOH | Route 203 | 77.-1-86 | New Residence | P15-038 |
| 09/06/2016 11:15 am | Insulation Inspection | Lee Heim | 78 Laurel Mountain Rd | 87.-1-58 | Res. Add./Alter | P16-051 |
| 09/07/2016 5:45 pm | Footing before pouring concr | Lee Heim | 351 Fire Hill Rd | 86.-2-48,220 | Residential Alteration | P16-018 |
| 09/07/2016 5:45 pm | Framing before enclosing | Lee Heim | 351 Fire Hill Rd | 86.-2-48,220 | Residential Alteration | P16-018 |
| 09/09/2016 12:06 pm | Footing before pouring concr | Lee Heim | 53 Acorn Ln | 85.-1-19,200 | Barn/Shed | P16-071 |
| 09/09/2016 1:00 pm | Framing before enclosing | Lee Heim | 72 Cool Timber Rd | 104.-1-31 | New Residence | P16-031 |
| 09/12/2016 12:30 pm | Framing before enclosing | Lee Heim | Reed Rd | 86.-2-18,120 | Residential Addition | P16-040 |
| 09/12/2016 12:30 pm | Insulation Inspection | Lee Heim | Reed Rd | 86.-2-18,120 | Residential Addition | P16-040 |
| 09/12/2016 1:00 pm | Framing before enclosing | Lee Heim | Route 203 | 77.-1-86 | New Residence | P15-038 |
| 09/12/2016 1:00 pm | Plumbing before enclosing | Lee Heim | Route 203 | 77.-1-86 | New Residence | P15-038 |
| 09/13/2016 2:30 pm | Plumbing before enclosing | Lee Heim | 70 Blueberry Ln | 96.-1-12,12 | Residential Alteration | P16-020 |
| 09/13/2016 3:15 pm | Final Inspection | Lee Heim | 70 Longview Dr | 67.-1-39 | Res. Add./Alter | P15-106 |
| 09/16/2016 1:00 pm | Final Inspection | Lee Heim | 1084 Route 203 | 77.-1-7,200 | Residential Alteration | P13-038 |
| 09/16/2016 1:30 pm | Final Inspection | Lee Heim | 114 Beale Rd | 77.-1-10,200 | Garage - Detached | P16-026 |
| 09/16/2016 2:08 pm | Final Inspection | Lee Heim | 5178 South St | 86.1-1-40 | Residential Alteration | P16-044 |
| 09/19/2016 12:30 pm | Framing before enclosing | Lee Heim | 11738 Route 22 | 88.-1-21,100 | New Residence | P15-010 |
| 09/19/2016 1:00 pm | Final Inspection | Lee Heim | 354 Beale Rd | 77.-1-14,112 | Residential Alteration | P15-007 |
| 09/19/2016 2:00 pm | Misc Visit | Lee Heim | Rual Ln | 77.-1-30,120 | New Residence | P16-054 |
| 09/19/2016 2:30 pm | Final Inspection | Lee Heim | 1974 Red Rock Rd | 67.-1-14,100 | Demolition | P16-057 |
| 09/20/2016 1:23 pm | Final Inspection | Lee Heim | 70 Longview Dr | 67.-1-39 | Res. Add./Alter | P15-106 |
| 09/20/2016 1:35 pm | Final Inspection | Lee Heim | 106 Kern Dr | 104.-1-1,120 | Residential Alteration | P16-032 |
| 09/23/2016 11:30 am | Final Inspection | Lee Heim | 427 Mercer Mountain Rd | 69.-1-2,220 | Roofing | P16-078 |
| 09/23/2016 12:30 pm | Final Inspection | Lee Heim | 70 Blueberry Ln | 96.-1-12,12 | Residential Alteration | P16-020 |
| 09/23/2016 1:15 pm | Final Inspection | Lee Heim | Middle Rd | 80.-1-13,1 | Barn/Shed | P14-094 |
| 09/26/2016 12:30 pm | Final Inspection | Lee Heim | 53 May Ln | 86.-2-54,100 | Residential Alteration | P14-088 |
| 09/26/2016 12:30 pm | Final Inspection | Lee Heim | 53 May Ln | 86.-2-54,100 | Deck/Porch | P14-116 |
| 09/26/2016 12:30 pm | Final Inspection | Lee Heim | 53 May Ln | 86.-2-54,100 | 12' OP - Other | P15-061 |
| 09/26/2016 1:30 pm | Plumbing before enclosing | Lee Heim | 11488 Route 22 | 88.-2-35,200 | Residential Alteration | P16-096 |
| 09/27/2016 3:15 pm | Final Inspection | Lee Heim | 56 Dullaghan Rd | 105.-1-24 | Barn/Shed | P16-010 |

Reference Material
Oct 11 2016
For
Town Board Meeting

October 11, 2016

Austerlitz CO & CC Issued Report

Completion Dates From September 01, 2016 to September 30, 2016
Contact Type: Applicant

Reference Material
0-1-13.1
For
Town Board Meeting

| Barn/Shed | | SBL | Completion Type | Completion Number | Applicant | Location | Issue Date |
|-----------|---------|------------|-----------------|-------------------|---------------|-----------------|------------|
| Permit # | P14-094 | 80.-1-13.1 | CC Issued | CC16-20 | Eva Telesnick | Middle Rd | 9/27/2016 |
| | P16-010 | 105.-1-24 | CO Issued | CO16-30 | Jodi Lagonia | 56 Dullaghan Rd | 9/27/2016 |

Barn/Shed # of CC/CO : Issued : 2

| Deck/Porch | | SBL | Completion Type | Completion Number | Applicant | Location | Issue Date |
|------------|---------|--------------|-----------------|-------------------|-----------------------|-----------|------------|
| Permit # | P14-116 | 86.-2-54.100 | CC Issued | CC16-18 | Anthony Archer- Wills | 53 May Ln | 9/27/2016 |

