

Town of Austerlitz
Bid Opening/Regular Town Board Meeting
April 12, 2012

Town Board convened at 6:30 p.m. to open the 2012 Lawn Care and Ground Maintenance bids.

Board Members present: Jeffrey Braley, Supervisor, Jon Mesick, Carol Pinto, Bryan Geel, Matthew Verenazi, Town Board Members, Susan Haag, Town Clerk

Bid Submitted: Howes Horticultural

1.) Lawn Care and Trimming from Spring through Fall to include:

- a.) the Town Park and ball-field
- b.) the Town Green across from St. Peter's Church
- c.) the area around the Town Hall

Price per mowing: \$130.00

2.) Ground Maintenance from Spring through Fall to include:

- a.) Spring and Fall clean-up to include removal of ground debris, damage caused by storms and bee extermination

Price per hour: \$40.00

- b.) maintenance of perennial bed on green including mulching, edging, fertilizing, tree trimming, trimming of hedges, weeding as needed

Price per hour: \$40.00

- c.) cost of materials (mulch, etc.) by volume

Estimated cost: \$45.00/yard

3.) Trash and broken glass removal and disposal thereof, twice

- a week, from the Town park, recreation area and ball field.
Trash is to be disposed of in the Town dumpster.

Price per week: \$15.00

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

Moment of Silence, followed by the pledge of Allegiance.

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

Minutes

A motion to accept the March 8, 2012 Executive Session/Regular Town Board Meeting minutes 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.

Auditing of Accounts and Claims

A motion to approve General Fund #121-159 in the amount of \$13070.91, and Highway Fund #63-92 in the amount of \$29760.76, 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.

Reports

Monthly cash disbursements for the month of March 2012 were presented. Supervisor Braley noted that spring is here. The Town Road map is finally done and now Supervisor Braley just needs to decide how to best utilize this and get it out to departments.

On a County Level, Supervisor Braley noted that the State redistricting is now done and the Town of Austerlitz has a new Assemblyman and a new Senator. The new Senator, Senator McDonald, came and spoke to the Columbia County Board of Supervisors. Sales tax is up 5.7% and the Town of Austerlitz will receive a share. Social Services still needs a home. The Upper Hollow Rd Bridge is still being worked on. Paperwork has been signed and bids specs should go out this week to start work in June and have completed by September. Block Bridge should be completed in the next couple of weeks.

Town Clerk Report for the month of March 2012 submitted. Town Clerk Haag advised the Town Board that she will appoint Janet Paul as her Deputy for the April election cycle. The Presidential primary will be during the week that S. Haag is at Conference.

Tax Collector Report for the month of March 2012 submitted.

Highway Superintendent Robert Meehan reported that the Fern Hill neighborhood watch signs are up and a new Kern Drive sign has been placed as well. The Upper Hollow Road bridge and Block Bridge are being worked on. R. Meehan noted it is to dry to sweep and grade the roads, but once it rains, this will be done. The Highway crew has been picking up a lot of garbage on the Town roads, mainly tires. The bucket truck is back together. Highway Superintendent Meehan asks the Town Board to send a letter to NYSDOT concerning the road conditions on State Route 203 between the rock cut and the Taconic Parkway garage. R. Meehan has finished his part in the Doyle subdivision.

Supervisor Braley advised that the NYSDOT called to notify the Town that they will alert the Town and residents when the NYSDOT will be doing work on roads in Town. J. Braley noted that generally, Towns Countywide are upset with how the NYSDOT is maintaining roads. This was one area that was brought up and discussed with Senator McDonald.

Planning Board Report for the month of March 2012 submitted.

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

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

Justice Lagonia Justice Court Report for the months of February and March 2012 submitted. New Justice, William Hogencamp, has been to school and is now sitting the bench.

A motion to accept the above reports 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.

Correspondence

NYS Dept of Ag and Markets Dog Control Officer inspection report for Wes Powell completed on March 16, 2012 reported as Unsatisfactory. This is a letter of warning. Failure to come into compliance will result in further regulatory action. Another inspection will occur in approximately 30 days and it is anticipated that all deficiencies will be corrected by this time. Supervisor Braley has not spoken with W. Powell concerning this. The violation was in connection with required paperwork not being completed and filed.

District Attorney Czajka advised that Attorney for the Town, Tal Rappleyea, has been granted authority to prosecute violations of local laws and municipal building and zoning codes for the Town of Austerlitz.

Mary Anne Davis asked for a \$500.00 donation for the "Welcome to Summer in Spencertown", May 26, 2012 from 10:-3:00 p.m.

Supervisor Braley introduced the new pastor for St. Peter's Presbyterian Church, Drew Patton. Mary Anne Davis explained the committee's request and noted that this donation will help to pay for music, advertising and printing costs. The money raised during this community day will be used to help restore the St. Peter's historic church.

Supervisor Braley stated that he was bothered last year concerning this same request because it did not appear that the Welcome to Summer in Spencertown committee had asked anyone else for donations. M. Davis advised that the Clara Gott Fund was contacted this year for a donation as well. In addition, businesses that participate pay a fee and this and all donated money does go towards the fundraiser. J. Braley noted that the money will go to the Friends of Historic St. Peter's for the restoration of the church building, not to the church itself.

