

Town of Austerlitz
Town Board Meeting
May 19, 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.

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

Moment of Silence, followed by the Pledge of Allegiance.

Minutes

A motion to accept the April 21, 2016 Town Board Meeting minutes 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.

Auditing of Accounts and Claims

A motion to pay General Fund, #136-168, in the amount of \$32532.46, Highway Fund, #79-98, in the amount of \$10915.17, and Capital Fund #25-30, in the amount of \$58659.30 was made by N. Friedman 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 April 2016 submitted. Supervisor Lagonia noted the balances in each account and advised the Town Board that an additional account has been opened for the Bryarcliffe tax money. Line items are tracking as budgeted and the latest sales tax check is in.

Supervisor's Report: The Town Park courts have been completed and are ready for use. There have been some instances of vandalism at the Town Park. The kids have also been using the courts for skateboarding, but the parents have been spoken too concerning this. Garbage cans need to be placed, heavy duty ones are preferred. Highway Superintendent Meehan will get choices and pricing. Town Board consensus was to go ahead and purchase what is best.

Recreation Program: Supervisor Lagonia has spoken to Michael Johnston concerning the pricing for bussing. The price went up this year by \$500.00. After discussion with M. Johnston, the price will be held for this year, but will increase next year.

Discussion on the Summer Recreation Program registration costs. It was noted that as the cost to run this program increases, so too will the cost to attend need to be increased. When the price was raised a couple of years ago, many nonresidents found other options. Supervisor Lagonia and Town Board Member Vogler believe that the current fees are by far very low. The fee structure can be discussed next year.

Town Park Ballfield: Tom Newton emailed Supervisor Lagonia asking that the Town purchase brick dust to place on the ballfield at the Town Park. Little league teams are using this area and brick dust prevents the infield from getting muddy and is easier to maintain. Several quotes were given verbally to various people. Schodack Septic Service is the lowest price in the area. Consensus of the Town Board was to purchase brick dust from Schodack Septic Service. Highway Superintendent Meehan can haul it if need be.

Town Justice Court: The Court audit will take place on Monday, May 23 and will be done by Accountant for the Town, Nelson Furlano. Supervisor Lagonia advised that Justice Grubin asked to postpone the Court discussion concerning increasing the budget to accommodate additional staffing and higher salaries until the June meeting.

New Town Hall: Supervisor Lagonia showed the Town Board the rotten beam that was exposed when the building was gutted. This beam had to be replaced.

Town Electrician: Supervisor Lagonia conferred with Attorney for the Town, Joe Catalano, concerning whether or not a Town can hire a 'Town Electrician.' Attorney Catalano advised through email that for several reasons a Town should not hire an electrician on staff: no steady work hours, as a Town employee the Town would be liable for all work, and having someone on staff may be seen as trying to avoid the prevailing wage and procurement requirements. It is best to follow the procurement policy adopted using set up procedures and thresholds.

Sign for Town Park: The Town Board discussed that the current signage at the Town Park needs to be updated. Discussion centered on exactly what the new signs should say. Town Board Member Friedman will put together some options and get those back to the Town Board for consideration.

BAR Appointment Follow-Up: Supervisor Lagonia advised that Scott Sylvester was appointed as the Board of Assessment Review Member and attended the required classes. S. Sylvester is ready and available for Grievance Day.

Highway Superintendent Report

Highway Superintendent Meehan reported that calcium is being put down. Some grading work and culvert work being done. The County will be onsite May 20th to inspect the Town Park for use for the Town's Summer Recreation Program. The Highway Crew has been busy working to make sure the area passes inspection.

Town Board Member Verenazi questioned when the guardrails will be put up on Harvey Mountain. Superintendent Meehan advised that they are ordered and he hopes to have them installed by the next Town Board Meeting.

In addition, Highway Superintendent Meehan stated that pipe has been taken to the County and several shrubs have been taken from on the Green.

Town Board Member Vogler advised that work continues to be done on the current road law. After Attorney Catalano has looked it over, it will be given to R. Meehan for comment.

Town Board Member Wrightsman reminded the Town Board and Highway Superintendent Meehan that there still needs to be a training session on the new personnel manual.

Town Clerk Report for the month of April 2016 submitted.

Tax Collector Report for the month of April 2016 submitted. Town Clerk Haag noted that the Tax records will be returned to the County in June.

Planning Board Report for the month of April 2016 submitted.

Comprehensive Plan Oversight Committee Report for the months of April and May submitted. Member Vogler is interested in attending the training session on solar energy.

