

Town of Austerlitz
Organizational Town Board Meeting
January 4, 2016

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

Organizational meeting called to order at 5:06 p.m.

Moment of Silence, followed by the Pledge of Allegiance.

Minutes

A motion to accept the December 17, 2015 Regular Town Board Meeting minutes was made by M. Verenazi and seconded by G. Vogler.

R. Lagonia: yes

N. Friedman: abstain

J. Wrightsman: yes

M. Verenazi: yes

G. Vogler: yes

Motion carried 4:1.

Auditing of Accounts and Claims

Supervisor Lagonia noted the Cash Disbursement Journal for December 2015 noting that the figures are not finalized due to outstanding 2015 invoices not yet received.

A motion to pay General Fund, #1-15, in the amount of \$26659.84, Highway Fund, #1-16, in the amount of \$55274.92, and Capital Fund #1-2, in the amount of \$356.20 was made by G. Vogler and seconded by N. Friedman.

R. Lagonia: yes

J. Wrightsman: yes

G. Vogler: yes

M. Verenazi: yes

N. Friedman: yes

Motion carried 5:0.

2016 Organizational Resolutions

RESOLUTIONS 1-2016

Be it resolved that the Town Board hereby appoints Joseph Catalano as Attorney for the Town for a term beginning January 1, 2016 and ending December 31, 2016 on a time and materials basis at a rate of \$150 per hour.

A motion to adopt Resolution 1-2016 was made by G. Vogler, and seconded by M. Verenazi, and a poll vote was taken as follows:

R. Lagonia: yes

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

RESOLUTION 2-2016

Be it resolved that Kinderhook Bank is hereby designated as the primary official depository for all town funds for the year 2016 and other secondary financial institutions for investment purposes may be chosen at the discretion of the Supervisor. The Town Supervisor and the Deputy Supervisor will be designated as signatories for Supervisor's Accounts.

A motion to adopt Resolution 2-2016 was made by N. Friedman, and seconded by J. Wrightsman, and a poll vote was taken as follows:

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

RESOLUTION 3-2016

Be it resolved that the Register Star newspaper, having circulation in the Town of Austerlitz, is hereby designated as the official newspaper of the Town of Austerlitz for the year 2016.

A motion to adopt Resolution 3-2016 was made by J. Wrightsman, and seconded by G. Vogler, and a poll vote was taken as follows:

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

RESOLUTION 4-2016

Be it resolved that the Town Board hereby appoints the Town Supervisor, Robert Lagonia, 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.

A motion to adopt Resolution 4-2016 was made by N. Friedman, and seconded by M. Verenazi, and a poll vote was taken as follows:

R. Lagonia: yes
J. Wrightsman: yes
G. Vogler: yes

M. Verenazi: yes
N. Friedman: yes
Motion carried 5:0.

RESOLUTION 5-2016

Be it resolved that after the audit of properly submitted claims to the Supervisor, the Supervisor, the Town Clerk/Tax Collector, Assessor, Justices, Justice's Clerk, Councilpersons, Planning Board, Assessor's Clerk, Zoning Board of Appeals, Animal Control Officer and Code Enforcement Officer, may request mileage and tolls 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 Officer, Assessor, and Animal Control Officer, mileage shall not be paid for normal travel within the Town of Austerlitz in ordinary performances of duties of the office held or for the travel to and from meetings of the Town Board, Planning Board, Zoning Board of Appeals or committees thereof. Daily automotive log must be submitted with vouchers and substantiated.

A motion to adopt Resolution 5-2016 was made by M. Verenazi and seconded by J. Wrightsman, and a poll vote was taken as follows:

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

RESOLUTION 6-2016

Be it resolved that the Superintendent of Highways is authorized to advertise for sealed bids for the furnishing of road materials and highway supplies, including but not limited to calcium chloride, culvert pipe, sand, gravel, shale, salt, crushed stone, fuel oil, diesel fuel, and gasoline, that may be required for the year 2016. 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 shall be made in accordance with the Town Procurement Policy.

