

Town of Austerlitz
Town Board Meeting
August 8, 2013

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

Highway Superintendent R. Meehan arrived at 7:15 p.m.

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

Moment of Silence followed by the pledge of Allegiance.

Minutes

A motion to accept the July 11, 2013 Town Board Meeting minutes was made by J. Mesick and seconded by C. Pinto.

J. Braley: yes

B. Geel: abstain due to absence

J. Mesick: yes

C. Pinto: yes

M. Verenazi: yes

Motion carried 4:1.

Auditing of Accounts and Claims

A motion to approve General Fund #260-283, 285-287, in the amount of \$12943.92, and Highway Fund #144-168, in the amount of \$73392.60, was made by B. Geel and seconded by M. Verenazi. Voucher #284 in the amount of \$1312.50 for Patrick Prendergast was pulled for clarification.

J. Braley: yes

B. Geel: yes

J. Mesick: yes

C. Pinto: yes

M. Verenazi: yes

Motion unanimously carried.

After explanation by Highway Superintendent R. Meehan of voucher #284 in the amount of \$1312.50 for Patrick Prendergast, a motion was made by C. Pinto and seconded by M. Verenazi to pay voucher #284.

J. Braley: yes

B. Geel: yes

J. Mesick: yes

C. Pinto: yes

M. Verenazi: yes

Motion unanimously carried.

Reports

Monthly Budget Reports for the month of July 2013 were submitted. Supervisor Braley noted that the Ellsworth Kelly fund is now showing on the accounting sheets so he can track the balance. Reserves look good although down about \$1000.00 from last month. Current sales tax check of \$64855.00 will show on next month's figures. Court fines and forfeitures are continuing to hold the line. Supervisor Braley has scheduled the Enhanced Patrol to sit two times on the Parkway on weekends, and once in the Hamlet of Spencertown. J. Braley has noticed that people are going slower in the Hamlet so it appears police presence is doing its job. The new Radar Trailer will be here in September. Town Board Member Pinto has heard from the NYSDOT who advised that the Town will need a permit for a movable trailer. Supervisor Braley will start the process now so that things will be in place in September when the trailer arrives.

On a County level, Supervisor Braley notes things are slow. No-one wants to do anything because 18 supervisors are up for election. There is a controversial issue with the Columbia County Airport where the County may take some land by eminent domain. The County Highway Department has worked on County Route 5 which is now finished, County Route 7 was paved and two County bridges were fixed, so the Town probably will not see the County in the Town for a while.

Town Clerk Report for the month of July 2013 submitted.

Highway Superintendent Robert Meehan reported that the West Hill culvert replacement project is almost complete. The Highway Crew just needs to clean the stream out and do some seeding. West Hill Road is open. The Town of Canaan Highway Department helped out with this project and R. Meehan thanked them. Superintendent Meehan would like to pave West Hill Road in September. This entire project on West Hill Road should come in under \$80000.00. R. Meehan thanked his entire Highway Crew for the work done on this project.

Superintendent Meehan advised the Town Board that there needs to be a NYSDEC permit for the temporary culvert being installed on Harvey Mountain Road while the Highway Department replaces the current culvert. R. Meehan will speak with County Engineer Dean Knox concerning this project next week.

In addition, the NYSDEC Representative has alerted Highway Superintendent Meehan that any cleaning of debris from the Green River, Punsit Creek and the Indian Creek will need to be engineered.

The Highway Crew has also done some dust control and filled potholes.

Town Board Member Jon Mesick, who works for the Town of Canaan and worked on the West Hill Road culvert replacement project, commended the Town of Austerlitz Highway Crew for the great work they did. Supervisor Braley noted he was impressed.

Planning Board Report for the month of July 2013 submitted.

No Comprehensive Plan Oversight Committee Report for the month of July 2013 submitted.

Building Inspector/Code Enforcement Report for the month of July 2013 submitted. Supervisor Braley noted that things are very slow.

Justice Cassuto Justice Court Report for the month of June 2013 submitted. The Town Board discussed the work distributed between the two Justices.

Dog Report for the months of June and July 2013 was submitted.

Correspondence

Congressman Chris Gibson: Speed Limit State Route 203 in favor of Reduction.

Town of Austerlitz Comprehensive Plan Oversight Committee: Speed Limit Reduction State Route 203 Recommendations. Recommendations include that a committee be established for both hamlets in the Town of Austerlitz to review ways to carry out the goals of the Comprehensive Plan in relation to traffic speed, inadequate parking, pedestrian safety and mobility. In addition, the Committee will support the reduction in the speed limit, and continued dialog with the NYSDOT. A thorough review of all issues involved is recommended.

Unfinished Business

Austerlitz Park Renovation

Supervisor Braley spoke with Morris Associates noting that the plans have been reworked and the new bid package should be to the Town Monday or Tuesday.

New Business

Resolution #27-2013 Authorization of Sell EZPass

A motion to adopt Resolution #27-2013, Authorization to Sell EZPass was made by J. Mesick and seconded by C. Pinto.

J. Braley: yes

B. Geel: yes

J. Mesick: yes

C. Pinto: yes

M. Verenazi: yes

Motion unanimously carried.

Resolution #27-2013 Authorization of Sell EZPass

BE IT RESOLVED that the Town of Austerlitz Town Board hereby authorizes the Town Clerk to sell EZPasses in the clerk's office.