Deck/Porch # of CC/CO : Issued : 1

| Demolition | | SBL | Completion Type | Completion Number | Applicant | Location | Issue Date |
|------------|---------|--------------|-----------------|-------------------|---------------|------------------|------------|
| Permit # | P16-057 | 67.-1-14.100 | CC Issued | CC16-16 | Bill Stratton | 1974 Red Rock Rd | 9/20/2016 |

Demolition # of CC/CO : Issued : 1

| Res. Add/Alter | | SBL | Completion Type | Completion Number | Applicant | Location | Issue Date |
|----------------|---------|----------|-----------------|-------------------|----------------|----------------|------------|
| Permit # | P15-106 | 67.-1-39 | CO Issued | CO16-25 | wallace design | 70 Longview Dr | 9/20/2016 |

Res. Add/Alter # of CC/CO : Issued : 1

| Residential Alteration | | SBL | Completion Type | Completion Number | Applicant | Location | Issue Date |
|------------------------|---------|--------------|-----------------|-------------------|-----------------------|----------------|------------|
| Permit # | P13-038 | 77.-1-7.200 | CC Issued | CC16-17 | Robert Meehan | 1084 Route 203 | 9/20/2016 |
| | P14-088 | 86.-2-54.100 | CO Issued | CO16-31 | Anthony Archer- Wills | 53 May Ln | 9/27/2016 |
| | P15-007 | 77.-1-14.112 | CO Issued | CO16-29 | 354 Beale LLC | 354 Beale Rd | 9/22/2016 |
| | P15-092 | 96.-1-23 | CO Issued | CO16-27 | Robert Weinstein | 351 Dugway Rd | 9/20/2016 |

| | | | | | | |
|---------|--------------|-----------|---------|----------------------|---------------|-----------|
| P16-032 | 104.-1-1.120 | CO Issued | CO16-26 | Diane Schmitt-Poland | 106 Kern Dr | 9/20/2016 |
| P16-044 | 86.1-1-40 | CO Issued | CO16-28 | Bill Stratton | 5178 South St | 9/20/2016 |

Residential Alteration # of CC/CO :Issued : 6

Roofing

| Permit # | SBL | Completion Type | Completion Number | Applicant | Location | Issue Date |
|----------|-------------|-----------------|-------------------|----------------|------------------------|------------|
| P16-078 | 69.-1-2.220 | CC Issued | CC16-19 | Maurice Siegel | 427 Mercer Mountain Rd | 9/27/2016 |

Roofing # of CC/CO :Issued : 1

Grand Total: 12

Reference Material
 OCT 20 2016
 For
 Town Board Meeting

| Justice Information | |
|-----------------------|--------------------|
| Municipal Name | Town of Austerlitz |
| Justice ID | [REDACTED] |
| Justice Number | [REDACTED] |
| Justice Name | David Cassuto |

TOWN OF AUSTERLITZ
RECEIVED
OCT 11 2018
TOWN CLERK
COLUMBIA COUNTY

Thank you for submitting your monthly Justice Report. You will receive an email with the status of your report. Please print and retain this page for your records as confirmation of your filing.

| Submission Log |
|--|
| 10/07/2016 03:00:28 PM / David Cassuto / Town of Austerlitz / Submitted Document |

| Report Certification | |
|-------------------------------|-------------|
| Date Filed | 10/07/2016 |
| Report Period | 09/2016 |
| Report Amount | \$12,378.00 |
| Date Check Sent to CFO | 10/07/2016 |
| AC-1030 Report File | [REDACTED] |

Reference Material
OCT 20 2016
For
Town Board Meeting

| Justice Information | |
|---------------------|--------------------|
| Municipal Name | Town of Austerlitz |
| Justice ID | [REDACTED] |
| Justice Number | [REDACTED] |
| Justice Name | Sharon Grubin |

TOWN OF AUSTERLITZ
RECEIVED
OCT 11 2016
TOWN CLERK
COLUMBIA COUNTY

Thank you for submitting your monthly Justice Report. You will receive an email with the status of your report. Please print and retain this page for your records as confirmation of your filing.

| Submission Log |
|--|
| 10/07/2016 03:04:12 PM / Sharon Grubin / Town of Austerlitz / Submitted Document |

| Report Certification | |
|------------------------|-------------|
| Date Filed | 10/07/2016 |
| Report Period | 09/2016 |
| Report Amount | \$21,018.00 |
| Date Check Sent to CFO | 10/07/2016 |
| AC-1030 Report File | [REDACTED] |

Reference Material
OCT 20 2016
For
Town Board Meeting

Susan Haag/Austerlitz Town Clerk

From: Wes Powell <wespowell333@yahoo.com>
Sent: Tuesday, October 4, 2016 11:23 AM
To: Susan Haag/Austerlitz Town Clerk
Subject: September 2016 Austerlitz Dog Control Report

9/1 2 labs loose on Stonewall Rd....Whalin's dogs returned home
9/16 pug found on Beebe Rd
9/17 stray pit mix at Spencertown Fire House couldn't find
9/24 stray yellow lab in Spencertown Park per Sheriff's office brought to CGHS
9/26 owner of Lab called late tonight looking for dog, she was advised it was at CGHS, very hostile

Reference Material

OCT 20 2016

For
Town Board Meeting



Association of Towns of the State of New York

Reference Material **2016 Personnel Management**
School Agenda
City of Albany (Albany County)
Friday, November 18, 2016

