

Town of Austerlitz  
Organizational/Regular Town Board Meeting  
January 12, 2012

Meeting called to order at 7:00 p.m.

Moment of Silence in memory of Marilyn Berry and Linda McCagg, followed by the pledge of Allegiance.

Roll call. Present: Jeffrey Braley, Supervisor, Jon Mesick, Carol Pinto, Matthew Verenazi, Bryan Geel, Town Board Members, Susan Haag, Town Clerk, Robert Meehan, Highway Superintendent.

Minutes

A motion to accept the December 8, 2011 Regular Town Board Meeting minutes was made by C. Pinto and seconded by B. Geel.

J. Braley: yes

B. Geel: yes

C. Pinto: yes

M. Verenazi: yes

J. Mesick: yes

Motion unanimously carried

Budget Amendment 2-2011

|                          |         | Increase-Appropriations<br>Decrease-Est. Revenue | Increase-Est. Revenues<br>Decrease-Appropriations |
|--------------------------|---------|--|---|
| GENERAL FUND             |         |  |   |
| TO: BLDG INSPECTOR       | A3620.4 | 401.00   |   |
| FROM: BLDG INSPECTOR     | A3620.2 |  | 401.00  |
| TO: TRAFFIC CONTROL      | A3310.4 | 1.00   |   |
| TO: GARAGE               | A5132.4 | 2,433.00   |   |
| TO: STREET LIGHTING      | A5182.4 | 40.00  |   |
| TO: SENIOR PROGRAMS      | A6772.4 | 69.00  |   |
| TO: PARKS                | A7140.4 | 1.00   |   |
| TO: YOUTH PROGRAMS       | A7310.4 | 1.00   |   |
| TO: CELEBRATIONS         | A7550.4 | 65.00  |   |
| TO: SERIAL BOND INTEREST | A9710.7 | 1.00   |   |
| FROM: ATTORNEY           | A1420.4 |  | 2,611.00  |
| Total:                   |         | 3,012.00   | 3,012.00  |
|                          |         | Increase-Appropriations<br>Decrease-Est. Revenue | Increase-Est. Revenues<br>Decrease-Appropriations |

Budget Amendment 3-2011

HIGHWAY FUND

|       |                   |          |           |           |
|-------|-------------------|----------|-----------|-----------|
| TO:   | GENERAL REPAIRS   | DA5110.1 | 5,560.00  |           |
| TO:   | GENERAL REPAIRS   | DA5110.4 | 25,291.00 |           |
| TO:   | MACHINERY         | DA5130.4 | 8,689.00  |           |
| TO:   | SNOW REMOVAL      | DA5142.4 | 2,906.00  |           |
| TO:   | SOCIAL SECURITY   | DA9010.8 | 1.00      |           |
| TO:   | DISABILITY        | DA9055.8 | 1.00      |           |
| TO:   | HOSPITALIZATION   | DA9060.8 | 2,363.00  |           |
| TO:   | BOND INTEREST     | DA9730.7 | 1,004.00  |           |
| FROM: | STATE AID - CHIPS | DA03501  |           | 45,815.00 |
|       |                   | Total:   | 45,815.00 | 45,815.00 |

A motion to approve budget amendment 2-2011 and budget amendment 3-2011 was made by B. Geel and seconded by J. Mesick.

J. Braley: yes

B. Geel: yes

C. Pinto: yes

M. Verenazi: yes

J. Mesick: yes

Motion unanimously carried.

#### Auditing of Accounts and Claims

A motion to approve General Fund #1-41 in the amount of \$13867.32, and Highway Fund #1-25 in the amount of \$40925.35, was made by J. Mesick and seconded by C. Pinto.

J. Braley: yes

B. Geel: yes

C. Pinto: yes

M. Verenazi: yes

J. Mesick: yes

Motion unanimously carried.

#### Reports

Monthly cash disbursements for the month of December 2011 were presented. Supervisor Braley reminded the Town Board members that most of the bills being paid at this meeting are 2011 bills and therefore the December figures will eventually change. December saw a lot of money going out, but C.H.I.P.s money come in as well.

Supervisor Braley continued noting that every road in Town is open and passable at this point. The new Town Road map came back, but still needs to be tweaked and then sent back for final proof. Once complete, this can be accepted as the official Town Road map. Copy of maps will be available for fire districts, etc. and possibly put online.

Future work to be completed at the Town Park is still in the works. Supervisor Braley advises that the Town needs to get the Town Engineer back on this project. Town Board Member Pinto will contact Morris Associates asking them to submit recommendations for work to be completed, the material ideas and related costs. The Town Board notes the following work that needs to be completed: the tennis court needs a retaining wall because the court is moving; Parking area and the entrance to parking is an issue; Some drainage work still needs to be done. There is a file on this project that the Town Engineer can look at for background. Highway Superintendent Meehan can meet with the Town Engineer to go

over each item. R. Meehan advised that there is some playground equipment to put up in the Spring. The Harry E. Buckert sign needs to be repainted and a new scoreboard purchased.

On a County Level, Supervisor Braley advised that the month of December is always quiet. The Columbia County Extension's funding has been cut off due to the joining of the Columbia County and Greene County operations. The County Board of Supervisor's meeting last night was interesting as the New Year started. There are nine new supervisors who joined the group. The new Chairman is the Kinderhook Supervisor, Pat Gratten. The County Board will probably be less progressive and more conservative moneywise. There seemed to be less tension in the air which gives one hope.

Town Clerk Report for the month of December 2011 submitted. Town Clerk Susan Haag noted that a listing of all contracts, escrow accounts, and bonding was given to the Town Board, as well as, a listing of Public Officer REQUIRED Schooling Report. Town Clerk and Tax Collector 2010 and 2011 books have been audited.

Highway Superintendent Meehan reported that the number 5 truck is finally back together. This is a major snow plowing truck. The Highway Department is in good shape with equipment. The Dugway Road Bridge opened back up last week. There is a new culvert on Stonewall Road, but another one has collapsed by Casey's. Pierson Road needs a culvert replacement in the near future. Cindy Elliot will be meeting with Highway Superintendent Meehan to go over where to place stakes for the Doyle subdivision.

Planning Board Report for the month of December 2011 submitted. A 2011 year end summary was given as well.

Comprehensive Plan Oversight Committee Report for the month of December 2011 submitted. A 2011 year end summary was given as well.

Building Inspector/Code Enforcement Report for the month of December 2011 submitted. A 2011 year end summary was given as well. Shared services analysis given out. Discussed vehicle purchase and options.

Justice Roberts Justice Court Report for the month of November 2011 submitted.

Justice Lagonia Justice Court Reports for the months of November and December 2011 submitted.

Supervisor Braley reported that due to the new District Attorney taking office in January, all traffic cases will be prosecuted.