A motion to adopt Resolution 6-2016 was made by G. Vogler, and seconded by M. Verenazi, and a poll vote was taken as follows:

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

RESOLUTION 7-2016

Be it resolved that the Town Board of the Town of Austerlitz shall meet on the third Thursday of each month for its regular monthly meetings and said Board meetings will be commenced at 7:00 p.m. and held at the Town Hall, 812 Route 203, Spencertown, NY, and

Be it further resolved that the regular monthly meetings of the Town of Austerlitz Planning Board are hereby designated to be held on the first Thursday of each month in 2016; the Zoning Board of Appeals regular monthly meetings are hereby designated to be held on the second Thursday of each month in 2016; the Comprehensive Plan Oversight Committee regular monthly meetings are hereby designated to be held on the third Monday of each month in 2016; with all meetings to be held at the Town Hall, 812 Route 203, Spencertown, NY and commence at 7:00 p.m.

A motion to adopt Resolution 7-2016 was made by N. Friedman, and seconded by J. Wrightsman, and a poll vote was taken as follows:

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

RESOLUTION 8-2016

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 Resolution 8-2016 was made by G. Vogler, and seconded by M. Verenazi, and a poll vote was taken as follows:

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

RESOLUTION 9-2016

Be it resolved that the Town Board hereby affirms the following Planning Board members with term dates expiring December 31st of each respected year and hereby appoints Deborah Lans to a term ending December 31, 2020:

Susan Geel: 2016,
Marie Meehan: 2017,
James Engel: 2018,
Richard Madonia: 2019

A motion to adopt Resolution 9-2016 was made by J. Wrightsman, and seconded by N. Friedman, and a poll vote was taken as follows:

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

RESOLUTION 10-2016

Be it resolved that James Engel, a member of the Planning Board, is hereby designated as Chairman of the Town of Austerlitz Planning Board for the 2016 year.

A motion to adopt Resolution 10-2016 was made by N. Friedman, and seconded by G. Vogler, and a poll vote was taken as follows:

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

RESOLUTION 11-2016

Be it resolved that the Town Board hereby re-appoints to the Comprehensive Plan Oversight Committee the following members with term dates expiring December 31, 2016:

Barbara Smith,
Edwin Barden,
Timothy Stalker,
Constance Mondel.

A motion to adopt Resolution 11-2016 was made by J. Wrightsman, and seconded by M. Verenazi, and a poll vote was taken as follows:

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

RESOLUTION 12-2016

Be it resolved that Timothy Stalker, a member of the Comprehensive Plan Oversight Committee, is hereby designated as Chairman of the Town of Austerlitz Comprehensive Plan Oversight Committee for the 2016 year.

A motion to adopt Resolution 12-2016 was made by G. Vogler, and seconded by M. Verenazi, and a poll vote was taken as follows:

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

RESOLUTION 13-2016

Be it resolved that the Town Board hereby affirms the following Zoning Board of Appeals members with term dates expiring as of December 31st of each respected year and hereby appoints Penny Rubin to a term ending December 31, 2020:

Michael Fabiano: 2016,
William Simmons: 2017,
Nancy Kern: 2018,
Karl Gabosh: 2019

A motion to adopt Resolution 13-2016 was made by N. Friedman, and seconded by M. Verenazi, and a poll vote was taken as follows:

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

RESOLUTION 14-2016

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, for the 2016 year.

A motion to adopt Resolution 14-2016 was made by N. Friedman, and seconded by G. Verenazi, and a poll vote was taken as follows:

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

RESOLUTION 15-2016

Be it resolved that the 2016 salaries for the following elected officials and appointees, and the schedule of payment of such salaries, shall be as follows:

Supervisor	\$ 7217.00 per year payable monthly
Budget Officer	\$ 2500.00 per year payable monthly

