

Public Hearing/Town of Austerlitz
Town Board Meeting
February 18, 2016

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

Public Hearing

Public Hearing called to order at 6:55 p.m.

Public Hearing called for Local Law #1-2016. Public Hearing duly noticed.

No comments were made.

A motion to close the public hearing for Local Law #1-2016 was made by N. Friedman and seconded by M. Verenazi.

R. Lagonia: yes

G. Vogler: yes

M. Verenazi: yes

N. Friedman: yes

J. Wrightsman: yes

Motion carried 5:0.

Public Hearing closed at 6:55 p.m.

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 January 21, 2016 Town Board Meeting minutes was made by J. Wrightsman and seconded by M. Verenazi.

R. Lagonia: yes

G. Vogler: yes

M. Verenazi: yes

N. Friedman: yes

J. Wrightsman: yes

Motion carried 5:0.

Auditing of Accounts and Claims

Supervisor Lagonia advised that the budget amendment from last month was withdrawn. Once the Annual AUD Report is complete and submitted, the Town will have solid numbers for 2016, but both the General Fund and the Highway Fund are under budget.

A motion to pay General Fund, #50-80 in the amount of \$22931.72, Highway Fund, #30-42, in the amount of \$9124.35, and Capital Fund #10-17, in the amount of \$35523.44 was made by G. Vogler and seconded by J. Wrightsman.

R. Lagonia: yes

G. Vogler: yes

M. Verenazi: yes

N. Friedman: yes

J. Wrightsman: yes

Motion carried 5:0.

Reports

Monthly Cash Disbursement and Supervisor Report

Monthly Cash Disbursement for the Month of January 2016 submitted. Supervisor Lagonia noted that there has been no snowplowing, and no overtime. Bills for work at the new town hall are starting to come in. There is a balance of \$205000.00 left to use for this project by the end of the year.

Town Park: Engineer for the Town Ray Jurkowski came up and looked over the project and problems areas. Work completed to date was okayed for payment so the Town will send a check to Siena Fencing.

Matt Murell, Supervisor for the Town of Stuyvesant, is now the Chairman of the Columbia County Board of Supervisors. The Republicans are in the majority. Under the new setup, there is a different approach that is more open. Both Republicans and Democrats are on committees. Supervisor Lagonia is on the Public Safety Committee and the Economic Development Committee.

Highway Superintendent Report

Highway Superintendent Meehan reported the Highway Crew has been doing a lot of tree work due to the heavy winds. There hasn't been any winter weather to speak of, but there were some icy roads at the end of January. The truck the Town purchased from the Town of Canaan has been running good. The new truck that went in for repair was put under warranty and the Town made out well with the cost of repairs. The Highway Crew took the fuel oil tank out of new town hall and covered over the slab of concrete at the side door entrance hoping to eliminate any water getting in the basement. NYSEG set the new pole up at the park so that is ready to go when the Town Board decides to move forward with the project.

The Highway Crew will do some of the minor work needed at the new town hall in order to save money.

Town Clerk Report for the month of January 2016 submitted.

Tax Collector Report for the month of January 2016 submitted.

Planning Board Report for the month of January 2016 submitted.

Comprehensive Plan Oversight Committee Report for the month of January submitted.

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

Supervisor Lagonia advised that Code Enforcement Officer Lee Heim is now working for the Town of Copake in addition to us, and the Towns of Canaan and Hillsdale. L. Heim requested to shift some of his hours around to accommodate this. R. Lagonia will be watching to make sure this does not affect the Town of Austerlitz. There will still be 8 hours of seat time each week, but how inspections will happen outside of this is still questionable.

Town Board Member Vogler noted that there is a possibility that the Town will be paying L. Heim the same amount for less time, to which the Town Board agreed. Supervisor Lagonia will watch to see how this works because it is hard to find building inspectors.

Town Board Member Friedman questioned if Code Enforcement Officer Heim was supposed to notice illegal uses. Answer given was yes. What does L. Heim do if he finds an illegal use? Does the resident get fined or is something else done? Supervisor Lagonia advised that at some point this discussion needs to happen and a decision made on exactly what the Town Board wants Code Enforcement Officer Heim to do. Going down a certain path can really open a can of worms and the Town Board needs to be mindful of many circumstances that surround illegal uses. R. Lagonia believes being proactive is good, just not sure writing a violation is the answer. Town Board Member Vogler would like L. Heim to ride around and get a feel of exactly what is out there in order to come up with a game plan on how to handle this issue.

Supervisor Lagonia noted that there are options that a Town can embrace, and the Town Board needs to put a policy together. R. Lagonia does not think riding around looking for violations is the answer though. Member Vogler is concerned only with bonafied safety issues.