2011 Dog Control Report submitted. Supervisor Braley noted he is the Deputy Dog Control Officer, and explained the difference in costs in housing strays between the Columbia County Humane Society, a private operation or in the Town. The Town currently has kennels at Supervisor Braley's house and one of J. Braley's tenants takes care of the strays for \$15.00 a day.

2011 Historian Report submitted.

A motion to accept the above reports was made by C. Pinto and seconded by M. Verenazi.

J. Braley: yes

B. Geel: yes  
C. Pinto: yes  
M. Verenazi: yes  
J. Mesick: yes  
Motion unanimously carried.

#### Correspondence

Columbia County Emergency Medical Services requests a letter in support of the EMS CON application. Supervisor Braley has written this letter and also one for Red Rock and Chatham Rescue Squads for a grant.

NYMIR advises that their Board of Governors have voted to submit an application to the NYS Insurance Department for rate decreases to be effective January 1, 2012 and thereafter.

Austerlitz Fire District requests that Town roads be plowed during the night when a snow storm is occurring. Supervisor Braley feels the Town does an adequate job. Highway Superintendent Meehan noted that he is doing what he can with 4.5 or more miles of new roads in Bryarcliffe and no additional truck. When the roads are soft it takes longer to plow because the trucks need to go slower so they do not ruin the roads. Currently the roads are not frozen. Last year the highway crew was down a man.

#### Unfinished Business

Supervisor Braley addresses the Tentative "Inventory of Austerlitz Highway Equipment". This is a work in progress. Town Board Member Pinto noted that it is State Law to have this on file.

#### New Business

Supervisor Braley advises the Town Board to look over the list of Contracts /Planning Board Escrow Accounts and Bonding.

Supervisor Braley advises the Town Board to look over the Public Officer Required Schooling list for 2011.

#### **Organizational Resolutions**

##### **RESOLUTION 1-2012**

Be it resolved that, First Niagara and the Kinderhook Bank are hereby designated as the official depositories for all town funds for the year 2012.

##### **RESOLUTION 2-2012**

Be it resolved that the Hudson Valley Newspapers, having circulation in the Town of Austerlitz, are hereby designated as the official newspapers for the Town of Austerlitz for the year 2012.

##### **RESOLUTION 3-2012**

Be it resolved that the Supervisor is appointed as the budget officer and is hereby authorized to invest idle funds of the Town of Austerlitz in those investments as approved by law, the State Comptroller, and the Investment Policy of the Town of Austerlitz as it becomes apparent that such funds will not be required to meet immediate commitments of the Town.

##### **RESOLUTION 4-2012**

Be it resolved that after the audit of properly submitted claims to the Supervisor, the Town Clerk/Tax Collector, Assessor, Election Inspectors, Justices, Justice's Clerk, Councilpersons, Planning Board, Assessor's Clerk, Zoning Board of Appeals, Animal Control Officer and Code Enforcement Official, mileage reimbursement for the use of privately owned vehicles on official town business, such expenses, will be made at the rate that is promulgated by the Federal Government and provided that funds are available in the budget. Be it further resolved that with the exception for the Code Enforcement Official, Assessor, and Animal Control Officer, mileage shall not be paid for normal travel within the town in ordinary performances of duties of the office held or for the travel to and from meetings of the Town Board or committees thereof. Daily automotive log substantiated.

**RESOLUTION 5-2012**

Be it resolved that the Superintendent of Highways is authorized to advertise for sealed bids for the furnishing of Calcium Chloride, culvert pipe and banding, sand, gravel, shale, salt, crushed stone, fuel oil, diesel fuel, and gasoline that may be required for the year 2011. Be it further resolved that if a state or county bid for the foregoing materials is available to the town, the Superintendent of Highways may elect to purchase such supplies and/or materials under such contract rather than by competitive bidding, pursuant to State Law. All purchases will be made in accordance with the Town Procurement Policy.

**RESOLUTION 6-2012**

Be it resolved that the Town Board of the Town of Austerlitz shall meet on the second Thursday of each month and said Board meetings will be held at the Town Hall, 812 Route 203, Spencertown, NY. All meetings will commence at 7:00 p.m.

**RESOLUTION 7-2012**

Be it resolved that pursuant to section 29, subdivision 10a of Town Law that the Supervisor is directed to submit to the Town Clerk within sixty days after the close of the fiscal year, a copy of the report sent to the State Comptroller which is required by section 30 of the General Municipal Law, and the Town Clerk shall cause a summary of such report to be published in the Town's official newspaper within ten days after receipt thereof; this shall be in lieu of preparation of the report required by subdivision 10, section 20 of Town Law.

A motion to adopt Resolutions 1-7, 2012 was made by B. Geel and seconded by C. Pinto.

J. Braley: yes

B. Geel: yes

C. Pinto: yes

M. Verenazi: yes

J. Mesick: yes

Motion unanimously carried.

**RESOLUTION 8-2012**

Be it resolved that the Town Board hereby affirms the following Planning Board members with term dates expiring as of the Organizational Town Board meeting of each respected year and appoints Susan Geel to a term ending at the Town Board Organizational Meeting in January of 2017:

B. Puccio: 2013

C. Knauss: 2014

R. Madonia: 2015

Charles Lawson: 2016

A motion to adopt Resolution 8, 2012 was made by C. Pinto and seconded by M. Verenazi.

J. Braley: abstain

B. Geel: abstain

C. Pinto: yes

M. Verenazi: yes

J. Mesick: yes

Motion carried 3:2.

#### **RESOLUTION 9-2012**

Be it resolved that Charles Knauss, a member of the Planning Board, is hereby designated as Chairman of the Town of Austerlitz Planning Board, and Charles Lawson, a member of the Planning Board, is hereby designated as the Deputy Chairman of the Town of Austerlitz Planning Board.

A motion to adopt Resolution 9, 2012 was made by C. Pinto and seconded by M. Verenazi.

Discussion: Town Board Member Mesick noted that he is fine with having Charles Lawson as Deputy, but would prefer someone else as Chairman.

J. Braley: abstain

B. Geel: yes

C. Pinto: yes

M. Verenazi: yes

J. Mesick: no

Motion carried 3:2.

#### **RESOLUTION 10-2012**

Be it resolved that the Town Board hereby appoints to the Comprehensive Plan Oversight Committee the following members with term dates expiring as of the Organizational Town Board meeting in January of 2013.

Barbara Smith

Edwin Barden

Timothy Stalker

Shawn Hancock

Mark Feinberg removed as he indicated he was not available to serve again.

A motion to adopt Resolution 10, 2012 was made by C. Pinto and seconded by J. Mesick.

J. Braley: yes

B. Geel: yes

C. Pinto: yes

M. Verenazi: yes

J. Mesick: yes

Motion unanimously carried.