OCT 20 2016
 For
 Town Board Meeting

Hilton Garden Inn – 1389 Washington Ave., Albany NY 12206 (518) 453-1300

| | |
|-------------------------|--|
| 8:30 a.m. – 8:55 a.m. | Registration & Continental Breakfast |
| 8:55 a.m. – 9:00 a.m. | Welcome and Introductions |
| 9:00 a.m. – 10:00 a.m. | <p>Painful Lessons: What We've Learned from 20 Years of Workers' Compensation Claims <i>Michael Kenneally, Executive Director – Comp Alliance</i></p> <p>In its 20 years of existence, the New York Workers' Compensation Alliance has seen its members learn some painful lessons that could have easily been avoided. This program will review actual workers compensation claims and share the lessons learned so that they are not repeated in your community under your watch.</p> |
| 10:00 a.m. – 10:20 a.m. | Break |
| 10:20 a.m. – 11:20 a.m. | <p>How to Implement Effective Corrective Action <i>Ronni Travers, SPHR, President – Public Sector HR Consultants LLC</i></p> <p>This workshop is designed to assist HR professionals and supervisory staff in addressing employee behavior through effective corrective action. Topics discussed include the difference between a counseling notice and a notice of discipline, as well as the importance of documentation. This workshop is applicable for either Section 75 or union contract disciplinary procedures.</p> |
| 11:20 a.m. – 12:00 p.m. | LUNCH |
| 12:00 p.m. – 1:00 p.m. | <p>Hot Topics in Public Sector Employment Law <i>Howard Miller, Esq, Member – Bond Schoeneck & King, PLLC</i></p> <p>Course Description Pending</p> |
| 1:00 p.m. – 1:20 p.m. | Break |
| 1:20 p.m. – 2:20 p.m. | <p>Essential Personnel Policies <i>Sarah Brancatella, Esq. & Katie Hodgdon, Esq. – Association of Towns</i></p> <p>This course will discuss policies related to anti-harassment and anti-discrimination; workplace violence prevention; leave and attendance policy; and use of municipal property / social media.</p> |

This event will provide 2 Certified Town Official credits in the Supervisor track and 2 in the Town Board track. Visit <http://www.nytowns.org> for more information on the Certified Town Official program.

Ellsworth Kelly Foundation

PO Box 220, 45 South Street, Spencertown, NY 12165 TEL 518-392-5326 FAX 518-392-6617

October 15, 2016

Mr. Rob Lagonia
Town Supervisor
Town of Austerlitz
PO Box 238
Spencertown, NY 12165

Reference Material

OCT 17 2016

For
Town Board Meeting

Dear Supervisor Lagonia,

The Ellsworth Kelly Foundation is pleased to present the enclosed grant of \$800,000 to the Town of Austerlitz to support the restoration of the historic church building adjacent to the current town hall for use as town offices and community center.

The Ellsworth Kelly Foundation is proud to support the efforts of local community groups working to conserve and protect cultural and historic resources and improve the quality of life of all residents of Columbia County, NY. This grant highlights the Foundation's ongoing commitment to preserve the historic hamlet of Spencertown.

Sincerely,



Jack Shear
President

Enclosure



Department of
Transportation

ANDREW M. CUOMO
Governor

MATTHEW J. DRISCOLL
Commissioner

Cathy Calhoun
Chief of Staff

August 19, 2016

Mr. Robert Lagonia
Town of Austerlitz
PO Box 238
Spencertown NY 12165

Reference Material

OCT 20 2016

For
Town Board Meeting

TOWN OF AUSTERLITZ
RECEIVED

AUG 30 2016

TOWN
CLERK
COLUMBIA COUNTY

Dear Mr. Lagonia:

I am pleased to announce the availability of \$98.7 million in funding to support transportation-related projects and programs, including bicycle, pedestrian, multi-use paths, and/or projects that will help meet the requirements of the Clean Air Act by reducing congestion and vehicle emissions.

Made available through the Transportation Alternatives Program (TAP) and the Congestion Mitigation and Air Quality Improvement Program (CMAQ), the goal of this funding opportunity is to provide innovative, transformative transportation improvements for our communities, while making them safer for bicyclists, pedestrians, and motorists.

Funding for projects will be awarded through a competitive solicitation process. Prospective projects will be rated based on established criteria that include public benefit, air quality improvement and innovation. To expedite the application process for this solicitation, the New York State Department of Transportation (NYSDOT) is committed to working with you and your staff. To guide you in the identification of candidate projects, program guidance, application forms, and details on required federal-aid workshops may be found at <https://www.dot.ny.gov/TAP-CMAQ>. Completed applications will be accepted electronically through October 21, 2016.

If you have questions concerning the solicitation process, please contact Peter Ryan at (518) 457-6700 or via e-mail at Peter.Ryan@dot.ny.gov.

Sincerely,

Matthew J. Driscoll
Commissioner

Town of Austerlitz
Columbia County
New York

October 13, 2016
For
Town Board Meeting

Resolution #39-2016, Adoption of the 2017 Final Budget

At the regular Town Board meeting of the Town of Austerlitz Town Board, held at the Austerlitz Town Hall, Spencertown, NY duly called and held on the 20 day of October, 2016, the following Resolution was proposed and seconded by:

WHEREAS, the Supervisor of the Town of Austerlitz prepared a Tentative Budget for the Town's fiscal year 2017 and presented that Tentative Budget at a regular meeting of the Town Board held on September 15, 2016; and

WHEREAS, the Town Board reviewed the Tentative Budget and discussed and analyzed it with the Town Supervisor, and

WHEREAS, the Town Board adopted the Tentative Budget without changes made by the Town Board during the course of discussions regarding same as the Preliminary Budget and scheduled a public hearing on the Preliminary Budget for October 20, 2016; and

WHEREAS, the public hearing on the Preliminary Budget has been duly noticed and held;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Austerlitz hereby adopts the Preliminary Budget for 2017, without any changes made by the Town Board, as the Final Budget for the fiscal year of 2017 of the Town of Austerlitz; and

BE IT FURTHER RESOLVED, that the Town Board hereby directs the Town Clerk to file the Final Budget as required by law.