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

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

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

Dog Report for the month of April 2016 submitted.

A motion to accept the above reports was made by G. Vogler and seconded by M. Verenazi.

R. Lagonia: yes

G. Vogler: yes

M. Verenazi: yes

N. Friedman: yes

J. Wrightsman: yes

Motion carried 5:0.

Correspondence

NYS Department of Ag and Markets: Dog Control Officer Inspection Report Found Satisfactory.

Unfinished Business

New Town Hall: The roof replacement has been completed. Joe Iuviene is in the process of getting the full bid package completed and out. Jack Shear noted that he would prefer that the bricks stay on the new foundation, that the stain glass above the windows stay, although the

bottom section can change if it looks like the original. Marvin windows can accommodate both of these desires. Funding for this project was discussed noting that monies will be distributed in October for the 2016 year from the Ellsworth Kelly Foundation. Hopefully additional monies will be available as well in the future. The bid package release should be timed around this funding.

Supervisor Lagonia spoke with J. Iuviene concerning his fees on this project. Supervisor Lagonia has nothing but great things to say about J. Iuviene and his work. J. Iuviene is professional, and responsive, but the Town needs budget numbers for the new Town Hall project going forward because the money spent is mounting because of all the problems along the way. No RFP is needed for architectural services because it is considered professional services. A breakdown of cost will be coming from J. Iuviene.

Supervisor Lagonia advised that the Town will have roughly \$50000.00-75000.00 left for the next phase.

Town Park: The Town of Austerlitz received one bid for the Park Asphalt Installation Project from One Way Construction Services Inc.

One Way Construction Services Inc.

Base Bid: Pavilion Construction, including asphalt and Concrete surfaces with demolition of existing pavilion and rough grading to be done by the Town of Austerlitz: \$137806.00.

Add Alternative #1: Installation of tongue and groove ceiling instead of plywood: \$4742.00

Add Alternate #2: New electrical service to pavilion and electric for the pavilion with trenching and backfill for the conduit to be done by the Town of Austerlitz: \$17135.00.

Add Alternate #3: Site lighting, conduit and wiring with trenching and backfill for conduit and light pole bases to be done by the Town of Austerlitz, bases by contractor: \$19608.00.

Supervisor Lagonia believes there was some miscommunication concerning the bid process as to whether or not it was bid in pieces or all together.

Supervisor Lagonia suggests rejecting the bid and rebidding with a clearer bid package. Single package for the pavilion. Morris Associates is working on this.

A motion to reject the bid from One Way Construction Services Inc. 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.

A motion to rebid the pavilion project only at this time understanding the electrician will be bid at a later date and the Highway Department will do the prep site work 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.

Adult Exercise Equipment: Supervisor Lagonia noted that once the pavilion is completed and the electricity in, if there is any money left the Town can put it towards this equipment. Good idea to keep on the table. Town Board Members Friedman and Vogler will work on a recommendation to the Town Board as to what to buy. There is roughly \$85000.00 left at this point to complete this project. Member Friedman will chat with company concerning options.

Norton Road Easement: Through email Attorney Catalano recommended that the Town Board review each point as laid out by Engineer for the Town, Ray Jurkowski. Attorney Catalano further advised that the Town should not accept dedication of the easement for the turnaround until after it has been constructed and inspected and determined to be acceptable.

In reviewing each point made by Engineer Jurkowski, the Town Board agreed with 6 out of the 7 points. The Town Board consensus was to allow gravel, item 4 crusher run instead of an asphalt base and wearing surface for the cul-de-sac construction. It was noted that for Point #4 the Town Board consensus was to not accept the dedication until construction is complete.

Highway Superintendent Meehan felt that where the owners flagged the area a year ago was better.

Resolution #35-2016, Purchase of Truck for Highway Department

A motion to adopt Resolution #35-2016, Purchase of Truck for Highway Department 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.