Councilpersons (4 each)	\$ 2317.50 per year payable monthly
Town Clerk/Tax Collector	\$ 28184.00 per year payable bi-weekly
Registrar of Vital Stats	\$ 450.00 per year payable annually
Deputy Town Clerk	\$ 10.00 per hour payable biweekly
Superintendent of Highways	\$ 51495.00 per year payable bi-weekly
Highway Superintendent Clerk	\$ 15.67 per hour payable bi-weekly
Justices (2 each)	\$ 11255.00 per year payable monthly
Justice's Clerk	\$ 9500.00 per year payable monthly
Justice's Deputy Clerk	\$ 10.00 per hour payable monthly
Town Assessor	\$ 20041.00 per year payable monthly
Code Enforcement Officer	\$ 13777.00 per year payable monthly
Historian	\$ 1850.00 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	\$ 2101.00 per year payable monthly
Clerk/Typist (Blding Insp/Plan Bd/ZBA)	\$ 15.67 per hour payable bi-weekly
Custodian	\$ 2184.84 per year payable bi-weekly

A motion to adopt Resolution 15-2016 was made by G. Vogler, and seconded by M. Verenazi, and a poll vote was taken as follows:

R. Lagonia: yes

J. Wrightsman: yes

G. Vogler: yes

M. Verenazi: yes

N. Friedman: yes

Motion carried 5:0.

RESOLUTION 16-2016

Be it resolved that the wage scale and fringe benefits for highway employees for the 2016 year shall be as follows:

1. Wages: Wages shall be increased by 3.0% over the wages received by said current Highway employees in the year 2016 and the starting salary for new Motor Equipment Operators (MEO) (all current Highway employees are MEO's) shall be \$13.50 per hour;

2. Full-time/part-time/seasonal employee defined: (a) a full-time employee is a Town employee that, for a calendar month, is employed on average at least 30 hours of service per week or 130 hours of service per month; (b) a part-time employee is a Town employee that for a calendar month, is employed on average less than 30 hours of service per week or less than 130 hours of service per month; (c) a seasonal employee is an employee hired by the Town to work for the Town on a temporary basis only during the winter season or summer season - said employee shall be considered part-time no matter how many hours of service per week or per month so long as such term of service is no more than 16 consecutive weeks and there are 26 consecutive weeks of non-service between the end of one year's seasonal work and the beginning of the next year's seasonal work;

3. Vacation: (i) upon completion of one year full-time employment, Highway employee shall be entitled to five (5) days of paid vacation; (ii) upon completion of two years full-time employment, Highway employee shall be entitled to ten (10) days of paid vacation; (iii) upon completion of seven years full-time employment, Highway employee shall be entitled to fifteen (15) days of paid vacation; (iv) upon completion of full-time employment in excess of seven years, Highway employee shall be entitled to one (1) additional day of paid vacation for every additional year of full-time employment up to five (5) additional days; (v) the maximum paid vacation days for any Highway employee per the previous schedule shall be twenty (20); (vi) up to five (5) days of unused vacation time may be carried over to the following year of employment to be utilized as sick days but must be used by June 1st of the carry-over year; (vii) all vacation time must be approved by the Highway Superintendent; (viii) for the use of any vacation time of over two (2) days, all employees must submit a written request to the Highway Superintendent for vacation days at least thirty (30) days prior and the Highway Superintendent must approve or disapprove the request within two (2) weeks after submission of the request;

4. Paid Holidays: Highway employees shall be entitled to the following paid holidays for 2016: New Years Day, Martin Luther King Day, President's Day, Memorial Day, Independence Day, Labor Day, Columbus Day, Veterans Day, Thanksgiving Day, Christmas Day; said holidays will be paid only if the employee works the day immediately prior to and after such holiday or holiday weekend unless they are on a previously approved vacation or personal day or have a sick day with doctor's note;

5. Sick days: Each current full-time employee is entitled to five (5) paid sick days per year; sick days may accumulate and carry over from year to year up to a maximum of 80 days.; and any employee seeking paid sick days in excess of three (3) days requires a doctor's note indicating that the employee was sick during the days off for such days to be considered sick days, without a doctor's note for a request of more than 3 sick days, such days shall either not be paid or personal days will be charged per the employee's preference;

6. Personal days: Each full-time employee is entitled to a maximum of five (5) personal days per year; said personal days cannot be carried over from year to year and must be utilized in the current year or will be waived; notice must be given to the Highway Superintendent at least the day before a personal day is taken in order to be paid;

7. Bereavement: Each full-time employee is entitled to three (3) days paid for immediate family members (parents, siblings, children, grandparents);

8. Medical Insurance: The Town will pay 100% of individual or family coverage for current full-time Highway employees for the 2016 year only. Any current full-time employee who elects not to participate in the Town's health insurance shall be entitled to receive \$2,000 at the end of the year provided such employee has worked full-time for the entire year.