Upon the question of the foregoing Resolution, the following Town Board Members voted "Aye:"

Reference Material

001 20 2016

For
Town Board Meeting

The following Town Board Members voted "Nay"

The Resolution having been approved by a majority of the Town Board, the said was declared duly adopted by the Supervisor of the Town of Austerlitz.

Dated: October 20, 2016

Signed: _____, Town Clerk

Town of Austerlitz
Columbia County
New York

OCT 20 2016
For
Town Board Meeting

Resolution #39-2016, Adoption of the 2017 Final Budget

At the regular Town Board meeting of the Town of Austerlitz Town Board, held at the Austerlitz Town Hall, Spencertown, NY duly called and held on the 20 day of October, 2016, the following Resolution was proposed and seconded by:

WHEREAS, the Supervisor of the Town of Austerlitz prepared a Tentative Budget for the Town’s fiscal year 2017 and presented that Tentative Budget at a regular meeting of the Town Board held on September 15, 2016; and

WHEREAS, the Town Board reviewed the Tentative Budget and discussed and analyzed it with the Town Supervisor, and

WHEREAS, the Town Board adopted the Tentative Budget without changes made by the Town Board during the course of discussions regarding same as the Preliminary Budget and scheduled a public hearing on the Preliminary Budget for October 20, 2016; and

WHEREAS, the public hearing on the Preliminary Budget has been duly noticed and held;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Austerlitz hereby adopts the Preliminary Budget for 2017, with changes made by the Town Board (as identified on the attachment to this resolution), as the Final Budget for the fiscal year of 2017 of the Town of Austerlitz; and

BE IT FURTHER RESOLVED, that the Town Board hereby directs the Town Clerk to file the Final Budget as required by law.

Upon the question of the foregoing Resolution, the following Town Board Members voted “Aye:”

Reference Material

OCT 20 2016

For
Town Board Meeting

The following Town Board Members voted "Nay"

The Resolution having been approved by a majority of the Town Board, the said was declared duly adopted by the Supervisor of the Town of Austerlitz.

Dated: October 20, 2016

Signed: _____, Town Clerk

Town of Austerlitz
Columbia County
New York

OCT 20 2016
For
Town Board Meeting

Resolution #40-2016, Town Court Audit

At the regular monthly meeting of the Town of Austerlitz Town Board, held at the Austerlitz Town Hall, Spencertown, NY duly called and held on the 20th day of October, 2016, the following Resolution and Order was proposed and seconded by:

Proposed By: _____

Seconded By: _____

Whereas, the Town Board must complete an audit itself or have an audit performed and completed by a qualified individual or firm, in accordance with section 2019-a of the Uniform Justice Court Act, of all Town Justices; and

Whereas, the Town Board determined to have an independent audit performed by Nelson Furlano a certified public accountant with the accounting firm of Furlano & Arace PC; and

Whereas, by letter dated September 22, 2016, the Town Supervisor and Town Board received the audit of both Town Justices, Sharon Grubin and David Cassuto, completed by Mr. Furlano that covers the 2015 fiscal year and a portion of the 2016 fiscal year; and

Whereas, the Town Board has reviewed the aforementioned audit;

NOW, THEREFORE, BE IT RESOLVED that the Town Board hereby acknowledges that an audit of the records of Town Justice Sharon Grubin and an audit of the records of Town Justice David Cassuto have been conducted and completed by Nelson Furlano a certified public accountant with the accounting firm of Furlano & Arace PC, dated September 22, 2016; and that the Town Board has reviewed said audit, a copy of which is annexed to this Resolution, and instructs the Town Clerk or the Town Supervisor to promptly file a copy of said audit to the NYS Office of Court Administration together with a copy of this resolution.

Upon the question of the foregoing Resolution and Order, the following Town Board Members voted "Aye:"

Reference Material

OCT 20 2016

For
Town Board Meeting

The following Town Board Members voted "Nay:"

The Resolution and Order having been approved by a majority of the Town Board, the said resolution was duly adopted by the Town Board of the Town of Austerlitz.

Dated: October ____, 2016

Signed: _____, Town Clerk

Furlano & Arace PC

CERTIFIED PUBLIC ACCOUNTANTS
386 South Street
Pittsfield, Massachusetts 01201

Nelson E. Furlano, CPA
Christine A. Arace, CPA

Telephone 413-499-0207
Telecopier 413-443-3823

September 22, 2016

Robert Lagonia, Town Supervisor
Members of the Town Board
Honorable David Cassuto
Honorable Sharon E. Grubin
Town of Austerlitz
812 Route 23
Spencertown, NY 12165

Reference Material

001 2-9 2016

For
Town Board Meeting

RE - Austerlitz – Review of Justice Court Records for the year 2015

I have previously discussed my preliminary findings after reviewing the Justice Court records in a memo dated June 15, 2016.

Criteria

The Town Board is supplied with the “general recordkeeping requirements for Town and Village Justices”. Additionally, they are supplied with an annual checklist that provides them with the general tools to properly perform the annual audit, and provide reasonable assurance that work performed by those individuals, who handle moneys as part of their duties, are properly monitored and reviewed. Earlier this year, I met with Kelly Baccaro on May 23, 2016 and on September 21, 2016 to perform that review.

