

Town of Austerlitz  
Town Board Meeting  
January 19, 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 7:06 p.m.

Moment of Silence, followed by the Pledge of Allegiance.

**Minutes**

A motion to accept the January 2, 2017 Organizational Town Board Meeting minutes 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.

**Auditing of Accounts and Claims**

**2016 Budget Amendment**

**General Fund**

A1010.4 Town Board increase by \$202.00

A1220.4 Supervisor decrease by \$202.00

A1355.1 Assessor increase by 550.00

A1355.4 Assessor decrease by \$550.00

A3120.4 Police increase by \$4262.00

A3310.4 Traffic Control decrease by \$2050.00

A5132.4 Garage decrease by \$2212.00

A3620.4 Building Inspector increase by \$203.00

A5132.4 Garage decrease by 203.00

A motion to approve the above General Fund budget amendment 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.

**Highway Fund**

DA5130.1 Machinery increase by \$1625.00

DA5142.1 Snow Removal decrease by \$1625.00  
DA5130.4 machinery increase by \$20600.00  
DA5130.2 Machinery EQ decrease by \$15000.00  
DA5110.4 General Repairs decrease by \$5600.00

A motion to approve the above Highway Fund budget amendment was made by J. Wrightsman and seconded by N. Friedman.

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

A motion to pay General Fund, #1-37, in the amount of \$13644.97, Highway Fund, #1-11, in the amount of \$16829.69, and the Capital Fund #1, in the amount of \$12572.00 was made by M. Verenazi and seconded by G. Vogler.

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 December 2016 submitted. Supervisor Lagonia advised that 2016 proved to be a good year for revenues as they are up. Before the Annual AUD is filed, the Town should be able to add another \$90000.00 to the general fund reserve account and another \$35000.00-40000.00 to the Highway reserve. The Town Board should start to work on bonding options come March.

Supervisor Lagonia reviewed end of the year numbers. Town Clerk, Susan Haag, paid the Town it's 2017 tax warrant amount. Overall the Town is in great shape.

Spencertown Academy: Supervisor Lagonia met with Nick VanAlstyne in relation to the Spencertown Academy. R. Lagonia is thankful that he has been kept in the loop and feels the Town is fortunate to have N. VanAlstyne heading up the Academy. N. VanAlstyne will come to the February Town Board meeting to help the Town Board get a sense how the Academy is proceeding with the renovations to the Academy, how this is being funded, etc. Supervisor Lagonia feels that all Town organizations need to intertwine with the Town and share available resources such as websites.

The question as to whether or not prevailing wage needs to be paid for the Spencertown Academy's project seems to still be up in the air. The NYS Comptroller's Office feels they do

not. The Attorney for the Town, Joseph Catalano, agrees, but suggests the Academy contact the labor department and speak with their attorney.

Bicentennial Celebration: Town Board Member J. Wrightsman is working to put a meeting together of all interested parties. Supervisor Lagonia would like Nick VanAlstyne on the committee. A representative from each Fire Company is also needed. Supervisor Lagonia would like this celebration to be a big affair showcasing the Town Park and the new Town Hall.

Town Board Member M. Verenazi noted that the Spencertown Fire Company is celebrating 100 years this year. June 10<sup>th</sup> is the date for the formal celebration. The Town will include this on their website.

Newsletter: Town Board Member G. Vogler will be putting together the next Town Newsletter due out around March.

Enhanced Patrol: Supervisor Lagonia advised that the Enhance Patrol from the Columbia County Sherriff's Department has been suspended until Spring. This program went slightly over budget in 2016 although the Town made money. The Sherriff's Department will still send out patrols periodically as part of the normal course of events.

#### Highway Superintendent Report

Highway Superintendent Meehan reported there have been a lot of little ice storms making the roads very wet with a lot of material being used. If the roads dry up some, the Highway Crew can do some grading, but otherwise the roads need to be left alone. Equipment is holding together. Potholes are being filled in and Superintendent Meehan asked that large trucks slow up to help save the roads.

Town Clerk Report for the month of December 2016 submitted.

Planning Board Report for the month of December 2016 submitted.

No Comprehensive Plan Oversight Committee Report for the month of December 2016 submitted. Chairman T. Stalker is in attendance to discuss the Solar Law.

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

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

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

Dog Report for the month of December 2016 submitted.

A motion to accept the above reports 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.

### **Correspondence**

Association of Towns: Governor Cuomo Government Efficiency Plans

Association of Towns: Annual Training School

### **Unfinished Business**

**New Town Hall Update:** Supervisor Lagonia advised that it is a good thing that the Town has Highway Superintendent Robert Meehan on board, thanking R. Meehan for catching a situation with the new Town Hall construction, having the Town's back and paying attention. There has been a drainage issue on State Route 203 for some time and comparing this problem with the plans in place for the new Town Hall, it became evident that what is in place going forward would not correct the drainage around the new Town Hall. R. Meehan suggested that the building be jacked up since it is currently below the road grade.