9. Retirement: Mandatory enrollment shall be made for all full-time employees with the Town contribution set by the State; part-time employees will have the option for enrollment but the Town shall not make any contribution;

10. Clothing Allowance: Full-time employees shall have a clothing allowance for 2016 at a maximum of \$300 for the purchase of apparel, gloves, boots, used on the Highway job, provided receipts are submitted for same.

11. Emergency call outs will be paid on a 4 hour minimum overtime rate. All call outs shall include a minimum of two (2) employees for safety reasons.

A motion to adopt Resolution 16-2016 was made by G. Vogler, and seconded by N. Friedman, and a poll vote was taken as follows:

R. Lagonia: yes

J. Wrightsman: yes

G. Vogler: yes

M. Verenazi: yes

N. Friedman: yes

Motion carried 5:0.

RESOLUTION 17-2016

Be it resolved that the Supervisor is authorized to pay certain regularly occurring invoices, such as utility, telephone, health insurance premiums, postage and Town Visa credit card, without prior audit, and said audit to occur at the next regular Town Board meeting.

A motion to adopt Resolution 17-2016 was made by N. Friedman, and seconded by J. Wrightsman, and a poll vote was taken as follows:

R. Lagonia: yes

J. Wrightsman: yes

G. Vogler: yes

M. Verenazi: yes

N. Friedman: yes

Motion carried 5:0.

RESOLUTION 18-2016

Be it resolved that the Town Clerk is hereby appointed to the position of Records Access Officer for a term beginning January 1, 2016 and ending December 31, 2016.

A motion to adopt Resolution 18-2016 was made by G. Vogler, and seconded by N. Friedman, and a poll vote was taken as follows:

R. Lagonia: yes

J. Wrightsman: yes

G. Vogler: yes

M. Verenazi: yes

N. Friedman: yes

Motion carried 5:0.

RESOLUTION 19-2016

Be it resolved that all diesel fuel, heating oil, and furnace maintenance will be purchased under state and/or county contract for the period of January 1, 2016 and ending December 31, 2016 unless such products and services are subject to competitive bidding.

A motion to adopt Resolution 19-2016 was made by M. Verenazi, and seconded by J. Wrightsman, and a poll vote was taken as follows:

R. Lagonia: yes

J. Wrightsman: yes

G. Vogler: yes

M. Verenazi: yes

N. Friedman: yes

Motion carried 5:0.

RESOLUTION 20-2016

Be it resolved that the Town Board of the Town of Austerlitz hereby authorizes attendance for schooling and annual conferences for officials and/or employees of the Town. Be it further resolved that the Town Board hereby authorizes the payment of said officials or employees' actual and necessary expenses incurred at each school or conference in so much as said expenses have been included in the annual budget and if meals are not included in the price of such school or conference a per diem meal allowance not to exceed \$40 per day will be provided upon submission of receipts. If an official or employee resigns within 3 months of attendance of such school or conference, said official or employee shall reimburse the Town 75% of the cost of attendance of such school or conference and if resignation occurs within 6 months of such attendance, reimbursement shall be up to 50% of the cost of attendance.

A motion to adopt Resolution 20-2016 was made by G. Vogler, and seconded by M. Verenazi, and a poll vote was taken as follows:

R. Lagonia: yes

J. Wrightsman: yes

G. Vogler: yes

M. Verenazi: yes

N. Friedman: yes

Motion carried 5:0.

RESOLUTION 21-2016

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, 2016 and ending December 31, 2016.