Resolution #35-2016, Purchase of Truck for Highway Department

Whereas, at the Town Board meeting held on April 21, 2016, the Town Board was informed that a key piece of Highway Department equipment, the Ford 550 dump truck, had suddenly broken down and that the estimated repairs were extensive and exceeded the value of the truck; and

Whereas, this particular truck is used daily by the Highway Department for maintaining and repairing Town roads and the Highway Department did not possess another truck of similar type to replace it even for the short term; and

Whereas, after discussion at the April 21, 2016 meeting, the Town Board determined that this situation constituted an emergency situation that arose out of the unforeseen occurrence of a major breakdown of the Ford 550 truck and that this presented a circumstance which affected the traveling condition of Town roads and thereby public safety; and

Whereas, the Town Board determined that replacement of the disabled truck required immediate action in order to continue to provide appropriate maintenance and repair of Town roads for the safety of the public utilizing the roads and authorized the Supervisor to seek at least two written proposals for a purchase of a replacement truck and to make said purchase pursuant to the lowest proposal received; and

Whereas, the Town Supervisor obtained two written proposals and, individually consulted with each Town Board member prior to entering into a purchase agreement with Marchese Ford Inc., whose proposal was the lowest price by more than \$5,000, on May 9, 2016, for a new Ford 550 dump truck to replace the one that broke down; and

Whereas, said truck was purchased and placed into service of the Town Highway Department;

NOW, THEREFORE, BE IT RESOLVED as follows:

The Town Board hereby ratifies its conclusion that the unexpected and unforeseen breakdown of the Highway Department's Ford 550 dump truck constituted an emergency situation due to the integral part that particular truck has in the daily maintenance and repair of Town roads in order to keep said roads in good and safe condition for vehicular traffic.

The Town Board hereby ratifies its conclusion that the Ford 550 truck needed to be replaced without delay so as to ensure the proper daily maintenance and repair of Town roads and, therefore, there was no time to engage in a formal public bidding process for a replacement truck.

The Town Board hereby ratifies its authorization for the Town Supervisor to enter into a purchase contract and purchase a replacement truck of the same type and model after seeking at least two written sales proposals for such replacement truck.

The Town Board hereby approves of the methods employed by the Town Supervisor in obtaining two written proposals for a replacement truck and acknowledges that the Town Supervisor entered into a purchase agreement with the vendor who supplied the same truck at the lowest cost.

The Town Board hereby ratifies and approves the purchase of the Ford 550 dump truck from Marchese Ford Inc. on May 9, 2016, and authorizes payment to be made pursuant to said purchase agreement executed by the Town Supervisor.

This resolution shall be deemed to take effect as of April 21, 2016 for purposes of ratifying and approving the acts of the Town Supervisor, Town Superintendent and such other Town officials as may have facilitated the purchase of the replacement truck under the circumstances described above.

New Business

Appointment of Columbia County Environmental Management Council: There is a vacancy on the Columbia County Environmental Management Council for the Town of Austerlitz' representative. James Murray and Eleanor Saunders have submitted resumes for the Town of Austerlitz to consider in choosing a representative for the Town. Both approached Town Board Member Friedman with their interest in serving on this committee as they have a background in environmental issues and would like to give something back. J. Murray and E. Saunders briefly went over their resumes noting that E. Saunders has practical experience, whereas J. Murray has theoretical. J. Murray and E. Saunders have land in the forest management program.

Supervisor Lagonia noted that he met with a representative from the State discussing the criteria for the State to purchase land, which when they do, fair market value is paid. Interestingly, Town and school taxes are paid as well. The State gets offers all the time to purchase land. There is some State owned land in Austerlitz where no taxes are paid. It was noted that when the Millay Society sold land it went from an untaxable parcel to taxed.

A motion to recommend James Murray, with Eleanor Saunders as alternate, as the Town of Austerlitz' representative on the Columbia County Environmental Management Council was made by N. Friedman and seconded by R. Lagonia.

R. Lagonia: yes

G. Vogler: yes

M. Verenazi: yes

N. Friedman: yes

J. Wrightsman: yes

Motion carried 5:0.

Cyber Security: Supervisor Lagonia and Town Board Member Vogler met with Insurance Representative Rich Nesbitt concerning cyber security issues. A \$50000.00 limit is available for the data restoration and data re-creation, notification costs to comply with State and Federal reporting requirements, credit monitoring, public relations firm to assist in communicating your response to employees and the public. Member Vogler would like to see a \$25000.00 policy to start. Supervisor Lagonia noted that about half the towns in Columbia County are looking into getting this coverage. The Town Board consensus was to put this coverage in place.

The Town Board further discussed what vehicles were on the Town's policy. Some would remain, some would be taken off.

Supervisor Lagonia noted that the cost for insurance went up \$1600.00 in 2016 and will go up again next year when work continues on the new town hall.

Public Comments

None

Adjournment

A motion to adjourn 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. Meeting adjourned at 8:22 p.m.

Respectfully Submitted,
Susan A. Haag, Town Clerk