#### **RESOLUTION 11-2012**

Be it resolved that Tim Stalker, a member of the Comprehensive Plan Oversight Committee, is hereby designated as Chairman of the Town of Austerlitz Comprehensive Plan Oversight Committee.

A motion to adopt Resolution 11, 2012 was made by J. Mesick and seconded by B. Geel.

J. Braley: yes

B. Geel: yes

C. Pinto: yes

M. Verenazi: yes

J. Mesick: yes

Motion unanimously carried.

**RESOLUTION 12-2012**

Be it resolved that the Town Board hereby affirms the following Zoning Board of Appeals members with term dates expiring as of the Organizational Town Board meeting of each respected year and appoints Michael Fabiano to a term ending at the Town Board Organizational Meeting in January of 2017:

D. Cassuto: 2013

K. Gabosh: 2014

N. Kern: 2015

Penny Rubin: 2016

**RESOLUTION 13-2012**

Be it resolved that Karl Gabosh, a member of the Zoning Board of Appeals, is hereby designated as Chairman of the Town of Austerlitz Zoning Board of Appeals, and Michael Fabiano, a member of the Zoning Board of Appeals, is hereby designated as the Deputy Chairman of the Town of Austerlitz Zoning Board of Appeals.

A motion to adopt Resolution 12-12, 2012 was made by B. Geel and seconded by J. Mesick.

J. Braley: yes

B. Geel: yes

C. Pinto: yes

M. Verenazi: yes

J. Mesick: yes

Motion unanimously carried.

**RESOLUTION 14-2012**

Be it resolved that the 2011 salaries for the following elected officials and appointees, and the schedule of payment of such salaries, shall be as follows:

|                              |  |
|------------------------------|--|
| Supervisor                   | \$ 7075.00 per year payable monthly    |
| Councilpersons (4 each)      | \$ 2317.50 per year payable monthly    |
| Town Clerk/Tax Collector     | \$ 26826.00 per year payable bi-weekly |
| Registrar of Vital Stats     | \$ 450.00 per year payable annually    |
| Superintendent of Highways   | \$ 49995.00 per year payable bi-weekly |
| Highway Superintendent Clerk | \$ 14.33 per hour payable bi-weekly    |
| Justices (2 each)            | \$ 11255.00 per year payable monthly   |
| Justice's Clerk              | \$ 8670.00 per year payable monthly    |
| Justice's Deputy Clerk       | \$ 14.33 per hour payable monthly      |
| Town Assessor                | \$ 18334.00 per year payable monthly   |
| Assessor Assistant           | \$ 14.33 per hour payable monthly      |
| Town Accountant              | \$ 11250.00 per year payable monthly   |

|  |  |
|--|--|
| Code Enforcement Officer               | \$ 45000.00 per year payable monthly<br>Town of Austerlitz' Portion \$14604.25 |
| Historian                              | \$ 1800.00 per year payable monthly  |
| Planning Board Chairman                | \$ 2800.00 per year payable monthly  |
| Planning Board Members (4 each)        | \$ 915.00 per year payable monthly   |
| Clerk/Typist (Taker of the Minutes)    | \$ 50.00 per meeting payable monthly   |
| Animal Control                         | \$ 2000.00 per year payable monthly  |
| Clerk/Typist (Blding Insp/Plan Bd/ZBA) | \$ 14.33 per hour payable bi-weekly  |
| Custodian                              | \$ 2100.00 per year payable bi-weekly  |

**RESOLUTION 15-2012**

Be it resolved that the wage scale and fringe benefits for highway employees for the year 2012 shall be as follows: An increase of \$0.48 shall be added to all current Highway Employees wages for the year 2012 with the exception of probationary employees.

|                          |                                    |
|--------------------------|------------------------------------|
| Motor Equipment Operator | \$13.50 per hour payable bi-weekly |
| Skilled Laborer #2       | 12.50 per hour payable bi-weekly   |
| Laborer                  | 10.50 per hour payable bi-weekly   |

New Hires – MEOs begin at the rate of \$13.00 per hour and are increased at the rate of .50 cents per hour every six months until they reach the current Motor Equipment Operator rate.

Skilled Laborers begin at \$10.00 per hour and are increased at the rate of .50 cents per hour every six months until they reach the current rate for Skilled Laborer.

Vacation

|                                |       |                                      |
|--------------------------------|-------|--------------------------------------|
| -Completion of one year        | ----- | one week                             |
| -Completion of two years       | ----- | two weeks                            |
| -Completion of seven years     | ----- | three weeks + 1 day every year after |
| -Completion of fourteenth year | ----- | four weeks                           |

Paid Holidays

- New Years Day
- Martin Luther King Day
- President's Day
- Memorial Day
- Independence Day
- Labor Day
- Columbus Day
- Veterans Day
- Thanksgiving Day
- Christmas Day

\*To entitle employees to receive holiday pay they must work the day prior to and the day after the holiday.

Sick Days

- Five days per year/may accumulate sick days up to 80 maximum

\*More than 3 consecutive sick days require a Doctor's note.

#### Personal Days

-Five days per year

#### Medical Insurance

-100% paid by the Town for grandfathered Town employee and family. Single full time new hires, 75% paid by the Town. Full time new hires with family, 75% paid by the Town for employee and employee will pay twenty-five (25) percent of the difference between cost of family insurance and single coverage.

#### Retirement

-Mandatory immediate enrollment for all fulltime employees into the New York State Retirement System.

-Part-time employees have optional enrollment.

#### Bereavement

-Three days paid for immediate family members only.

#### Clothing Allowance

\$300.00 per year.

A Motion to adopt Resolution 14-15, 2012 was made by B. Geel and seconded by C. Pinto.

J. Braley: yes

B. Geel: yes

C. Pinto: yes

M. Verenazi: yes

J. Mesick: yes

Motion unanimously carried.

#### **RESOLUTION 16-2012**

Be it resolved that Susan A. Haag, as Town Clerk, is hereby appointed Registrar of Vital Statistics for a term beginning January 1, 2012 and ending at the Town Board organizational meeting in January 2013.

#### **RESOLUTION 17-2012**

Be it resolved that the Supervisor is authorized to pay certain invoices: utility, telephone, health insurance, and postage without prior audit.

#### **RESOLUTION 18-2012**

Be it resolved that the Town Clerk is hereby appointed to the position of Records Access Officer.

#### **RESOLUTION 19-2012**

Be it resolved that all diesel fuel, heating oil, and furnace maintenance will be purchased under state contract through Main Care, Inc for the period of January 12th, 2012 until the next town organizational meeting on January 11, 2013.

