

Town of Austerlitz
Town Board Meeting
February 16, 2017

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

Regular Town Board meeting called to order at 7:03 p.m.

Moment of Silence, followed by the Pledge of Allegiance.

Minutes

A motion to accept the January 19, 2017 Regular Town Board Meeting minutes 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.

Auditing of Accounts and Claims

A motion to pay General Fund, #38-62, in the amount of \$23736.03, Highway Fund, #12-24, in the amount of \$28054.58 , and the Capital Fund #2 , in the amount of \$5995.22 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.

Reports

Monthly Cash Disbursement and Supervisor Report

Monthly Cash Disbursement for the Month of January 2017 submitted. Supervisor Lagonia discussed the reserve account figures. In speaking with the Accountant for the Town, Nelson Furlano, Supervisor Lagonia was told that the Town is in good shape and has increased in financial stability over the last 3 years. In fact, the Town of Austerlitz is in much better shape than many other towns out there. The fund balance has been increased and the Town has been able to put money into reserves.

The Town Board discussed funds available from the 2016 budget to put in the established reserve accounts.

A motion was made by R. Lagonia and seconded by G. Vogler to put \$70000.00 in the General Fund reserve account and \$50000.00 into the Highway Fund reserve account from the 2016 budget.

R. Lagonia: yes

G. Vogler: yes

M. Verenazi: yes

N. Friedman: yes

J. Wrightsman: yes

Motion carried 5:0.

Supervisor Lagonia advised that a representative from Kinderhook Bank will be at the March Town Board Meeting to discuss bonding. Attorney for the Town, Joseph Catalano, will be in attendance as well. The Town Board needs to finish up the bidding process and begin on the construction seeing how much additional money is needed to be secured through bonding; what road projects to include, a new highway salt shed, etc.

Spencertown Academy: Nick VanAlstyne, representing the Spencertown Academy, could not make this February Town Board Meeting, but will be here in March.

Town Park: The electric for the new town park still needs to be completed. Installing the lighting will need to be coordinated with Highway Superintendent Meehan because he will need to dig a trench for the wires. The ground is currently too hard to do this, but as soon as it thaws some, R. Meehan will take care of it.

NYSDOT: After hearing the report on what NYSDOT was requiring the Town of Austerlitz to do in connection with the new town hall, Supervisor Lagonia made a number of telephone calls ending with a phone conference that included DOT representatives and the Engineer for the Town, Ray Jurkowski. This meeting went very well and the DOT's tune changed and they advised that their comments were only suggestions and not mandates. It was noted that water running down State Route 203 would settle in the area that the new town hall's septic would be. Due to this, curbing will change and so will ditching. Supervisor Lagonia feels that the issues will be able to be worked out.

Highway Superintendent Report

Highway Superintendent Meehan reported it has been a tough month with rain to snow to ice and back to rain. The roads are soft, and any plowing done is hurting the roads taking the crown off. Some truck repairs have been made, more needed. Sections of Dugway Road are in really bad shape and will need some major work. Blacktopping may need to be done on these sections. They are currently motopaved. The Town has gotten the life out of the motopaving, but right now parts of Dugway are really beat. Temperatures going up and down and plowing when the roads are soft, all contribute. Town Board Member Verenazi noted that the Highway 284 plan may have to be revisited after this winter.

Town Board Member Vogler questioned Dugway Road condition and the condition of other roads in Town. Highway Superintendent Meehan advised that Dugway Road has age on it, but

the weather this winter has taken its toll. Pratt Hill Road is not far behind, but the Town can seal Pratt Hill and get another 4-5 years.

Discussion centered on the different Town Roads and their needs. Supervisor Lagonia asked how it would cost much to blacktop Dugway Road, to which R. Meehan answered around \$100000.00 from State Route 203 to Fire Hill Road. Leaving dirt from the Pheasant Farm to LaBranche Road.

Supervisor Lagonia noted that Highway Form 284 may in fact need to be changed to incorporate Dugway Road. If Dugway Road was done completely and correctly, the Town would be done with that road for the next 10 years.

Discussion shifted to highway personnel noting that the Highway Department will be short 2 men this Spring/Summer. Shawn Williams will be going out in April for surgery and Robert Miller sometime after that for surgery as well. How will all this highway work get done with the department being short staffed and how can the Town Board help to work this out? Highway Superintendent Meehan needs to hire someone for a period of time to fill in and maybe this could lead to a permanent position. R. Meehan has put some feelers out. In addition, for some of the work, another Town could help out.

Supervisor Lagonia questioned if some of the highway projects could be hired out if R. Meehan had trouble finding temporary help. Discussion on how this may or may not work, and how efficient it would be in getting the work done. R. Lagonia would like to see an ad for help put out.