A motion to adopt Resolution 21-2016 was made by J. Wrightsman, and seconded by M. Verenazi, and a poll vote was taken as follows:

R. Lagonia: yes

J. Wrightsman: yes

G. Vogler: yes

M. Verenazi: yes

N. Friedman: yes

Motion carried 5:0.

RESOLUTION 22-2016

Be it resolved that the Town Board of the Town of Austerlitz hereby appoints Mary Davis as a clerk/typist for the Planning Board, Code Enforcement, and the Zoning Board of Appeals beginning January 1, 2016 and ending December 31, 2016.

A motion to adopt Resolution 22-2016 was made by N. Friedman, and seconded by J. Wrightsman, and a poll vote was taken as follows:

R. Lagonia: yes

J. Wrightsman: yes

G. Vogler: yes

M. Verenazi: yes

N. Friedman: yes

Motion carried 5:0.

RESOLUTION 23-2016

Be it resolved that the Town Board of the Town of Austerlitz hereby appoints Constance Mondel as minute taker for the Planning Board, Zoning Board of Appeals and, at the absence of the Town Clerk, for the Town Board for the 2016 year. Rate of pay will be \$50.00 per meeting.

A motion to adopt Resolution 23-2016 was made by N. Friedman, and seconded by M. Verenazi, and a poll vote was taken as follows:

R. Lagonia: yes

J. Wrightsman: yes

G. Vogler: yes

M. Verenazi: yes

N. Friedman: yes

Motion carried 5:0.

RESOLUTION 24-2016

Be it resolved that the Town Board hereby appoints Furlano and Arace P.C. as Accountant for the Town to perform accounting services and Adirondack Payroll Services beginning January 1, 2016 and ending December 31, 2016.

A motion to adopt Resolution 24-2016 was made by G. Vogler, and seconded by M. Verenazi, and a poll vote was taken as follows:

R. Lagonia: yes

J. Wrightsman: yes

G. Vogler: yes

M. Verenazi: yes

N. Friedman: yes

Motion carried 5:0.

RESOLUTION 25-2016

Be it resolved that the Town Board will retain an engineer or engineering firm from time to time to provide engineering services for specific Town projects as authorized by the Town Board beginning January 1, 2016 and ending December 31, 2016.

A motion to adopt Resolution 25-2016 was made by J. Wrightsman, and seconded by N. Friedman, and a poll vote was taken as follows:

R. Lagonia: yes

J. Wrightsman: yes

G. Vogler: yes

M. Verenazi: yes

N. Friedman: yes

Motion carried 5:0.

RESOLUTION 26-2016

Be it resolved that the Town Board 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, 2016 and ending December 31, 2016.

A motion to adopt Resolution 26-2016 was made by M. Verenazi, and seconded by G. Vogler, and a poll vote was taken as follows:

R. Lagonia: yes

J. Wrightsman: yes

G. Vogler: yes

M. Verenazi: yes

N. Friedman: yes

Motion carried 5:0.

RESOLUTION 27-2016

Be it resolved that the Town Board hereby appoints Lee Heim, as the Code Enforcement Officer, beginning January 1, 2016 and ending December 31, 2016 to perform building and code enforcement services as set forth in the shared services contract, dated July 28, 2010, as amended and re-authorized by the Town Board between the Town of Austerlitz, and the Towns of Canaan and Hillsdale.

A motion to adopt Resolution 27-2016 was made by G. Vogler, and seconded by J. Wrightsman, and a poll vote was taken as follows:

R. Lagonia: yes

J. Wrightsman: yes

G. Vogler: yes

M. Verenazi: yes

N. Friedman: yes

Motion carried 5:0.

RESOLUTION 28-2016

Be it Resolved that the Town Board hereby designates Town Board Member Greg Vogler, to be the Town's voting delegate for the 2016 Annual Meeting of the Association of Towns to be held in February in New York City.

A motion to adopt Resolution 28-2016 was made by N. Friedman, and seconded by M. Verenazi, and a poll vote was taken as follows:

R. Lagonia: yes

J. Wrightsman: yes

G. Vogler: abstain

M. Verenazi: yes

N. Friedman: yes

Motion carried 4:1.