The Town Board may have a workshop for this issue.

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

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

Dog Report for the month of January 2016 submitted.

A motion to accept the above reports was made by G. Vogler and seconded by N. Friedman.

R. Lagonia: yes

G. Vogler: yes

M. Verenazi: yes

N. Friedman: yes

J. Wrightsman: yes

Motion carried 5:0.

Correspondence

None

Unfinished Business

New Town Hall: The demolition work has been completed as contracted. During the demolition several issues were found. Bids were received by Architectural Bureau for the following to correct these issues:

Robert Daloia: Dual chimneys at rear of building, remove and pile on site. \$7728.00

A motion to award the removal of chimneys to Robert Daloia for \$7728.00 was made by R. Lagonia and seconded by G. Vogler.

R. Lagonia: yes

G. Vogler: yes

M. Verenazi: yes

N. Friedman: yes

J. Wrightsman: yes

Motion carried 5:0.

Robert Daloia: Concrete slabs under plumbing fixtures and furnace, remove and pile on site \$1955.00

A motion to award the concrete slab removal to Robert Daloia for the amount of \$1995.00 was made by R. Lagonia and seconded by M. Verenazi.

R. Lagonia: yes

G. Vogler: yes

M. Verenazi: yes

N. Friedman: yes

J. Wrightsman: yes

Motion carried 5:0.

Robert Daloia: Heating system, removal of old furnace and ductwork, and placed in container \$1075.25.

A motion to award the removal of the heating system and ductwork to Robert Daloia was made by J. Wrightsman and seconded by M. Verenazi.

R. Lagonia: yes

G. Vogler: yes

M. Verenazi: yes

N. Friedman: yes

J. Wrightsman: yes

Motion carried 5:0.

Robert Daloia: Exterior chimney, remove and load onto Town truck \$1955.00

A motion to award the exterior chimney work to Robert Daloia was made by R. Lagonia and seconded by N. Friedman.

R. Lagonia: yes

G. Vogler: yes

M. Verenazi: yes

N. Friedman: yes

J. Wrightsman: yes
Motion carried 5:0.

Robert Daloia: Tin ceiling, due to the structural repair work of the trusses in the attic, the remaining ceiling will have to be removed in the meeting room, the foyer ceiling can remain. Bid priced removing the tin ceiling, plaster and attic insulation and placing the debris in the container \$7728.00

A motion to award the tin ceiling work to Robert Daloia was made by R. Lagonia and seconded by N. Friedman.

R. Lagonia: yes
G. Vogler: yes
M. Verenazi: yes
N. Friedman: yes
J. Wrightsman: yes
Motion carried 5:0.

New Electric Service, Paul Robertson: to install the new electrical service \$2990.00. Town to purchase materials directly from electrical supplier and open an account with them.

Material bids: Wolberg Electric \$3671.01
Red hook electric \$3671.78

A motion to designate Wolberg Electric to supply materials and open an account with them was made by R. Lagonia and seconded by G. Vogler.

R. Lagonia: yes
G. Vogler: yes
M. Verenazi: yes
N. Friedman: yes
J. Wrightsman: yes
Motion carried 5:0.

Supervisor Lagonia noted that Architectural Bureau advised that proceeding with the new electric service will require constructing a temporary wall inside the building. J. Iuviene will meet with Electrician Paul Robertson to review the feasibility of erecting the wall prior to installing the basement slab.

J. Iuviene is working on a full renovation bid package to submit. Morris Associates will be taking care of the mechanicals.

Town Park: Supervisor Lagonia that the top coat for the multipurpose court will be applied in Spring. Copeland will be applying the top coat. R. Jurkowski is working with J. Iuviene to redesign the proposed pavilion, as well as, power to building and electrical lighting to the Academy.

Town Board Member Nansi Friedman advised that while in NY City at the AOT Conference and Annual Meeting, she came across some very unique exercise equipment that can be used in our Town Park. N. Friedman is interested in looking into this further and getting prices because it would be a great addition to the Town Park. In addition, there is funding available that the Town could apply for.

Local Law #1-2016

Resolution #33-2016, Adoption of Local Law #1-2016

A motion to adopt Resolution #33-2016, Adoption of Local Law #1-2016 was made by R. Lagonia and seconded by G. Vogler.

R. Lagonia: yes

G. Vogler: yes

M. Verenazi: yes

N. Friedman: recused

J. Wrightsman: recused

Motion carried 3:2.