A meeting took place between the Engineer for the Town, Ray Jurkowski, and NYSDOT concerning curbing for the project and during this meeting drainage was discussed. When the State was repaving State Route 203 last year and drainage was discussed, the State stated there was no money in their budget to correct the drainage problem. Now that the Town is seeking authorization for curbing, the NYSDOT is looking to force the Town into paying for its drainage issues. This would cost the Town at least an additional \$10000.00.

After an additional meeting today with the Engineer for the Town, Ray Jurkowski, Architect Joe Iuviene, Superintendent Meehan and others, R. Meehan pitched his idea to raise the building and all thought it was a great idea. The cost for this is minimal. This will require less drainage and basin work. One of the contractors that attended the walk through thought that raising the building should be bid separately. R. Jurkowski and J. Iuviene will work out the details and put together an addendum for the bid package.

It was noted that the visual of the building will even look better.

Town Board Member Friedman asked if it made sense to put in a water feature. Highway Superintendent Meehan noted that currently the water is flowing where the septic will be located, which is a problem, but this will be corrected during construction. Curbing will not change, but the drainage will be done differently.

Supervisor Lagonia advised that if the NYSDOT continues to try and force the Town to fix its drainage issue, he will involve the newspaper. In addition, he is sitting with Senator Kathy Marchione next week and will discuss this with her.

It was noted that currently 20-25 people have picked up different sections of the bid documents so there appears to be a good amount of interest in the project.

**Solar Law:** Member Vogler notes that this proposed law has been worked on by committee for a few months. A NYSERDA template was used and revised to fit the needs of the Town of

Austerlitz. Subsequent feedback was given from Attorney for the Town Joseph Catalano, and the Town of Austerlitz Planning Board. Recommendations were considered and incorporated by Member Vogler and Comprehensive Plan Oversight Committee Chairman Tim Stalker. There are two points that Member Vogler and Chair Stalker feel the Town Board should have input on before a final draft is completed for review.

Point One: Allowing mounting in the front yard. Currently mounting is allowed on the side yard or in the back of the house.

Different mounting options and placements were discussed. Town Board Member Vogler would prefer to not allow front yard mounting. The Town of Austerlitz Comprehensive Plan notes that its residents would like to keep the bucolic feel and condition of the Town.

Chair Stalker felt that under certain circumstances front yard mounting should be allowed. T. Stalker felt that the Town should encourage renewable energy.

Town Board Member Jere Wrightsman questioned if there can be an exemption put in place to which Chair Stalker advised that wording would need to be built in to the regulations or an applicant would have to go to the Zoning Board of Appeals. The Town would have to make sure what is put in place is not arbitrary. T. Stalker suggested that in the two hamlets, the current regulations of no front yard mounting should apply, but for parcels outside the hamlets, maybe a 100 foot setback with adequate screening. G. Vogler would prefer a larger set back if this is the direction the Town Board would prefer to go.

Supervisor Lagonia understands that there are other issues and eyesores in Town, but advises that the Town Board needs to be cautious and careful in how this law is written. What does screening actually mean? This is different for everyone. Maybe the key is to allow roof mounting and if a resident wants ground mounting it would be by special use permit. Chair Stalker agrees that the Town Board must be cautious and careful in wording the requirements so there is no misunderstanding as to intent. In addition, T. Stalker notes that some may not be able to have a roof mount. Town Board Member Verenazi would like to permit ground mounting outside of the hamlets.

The ending general consensus of the Town Board was that for projects outside the two hamlets, side yard and back yard mounting with Planning Board approval should be allowed. Front yard mounting with set back and screening should be allowed.

For two hamlets, only side yard and back yard mounting allowed.

Point Two: Inclusion or not of commercial use (over 110%) which is currently prohibited. Member Vogler wondered if there was a large parcel with hidden fields, is this something that should be allowed. Chair Stalker suggested that the exclusion of commercial use (over 110%) be kept and go out to Public Hearing. If the populace feels at that time that this section should be changed, the Town Board can discuss and make adjustments if necessary.

Member Wrightsman would prefer to ban commercial projects at this time. Supervisor Lagonia agrees. Member Verenazi does not feel it is good to band any commercial project in Town, but does not believe this will ever be an issue in the Town of Austerlitz.

Supervisor Lagonia read a memo from Attorney for the Town, Joseph Catalano concerning the impact from commercial scale ventures of this kind. Pros and cons were given with options of how to handle and permit.

Member Vogler and Chair Stalker will work on wording for the decisions made. Chair Stalker wants to make sure that this new law does not contradict other sections of the Zoning Law in reference to accessory structures.