To assist with that required review, I used the “annual checklist for review of justice court records” from Appendix 10 of the “Handbooks for Town and Village Justices and Court Clerks”, as issued by the New York State Office of the State Comptroller. Please find attached the completed review for both Justice David Cassuto and Justice Sharon Grubin.

Findings – instances of noncompliance with record keeping requirements:

Justice Sharon Grubin – this account balanced with reports from January 2015 through June 2015. In July 2015, a payment of \$2.98 was received and deposited to that checking account. This was not reported through the Justice Court Fund until November 2015.

Justice David Cassuto – this account balanced with reports from January 2015 through July 2015. After that time, several over and under reporting errors were made. They were:

- In August 2015 \$243.00 was reported and paid to the Justice Court Fund but never was received on the cash ledger or deposits to the bank account
- In August 2015 \$1,102.00 was received from the online payment system and deposited to the bank but not reported through the Justice Court Fund; these funds were received from 4 cases
- In September 2015 \$2,368.00 was received from the online payment system and deposited to the bank but not reported through the Justice Court Fund: these funds were received from 12 cases
- In December 2015 \$10.00 was reported and paid to the Justice Court Fund but never was received on the cash ledger or deposits to the bank account.

Resolution

Justice Sharon Grubin – this item was corrected with the November 2015 reporting

Justice David Cassuto – these items have only been partially corrected at this time. The status of these items are:

- A request for refund from the Office of the State Comptroller – Justice Court Fund has been submitted on July 10, 2016 for these two items and they are still pending at this date:
 - o In August 2015 \$243.00 was reported and paid to the Justice Court system, but was never received on the cash ledger or deposits to the bank account
 - o In December 2015 \$10.00 was reported and paid to the Justice Court system, but was never received on the cash ledger or deposits to the bank account.
- In May 2016, a correction to report and pay to the Justice Court Fund was completed and accepted:
 - o The funds received in August 2015 - \$1,102.00 was processed and paid to the Justice Court Fund; these funds were received from 4 cases.
 - o The funds received in September 2015 - \$2,368.00 was processed and paid to the Justice Court Fund; these funds were received from 12 cases.

Recommendations

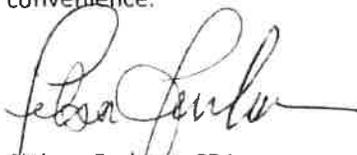
It is apparent that the court clerk had not been fully trained on the required steps for each month end processing of records. The replacement court clerk found, researched, identified and resolved many of these items. She has implemented a standardized month end checklist to ensure all steps are completed on a timely basis. I suggest that each Justice initial and date this checklist as part of their review process.

Status

Further, errors of this type continued into the 2016 year. New items in 2016 were:

- In the reports for Justice Sharon Grubin,
 - o 7 cases totaling \$1,210 were received from the online payment system and deposited to the bank, but were reported to the Justice Court Fund in the correct months they were received; these were reported and paid with a May 2016 correction report.
- In the reports for Justice David Cassuto,
 - o 10 cases totaling \$2,014 were received from the online payment system and deposited to the bank, but were reported to the Justice Court Fund in the correct months they were received; these were reported and paid with a May 2016 correction report.
 - o The two pending items above, \$253, plus a January 2016 item in amount \$243 (where case was reported and paid, but never received in cash ledgers or the bank) awaits processing by the Office of the State Comptroller – Justice Court Funds. This leaves that account short by \$496.00

I would like to thank Kelly Baccaro for her assistance with this task. I am available to answer questions at your convenience.



Nelson Furlano, CPA
Furlano & Arace PC

Reference Material
OCT 23 2016
For
Town Board Meeting

CHECKLIST FOR JUSTICE SHARON GRUBIN

Reference Material

(2/11/08)

For
Town Board Meeting

Appendix 10 – Annual Checklist for Review of Justice Court Records

Name of Municipality:

| |
|--------------------|
| Town of Austerlitz |
|--------------------|

Month Reviewed:

| |
|--------------|
| January 2015 |
|--------------|

Through

| |
|---------------|
| December 2015 |
|---------------|

Name of Justice:

| |
|-----------------------|
| Justice Sharon Grubin |
| |
| |

Review Performed By:

| |
|----------------|
| Nelson Furlano |
| |
| |

Date

| |
|-----------|
| 9-21-2016 |
| |
| |

Reference Material
 9-21-2016
 For
 Town Board Meeting

Oct 20 2016

Annual Checklist for Review of Justice Court Records

For
Town Board Meeting

| | Yes | No |
|--|-------------------------------------|--------------------------|
| <u>Cash Receipts Book</u> | | |
| ▶ Are pre-numbered receipt forms issued for all collections? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| ▶ Are duplicate receipts kept for court records? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| ▶ Are receipts recorded up-to-date? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <i>Last recorded receipt:</i> | | |
| # <u>SEC1138</u> Date <u>12/31/2015</u> Amount <u>\$368.00</u> | | |
| ▶ Is the receipt book maintained in a manner to identify date received, payer, and the amount of fines, fees, bail and other categories of collection? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| ▶ Are deposits identified? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| ▶ Are duplicate deposit slips kept for court records? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| ▶ Are deposits made within 72 hours of collection (exclusive of Sundays and holidays)? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| ▶ Are deposits recorded up-to-date? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <i>Last recorded deposit:</i> | | |
| Date <u>12/31/2015</u> Amount <u>\$368.00</u> | | |
| ▶ Is the receipt book totaled and summarized at the end of each month? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <i>Last Month Totaled and Summarized</i> <u>December 2015</u> \$12,296.00 | | |
| <u>Cash Disbursements Book</u> | | |
| ▶ Are pre-numbered checks used for all disbursements other than petty cash? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| ▶ Are all checks signed by the Justice? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| ▶ Are canceled checks (or check images) returned with bank statements and kept for court records? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| ▶ Are checks recorded up-to-date? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <i>Last recorded check:</i> | | |
| # <u>1027</u> Date <u>12/11/2015</u> Amount <u>\$28,395.00</u> | | |
| <u>Bank Reconciliations</u> | | |
| ▶ Are bank accounts reconciled promptly after bank statements are received? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <i>Last Bank Reconciliation for Each Bank Account:</i> | | |
| Date Performed <u>01/19/2016</u> Month Ending <u>12/31/2015</u> | | |
| <u>Additional Supporting Records</u> | | |
| ▶ Is a list of bail maintained? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| ▶ Is a record of uncollected installment payments maintained? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Annual Checklist for Review of Justice Court Records