Town Board Member Geel wants to see this historic building preserved, but feels funny donating taxpayer money. This is a good cause even though it is not Town owned property. Restoration of a historic building is profitable for the Town as a whole. M. Davis noted that this event is a day for the entire community. Member Geel notes that the church does let the Town use the building from time to time and this makes him feel better about donating money. Reverend Patton advises that the church does open its doors for the Senior Lunch Program, the Silent Pantry, Meals on Wheels, and is always open to explore the relationship between the Town and the church because everyone is a part of the community. M. Davis notes that new this year will be a dinner after the event.

Town Board Member Verenazi agrees with Member Geel that this is taxpayer money, but understands that the Town uses this building and previous Town Boards have donated to this event. There is a great need to keep up the maintenance of this building.

Town Board Member Pinto is in agreement and questions Supervisor Braley if there is money in the budget to donate to this event. Supervisor Braley advised that he budgeted \$100.00 for this event, but the Town can find the money to donate the entire \$500.00. J. Braley appreciates the fact that the amount requested is less this year.

A motion to donate \$500.00 to the Welcome to Summer in Spencertown event was made by B. Geel and seconded by M. Verenazi with recognition that the church building can be used for Town functions as needed.

J. Braley: yes

B. Geel: yes

C. Pinto: yes

M. Verenazi: yes

J. Mesick: yes

Motion unanimously carried.

It was noted that the windows in the church have recently been replaced and painting will begin next week. Internal work will be done by the church.

Reverend Patton and Mary Anne Davis thanked the Town Board.

Unfinished Business

Austerlitz Town Park Proposal: Town Board Member Pinto received a report from Engineer for the Town, Paul McCreary of Morris Associates, concerning the proposed work to be performed at the Town Park. Town Board Member Pinto questioned whether or not this work was going to be contracted out. C. Pinto noted that the report suggests that the entrance be moved and she agreed with this proposal. The Town Board discussed drainage issues. The general consensus of the Town Board was to proceed with phase one of the project which includes getting estimates for the contracted work to be done for the entire project. It was noted that the Town could apply for grant funding as well.

Board of Assessment Review Appointment: Supervisor Braley noted that Board of Assessment Review Member Gerald DeBona resigned and a replacement needs to be appointed. A letter of interest was received from Bridget Arnold who has sat on the review board in the past.

A motion to appoint Bridget Arnold to the Board of Assessment Review to fill a term beginning April 12, 2012 and ending September 30, 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.

NYMIR Annual Meeting Proxy: The 2012 Annual Meeting of subscribers of NYMIR will be held on May 4, 2012 at which time subscribers will be asked to consider and to act upon the election of 5 Governors. If

a representative from the Town of Austerlitz is not going to attend this meeting, a proxy can be executed. The Town is asked through proxy to vote yes to accept the proposed slate of Governors or to reject the slate.

A motion to accept the slate of Governors as proposed by NYMIR and authorize Don Barber to represent the Town of Austerlitz and vote in the Town of Austerlitz' name on May 4, 2012 was made by B. Geel and seconded by J. Braley.

J. Braley: yes

B. Geel: yes

C. Pinto: yes

M. Verenazi: yes

J. Mesick: yes

Motion unanimously carried.

Bryarcliffe Lawsuit: Supervisor Braley explained that the Town Board held a discussion concerning the current litigation with Bryarcliffe resident Benjamin Strouse in executive session last month. Attorney for the Town Tal Rappleyea explained that he can handle the case should the Town Board authorize it, noting it will cost the Town between \$ 15000-20000.00. Attorney Rappleyea believes that this is a winnable case. Supervisor Braley feels that the Town Board is obligated to fight this lawsuit.

A motion not to settle the Benjamin Strouse lawsuit, but go to court 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.

Bryarcliffe resident Judith Choate questioned whether or not the Town can claim court expenses from B. Strouse. Supervisor Braley is unsure, but will make an inquiry. Town Board Member Pinto feels that eventually B. Strouse will use the roads in Bryarcliffe. The consensus of the Town Board is that the decision to not settle is based on principal.

New Business

Lawn Care and Ground Maintenance Bid:

A motion to award the 2012 Lawn Care and Ground Maintenance Bid to Howes Horticultural was made by J. Mesick and seconded by M. Verenazi.

J. Braley: yes

B. Geel: abstain due to a business relationship

C. Pinto: yes

M. Verenazi: yes

J. Mesick: yes

Motion carried 4:1

Supervisor Braley noted that the Park fountain is up and running thanks to Highway Superintendent Meehan. J. Braley also stated that he receives many compliments on Dan Howes' lawn maintenance work.

Public Comments

June Simons questioned Supervisor Braley on the status of the Walmart property in Greenport. Supervisor Braley advised that the options have expired. At this point there is no interest in the Walmart building. This venture was a waste of taxpayer money. The Ockawamick building is up for sale. Currently it is being used by county facilities and others, including the Board of Elections with climate accommodations made for the voting machines. The voting machines are not being kept there at this time, but rather in the basement of 401 State Street.

Supervisor Braley noted that Board of Supervisors Chairman Pat Gratton has changed many of the internal workings of the County, one of the biggest was creating a more financially open County.

Adjournment

A motion to adjourn 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. Meeting adjourned at 8:10 p.m.

Respectfully Submitted,
Susan A. Haag, Town Clerk