Member Verenazi suggested looking for someone in the business who is looking to retire or has already retired and only wants to work part time. R. Meehan noted to is hard to find younger men because they have license problems and no CDL license.

There was a complaint from a resident on Chase Road concerning snow plowing. R. Meehan noted no plowing could be done because the resident parked their car in the road. A letter was sent asking them to move the car, but it wasn't moved. Supervisor Lagonia and Member Verenazi will reach out to this resident.

Member Vogler asked Highway Superintendent Meehan to fix a culvert in Austerlitz on Old Road. R. Meehan will get to this.

Supervisor Lagonia questioned how many of the highway guys are able to use the new grader and if anyone else can learn how. Superintendent Meehan would like to teach James Casey. Once J. Casey has gotten in and got a feel for the grader, he can be sent for training. The grader is starting to throw error codes again and will need to be reprogramed soon. It was suggested that maybe the Town can run an ad looking for a regular highway worker and a grader operator.

Town Clerk Report for the month of January 2017 submitted.

Planning Board Report for the month of January 2017 submitted. The Town is still looking for a Planning Board Member. Supervisor Lagonia has spoken to several in town, but none are interested. R. Lagonia will speak with Scott Sylvester and Member Friedman will reach out to someone she knows who might be a possibility.

No Comprehensive Plan Oversight Committee Report for the month of January 2017 submitted.

Building Inspector/Code Enforcement Report for the month of January 2017 submitted.

Justice Grubin Justice Court Report for the month of January 2017 submitted.

Justice Cassuto Court Report for the month of January 2017 submitted.

Dog Report for the month of January 2017 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

NYS and Local Retirement System: 2013 Audit Retirement Findings. The NYS and Local Retirement System is finally reaching out to the Town regarding retirement reporting discrepancies found during the 2013 examination of the fiscal affairs of the Town completed by the Office of the State Comptroller. The Town is required to answer the findings and note its intention to follow procedures noted.

The Town adopted a corrected resolution last month and the accountant prepared corrected reports that have been submitted. Accountant for the Town Nelson Furlano to draft a letter for final pieces.

NYSDOT: Notification that the East Hill Road Culvert Replacement was not selected for funding through the 2016 BRIDGE NY Program.

Highway Superintendent Meehan noted that maybe with local letters of support the Town might be able to secure this funding; fire companies, etc. Highway Clerk, Mary Davis, will look into other possible grant funding sources.

Housatonic Valley Association: Available funding to complete a shoreline survey of the Green River in the Spring of 2017. Town Board member Vogler would like to be part of this and have the Town's voice heard. G. Vogler will take the lead and Supervisor Lagonia will participate if time permits. Member Vogler will reach out to the Housatonic Valley Association.

Association of Towns: Governor Cuomo Government Efficiency Plans. Supervisor Lagonia advised that the Governor says he is keeping taxes down, but he raises fees to compensate. Columbia County is pushing back on the Efficiency Plan.

Unfinished Business

New Town Hall Update

Bid documents were opened and read aloud February 8, 2015 at 9:00 a.m. The following bids were received:

Electrical

J. McBain Inc.
2742 6th Ave.
Troy, New York 12180
1. \$222436.00
2. \$5561.00

Harold R. Clune, Inc.
30 Prospect Street
Ballston Spa, New York 12020
1. \$240000.00
2. \$4000.00

Heating

KLD Mechanical, Inc.
2768 Doelmer Circle
Castleton, New York 12033
1. \$188400.00
2. \$8000.00

Tri-Valley Plumbing and Heating, Inc.
2822 Curry Road
Schenectady, New York 12303
1. \$237000.00
2. \$3500.00

DJ Heating and Air Conditioning, Inc.
1409 Route 9W
Marlboro, New York 12542
1. \$260900.00
2. \$6800.00

Dells Plumbing, Heating and AC, Inc.
1317 State Route 217
Ghent, New York 12075
1. \$385800.00
2. None

Plumbing

Tri-Valley Plumbing and Heating, Inc.

2822 Curry Road

Schenectady, New York 12303

1. \$87500.00

2. \$1300.00

Reed and Reed Contracting, LLC

745 Snyderstown Road

Craryville, New York 12521

1. \$109800.00

2. \$3300.00

Dells Plumbing, Heating and AC, Inc.

1217 State Route 217

Ghent, New York 12075

1. \$174700.00

2. None

Window Restoration

David S. Savage Metal Restoration

11115 Route 22

Austerlitz, New York 12017

1. \$27150.00

2. \$900.00

Raising of the Building

Larmon House Movers, Inc.

168 Hayes Road

Schuylerville, New York 12871

\$42500.00

Wheelchair Lift

Albany Elevator, Inc.