Resolution 29-2016:

Be it resolved that the Highway Superintendent shall present the section 284 Highway Agreement to the Town Board for review and approval no later than the February 18, 2016, regular Town Board meeting.

A motion to adopt Resolution 29-2016 was made by N. Friedman, and seconded by M. Verenazi, and a poll vote was taken as follows:

R. Lagonia: yes

J. Wrightsman: yes

G. Vogler: yes

M. Verenazi: yes

N. Friedman: yes

Motion carried 5:0.

RESOLUTION 30-2016

The Town Board hereby consents and authorizes the following Department Head appointments as follows:

Supervisors Appointments

The Supervisor hereby appoints Greg Vogler to serve as Deputy Supervisor without pay for a period of one year beginning January 1, 2016 and ending December 31, 2016. In the position of Deputy Supervisor, Greg Vogler can act as Supervisor when the incumbent Supervisor is unreachable, unavailable or not capable of performing the duties of Supervisor. Be it noted that said Deputy Supervisor can attend Columbia County Board of Supervisors meetings in the absence of the Supervisor or as his designee but does not have voting power on Columbia County affairs.

Town Historian

The Supervisor hereby appoints Tom Moreland, as Town Historian, beginning January 1, 2016 and ending December 31, 2016.

Highway Superintendent Appointment

The Highway Superintendent hereby appoints Shawn Williams to serve as Deputy Highway Superintendent without additional pay beginning January 1, 2016 and ending December 31, 2016. In the position of Deputy Supervisor, Shawn Williams can act as Highway Superintendent

when the incumbent Highway Superintendent is unavailable or not capable of performing the duties of Highway Superintendent.

The Highway Superintendent hereby appoints Mary Davis as highway clerk for the Highway Superintendent beginning January 1, 2016 and ending December 31, 2016.

Court Clerk Appointment

The Town Justices hereby appoints Carol Wilber, as Court Clerk beginning January 1, 2016 and ending December 31, 2016.

A motion to adopt Resolution 30-2016 was made by N. Friedman, and seconded by M. Verenazi, and a poll vote was taken as follows:

R. Lagonia: yes

J. Wrightsman: yes

G. Vogler: yes

M. Verenazi: yes

N. Friedman: yes

Motion carried 5:0.

RESOLUTION 31-2016

The Town Board hereby approves, ratifies and adopts the Town Policies 1 through 14 as annexed hereto and made a part hereof to be effective immediately and to remain in effect unless otherwise amended or rescinded by the Town Board.

A motion to adopt Resolution 31-2016 was made by G. Vogler, and seconded by J. Wrightsman, with change in policy #3 adding the word 'administrative' and a poll vote was taken as follows:

R. Lagonia: yes

J. Wrightsman: yes

G. Vogler: yes

M. Verenazi: yes

N. Friedman: yes

Motion carried 5:0.

2016 Policies

Attorney for the Town, Joseph Catalano, noted that for the most part the policies have not changed. Some were cleaned up, changes were noted. The Town Board requested that in policy #3, Computer Policy, the word, 'administrative' be added before, passwords.

Supervisor Lagonia noted that he is beginning to work on an employee handbook.

1. Cellular Phone/Phone Card/Telephone/Fax Policy

Cellular Phones for Town officials and employees are issued only through the specific authorization of the Town Board of the Town of Austerlitz. All Town Cellular Phones/Telephones/Fax shall be used only for municipal purposes. Usage will be monitored monthly.

2. Gas Card/Credit Card Policy

Gas Cards and Credit Cards are issued to Town officials and employees only through the specific authorization 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.

3. 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. All Town computer programs and accounts shall be password protected and all administrative passwords shall be registered with the Town Clerk. Any loss of computer data, computer breach, or computer malfunction shall be reported to the Town Supervisor and Town Clerk as soon as possible and in no event longer than 24 hours.

