

Town of Austerlitz
Town Board Meeting
May 18, 2017

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

Town Board Jere Wrightsman was absent. Town Board Member Nancy Friedman arrived at 6:35 p.m.

Workshop called to order at 6:24 p.m.

Workshop called to discuss Town roads.

Highway Superintendent Meehan gave a quick overview of the Town Roads, noting that Dugway Road and Pratt Hill Road need major work in some areas. Pratt Hill Road repairs are scheduled for next week. The dirt roads took a beating over the winter, and this Spring there has been a lot of rain. The sun has just started to come out so hopefully the roads will dry out so some work can get done. The town needs to purchase a big roller for the roads and potholes. All the roads have been rolled once. Now material needs to be put down and rolled again.

Highway Foreman Shawn Williams is due back to work in the first couple of weeks of June. The new highway worker just hired is a good laborer. The Town may want to keep him on.

Highway Superintendent Meehan would love to see Dugway Road done. This is the road that needs the most work. R. Meehan secured pricing from Peckham, which under the County contract, pricing came in around \$232,000.00 for the complete project. If West Hill Road was linked to this project, the Town would need to add additional \$40,000.00; \$60,000.00 to go out to LaBranch Road. There is roughly \$246,000.00 in C.H.I.P.s funding available. The differences between motopaving and blacktop were discussed. Town Board Member Verenazi noted that with the way the Town has been budgeting, and continuing with the chip sealing process, he believes the Town can keep up with the maintenance issues if motopaving is used. M. Verenazi sees motopaving all of Dugway Road with the exception of the hill which should be blacktopped.

Discussed the needs on Rigor Hill Road and if blacktopping would be appropriate here. Mallory Road can be chip sealed.

Highway Superintendent Meehan noted that at this point it is too late to complete the East Hill Road bridge replacement, so he is hoping the C.H.I.P.s funding can go towards the project on Dugway Road. The East Hill Road bridge will need to be done next year though and the Town

will try and find some grant money for this. The Town Board briefly discussed what had to be done with this bridge replacement project.

Supervisor Lagonia advised that the Town really needs to find a grant writer because there are certain words and phrases, language that needs to be used to secure grand funding.

Supervisor Lagonia noted that it is to realistic to bond money for roads and a salt shed. Equipment and a new town hall is what bonding will be used for.

Highway Superintendent Meehan was asked to secure a second bid for the work on Dugway Road from Gorman. C.H.I.P.s money must be used so that the State sees that the money is used and the Town is not 'rich' in C.H.I.P.s funding. Peckham does do good work, but it is always prudent to get a second bid.

Town Board Member Vogler advised that the Town Board will need to update the Highway From 284 so that Highway Superintendent Meehan has the legal right to complete the project on Dugway. G. Vogler would like to see this project get rolling so it doesn't end up being September before something starts. The Town Board discussed the timing of the money put out for this project and receiving C.H.I.P.s funding.

Supervisor Lagonia will double check with Attorney for the Town, Joseph Catalano, concerning bidding out for this project and accepting the County bid.

It was noted that Pratt Hill Road will be patched.

The Town Board discussed linking West Hill Road , Partridge Lane and LaBranch Road to this project. The consensus was to stay within the available funding.

Member Vogler noted that closing the loop on Partridge is great, it is just not a priority. Member Verenazi noted that the Town could put down some item #4 from West Hill Road to LaBranch Road. Highway Superintendent Meehan noted he needs to improve this section even though it will not be motopaved.

A motion to close the workshop was made by R. Lagonia and seconded by M. Verenazi.

R. Lagonia: yes

G. Vogler: yes

M. Verenazi: yes

N. Friedman: yes

J. Wrightsman: absent

Motion carried 4:1. Workshop closed at 6:57 p.m.

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 April 27, 2017 Workshop and Regular Town Board Meeting minutes was made by N. Friedman and seconded by M. Verenazi.

R. Lagonia: yes

G. Vogler: yes

M. Verenazi: yes

N. Friedman: yes

J. Wrightsman: absent

Motion carried 4:1.

Auditing of Accounts and Claims

A motion to pay General Fund, #123-157, in the amount of \$12190.17, Highway Fund, #61-74, in the amount of \$17266.59, and the Capital Fund #8-10, in the amount of \$3359.78 was made by G. Vogler and seconded by M. Verenazi.

R. Lagonia: yes

G. Vogler: yes

M. Verenazi: yes

N. Friedman: yes

J. Wrightsman: absent

Motion carried 4:1.

Reports

Monthly Cash Disbursement and Supervisor Report

Monthly Cash Disbursement for the Month of April 2017 submitted. Supervisor Lagonia advised that there is roughly \$2.27 million in accounts. The \$830,000.00 donation for the new town hall and town park is included in this.

The line item for machinery .1 has 53% of the amount already used. Seems like quite a bit. This number will be checked. Most of the other line items are tracking between 18 and 31%. The Town is in good shape.

Supervisor Lagonia advised that the new multi-use court at the Town Park is being vandalized. Something has run into the fencing around the court bending it so it is bowed. There are cigarette butts all over. R. Lagonia has spoken with S&F Technologies from Hudson about putting in a security camera. The DVR will be put in the Town Hall. A price for this is coming and R. Lagonia will get it to the Town Board. Skateboarding on the court is still happening as well. Supervisor Lagonia would like to lock up the pavilion. Staining of this will be starting

tomorrow. The light has been installed on the pole. Concrete will be poured next week around the pavilion right up to the court fence. Town Board Member Friedman suggested locking the court at night or maybe taking down the basketball net.