Chair Stalker also advised that this proposed law needs to go the County Planning Board for review. With the Town Board's permission, Chair Stalker would like to send an updated version noting decisions made tonight to the County Planning Board. T. Stalker also suggested that the draft be put on the Town's website to generate interest and get a feel for the residents' opinions. Permission granted.

### **Planning Board Required Training**

Chairman Stalker noted that he is aware that some members of the Planning Board are not meeting their required schooling threshold. T. Stalker advised that the NYS Department of State and the New York Planning Federation both offer excellent schooling. In addition, the Columbia County Planning Board couples with the NYS Department of State to offer free training. The Town Board may also, at its discretion, offer specialized training. Supervisor Lagonia noted that Attorney for the Town Catalano has conducted some training classes.

### **Greenway Grant**

Chair Stalker would like the Town Board to consider looking into a Greenway Grant to help fund the processing of new proposed laws and other Zoning changes.

**Town Park Lighting:** The Town Board looked over the bid for lightening for the Town Park from Paul Robertson questioning whether or not his fee includes all materials.

A motion to accept the bid of Paul Robertson for lightening installation at the Town Park if price is inclusive of all labor and all materials 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.

### **New Business**

**Proprietors Book Loan Agreement Columbia County Historical Society:**

A motion giving Supervisor Lagonia authorization to sign a renewal agreement with the Columbia County Historical Society to house the Town of Austerlitz' Proprietors' Book was made by N. Friedman and seconded J. Wrightsman.

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

**Standard Work Day and Reporting Resolution #31, 2017**

A motion to adopt Resolution #31, 2017, Standard Work Day and Reporting Resolution 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.

BE IT RESOLVED, that the Town of Austerlitz, location code #30889, hereby amends Resolution #38, 2014 regarding the establishment of the standard work days for elected and appointed officials and reporting the following days worked to the New York State and Local Employee's Retirement System based on the timekeeping system records or the record activities maintained and submitted by these officials to the clerk of this body at that time by correcting the hours reported for the Town Clerk/Tax Collector and the Highway Superintendent as follows:

Title	Name	Social Security Number (Last 4 Digits)	Registration Number	Standard Work Day (Hrs/Days)	Term Begins/Ends	Participates in Employer's Time Keeping System (Y/N)	Days/Months (based on Record of Activities)
<b>Elected Officials</b>							
Town Clerk/Tax Collector	Susan A. Haag	XXXX	XXXX	6 hrs	1/1/14-12/31/17	N	23.16
Highway Superintendent	Robert Meehan	XXXX	XXXX	8 hrs	1/1/10-12/31/17	N	24.31

\*\*social security numbers and registration numbers deliberately left blank for privacy purposes.

**Town Committee Assessments:** The Planning Board still currently has a vacancy. It is the feeling of the Town Board that this is an important appointment and the choice needs to be someone who is interested and engaged so that the required schooling is completed and time and effort is put in. Comprehensive Plan Oversight Committee Member Chairman Stalker noted that if a Planning Board Member does not fulfill their required schooling, they should not be reappointed.

The Town has other committees and each should be filled with the same type of individual.

Member Vogler noted that Scott Sylvester is an option for the Planning board seat. S. Sylvester currently is a member of the Board of Assessment Review and feedback from his first year on this board was positive. It was noted that he did a good job, and was a team player. S. Sylvester is enthusiastic and interested in sitting on the Planning Board.

Supervisor Lagonia noted that the vacancy on the Planning Board needs to be filled by the next meeting. The Board of Assessment review is also down a member.

**Cornell Local Road Program:** Member Friedman questioned the Town Board as to whether or not they were interested in looking into the Cornell Local Road Program Grant where interns come out and do culvert analysis. N. Friedman has a call into Cornell. Training for interns would take place in May. The Town can appoint someone or have Cornell send someone out; the grant will pay either way. The Town needs to send a letter of intention to Cornell if it is interested in this project. Highway Superintendent Meehan will supervise this intern. This would be perfect for a student in Town who is studying engineering. Member Friedman will draft a letter of intent.

### **Public Comments**

Charles Vander Weit questioned how the new Town Hall parking lot would be raised. Answer was by blacktop. C. Vander Weit asked if the parking lot could be opened to accommodate parking. For now yes, but it will be closed once the construction begins.

Tim Stalker gave some suggestions on how to deal with the State drainage issue.

### **Executive Session**

A motion to enter Executive Session for a personnel matter 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 enter at 9:05 p.m.

A motion to exit Executive Session was made by J. Wrightsman and seconded by N. Friedman.

R. Lagonia: yes

G. Vogler: yes

M. Verenazi: yes

N. Friedman: yes

J. Wrightsman: yes

Motion carried 5:0. Executive Session exited at 9:10 p.m.

### **Adjournment**

A motion to adjourn was made by M. Verenazi 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 9:10 p.m.

Respectfully Submitted,  
Susan A. Haag, Town Clerk