

Town of Austerlitz
Regular Town Board Meeting
July 12, 2012

Roll call. Present: Jeffrey Braley, Supervisor, Jon Mesick, Carol Pinto, Bryan Geel, Town Board Members, Robert Meehan, Highway Superintendent, and Susan Haag, Town Clerk. Tal Rappleyea, Attorney for the Town, left at 7:00 p.m.

Matthew Verenazi absent.

Regular Meeting called to order at 7:05 p.m.

Moment of Silence, followed by the pledge of Allegiance.

Minutes

A motion to accept the June 14, 2012 Regular Town Board Meeting minutes was made by C. Pinto and seconded by B. Geel.

J. Braley: yes

B. Geel: yes

C. Pinto: yes

J. Mesick: yes

Motion unanimously carried.

Budget Amendment #1-2012

General Fund

To: Police A3120.4 15000.00

FROM: Appropriated Fund Balance 15000.00

A motion to approve Budget #1-2012 was made by B. Geel and seconded by C. Pinto.

J. Braley: yes

B. Geel: yes

C. Pinto: yes

J. Mesick: yes

Motion unanimously carried.

Auditing of Accounts and Claims

A motion to approve General Fund #247-293 in the amount of \$39301.26, and Highway Fund #138-144, 146-157 in the amount of \$26488.45, was made by J. Mesick and seconded C. Pinto. Highway Fund #145 was pulled and not paid because it was a duplicate bill.

J. Braley: yes

B. Geel: yes

C. Pinto: yes

J. Mesick: yes

Motion unanimously carried.

Reports

Monthly cash disbursements for the month of June 2012 were presented. Supervisor Braley noted that on a town level, the Summer Recreation Program has just started and it has been busy getting this up and running. There is a new bus driver this year and a new route which includes the Town of Austerlitz busing Ghent Program participants. Through this venture, the Town of Austerlitz will save a minimal amount of money; around \$150.00. The Town of Ghent will save quite a bit. Michael Johnson has again provided the bus being used. Roughly 120 children have registered and the Town has taken in \$11000.00 in registration fees so far this year. Highway Superintendent Meehan has done some work up at the park getting ready for the summer season. The Highway Crew has painted the back board of the basketball hoop and replaced the chains, repaired a shed and put up the tether ball game. Columbia County made new signs which R. Meehan has put up.

On a County Level, Supervisor Braley noted that the bids for the State mandated ADA compliant court house are in and came in under budget. There have been a number of personnel issues which the County Board of Supervisors have dealt with. Concerning the car that the Columbia County Sheriff's Department promised a number of months ago, it still has not been received and some of the County Supervisors questioned the procedure of giving away County vehicles. This has been ironed out.

Town Clerk Report for the month of June 2012 submitted.

Highway Superintendent Robert Meehan advised that the Highway Crew has been filling potholes, grading roads, mowing, and working on the playground as noted above. The Upper Hollow Road bridge work is scheduled to being around the end of July. In preparation for this, the Highway Crew has pulled all the shoulders, and done tree trimming. Work has also been done on Harvey Mountain Road. The Town needs rain. R. Meehan has been putting calcium down for dust control. Highway Superintendent Meehan built a new cover for WTCU well in front of Rich Nesbitt's Insurance office.

Planning Board Report for the month of June 2012 submitted. They have not met for 2 months.

Comprehensive Plan Oversight Committee Report for the month of June 2012 submitted.

Building Inspector/Code Enforcement Report for the month of June 2012 submitted.

Justice Lagonia Justice Court Report for the month of June 2012 submitted.

Justice Hogencamp Court Report for the month of June 2012 submitted.

Dog Control Report for the month of June 2012 submitted.

A motion to accept the above reports was made by B. Geel and seconded by C. Pinto.

J. Braley: yes

B. Geel: yes

C. Pinto: yes

J. Mesick: yes

Motion unanimously carried.

Correspondence

NYSAOT 2012 Planning and Zoning Summer Schools Announcement.

NYS Dept of Ag and Markets updated Dog Control Officer Inspection Report: Completed on 6/6/12, advises the Town of Austerlitz that DCO services were rated satisfactory.