#### **RESOLUTION 20-2012**

Be it resolved that the Town Board of the Town of Austerlitz hereby authorizes attendance for schooling and annual conferences for employees of the Town. Be it further resolved that the Town Board hereby

authorizes the payment of said employees' actual and necessary expenses incurred at each school or conference in so much as said expenses have been included in the annual budget.

**RESOLUTION 21-2012**

Be it resolved that the Town Board of the Town of Austerlitz hereby appoints Deborah Welch as Assessor Assistant for a period of one year beginning January 1, 2012 and ending at the Town Board organizational meeting in January 2013.

**RESOLUTION 22-2012**

Be it resolved that the Town Board of the Town of Austerlitz hereby appoints Sally Van Wagner as clerk for the Highway Superintendent beginning January 1, 2012 and ending at the Town Board organizational meeting in January 2013.

**RESOLUTION 23-2012**

Be it resolved that the Town Board of the Town of Austerlitz hereby appoints Steve Aciani as Broker for the Town's Health Insurance beginning January 1, 2012 and ending at the Town Board organizational meeting in January 2013.

**RESOLUTION 24-2012**

Be it resolved that the Town Board of the Town of Austerlitz hereby appoints Mary Davis as a clerk/typist for the Planning Board, Building Inspector, and the Zoning Board of Appeals beginning January 1, 2012 and ending at the Town Board organizational meeting in January 2013.

A Motion to adopt Resolutions 16-24, 2012 was made by J. Mesick and seconded by M. Verenazi.

J. Braley: yes

B. Geel: yes

C. Pinto: yes

M. Verenazi: yes

J. Mesick: yes

Motion unanimously carried.

**Supervisors Appointments**

The Supervisor hereby appoints Bryan Geel to serve as Deputy Supervisor without pay for a period of one year beginning January 12, 2012 and ending at the Town Board organizational meeting in January 2013. In the position of Deputy Supervisor, Bryan Geel can act as Supervisor when the incumbent Supervisor is unavailable or not capable of performing the duties of Supervisor. Be it noted that said Deputy Supervisor can attend Columbia County assemblences but does not have voting power on Columbia County affairs.

The Supervisor hereby appoints Sarah Light, as Town Historian, beginning January 1, 2012 and ending with the organizational meeting in January 2013.

**Town Appointments**

The Town hereby affirms the appointment of Tal Rappleyea as Attorney for the Town beginning January 1, 2012 and ending at the Town Board Organizational meeting in January 2013.

The Town hereby appoints M. J. Fitzgerald, Inc. as Accountant to perform accounting services beginning January 1, 2012 and ending at the Town Board Organizational meeting in January 2013.

The Town hereby affirms the appointment of Patrick Prendergast and Morris Associates, as Civil Engineers, to provide approved engineering services beginning January 1, 2012 and ending at the Town Board organizational meeting in January 2013.

The Town hereby appoints Wes Powell, as Dog Control Officer to perform those duties as outlined in Article 7 of the Ag and Market Law, beginning January 1, 2012 and ending at the Town Board organizational meeting in January 2013, and Jeff Braley as the Deputy Animal Control Officer without compensation.

The Town hereby appoints Glenn Smith, as the Code Enforcement Officer, beginning at the organizational meeting in January of 2012 and ending with the organizational meeting in January 2013.

#### **Highway Superintendent Appointment**

The Highway Superintendent hereby appoints Sally Van Wagner to serve as Deputy Highway Superintendent without pay beginning January 1, 2012 and ending at the Town Board organizational meeting in January 2013. In the position of Deputy Supervisor, Sally Van Wagner can act as Highway Superintendent when the incumbent Highway Superintendent is unavailable or not capable of performing the duties of Highway Superintendent.

#### **Court Clerk Appointment**

The Town hereby appoints Eileen Olson, as Court Clerk beginning January 1, 2012 and ending with the organizational meeting in January 2013 and Arlene Newton, as Deputy Court Clerk beginning January 1, 2012 and ending at the Town Board organizational meeting in January 2013.

A Motion to approve the Town Appointments was made by J. Mesick and seconded by M. Verenazi.

J. Braley: yes

B. Geel: yes

C. Pinto: yes

M. Verenazi: yes

J. Mesick: yes

Motion unanimously carried.

#### **2012 Policies and Procedures**

##### **Cellular Phone/Phone Card/Telephone/Fax Policy**

Cellular Phones/Phone Cards are issued only through the direction of the Town Board of the Town of Austerlitz. Cellular Phones/Phone Cards/Telephones/Fax will be used only for municipal purposes. Usage will be monitored monthly through audit by the Town Board of the Town of Austerlitz.

##### **Gas Card/Credit Card Policy**

Gas Cards and Credit Cards are issued only through the direction of the Town Board of the Town of Austerlitz and will be used only for municipal vehicles, equipment and supplies. Charges against individual cards will be monitored monthly through audit by the Town Board of the Town of Austerlitz.

#### **NOTICE OF HIGHWAY WEIGHT RESTRICTION**

HIGHWAY LAW – 320. Injuries to highways

320. Injuries to highways

Whoever shall injure any highway or bridge maintained at the public expense, by obstructing or diverting any creek, water course or sluice, or by dragging logs or timber on its surface, or by drawing or propelling over the same a load of such weight as to injure or destroy the culverts or bridges along the same, or of such weight that will destroy, break or injure the surface of any improved state highway, county road or town highway, or by any other act or shall injure, deface or destroy any mile-stone or guide post erected on any highway, shall for every such offense forfeit treble damages.

11. Temporarily exclude from any portion of any town highway any vehicle with a gross weight of over four or more tons or any vehicle with a gross weight in excess of any designated weight on any wheel, axle, any number of axles, or per inch width of tire when in its' opinion such highway would be materially injured by the operation of any such vehicle thereon. Such exclusion shall take effect upon the erection of signs on the section of highway from which such vehicle are excluded, and a notice that such vehicles are excluded shall be published in a newspaper in the county where the highway is situated. The exclusion shall remain in effect until the removal of the signs as directed by the town board. Upon written application by any operator of a vehicle subject to this section, the town board may issue a permit providing appropriate exemption to such vehicle, if it is deemed that said vehicle is performing essential local pickup or delivery service and that a failure to grant such permit would create hardship. Every such permit may designate the route to be traversed and contain other reasonable restrictions or conditions deemed necessary. Every such permit shall be carried on the vehicle to which it refers and shall be open to inspection of any peace officer, acting pursuant to his special duties, or police officer. Such permits shall be for the duration of the restriction imposed under this section.

## INVESTMENT POLICY

### Scope

This investment policy applies to all moneys and other financial resources available for investment on its own behalf or on behalf of any other entity or individual.

### Objectives

The primary objectives of the local government's investment activities are, in priority order;

- To conform with all applicable Federal, State and other legal requirements (legal);
- To adequately safeguard principal (safety);
- To provide sufficient liquidity to meet all operating requirements (liquidity); and
- To obtain a reasonable rate of return (yield).