WHEREAS, Section 428-a of the Real Property Tax Law authorizes the governing body of an assessing unit that have elected to establish exemptions for qualifying veterans of the armed services of the United States for purposes of real property taxation to increase the exemption amounts from time to time as the Real Property Tax Law allows; and

WHEREAS, the Town Supervisor was recently informed by the Director of the Columbia County Real Property Tax Service Agency that the alternative veterans exemption amounts had not been amended by the Town of Austerlitz since 2007; and

WHEREAS, the Town Supervisor has accordingly informed the Town Board and it is the desire of the Town Board to correct that oversight and bring the maximum exemption amounts for alternative veterans to the level that is current with the County and the majority of municipalities within the County; and

WHEREAS, the Town Board has authority to change the exemption amounts for qualified veterans by local law and the Town Board has reviewed the proposed local law that was prepared for such purpose; and

WHEREAS, said local law was formally introduced as Local Law No. 1 of 2016 by the Town Board at its meeting held on January 21, 2016, at which time a public hearing on the local law was scheduled for February 18, 2016 and which is the subject to this resolution;

WHEREAS, it is the desire of the Town Board to extend the veteran's exemptions as set forth in the law for qualified residential property owners within the Town of Austerlitz,

NOW, THEREFORE, BE IT RESOLVED as follows:

The public hearing on proposed Local Law No. 1 of 2016 has been duly held and closed and those who wished to be heard regarding said proposed law a full and fair opportunity to be heard.

The Town Board hereby adopts Local Law No. 1 of 2016 of the Town of Austerlitz which amends Local Law No. 3 of 2007 by increasing the exemption amounts originally established under said law for veterans with wartime service, combat zone service and service-related disabilities as specified in introductory Local Law No 1 and authorized under Real Property Tax Law 458-a and said exemption increases shall apply to Town real property taxes levied by the Town of Austerlitz effective for the 2016 tax roll.

The Town Board hereby directs that the Town Clerk to prepare said Law for filing and that it be filed with the Office of the Secretary of State.

This resolution shall take effective immediately.

Local Law #1-2016, Increasing Exemption Amounts for Alternative Veterans Exemption

Section 1. Legislative Intent

a. The purpose of this local law is to increase the exemption amounts that were originally established in 2007 by the Town of Austerlitz (Local Law No. 3 of 2007) pursuant to the authorization of Real Property Tax Law section 458-a and have not been increased since that time.

b. The Town Board of the Town of Austerlitz wishes to recognize the patriotic service of those individuals who have served in the armed forces of the United States of America by providing some property tax relief through the increased exemptions as allowed by law.

Section 2. Increase of Alternative Veterans Exemption Amounts

Local Law No. 3 of 2007 of the Town of Austerlitz (as codified in Chapter 175, Article IV of the Code of the Town of Austerlitz) is hereby amended by increasing the maximum exemption allowable under Real Property Tax Law section 458-a as follows:

For wartime service, under Real Property Tax Law section 458-a, subdivision 2(a), the maximum exemption is increased from \$18,000 to \$24,000.

For combat zone service, under Real Property Tax Law section 458-a, subdivision 2(b), the maximum exemption is increased from \$12,000 to \$16,000.

For service-connected disability, under Real Property Tax Law section 458-a, subdivision 2(c), the maximum exemption is increased from \$60,000 to \$80,000.

Section 3. Severability

If any part of this Local Law shall be found invalid, such invalidity shall apply only to such part, and the remainder of this Local Law shall remain valid and effective.

Section 4. Effective Date

This local law shall take effect immediately upon filing with the Secretary of State, and shall apply to assessment rolls prepared on the basis of taxable status dates occurring on or after such date.

January Budget Amendment

Supervisor Lagonia explained that the General Fund budget amendment that was voted on and passed contingent on an explanation of needed funds has been disregarded and no transfers were made.

Tree Removal Bids

Supervisor Lagonia advised that 3 bids for the tree removal by the new town hall were received by the Architectural Bureau and forwarded to the Town for a decision today.

Everhart Tree Care LLC
23 Orchard Road
Hudson, New York
\$2800.00

Jordon Tree Service
PO Box 500
Canaan, New York 12029
\$2725.00

Justin Donges
2844 Route 9
East Chatham, New York 12060
\$4600.00

A motion to award the tree removal bid to Jordon Tree Service was made by R. Lagonia and seconded by J. Wrightsman.

R. Lagonia: yes
G. Vogler: yes
M. Verenazi: yes
N. Friedman: yes
J. Wrightsman: yes
Motion carried 5:0.

New Business

Chatham Rescue Squad Agreement

It was noted that there were some typos and a sentence that didn't make sense in sections #8 and #11. A call will be made to the Chatham Rescue Squad for a revised contract.

A motion giving Supervisor Lagonia authorization to sign the Chatham Rescue Squad Agreement pending correction of the typographical errors and clarification of the last phrase in paragraph 8 was made by N. Friedman and seconded by G. Vogler.