4. INFORMATION BREACH POLICY

As soon as any Town official, employee or contractor is aware of a breach of the Town's database where private information of individuals was, or is reasonably believed to have been, acquired by a person without valid authorization, he or she shall notify the Town Supervisor or Town Clerk immediately.

If it is discovered that there is a breach of the Town's database where private information of individuals was, or is reasonably believed to have been, acquired by a person without valid authorization, the Town shall, as soon as possible, notify those individuals whose information was or may have been acquired providing the details of the breach and the information that was or may have been compromised.

The Town shall consult with and utilize the resources of local, county or State law enforcement agencies and the New York State Office of Technology Services as is needed or appropriate.

5. Smoking on Town Property Policy

There shall be no smoking in Town buildings or on Town property including, but not limited to, the Town Park, Town Highway Garage and the Town Hall properties.

6. 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. It is understood by the Town Board that the Town operates on relatively small annual budget so that generally there is not a large amount of funds available for investment opportunities other than low yield short-term types of investments such as savings accounts, certificates of deposits, and similar types of

interest generating investments afforded by banking institutions. Thus, the scope of this policy shall be limited to such types of investment opportunities and shall, on the whole be simple and safe methods of obtaining modest yields.

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 procedures for the operation of the investment program consistent with these investment guidelines. Such procedures shall include periodic reporting to the Town Board of investment actions and results.

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 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 a reasonable time period or that which is 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	\$ 100,000.00	Court
National Union Bank of Kinderhook	\$2,000,000.00	Supervisor

Collateralizing of Deposits

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 In accordance with the provisions of General Municipal Law section 10.

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.

Permitted Investments

As authorized by General Municipal Law, section 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 s24.00 (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, s109-b;
- Obligations of this local government, but only with any moneys in a reserve fund established pursuant to GML, s6-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.

Financial Institutions

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 not be utilized.

7. Procurement Policy

Guideline 1: Every prospective purchase of goods or services shall be evaluated to determine the applicability of GML, section 103. Every Town officer, board, department head or other personnel with the requisite purchasing authority (hereinafter "Purchaser") 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 \$20,000 in the fiscal year or b) public works contracts over \$35,000 shall be formally bid pursuant to GML, s103.

Guideline 3: All estimated purchases of:

Less than \$20,000 but greater than \$10,000 require a written request for a proposal (RFP) and written/fax quotes from a minimum of three vendors.

Less than \$10,000 but greater than \$2,500 require an oral request for the goods and oral/fax quotes from a minimum of two vendors.

Less than \$2,500 are left to discretion of the Purchaser.

All estimated public works contracts of:

Less than \$35,000 but greater than \$10,000 require a written RFP and fax/proposals from a minimum of three contractors and approval of the Town Board.

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

Less than \$3,000 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 pursuant to the General Municipal Law.

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 by the Town Board from time to time as may be appropriate.

8. Guidelines 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 Town 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.

Accordingly, the following set of policies and procedures which are based on widely accepted rules of parliamentary procedure are established as guidelines for 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 shall conduct each regular meeting of the Town Board and such regular meetings shall 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, if any;
- consideration of outstanding old business;
- consideration of new business;
- adjournment.

This order of business may be revised at any meeting at the discretion of the Supervisor or 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.

In debate of motions and resolutions all Town Board members shall have an opportunity to speak on the subject. The Supervisor may close debate on any motion or resolution and call for a vote after members have had a reasonable and fair opportunity to speak.

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 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.

9. Guidelines for Public HEARINGS 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.

A sign-in sheet will be available at the entrance to the meeting room 30 minutes prior to the official start time of the hearing. Anyone wishing to comment 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 comment during the hearing who has not signed-in before the hearing is opened 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 hearing 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.

The Supervisor or Town Board may set a time limit for public comments in order to manage the length of the public hearing so long as the time limit provides a reasonable opportunity for participants to be heard.

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.

10. Guidelines 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.

At the direction of the Town Board, the Town Clerk may post a notice of the position(s) available 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 Town Board will review the qualifications of all candidates including a personal interview if appropriate.

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

The Town Board will be guided by the following policies.