438 North Pearl Street

Albany, New York 12207\

1. \$35700.00

2. \$1071.00

General Contracting

VMJR Companies, LLC

73 Mohican Street

Glens Falls, New York 12801

1. \$878000.00

2. \$12670.00

3. \$22370.00

Plank, LLC
376 Broadway, Third Floor
Schenectady, New York 12305

1. \$1338000.00
2. \$13600.00
3. \$14600.00

Hoosick Valley Contractors, Inc.
52 Melrose-Valley Falls Road
Melrose, New York 12121

1. \$1087000.00
2. \$13000.00
3. \$15000.00

Daloia Contracting, Inc.
402 Lape Road
Nassau, New York 12123

1. \$908800.00
2. \$15000.00
3. None

Supervisor Lagonia stated that the bids received were a disappointment. The electric, heating and plumbing were very high. R. Lagonia conferenced with Architect Joe Iuviene and Attorney for the Town, Joseph Catalano, to discuss the bids submitted and options for moving forward if bids were not accepted and awarded. The general feeling was that the project was over speed. The project can be rebid with a new set of specs, or partially awarded and partially rebid.

Supervisor Lagonia advised that Jack Shear offered to donate additional funds, but the Town Board is going to be fiscally responsible. No bids have been rejected at this point in time and how the Town will move forward will be decided at the next Town Board meeting.

Resolution #32-2017, Introductory Local Law No. 1 of 2017

WHEREAS, the Town of Austerlitz adopted its first comprehensive zoning regulations in 2009 and since that time the Comprehensive Plan Oversight Committee (the “Committee”) reviews the regulations from time to time for purposes of improving them and the Committee reports its recommendations and findings to the Town Board; and

WHEREAS, the Committee has proposed to address an omission in the Town’s current regulations regarding solar energy systems since those systems have become affordable and popular as a renewable energy source for residential and commercial uses and since the current zoning regulations do not address such accessory uses at all; and

WHEREAS, this omission concerning solar energy could lead to the conclusion that such systems are not allowed in the Town of Austerlitz or lead to an inconsistent and ineffective permitting process which the Town Board desires to rectify; and

WHEREAS, it has also come to the Town Board's attention due to a recent issue with a particular home occupation in the Town that the zoning regulations, while creating two levels of home occupations, treats them both as an 'as of right' use in the allowable use chart even though the definition for Home Occupation, Level 2 states that it requires set plan review, the Town Board also desires to correct this error; and

WHEREAS, the Town Board has reviewed and discussed drafts of new zoning regulations and the proposed local law that was prepared by the Town's attorney for such purpose and which is subject to this resolution;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Town Board hereby introduces and proposes for adoption introductory Local Law No. 1 of 2017 of the Town of Austerlitz which amends Local Law No. 2 of 2009 (the Zoning Law) as amended from time to time and as codified in Chapter 195 of the Town Code by providing that the use category entitled, Home Occupation, Level 2, requires site plan review and approval by the Planning Board and which provides new use category entitled, Solar Energy Systems, together with regulations and definitions pertaining to that new use category.
2. The Town Board determines that the adoption of the proposed Local Law is an action that is subject to the State Environmental Quality Review Act (SEQRA) as a Type I action, and that the Town Board hereby accepts the Environmental Assessment Form, prepared for such purpose, and determines that the Town Board will act as lead agency for the SEQRA review since it is the only agency with approval jurisdiction over the proposed law.
3. The Town Board hereby schedules a public hearing for Introductory Local Law No. 1 of 2017, to be held at the Town Hall, on March 16, 2017, at 6:45 p.m.
4. The Town Board hereby orders that notice of the public hearing be posted at the Town Hall, on the Town website, and published at least once in the Town's official newspaper a minimum of 5 days before the scheduled hearing date together with such other notices required by law, and that the appropriate referral be made to the Columbia County Planning Board.
5. This Resolution shall take effect immediately.

A motion to adopt Resolution #32-2017, Introductory Local Law No. 1 of 2017 and that Supervisor will sign the SEQRA form if needed 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

New Business

Town Clerk/Tax Collector Audit

An audit of the Town Clerk/Tax Collector was conducted on January 27, 2017 by Town Board Member Greg Vogler. The audit found no exceptions.

Town Road 5 Year Road Plan

Discussed.

Broadway Survey

Broadband survey to go on the Town website.

Additional Grant Funding

The Town Board discussed looking into grant funding from different venues. Town Board Member Friedman know a resident in Town who writes grants professionally. N. Friedman will reach out to her.

Public Comments

None

Adjournment

A motion to adjourn 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. Meeting adjourned at 8:21 p.m.

Respectfully Submitted,
Susan A. Haag, Town Clerk