### Delegation of Authority

The governing board's responsibility for administration of the investment program is delegated to the Town Supervisor who shall establish written procedures for the operation of the investment program consistent with these investment guidelines. Such procedures shall include an adequate internal control structure to provide a satisfactory level of accountability based on a database or records incorporating description and amounts of investments, transaction dates and other relevant information and regulate the activities of subordinate employees.

### Prudence

All participants in the investment process shall seek to act responsibly as custodians of the public trust and shall avoid any transaction that might impair public confidence in the Town of Austerlitz to govern effectively.

Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the safety of the principal as well as the probable income to be derived.

All participants involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions.

#### Diversification

It is the policy of the Town of Austerlitz to diversify its deposits and investments by financial institution, by investment instrument, and by maturity scheduling.

#### Internal Controls

It is the policy of the Town of Austerlitz for all moneys collected by any officer or employees of the government to transfer those funds to the chief fiscal officer within 10 days of deposit, or within the time period specified in law, whichever is shorter.

The Supervisor is responsible for establishing and maintaining an internal control structure to provide reasonable, but not absolute, assurance that deposits and investments are safeguarded against loss from unauthorized use or disposition, that transactions are executed in accordance with management's authorization and recorded properly, and are managed in compliance with applicable laws and regulations.

#### Designation of Depositaries

The banks and trust companies authorized for the deposit of monies up to the maximum amounts are:

| Depository Name                   | Maximum Amount | Officer    |
|-----------------------------------|----------------|------------|
| National Union Bank of Kinderhook | \$3,000,000.00 | Town Clerk |
| National Union Bank of Kinderhook | \$ 30,000.00   | Court      |
| First Niagara Financial Group     | \$1,000,000.00 | Supervisor |

#### Collateralizing of Deposits

In accordance with the provisions of General Municipal Law, s10, all deposits of Town of Austerlitz, including certificates of deposit and special time deposits, in excess of the amount insured under the provisions of the Federal Deposit Insurance Act shall be secured:

-By a pledge of "eligible securities" with an aggregate "market value" as provided by GML s10, equal to the aggregate amount of deposits from the categories designated in Appendix A to the policy.

-By an eligible "irrevocable letter of credit" issued by a qualified bank other than the bank with the deposits in favor of the government for a term not to exceed 90 days with an aggregate value equal to 140% of the aggregate amount of deposits and the agreed upon interest, if any. A qualified bank is one whose commercial paper and other unsecured short-term debt obligations are rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization or by a bank that is in compliance with applicable federal minimum risk-based capital requirements.

-By an eligible surety bond payable to the government for an amount at least equal to 100% of the aggregate amount of deposits and the agreed upon interest, if any, executed by an insurance company

authorized to do business in New York State, whose claims-paying ability is rated in the highest rating category by at least two nationally recognized statistical rating organizations.

#### Safekeeping and Collateralization

Eligible securities used for collateralizing deposits shall be held by National Union Bank of Kinderhook and First Niagara Financial Group subject to security and custodial agreements.

The security agreement shall provide that eligible securities are being pledged to secure local government deposits together with agreed upon interest, if any, and any costs or expenses arising out of the collection of such deposits upon default. It shall also provide the conditions under which the securities may be sold, presented for payment, substituted or released and the events which will enable the local government to exercise its rights against the pledged securities. In the event that the securities are not registered or inscribed in the name of the local government, such securities shall be delivered in a form suitable for transfer or with an assignment in blank to the Town of Austerlitz or its custodial bank.

The custodial agreement shall provide that securities held by the bank or trust company, or agent of and custodian for, the local government, will be kept separate and apart from the general assets of the custodian bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement should also describe that the custodian shall confirm the receipt, substitution or release of the securities. The agreement shall provide for the frequency of revaluation of eligible securities and for the substitution of securities when a change in the rating of a security may cause ineligibility. Such agreement shall include all provisions necessary to provide the local government a perfected interest in the securities.

#### X. Permitted Investments

As authorized by General Municipal Law, §11, the Town of Austerlitz authorizes the Town Supervisor to invest moneys not required for immediate expenditure for terms not to exceed its projected cash flow needs in the following types of investments:

- Special time deposits accounts;
- Certificates of deposit;
- Obligations of the United States of America;
- Obligations guaranteed by agencies of the United States of America where the payment of principal and interest are guaranteed by the United States of America;
- Obligations of the State of New York;
- Obligations issued pursuant to LFL §24.00 (with approval of the State Comptroller) by any municipality, school district or district corporation other than the Town of Austerlitz;
- Obligations of public authorities, public housing authorities, urban renewal agencies and industrial development agencies where the general State statutes governing such entities or whose specific enabling legislation authorizes such investments;
- Certificates of Participation (COPs) issued pursuant to GML, §109-b;
- Obligations of this local government, but only with any moneys in a reserve fund established pursuant to GML, §6-c, 6-d, 6-e, 6-g, 6-h, 6-j, 6-k, 6-l, 6-m, or 6-n.

All investment obligations shall be payable or redeemable at the option of the Town of Austerlitz within such times as the proceeds will be needed to meet expenditures for purposes for which the moneys

were provided and, in the case of obligations purchased with the proceeds of bonds or notes, shall be payable or redeemable at the option of the Town of Austerlitz within two years of the date of purchase.

#### XI. Authorized Financial Institutions and Dealers

The Town of Austerlitz shall maintain a list of financial institutions and dealers approved for investment purposes and establish appropriate limits to the amount of investments which can be made with each financial institution or dealer. All financial institutions with which the local government conducts business must be credit worthy. Banks shall provide their most recent Consolidated Report of Condition (Call Report) at the request of the Town of Austerlitz. Security dealers not affiliated with a bank shall be required to be classified as reporting dealers. The Town Supervisor is responsible for evaluating the financial position and maintaining a listing of proposed depositaries, trading partners and custodians. Such listing shall be evaluated at least annually.

#### XII. Purchase of Investments

The Town Supervisor is authorized to contract for the purchase of investments:

Directly, including through a repurchase agreement, from an authorized trading partner.

By participation in a cooperative investment program with another authorized governmental entity pursuant to Article 5G of the General Municipal Law where such program meets all the requirements set forth in the Office of the State Comptroller Opinion No. 88-46, and the specific program has been authorized by the governing board.

By utilizing an ongoing investment program with an authorized tracking partner pursuant to a contract authorized by the governing board.

All purchased obligations, unless registered or inscribed in the name of the local government, shall be purchased through, delivered to and held in the custody of a bank or trust company. Such obligations shall be purchased, sold or presented for redemption or payment by such bank or trust company only in accordance with prior written authorization from the officer authorized to make the investment. All such transactions shall be confirmed in writing to the Town of Austerlitz by the bank or trust company. Any obligation held in the custody of a bank or trust company shall be held pursuant to a written custodial agreement as described in General Municipal Law, s10.