| | Yes | No |
|--|-------------------------------------|--------------------------|
| <u>Dockets and Case Files</u> | | |
| ▶ Are separate dockets maintained for various classifications of cases, such as Vehicle and Traffic, Criminal, Civil and Small Claims? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| ▶ Are case files maintained for all cases? If manual, an index is an alphabetical list of cases with case numbers as a cross-reference. This will assist in locating cases since case files are filed by disposition date. If computerized, the index is maintained in the system and can be accessed at any time by name, ticket number or address. | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| ▶ Do dockets for disposed cases appear to be complete? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| ▶ Do dockets for disposed cases agree with amounts reported? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Cash Book Reconciliation

| | | |
|---|-------------------------------------|--------------------------|
| ▶ Is the cash book reconciled to the adjusted bank balances at the end of each month? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| ▶ Does the cash book total agree with the bank reconciliation and supporting information? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Last Cash Reconciliation:

Date Performed 01/19/2016 Month Ending 12/31/2015

Reports to the Division of Criminal Justice Services

| | | |
|---|-------------------------------------|-------------------------------------|
| ▶ Are reports made timely to the Division of Criminal Justice Services? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| ▶ Has the court received any notices regarding late reporting? If yes, why were the reports late and what corrective actions were taken? _____ See attached statement | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Reports to the Justice Court Fund

| | | |
|---|-------------------------------------|-------------------------------------|
| ▶ Are reports made timely to the Justice Court Fund? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| ▶ Do reported amounts agree with docket dispositions and case files? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| ▶ Do reported amounts agree with cash receipt and disbursement books? Last report submitted: Month Ending <u>12/31/15</u> Date <u>01/06/2016</u> Amount <u>\$12,296.00</u> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| ▶ Has the court received any notices regarding late reporting? If yes, why were the reports late and what corrective actions were taken? _____ | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

See statement attached

Reference Material
01/19/2016
For
Town Board Meeting

01/10/2016

For
Town Board Meeting

Annual Checklist for Review of Justice Court Records

| | Yes | No |
|--|----------------------------------|----------------------------------|
| <u>Reporting to the Department of Motor Vehicles - TSLED Program</u> | | |
| ▶ Has the court received any notices regarding pending cases? If yes, why were the cases pending and what corrective actions were taken, if any _____ _____ | <input type="radio"/> | <input checked="" type="radio"/> |
| Note: Cases over 60 days are eligible to be Scofflawed. TSLED sends a monthly listing of pending cases to the Court. The court should respond either manually or electronically to TSLED with the outcome of these pending cases. | | |
| ▶ Are reports from TSLED to the court maintained and utilized? Last TSLED Report Available: Date <u>9-21-2016</u> | <input checked="" type="radio"/> | <input type="radio"/> |
| Note: Courts can access reports on-line from TSLED at any time. | | |
| ▶ How many cases are shown as pending in the last TSLED report? <u>67</u> | <input checked="" type="radio"/> | <input type="radio"/> |
| ▶ Does the cash book total agree with the bank reconciliation and supporting information? | <input checked="" type="radio"/> | <input type="radio"/> |
| <ul style="list-style-type: none"> • Is the number of pending cases reasonable? • How many cases are shown as pending for more than 90 days? <u>0</u> • What actions have been taken to dispose of these cases? | <input checked="" type="radio"/> | <input type="radio"/> |

Overall Evaluation

 See statement attached

Justice Sharon Grubin
Attachment to annual review

Reports to Criminal Justice Services and Justice Court Fund

Findings – instances of noncompliance with record keeping requirements:

Justice Sharon Gruber – this account balanced with reports from January 2015 through June 2015. In July 2015, a payment of \$2.98 was received and deposited to that checking account. This was not reported through the Justice Court Fund until November 2015.

Evaluation

Justice Sharon Grubin – this one item was corrected with the November 2015 reporting

Recommendations

It is apparent that the court clerk had not been fully trained on the required steps for each month end processing of records. The replacement court clerk found, researched and identified these items. She has implemented a standardized month end checklist to ensure all steps are completed on a timely basis. I suggest the Justice initial and date this checklist as part of their review process.

Status

Further, errors of this type continued into the 2016 year. New items in 2016 were:

- In the reports for Justice Sharon Grubin,
 - o 7 cases totaling \$1,210 were not included in the correct months they were received; these were reported and paid with a May 2016 correction report.