Columbia County Department of Public Works: Advising the Town of Austerlitz that the repair work on Pratt Bridge, located on Upper Hollow Road over the Green River, will begin mid-late July. The bridge will be closed and traffic detoured.

Richard Nesbitt: Thanks the Highway Department for the excellent job of mowing Bryarcliffe and other Town roads, and for helping to fix the historic WTCU well in front of his office.

Unfinished Business

Resolution #29-2012 Speed Limit Reduction County Route 7

WHEREAS, the Town of Austerlitz has always been concerned about the safety of its citizens, and

WHEREAS, Columbia County has resurfaced County Route 7, also known as South Street, and

WHEREAS County Route 7 has become a “truck route” to the Taconic State Parkway and Philmont, and

WHEREAS, the Town of Austerlitz has received numerous complaints of vehicles speeding in excess of the posted limits on Columbia County Route 7, and

WHEREAS, the Town citizens now feel they can no longer safely drive, walk or jog along South Street, and

WHEREAS, numerous school bus stops are along South Street, and

WHEREAS, despite local law enforcement’s stepped up patrols, speeding still exists, and

WHEREAS, the Town has been presented with a letter signed by concerned neighbors asking that the Town takes action,

NOW THEREFORE BE IT RESOLVED that The Town of Austerlitz asks that the speed limit be lowered between the Punsit Creek Bridge and *mid-way between Cross Road and Punsit Road* to 35 miles per hour.

After discussion, the Town Board modified the original resolution by adding the italicized portion.

A motion to adopt Resolution #29-2012 Speed Limit Reduction County Route 7 was made by B. Geel and seconded by C. Pinto as modified.

J. Braley: yes

B. Geel: yes

C. Pinto: yes

J. Mesick: yes

Motion unanimously carried.

New Business

Ethics Law: Supervisor Braley advised that the Town has an ethics law that has been working well and no issues have arisen in the Town for years. The ethics law does require an ethics board which the Town does not have in place. The County has alerted Towns that they have the option of using the County Board of Ethics since the State Attorney General's Office has advised that Towns are mandated to have an Ethics Law on the books. Towns in the County are using the County Board and the County's Ethic Law, using the County Board with their Town Law, or using their own Town Ethic's Law and Board. Supervisor Braley would like to keep in place the Town Law. Attorney for the Town, Tal Rappleyea, advised that it was fine either way a Town chose to handle this. The consensus of the Town Board was to keep the status quo.

Code Enforcement Officer: Supervisor Braley spoke with the Town Board concerning the resignation of Code Enforcement Officer Glenn Smith. G. Smith is retiring and gave the Town a 30 day notice. Since this position is in a shared service contract, Supervisor Braley has spoken with the Supervisors of the Towns of Hillsdale and Canaan. All three Towns want to keep the shared services agreement in place, and Canaan and Hillsdale want to be included in the hiring process. Supervisor Braley has placed ads in the paper, put a notice on the Town of Austerlitz' website, and G. Smith has put the word out in his circle. Supervisor Braley noted that the deadline for resumes is July 15, 2012. After this time, Supervisor Braley will set up a meeting with the Town Board to go over the resumes. This may involve a member from each of the other towns.

Supervisor Braley noted that he personally received notification that the Spencertown Academy is looking for a community forum to discuss the future of the Academy.

Supervisor Braley alert the Town Board that there is a BAN for \$47000.00 used for Highway Trucks that will mature at the end of 2013. The Amount in the Ellsworth Kelly Fund as of January 2012 is roughly 80000.00. J. Braley does not have current figures.

After a previous discussion with Attorney for the Town, Tal Rappleyea, a motion to continue and not settle the Benjamin Strouse lawsuit was made by J. Mesick and seconded by C. Pinto.

J. Braley: yes

B. Geel: yes

C. Pinto: yes

J. Mesick: yes

Motion unanimously carried.

Public Comments

None

Adjournment

A motion to adjourn was made by C. Pinto and seconded by B. Geel.

J. Braley: yes

B. Geel: yes

C. Pinto: yes

J. Mesick: yes

Motion unanimously carried. Meeting adjourned at 8:07 p.m.

Respectfully Submitted,
Susan A. Haag, Town Clerk