The custodial agreement shall provide that securities held by the bank or trust company, as agent of and custodian for, the local government, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement shall describe how the custodian shall confirm the receipt and release of the securities. Such agreement shall include all provisions necessary to provide the local government a perfected interest in the securities.

#### XIII. Repurchase Agreements

Repurchase agreements are authorized subject to the following restrictions:

- All repurchase agreements must be entered into subject to a Master Repurchase Agreement.
- Trading partners are limited to banks or trust companies authorized to do business in New York State and primary reporting dealers.

-Obligations shall be limited to obligations of the United States of America and obligations of agencies of the United States of America where principal and interest are guaranteed by the United States of America.

-No substitution of securities will be allowed.

-The custodian shall be a party other than the trading partner.

## Appendix A

### Schedule of Eligible Securities

\_\_\_ (i) Obligations issued, or fully insured or guaranteed as to the payment of principal and interest, by the United State of America, an agency thereof or a United States government sponsored corporation.

\_\_\_ (ii) Obligations issued or full guaranteed by the International Bank for Reconstruction and Development, the Inter-American Development Bank, the Asian Development, and the African Development Bank.

\_\_\_ (iii) Obligations partially insured or guaranteed by any agency of the United States of America, at a proportion of the Market Value of the obligation that represents the amount of the insurance or guaranty.

\_\_\_ (iv) Obligations issued or fully insured or guaranteed by the State of New York, obligations issued by a municipal corporation, school district or district corporation of such State or obligations of any public benefit corporation which under a specific State statute may be accepted as security for deposit of public moneys.

\_\_\_ (v) Obligations issued by states (other than the State of New York) of the United States rated in one of the three highest rating categories by at least one nationally recognized statistical rating organizations.

\_\_\_ (vi) Obligations of Puerto Rico rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.

\_\_\_ (vii) Obligations of counties, cities and other governmental entities of a state other than the State of New York having the power to levy taxes that are backed by the full faith and credit of such governmental entity and rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.

\_\_\_ (viii) Obligations of domestic corporations rated in one of the two highest rating categories by at least one nationally recognized statistical rating organization.

\_\_\_ (ix) Any mortgage related securities, as defined in the Securities Exchange Act of 1934, as amended, which may be purchased by banks under the limitations established by bank regulatory agencies.

\_\_\_ (x) Commercial paper and bankers' acceptances issued by a bank, other than the Bank, rated in the highest short term category by at least one nationally recognized statistical rating organization and having maturities of not longer than 60 days from the date they are pledged.

\_\_\_ (xi) Zero coupon obligations of the United States government marketed as "Treasury Strips."

### Procurement Policy

Guideline 1: Every prospective purchase of goods or services shall be evaluated to determine the applicability of GML, s103. Every town officer, board, department head or other personnel with the requisite purchasing authority (hereinafter Purchases) shall estimate the cumulative amount of the items of supply or equipment needed in a given fiscal year. That estimate shall include the canvass of other town departments and past history to determine the likely yearly value of the commodity to be acquired. The information gathered and conclusions reached shall be documented and kept with the file or other documentation supporting the purchase activity.

Guideline 2: All purchases of a) supplies or equipment which will exceed \$10,000 in the fiscal year or b) public works contracts over \$20,000 shall be formally bid pursuant to GML, s103.

Guideline 3: All estimated purchases of:

Less than \$10,000 but greater than \$3,000 require a written request for a proposal (RFP) and written/fax quotes from three vendors.

Less than \$3,000 but greater than \$1,000 require an oral request for the goods and oral/fax quotes from two vendors.

Less than \$1,000 but greater than \$500 are left to discretion of the Purchaser.

All estimated public works contracts of:

Less than \$20,000 but great than \$10,000 require a written RFP and fax/proposals from three contractors.

Less than \$10,000 but greater than \$3,000 require a written RFP and fax/proposals from two contractors.

Less than \$3,000 but greater than \$500 are left to the discretion of the Purchaser.

Any written RFP shall describe the desired goods, quantity and the particulars of delivery. The Purchaser shall compile a list of all vendors from whom written/fax/oral quotes have been requested and the written/fax/oral quotes offered.

All information gathered in complying with the procedures of this Guideline shall be preserved and filed with the documentation supporting the subsequent purchase or public works contract.

Guideline 4: The lowest responsible proposal or quote shall be awarded the purchase or public works contract unless the Purchaser prepares a written justification providing reasons why it is in the best interest of the town and its taxpayers to make an award to other than the low bidder. (For example, the second low bidder is a business in town, paying town property taxes, and their quote was within 5% of the low bidder which is an out-of-state business or supplier.) If a bidder is not deemed responsible, facts supporting that judgment shall also be documented and filed with the record supporting the procurement.

Guideline 5: A good faith effort shall be made to obtain the required number of proposals or quotations. If the Purchaser is unable to obtain the required number of proposals or quotations, the Purchaser shall document the attempt made at obtaining the proposals. In no event shall the inability to obtain the proposals or quotes be a bar to the procurement.

Guideline 6: Except when directed by the town board, no solicitation of written proposals or quotations shall be required under the following circumstances:

Acquisition of professional services;

Emergencies;

Sole source situations;

Goods purchased from agencies for the blind or severely handicapped;

Goods purchased from correctional facilities;

Goods purchased from another governmental agency;

Good purchased under County or State contracts;

Goods purchased at auction;

Goods purchased for less than \$500.00.

Public works contracts for less than \$500.00

However, a good faith effort should be made to insist that the best price be paid.

Guideline 7: This policy shall be reviewed annually by the town board at its organizational meeting or as soon thereafter as is reasonably practicable.

#### POLICY ON SEXUAL HARASSMENT

All town officials and employees are responsible for assuring that the workplace is free from sexual harassment. Because of the town's strong disapproval of offensive or inappropriate sexual behavior at work or in representing the Town, all individuals must avoid any action or conduct that could be viewed as sexual harassment including but not limited to the following:

Unwelcome sexual advances

Requests for sexual acts or favors

Sexually explicit language or gestures

Other verbal or physical conduct of a harassing nature

An individual who has a complaint of sexual harassment at work concerning anyone, including town officials, supervisors, co-workers, or visitors, shall file their complaint with the Town Supervisor. If the complaint is against the Town Supervisor, then the individual shall file the complaint with the Deputy Supervisor or Town Clerk.

All complaints will be promptly investigated. The privacy of both the aggrieved and the accused will be strictly maintained.