Reference Material
08/2016
For
Town Board Meeting

CHECKLIST FOR JUSTICE DAVID CASSUTO

Reference Material

11/11/10

Ref
Town Board Meeting

Appendix 10 – Annual Checklist for Review of Justice Court Records

Name of Municipality:

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|--------------------|
| Town of Austerlitz |
|--------------------|

Month Reviewed:

| | | |
|--------------|----------------|---------------|
| January 2015 | Through | December 2015 |
|--------------|----------------|---------------|

Name of Justice:

| |
|-----------------------|
| Justice David Cassuto |
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Review Performed By:

| |
|----------------|
| Nelson Furlano |
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Date

| |
|-----------|
| 9-21-2016 |
| |
| |
| |

Reference Material
 0-1-2016
 For
 Town Board Meeting

01/15/2016

For
Tolles Board Meeting

Annual Checklist for Review of Justice Court Records

| | Yes | No |
|--|-------------------------------------|--------------------------|
| <u>Cash Receipts Book</u> | | |
| ▶ Are pre-numbered receipt forms issued for all collections? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| ▶ Are duplicate receipts kept for court records? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| ▶ Are receipts recorded up-to-date? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <i>Last recorded receipt:</i> | | |
| # <u>dc2098</u> Date <u>12/31/2015</u> Amount <u>\$218.00</u> | | |
| ▶ Is the receipt book maintained in a manner to identify date received, payer, and the amount of fines, fees, bail and other categories of collection? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| ▶ Are deposits identified? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| ▶ Are duplicate deposit slips kept for court records? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| ▶ Are deposits made within 72 hours of collection (exclusive of Sundays and holidays)? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| ▶ Are deposits recorded up-to-date? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <i>Last recorded deposit:</i> | | |
| Date <u>12/31/2015</u> Amount <u>\$218.00</u> | | |
| ▶ Is the receipt book totaled and summarized at the end of each month? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <i>Last Month Totaled and Summarized</i> _____ | | |
| <u>Cash Disbursements Book</u> | | |
| ▶ Are pre-numbered checks used for all disbursements other than petty cash? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| ▶ Are all checks signed by the Justice? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| ▶ Are canceled checks (or check images) returned with bank statements and kept for court records? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| ▶ Are checks recorded up-to-date? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <i>Last recorded check:</i> | | |
| # <u>1038</u> Date <u>12/11/2015</u> Amount <u>\$11,054.00</u> | | |
| <u>Bank Reconciliations</u> | | |
| ▶ Are bank accounts reconciled promptly after bank statements are received? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <i>Last Bank Reconciliation for Each Bank Account:</i> | | |
| Date Performed <u>01/19/2016</u> Month Ending <u>12/31/2015</u> | | |
| <u>Additional Supporting Records</u> | | |
| ▶ Is a list of bail maintained? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| ▶ Is a record of uncollected installment payments maintained? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Annual Checklist for Review of Justice Court Records

| | Yes | No |
|--|-------------------------------------|--------------------------|
| <u>Dockets and Case Files</u> | | |
| ▶ Are separate dockets maintained for various classifications of cases, such as Vehicle and Traffic, Criminal, Civil and Small Claims? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| ▶ Are case files maintained for all cases? If manual, an index is an alphabetical list of cases with case numbers as a cross-reference. This will assist in locating cases since case files are filed by disposition date. If computerized, the index is maintained in the system and can be accessed at any time by name, ticket number or address. | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| ▶ Do dockets for disposed cases appear to be complete? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| ▶ Do dockets for disposed cases agree with amounts reported? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Cash Book Reconciliation

| | | |
|---|-------------------------------------|--------------------------|
| ▶ Is the cash book reconciled to the adjusted bank balances at the end of each month? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| ▶ Does the cash book total agree with the bank reconciliation and supporting information? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Last Cash Reconciliation:

Date Performed 01/19/2016 Month Ending 12/31/2015

Reports to the Division of Criminal Justice Services

| | | |
|---|-------------------------------------|-------------------------------------|
| ▶ Are reports made timely to the Division of Criminal Justice Services? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| ▶ Has the court received any notices regarding late reporting? If yes, why were the reports late and what corrective actions were taken? _____ | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Reports to the Justice Court Fund

| | | |
|--|-------------------------------------|-------------------------------------|
| ▶ Are reports made timely to the Justice Court Fund? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| ▶ Do reported amounts agree with docket dispositions and case files? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| ▶ Do reported amounts agree with cash receipt and disbursement books? Last report submitted: Month Ending <u>12/31/2015</u> Date <u>01/06/2016</u> Amount <u>\$8,934.00</u> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| ▶ Has the court received any notices regarding late reporting? If yes, why were the reports late and what corrective actions were taken? _____ | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

See statement

Annual Checklist for Review of Justice Court Records

| | Yes | No |
|--|----------------------------------|----------------------------------|
| <u>Reporting to the Department of Motor Vehicles - TSLED Program</u> | | |
| ▶ Has the court received any notices regarding pending cases? If yes, why were the cases pending and what corrective actions were taken, if any _____ _____ | <input type="radio"/> | <input checked="" type="radio"/> |
| <p>Note: Cases over 60 days are eligible to be Scofflawed. TSLED sends a monthly listing of pending cases to the Court. The court should respond either manually or electronically to TSLED with the outcome of these pending cases.</p> | | |
| ▶ Are reports from TSLED to the court maintained and utilized? <i>Last TSLED Report Available: Date</i> <u>9-21-2016</u> | <input checked="" type="radio"/> | <input type="radio"/> |
| Note: Courts can access reports on-line from TSLED at any time. | | |
| ▶ How many cases are shown as pending in the last TSLED report? <u>67</u> | <input checked="" type="radio"/> | <input type="radio"/> |
| ▶ Does the cash book total agree with the bank reconciliation and supporting information? | <input checked="" type="radio"/> | <input type="radio"/> |
| <ul style="list-style-type: none"> • Is the number of pending cases reasonable? • How many cases are shown as pending for more than 90 days? <u>0</u> • What actions have been taken to dispose of these cases? | <input checked="" type="radio"/> | <input type="radio"/> |

Overall Evaluation

Reference Material

Date: 9-20-16

For
Town Board Meeting

Justice David Cassuto
Attachment to annual review
Reports to Criminal Justice Services and Justice Court Fund

9/21/16
For
Town Board Meeting

Findings – instances of noncompliance with record keeping requirements:

Justice David Cassuto – this account balanced with reports from January 2015 through July 2015

After that time, several over and under reporting errors were made. They were:

- In August 2015 \$243.00 was reported and paid to the Justice Court Fund but never was received on the cash ledger or deposits to the bank account
- In August 2015 \$1,102.00 was received but not reported through the Justice Court Fund; these funds were received from 4 cases
- In September 2015 \$2,368.00 was received but not reported through the Justice Court Fund: these funds were received from 12 cases
- In December 2015 \$10.00 was reported and paid to the Justice Court Fund but never was received on the cash ledger or deposits to the bank account.