Evan Hogan, Cornell Cooperative Extension-National Flood Insurance Program

Thanks for the opportunity to speak to the board. Speaks concerning the Hudson Estuary watershed Resiliency Project-flooding and stream maintenance. Also gives an overview of Cornell Cooperative extension. E. Hogan thanked the Town Board for its time.

Highway Superintendent Meehan discussed the problems he is facing with the rules and regulations the NYSDEC is imposing concerning cleaning out of streams. The Town can not work on specified streams without engineering the project which cost money and time. Cornell Representative Hogan advised that he and others from the Extension have heard this same complaint repeatedly across the County and surrounding Counties. Cornell is working on trying to help facilitate a solution and act in a supporting role.

Code Enforcement: Supervisor Braley gave a brief history of how the current position of Code Enforcement Officer has migrated towards a civil service full time position, noting that due to the shared service agreement, the Code Enforcement Officer working full time hours, and the Town of Austerlitz being the lead agency handling all payroll, among other criteria, this position has changed in status. A civil service test was given and current Code Enforcement Officer, Lee Heim, passed and was among the top three since only three people took the test. Because the status of this position has changed within the Civil Service network, the Town of Austerlitz needs to reappoint Lee Heim to the position of Code Enforcement Officer. A one year probation period then starts, after which this becomes a permanent position for L. Heim. According to Supervisor Braley, the Supervisors of Hillsdale and Canaan have discussed this and are in agreement to change the status of the Code Enforcement position under Civil Service. Also according to Supervisor Braley, he has discussed this with Attorney for the Town, Tal Rappleyea, as well, who advised that this situation can be worked out. Town Board Member Pinto questioned why the Town Board has not been kept more informed of this situation. C. Pinto, and other Members of the Town Board had questions and when posed to Supervisor Braley, no answers were given. Questions included: what happens if the Town decides to dissolve the Shared Service Agreement; what happens if the Town needs to fire the current Code Enforcement Officer or he decides to leave; will the Town be forced to hire from a list generated by the Civil Service; and others. The consensus of the Town Board was to table any decisions in the change in civil service status of the Code Enforcement position and have Attorney for the Town, Tal Rappleyea, present at the next Town Board Meeting to answer questions posed. It was felt that the Supervisors of the Towns of Hillsdale and Canaan be present as well so they are informed. Town Board Member Pinto advised that these questions surround the nature of the position, and are no reflection on the current Code Enforcement Officer, Lee Heim. C. Pinto is happy with the job L. Heim is currently doing.

Paving of State Route 203: Paving of State Route 203 by the NYSDOT was discussed. Highway Superintendent Robert Meehan would like to see a petition signed by residents that can be given to the State. Town Board Member Verenazi would like Supervisor Braley to write a letter on behalf of the Town Board supporting the paving. M. Verenazi noted how dangerous this situation is. Supervisor Braley will set up a petition and post a notice on the Town's website.

Town Court: Town Board Member Verenazi has spoken with the Director of the Spencertown Academy, Nick VanAlstyne. M. Verenazi would like the Town Board and Town Justices to visit the Spencertown Academy to see if moving the Town Court to the Academy is feasible. Member Verenazi has spoke with Town Justice, Rob Lagonia, who is available to view the facility and review State mandates. Supervisor Braley noted that a lot of work would have to be done to hold court there; it is doable, but not easy. J. Braley noted the following road blocks:

parking, handicap access-although there is an elevator, storage of court records, security for court computers, records, conference room availability, etc. J. Braley advises that NYS has building mandates that town courts are to follow which includes bars on windows. Whether or not the Spencertown Academy is willing to comply with these regulations is also a question.

Town Board Member Verenazi would like the Town to at least investigate the possibility of using the Spencertown Academy for Town Court because there are viable solutions to negatives voiced at the Academy, and would like this problem solved within the next 6 months. M. Verenazi noted that the Town Board has heard numerous times and is dealing with the traffic and speeding issues on State Route 203 in the Hamlet of Spencertown. These traffic and speeding issues are compounded on Court nights and if the placement of court can be changed, some of the traffic issues will work themselves out as well.

Supervisor Braley stated that he has considered the traffic and safety issues caused by Town Court from a financial standpoint. Supervisor Braley noted that the heavy traffic during court nights only happens 1 or 2 times a month due to the Columbia County District Attorney participation in the process. When looking at numbers, Supervisor Braley compared costs of a new town hall with renovations to current facilities or renovations of an existing structure. There is also the thought that the Town could ask for less tickets to be written to cut numbers on a court night.

Although Town Board Member Pinto noted that there may be an issue with altering the facilities at the Spencertown Academy due to its Historic Registry, she and Town Board Member Geel would like to have NYS come down and look at the space. Town Board Member Verenazi will meet with N. VanAlstyne and discuss a starting place.

Town Board Member Jon Mesick advises that Auctions International is listing a couple of highway trucks that are worth looking into for possible purchase. The Town Board discussed what was being offered and the current fleet for the Town. Supervisor Braley detailed the bidding policies concerning purchasing a highway truck through Auctions International as discussed with Attorney for the Town, Tal Rappleyea noting a Town is able to bid and buy in this fashion. Highway Superintendent Meehan would like to purchase one of the vehicles presented by Member Mesick.

Public Comments

None

Adjournment

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

J. Braley: yes

B. Geel: yes

J. Mesick: yes

C. Pinto: yes

M. Verenazi: yes

Motion unanimously carried. Meeting adjourned at 8:35 p.m.

Respectfully Submitted,
Susan A. Haag, Town Clerk