The person or persons conducting the investigation may enlist the aid of other town officials, employees, Town Attorney, local law enforcement officers or others as it is deemed appropriate.

The findings of any investigation shall be reported to the Town Board and appropriate action shall be taken if the Town Board determines that it is necessary.

The Town Board will retain confidential information of all allegations and investigations.

Policy for Waiver of 30 Day Liquor License Notification

After notification by an applicant that they are applying for a liquor license in the Town of Austerlitz, the Town will entertain a request to waive the 30 day waiting period before the applicant can submit an application to the New York State Liquor Authority. Procedure for approval of said request will be as follows:

1. Applicant must notify Town Clerk in writing as required by NYS Liquor Law that they are applying for a liquor license.
2. Applicant must request in writing to waive 30 day notification including reasons for request.
3. If Town Board meeting is within 10 days of receipt of request, approval will be made by the Town Board.
4. If Town Board meeting is not within 10 days of receipt of request, approval will be made by the Town Supervisor.
5. Notification of decision will be made in writing to applicant.

\*\*It is understood that any new establishments requiring a liquor license have gone through site plan review thus satisfying public notification and review.

FOR RULES OF ORDER FOR AUSTERLITZ TOWN BOARD MEETINGS

It is the intent of the Town Board of Austerlitz to conduct the business of the Town in an open, fair and professional manner.

In order to do so, the Board wishes to follow the recommendation of the Association of Towns of the State of New York and adopt a written policy regarding the procedures that will govern the conduct of Town Board meeting.

We therefore adopt the following set of policies and procedures which are based on widely accepted rules of parliamentary procedure as the rules of order for the Town Board,

The Supervisor shall preside at all meetings of the Board and shall preserve order and decorum in debate. In the absence of the Supervisor, this responsibility will fall to the Deputy Supervisor.

The Supervisor will conduct each regular meeting of the Board according to the following order of business:

- call to order;
- moment of silence and pledge of allegiance;
- acceptance of minutes of previous meeting;
- auditing of account and claims;
- a public hearing of any member of the general public in attendance at the meeting on any subject in which the Town or its government is concerned according to the policies adopted by the Board for public comment;

reception of petitions and other communications addressed to the Town board including written and electronic communications (e-mail);  
report of Town Supervisor which will include the report of monthly cash disbursements;  
reports of the Town Clerk/Tax Collector and the Highway Superintendent;  
report of other town officers and officials (building inspector, town historian, etc)as may be required  
reports from the Planning Board, the Comprehensive Plan Oversight Committee, and the Zoning Commission by committee chair or board liaison;  
reports from Town Board sub-committees;  
consideration of outstanding old business;  
consideration of new business;  
adjournment.

This order of business may be revised at any meeting by a majority vote of the Board.

Any member may present a resolution or motion for consideration by the Board.

Every resolution or motion must be seconded before being debated and brought to a vote by the Supervisor. All resolutions and motions, including those that fail to get a second, shall be recorded in their entirety in the official minutes of the Town Board.

The Supervisor may offer or second a resolution or motion and need not relinquish the chair for such purpose.

No motion or resolution may be brought to a vote except by the consent of the majority of those board members present unless printed copies thereof are available to each member of the Board 48 hours prior to the opening of the meeting at which such motion or resolution is offered. For this purpose, a printed copy delivered to the Town Hall or electronic transmission to the e-mail address on file with the Town Clerk shall suffice.

In debate of motions and resolutions no members will speak more than once on any question until every member choosing to speak shall have spoken and no more than twice in any case without leave of the Board.

When a question is under debate, no motion shall be entertained unless (a) for an adjournment or recess (b) for the previous question to be tabled, (c) to postpone to refer to a committee or (d) to amend the main motion. These latter motions are neither amendable nor debatable.

No motion shall be made to offer any amendment to an amendment already before the Board on any proposition.

A majority vote of all the members of the Board shall be required to suspend these rules of order.

A majority of the board shall constitute a quorum.

If the above stated rules are or become at any time in conflict with the statutory law, the statutory law shall take precedent.

PUBLIC HEARING AT REGULAR AND SPECIAL SESSIONS OF THE TOWN BOARD

The Town Board of the Town of Austerlitz is committed to uphold the spirit and the letter of the Open Meeting Law.

It is the intention of the Town Board that the business of the Town be conducted in a spirit of cooperation and with appropriate professionalism and decorum. It is also the intention of the Board that members of the general public have ample opportunity to comment and offer opinions on matters of concern to the Town and its government at meetings of the Town Board.

With these goals in mind, the following policies and procedures are adopted for public hearings at regular and special sessions of the Town Board.

Every regularly scheduled meeting of the Town Board will include a public hearing period during which any member of the general public may address the meeting on any topic of relevance to the Town or its government.

A sign-in sheet will be available at the entrance to the meeting room 30 minutes prior to the official start time of the meeting. Anyone wishing to address the meeting during the public hearing will be requested to sign-in. Speakers will be recognized by the chair in the order in which their names appear on the sign-in sheet.

Anyone wishing to address the meeting who has not signed-in before the meeting is called to order may do so, upon being recognized by the chair, after all those on the sign-in sheet have spoken. Speakers who have not signed-in are requested to state their full name before addressing the meeting so that the clerk may properly record the comment for the minutes.

Comments will be directed to members of the Board and not to any individual or group in attendance at the meeting.

Each speaker will limit their initial remarks to three minutes.

After all who so request have an opportunity to speak, and upon being recognized by the chair, each speaker who wishes may offer one follow-up comment. Follow-up comments are limited to two minutes.

Speakers may address the meeting further only with the consent of the majority of the Board.

Members of the Board may ask for clarification, but otherwise will not engage in debate or discussion with a speaker during the public hearing session.

Speakers and Board Members will, at all times, maintain a courteous and respectful tone and avoid shouting, profanity and comments of a personal nature.

Should a speaker's behavior become disruptive, they will be asked to leave the meeting.

#### FOR APPOINTMENTS TO CITIZEN COMMITTEES

The Town Board recognizes the importance of the services of citizen volunteers for many functions relating to governance of the Town including the important work done by the Town Planning Board, the

Comprehensive Plan Oversight Committee and its various subcommittees, and the Zoning Board of Appeals.

In the appointment of persons to these citizen committees, as in all other areas, it is the intent of the Town Board of Austerlitz to conduct the business of the Town in a manner that is fair, open and representative of the people of the town.

Therefore, the following policy guidelines for making appointments are implemented.

The Supervisor will name an Appointments sub-committee of the Town Board. This sub-committee will be charged with making recommendations to the full Board regarding appointments to those boards and committees which are subject to appointment by the Town Board.

Members of the Appointments sub-committee and the chair of each committee will actively solicit the participation of citizens for the Town Planning Board, the Comprehensive Oversight Committee and the Zoning Board of Appeals whenever a vacancy arises or is anticipated.