Evaluation

Justice David Cassuto – these items have only been partially corrected at this time. The status of these items are:

- A request for refund from the Office of the State Comptroller – Justice Court Fund has been submitted on July 10, 2016 for these two items and they are still pending at this date:
 - o In August 2015 \$243.00 was reported and paid to the Justice Court system but never was received on the cash ledger or deposits to the bank account.
 - o In December 2015 \$10.00 was reported and paid to the Justice Court system but never was received on the cash ledger or deposits to the bank account.
 - Result - At December 31, 2015 the account was short by \$253.
- In May 2016, a correction to report and pay to the Justice Court Fund was completed and accepted:
 - o In August 2015 \$1,102.00 was received but not reported through the Justice Court Fund; these funds were received from 4 cases.
 - o In September 2015 \$2,368.00 was received but not reported through the Justice Court system: these funds were received from 12 cases.

Recommendations

It is apparent that the court clerk had not been fully trained on the required steps for each month end processing of records. The replacement court clerk found, researched and identified these items. She has implemented a standardized month end checklist to ensure all steps are completed on a timely basis. I suggest the Justice initial and date this checklist as part of their review process.

Status

- Further, errors of this type continued into the 2016 year. New items in 2016 were:
- In the reports for Justice David Cassuto,
 - o 10 cases totaling \$2,014 were not included in the correct months they were received; these were reported and paid with a May 2016 correction report.
 - o The two pending items above, \$253, plus a January 2016 item in amount \$243 (where case was reported and paid but never received in cash ledgers or the bank) awaits processing by the Office of the State Comptroller – Justice Court Funds.
 - Result - This leaves that account short by \$496.00

(A)

AUSTERLITZ TOWN COURT

PO BOX 119, 812 ROUTE 203

SPENCERTOWN, NY 12165

518-392-3260 EXT 302

FAX: 518-392-9350

July 10, 2016

Office of the State Comptroller
Justice Court Fund
110 State Street
Albany, NY 12236

Reference Material
July 10 2016
For
Town Board Meeting

RE: Justice Code: 1030420334C
David N. Cassuto - Adjustments to Justice Account

To Whom It May Concern:

Over the past several month's this Court has had multiple Court Clerk's and errors were made under the Honorable David Cassuto's Justice Account. As anyone knows, when you are a new Court Clerk, there are many facets to learn of the job and mistakes are quite easy to make in this learning process.

As a Court Clerk for the past fifteen (15) years in the Town of Ghent and Village of Chatham, I started in the Town of Austerlitz on the 1st day of April 2016. I started with asking the Town Accountant to please audit the books. Because this could be quite costly to the Town, he was able to review the first three (3) months of Judge Cassuto's accounts and get me started on reconciling them as we found many errors. Most of the errors had to do with "nCourt" payments (electronic payments to the Court) not being downloaded and processed timely. This problem has been recognized, documented and corrected. Unfortunately the following three (3) errors remain and we are looking for the Comptroller's office to help correct these errors.

Error #1: Docket #: 15070075 Kevin C. Lowe (ticket #: 2C254JP8B9) was reported as paid in full on August 20, 2015 in the amount of \$150.00 + \$93.00 NYS Surcharge, when in fact the fine was not paid until October 1, 2015. The Clerk made the error because there were two (2) charges on the account and the 2nd charge was dismissed. She processed to adjourn the case for payment on the charge the Defendant was convicted of but made an error by entering the "fines and payments" screen on the SEI program and instead of adjourning it, the system marks the file as paid in full. This made the fine and surcharge reported to the Comptroller twice. **Please reimburse the Court a total of \$243.00.** I have attached the Cashbook for the month of August showing it as paid but with no receipt number. I have attached the October cashbook where is shows paid in full with a receipt number.

Error #2: Docket #: 13030023 Jennifer M Charmatz (ticket #; 1K10051ZSP) was recorded as "paid in full" on January 13, 2016 in the amount of \$150.00 + \$93.00 NYS surcharge, when indeed the fine has not been paid at all. Much like the first error, the Clerk went into the "fines and payments" screen and the SEI program marked it as paid in error. As per the attached cashbook, you will note that there is no receipt number associated with this payment. We have actually ordered a notice of suspension on the Defendants license for failure to pay fine. (see the attached suspension notice). **Please reimburse the Court a total of \$243.00**

Error #3: Civil Docket #: 15120045 Jacqueline Vogel - the \$10.00 charge for filing a small claims case was reported to the NYS Comptroller as paid in December, 2015. However the \$10.00 was not paid until February 12, 2016, hence making this fee paid twice to your office with the same receipt # DC2072. I have attached both December 2015 and February 2016 cashbooks and reports reflecting this. **Please reimburse the Court a total of \$10.00.**

Please feel free to contact our office if you have any questions or if you require additional information.

Thank you!

Kelly S. Baccaro
Court Clerk

Hon. David N. Cassuto
Justice

Reference Material

01/13/2016

For
Town Board Meeting