R. Lagonia: yes
G. Vogler: yes
M. Verenazi: yes
N. Friedman: yes
J. Wrightsman: yes
Motion carried 5:0.

Proprietors Book Contract

A motion giving Supervisor Lagonia authorization to sign the Columbia County Proprietors Book Contract was made by J. Wrightsman and seconded by M. Verenazi.

R. Lagonia: yes

G. Vogler: yes

M. Verenazi: yes

N. Friedman: yes

J. Wrightsman: yes

Motion carried 5:0.

Historical Records Contract

A motion giving Supervisor Lagonia authorization to sign the Historical Records Contract with the Austerlitz Historical Society was made by R. Lagonia and seconded by M. Verenazi.

R. Lagonia: yes

G. Vogler: yes

M. Verenazi: yes

N. Friedman: yes

J. Wrightsman: yes

Motion carried 5:0.

HJB Holdings LLC Tax Settlement

Supervisor Lagonia advised that a settlement has been reached between the Town of Austerlitz and HJB Holdings, LLC for the assessed value of tax parcel #88.-1-33.11. Supervisor Lagonia explained the background.

A motion to authorize Attorney for the Town, Joseph Catalano, to sign the stipulation between HJB Holdings LLC and the Assessor of the Town of Austerlitz and the Board of Assessment Review of the Town of Austerlitz was made by J. Wrightsman and seconded by G. Vogler.

R. Lagonia: yes

G. Vogler: yes

M. Verenazi: yes

N. Friedman: yes

J. Wrightsman: yes

Motion carried 5:0.

2016 Highway Form 284

Highway Superintendent Meehan explained the projects and what he wanted to accomplish.

Town Member Vogler noted that the level of detail in this agreement is good. Member Vogler believes that the discussion surrounding this form should be happening during budget time so that projects that need to be done are adequately funded. There are some new listings on this year's form that the Town Board was unaware of, namely Longview Drive. Highway Superintendent Meehan noted he was trying to list projects that would be able to be accomplished with the money he has to work with. Superintendent Meehan went over each project and his reasoning behind choosing that for this year. Town Board Member Vogler feels that R. Meehan's reasoning is sound. G. Vogler is desirous of creating a report that is sound and

formulating a plan to garner money needed in each year that works within the budgetary constraints and boundaries.

Member Vogler would like to have a workshop in the next few weeks. The Town Board and Highway Superintendent Meehan discussed projects in other Towns that would affect our roads, discussed County projects slated for the year, etc.

Supervisor Lagonia reiterated to the Town Board that there is a culvert replacement project on East Hill Road that still needed to be addressed. The Town Board would need to make a decision concerning how this project will be funded and the timing. Depending on this decision, this is a project that would need to be included or excluded from the Highway Form 284. Supervisor Lagonia would like to see this form tightened up and a decision made on the East Hill Road culvert replacement. Town Board Member Verenazi would like to hold off on this project for another year since our Engineer for the Town, Ray Jurkowski, advised we could. Maybe some of the C.H.I.P.s funding can be used for engineering and then next year the bulk of the project take place. R. Lagonia will reach out to R. Jurkowski for his recommendations on doing this bridge in stages.

Supervisor Lagonia put this form on hold until the March Town Board meeting after it is tightened up some and the Town Board has answers to questions.

The Town Board and Highway Superintendent Meehan discussed the purchase of a roller.

A consensus of the Town Board was to incorporate a workshop into the next Town Board meeting to discuss highway projects and funding for these projects.

Public Comments

Charles Vander Weit advised that he is familiar with Jordon Tree Services and his work is good. The Town will be amazed.

Executive Session

A motion to enter Executive Session for personnel issues was made by R. Lagonia and seconded G. Vogler.

R. Lagonia: yes

G. Vogler: yes

M. Verenazi: yes

N. Friedman: yes

J. Wrightsman: yes

Motion carried 5:0. Executive Session entered at 8:20 p.m.

A motion to exit Executive Session was made by R. Lagonia and seconded by G. Vogler.

R. Lagonia: yes

G. Vogler: yes

M. Verenazi: yes

N. Friedman: yes

J. Wrightsman: yes

Motion carried 5:0. Executive Session exited at 8:50 p.m.

Adjournment

A motion to adjourn was made by R. Lagonia and seconded by N. Friedman.

R. Lagonia: yes

G. Vogler: yes

M. Verenazi: yes

N. Friedman: yes

J. Wrightsman: yes

Motion carried 5:0. Meeting adjourned at 8:50 p.m.

Respectfully Submitted,
Susan A. Haag, Town Clerk