This will include, but is not limited to, posting a notice of the position(s) in the newspaper of record and on the official Town Website.

Applicants will be requested to submit letter of interest to the town clerk by a date specified in the notice of vacancy. This may be delivered in-person, via post or e-mail.

The Appointments sub-committee will review the qualifications of all candidates including a personal interview if appropriate.

Upon completion of the review, the Appointments sub-committee will then make a recommendation to the full Board.

Appointments will be made by a majority vote of the Board.

In making recommendations the Appointments sub-committee will be guided by the following policies.

An individual should serve on only one committee each term.

Members of the same household cannot be appointed to serve on the same committee.

It will be the responsibility of each Board or Committee chair to solicit, review and appoint members of such subcommittees and task forces as deemed necessary for the committee to discharge its responsibilities. Board and Committee chairs are encouraged to employ the principles of openness and inclusiveness in making such appointments.

#### COMPUTER POLICY

All Town owned computers shall be used for municipal purposes only. Any Town computer may be subject at any time upon order of the Supervisor or Town Board to an audit.

#### WORKPLACE VIOLENCE PREVENTION PROGRAM POLICY

**Purpose:** It is the intent of the Town of Austerlitz that threats, threatening behavior, and acts of violence against employees, by employees or by other individuals on Town property, will not be tolerated. The Town of Austerlitz will take all threats seriously. It is the Town's goal to eliminate violent behavior and the threat of such behavior from all work sites.

**Policy:** Violence or threat of violence, by or, against any employee of the Town of Austerlitz, or any other person while on Town property, is strictly prohibited. The Prohibited action will subject the perpetrator, if an employee, to serious disciplinary action, up to and including termination of the employee, and, in all cases, possible criminal prosecution.

The possession of firearms or dangerous weapons (as defined below) while on Town property, or in a Town facility or vehicle, is strictly prohibited. Employees violating this policy may be terminated. The weapons portion of this policy does not apply to law enforcement personnel or other employees that are operating within the normal scope of their duties, and using weapons as tools of their profession. Any other employee of The Town of Austerlitz must Provide proof of a valid weapons permit and must have written approval of the Town of Austerlitz Board in order to carry a weapon on the worksite. Town Departments may receive training on methods on defusing hostile situations.

**Definitions:**

**Dangerous Weapons:** includes, but not limited to, any offensive weapon, pistol, revolver, or other firearm, dagger, razor, stiletto, switchblade knife, or knife having a blade exceeding five (5) inches in length.

**Work Site:** Includes all property owned or occupied by the Town of Austerlitz, as well as Town vehicles.

**Possession:** Includes, but not limited to, the presence of a weapon on the employee, lunch box, tool kit, bag, purse, cabinets, office, etc. Weapons transported in vehicles must be legally stored in compliance with the laws of the State of New York.

**Violence in the workplace may include:**

The use of physical force with the intent to cause harm.

Acts or threats in any form or manner, which are intended to intimidate, cause fear, or cause harm.

The act of creating a hostile or intimidating work environment by means of words, actions, or physical contact, which would have the purpose or effect of alarming, insulting, or provoking another person .

The intentional damage of Town owned or personal property or acts intended to cause such property to fail to operate, or to operate improperly.

**Guidelines for Managing Workplace Altercations:**

The guidelines are intended to aid Department Heads and supervisors in dealing with a violent or potentially violent situations at work where the Department Head or supervisor is in a position to intervene and control the situation.

In circumstances deemed by the Department Head or supervisor to be an emergency, call 911, and then contact the Department Head and /or the Town Hall at 392-3260 X300. It is understood that the actions of a supervisor or other employee will depend on the seriousness and nature of the incident. However, consistent with personal safety, supervisors are to make a good faith effort to diffuse violent or potentially violent behavior as quickly as possible in order to prevent escalation. The term "altercation," used in these guidelines, includes actual or threatened violence including verbal or physical confrontation, or assault, or attempts at such assault.

General Comments: Separate the individuals involved. Do not allow a minor altercation to escalate into a more serious situation. If the individuals cannot be separated, dial 911 and contact the Department Head or supervisor.

All Town employees are responsible for notifying management of any threats that they have witnessed or received. If it is not practical to notify management, the employee should contact the town Hall at 392-3260 X300. Town employees who obtain a restraining order against individuals are strongly encouraged to report the presence of a restraining order to their Department Head and/or supervisor.

Once the situation is under control, the Board of Supervisors and/or appropriate governing body or committee, along with the Department Head, shall interview all persons involved, including any witnesses, in order to obtain an accurate account of the incident. The incident will be documented in writing and reviewed by management.

The Department Head and/or supervisor consulting with the Town Board will decide on the appropriate disciplinary action, if necessary.

Discipline: Workplace altercations, including those involving only verbal exchanges, justify appropriate corrective action. The Town Board should be contacted for guidance.

Program Review and Update: The Workplace Violence Prevention Program will be reviewed and updated as needed, and whenever such updating as indicated by changes, modifications will be made and communicated to all employees.

A motion to adopt the above policies as the 2012 Town of Austerlitz Policies was made by B. Geel and seconded by C. Pinto

J. Braley: yes

B. Geel: yes

C. Pinto: yes

M. Verenazi: yes

J. Mesick: yes

Motion unanimously carried.

Supervisor Braley asks the Town Board if any are interested in attending the Association of Towns Annual School in February 2012. No Town Board member will be attending this year. The Town Board has been given the A.O.T Resolutions for reference. This will be voted on at the A.O.T. Annual Meeting.

Supervisor Braley advised the Town Board that Captain Brown from the NYS Troopers will come and speak to the Town Board concerning the State Police procedures for patrolling local municipalities. Discussion surrounding the patrolling efforts of the State Police and the Columbia County Sheriff's Department. Town Board Member Geel would like to have the Sheriff's Department patrol the back roads. The general consensus of the Town Board was to have the State Police patrol the Taconic Parkway. Highway Superintendent Meehan noted that the turnaround used by the police on the Taconic Parkway in the Town of Austerlitz' section needs to be repaired.

#### Public Comments

Chuck Weinlein questioned the status of the Town Hall roof replacement project and the bid specs.

Supervisor Braley advised that new bid specs have been advertised because there was a problem with

the first ones leaving out a notation concerning prevailing rates. Supervisor Braley believes this project will probably be put off and re-bid in the Spring.

Adjournment

A motion to adjourn was made by M. Verenazi and seconded by C. Pinto.

J. Braley: yes

B. Geel: yes

C. Pinto: yes

M. Verenazi: yes

J. Mesick: yes

Motion unanimously carried. Meeting adjourned at 8:43 p.m.

Respectfully Submitted,  
Susan A. Haag, Town Clerk