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.

11. 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, gestures, photographs or other materials, or digital communications
- 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.

12. WORKPLACE VIOLENCE AND HARASSMENT PREVENTION PROGRAM and Policy

Purpose

It is the intent of the Town of Austerlitz that threats, threatening behavior, any form of harassment and any 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, threat of violence, or harassment, 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.

Definitions

Violence in the workplace may include, but not be limited to, the following:

- The use of physical force with the intent to cause harm.
- Acts or threats in any form or manner, which are intended to intimidate, harass, 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, harassing, 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 Guidelines

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 his or her department head of any threats or incidents of violence or harassment that they have witnessed or received. If it is not practical or appropriate to notify the Department Head, the employee should contact the Town Supervisor, Deputy Supervisor, Town Board member, or Town Clerk. The Department Head or any official who first hears of a complaint or report of threat or incident of violence or harassment shall notify the Town Supervisor as soon as possible and shall provide a full report to the Supervisor and the Town Board within 24 hours of receipt of the complaint or report.

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 Town Board, 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 Supervisor, after consulting with the Town Board, or the Town Board shall decide on the appropriate disciplinary action, if necessary.

Discipline

Workplace altercations, including those involving only verbal exchanges, justify appropriate corrective action. The Town Supervisor or Town Board should be consulted for guidance where appropriate.

Training

Town officials and employees may receive training on methods on defusing hostile situations.

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.

13. FIREARMS AND DANGEROUS WEAPONS POLICY

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.

In order for any official or employee of The Town of Austerlitz to carry a firearm or dangerous weapon when on Town property, in Town vehicles, or while conducting Town business must have prior specific written approval of the Town of Austerlitz Board and such approval shall be granted at the discretion of the Town Board only after receiving proof that the individual has a proper New York State license or permit, if applicable, to carry the weapon in question.

Definitions:

Dangerous Weapons: includes, but not limited to, any firearms, explosive devices or materials, and knives 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.

14. Equipment Use Policy

All property, equipment, accounts, materials, and supplies owned by the Town of Austerlitz, including but not limited to, computers, Internet access, email accounts, fax lines, phones, and motorized or mechanical equipment, shall be used for Town of Austerlitz municipal purposes only. The use of all Town equipment or electronic capability may be subject at any time upon order of the Supervisor or Town Board to an audit. Furthermore, the use of personally owned motorized and mechanical equipment shall not be used for municipal purposes without the written approval of the Town Supervisor and only after appropriate insurance has been obtained.

Required Schooling

Town Clerk Susan Haag gave the Town Board a listing of required schooling by each Town Official for the 2015 year. The Town Board discussed the concern that most of the members of the Planning Board and ZBA have not fulfilled their mandated training. The Town Board consensus was to have Attorney for the Town, Joseph Catalano, do training an hour before Planning Board Meetings to make it easier for members to attend and complete the requirements.

Contracts

Town Clerk Susan Haag gave the Town Board a listing of current contracts.

Updates

Code Enforcement

Code Enforcement Officer, Lee Heim, presented 2 areas that he believes changes should be made in our current building permit codes. This was tabled.

Historical Records

Archivist James Corsaro submitted a report on the inventory of Historical records. This was tabled.

Executive Session

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

R. Lagonia: yes

J. Wrightsman: yes

G. Vogler: yes

M. Verenazi: yes

N. Friedman: yes

Motion carried 5:0. Executive Session entered at 6:15 p.m.

A motion to exit Executive Session was made by R. Lagonia and seconded by M. Verenazi.

R. Lagonia: yes

J. Wrightsman: yes

G. Vogler: yes

M. Verenazi: yes

N. Friedman: yes

Motion carried 5:0. Executive Session exited at 6:56 p.m.

Adjournment

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

R. Lagonia: yes

J. Wrightsman: yes

G. Vogler: yes

M. Verenazi: yes

N. Friedman: yes

Motion carried 5:0. Meeting adjourned at 7:57 p.m.

Respectfully Submitted,
Susan A. Haag, Town Clerk