Nick VanAlstine advised that the Town can put the DVR in the Academy if this will help and save money.

Member Vogler and Supervisor Lagonia met with Insurance Agent, Rich Nesbitt, to go over the insurance needs of the Town. The policy renewal is coming up. The coverage on the new town hall was increased. The Town is waiting on the Ellsworth Kelly Foundation for the remaining \$650,000.00. R. Nesbitt will be getting back to the Town concerning the certificates that need to be in place for each of the contractors performing work on the Town Hall Project.

On a County level, Supervisor Lagonia noted that there continues to be frustration and questions concerning the Governors Shared Service Agreements. Court consolidation is on the table. Supervisor Lagonia noted that some shared services are okay, but some are not. Member Vogler noted that it is a slippery slope to move away from home rule.

Highway Superintendent Report

Highway Superintendent Meehan reported that the Highway Crew has been out grading and rolling roads. Some work is being done on Fog Hill Road. All the roads have been rolled once and the Crew is working its way back. After this, calcium will be put down before the holiday weekend. The Town was lucky to have missed the big wind storm last week and only had a couple of trees down.

R. Meehan is looking to do over Dugway Road from Mallory Road to West Hill Road with a cost of roughly \$232,000.00. The Town Park needs some garbage cans.

Working on the roads to try and keep the dust down.

Supervisor Lagonia mentioned an email from Abi Mesick concerning a dead tree on her mother's property and the route water is running. Superintendent Meehan has contacted A. Mesick and noted that the water has been running the same route for 100 years.

Town Clerk Report for the month of April 2017 submitted.

Tax Collector Report for the months of April 2017 submitted.

Planning Board Report for the month of April 2017 submitted.

Comprehensive Plan Oversight Committee Report for the month of May 2017 submitted.

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

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

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

Enhance Patrol to start next week.

No Dog Report for the month of April 2017 submitted.

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

R. Lagonia: yes

G. Vogler: yes

M. Verenazi: yes

N. Friedman: yes

J. Wrightsman: absent

Motion carried 4:1.

Correspondence

Greg, Lynne and Matthew Verenazi: Thank You for Flowers.

Unfinished Business

Local Law #1-2017

Resolution #36-2017, Adopting Local Law #1-2017

A motion to adopt Resolution #36-2017, Adopting Local Law #1-2017 was made by G. Vogler and seconded by N. Friedman.

R. Lagonia: yes

G. Vogler: yes

M. Verenazi: yes

N. Friedman: yes

J. Wrightsman: absent

Motion carried 4:1.

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 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 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 reviewed and discussed drafts of the proposed local law that was prepared by the Committee and the Town's attorney and on February 16, 2017 introduced proposed Local Law No. 1 of 2017 for purposes of scheduling the public hearing for March 16, 2017 and commencing the adoption process; and

WHEREAS, the public hearing was duly held on March 16, 2017 and held open for written comments until April 1, 2017; and

WHEREAS, the Town Board: has reviewed part 1 of the environmental assessment form that was completed at the time the local law was introduced; determined that the adoption of the proposed law was a Type I action under SEQRA; that the Town Board was the only involved agency; and, as such, the Town Board would act as lead agency for purposes of the SEQRA review; and

WHEREAS, on March 16, 2017, the Town Board analyzed the potential environmental impacts associated with the proposed adoption of the local law and found that said action would not result in any moderate or large environmental impacts and further concluded by motion that the proposed action did not have the potential to result in any significant environmental impacts; and

WHEREAS, the local law was duly referred to the Columbia County Planning Board for its recommendation pursuant to the General Municipal Law and that Board's recommendation was received by letter, dated March 22, 2017, and said recommendation concluded that the proposed action did not have any county-wide or inter-community impacts associated with it and thereby final action could proceed with a simple majority vote; and

WHEREAS, the Town Board has duly considered all public comments received on the proposed local law as well as the comments from the Columbia County Planning Board and the Town Board; and at its April 27, 2017 meeting discussed the proposed law, the comments received and changes to the proposed law in consideration of the comments received; and

WHEREAS, the Town Board instructed the Town's attorney to modify the law pursuant to the Town Board's discussion and also discussed whether the changes to the proposed law were material or significant for purposes of whether another public hearing was to be scheduled; and

WHEREAS, the Town Board members have received the modified version of Local Law No. 1 of 2017 in final form at least 10 days prior to this meeting and, accordingly, the Town Board is prepared to take action on the proposed law;

NOW, THEREFORE, BE IT RESOLVED as follows:

The public hearing and extended written comment period on proposed Local Law No. 1 of 2017 has been duly held and closed and those who wished to be heard regarding said proposed law a full and fair opportunity to be heard.

The Town Board, as lead agency, has previously determined that the adoption of the proposed Local Law does not have the potential for any significant adverse environmental impacts pursuant to the State Environmental Quality Review Act (SEQRA) and also hereby determines that the minor modifications made to the proposed law subsequent to the public hearing does not alter that negative determination, and as such reaffirms that determination with respect to the modified local law.

The Town Board has duly considered and authorized the modifications made to the proposed local law (said modifications are documented in a marked-up version of the proposed law on file in the Town Clerk's office) and hereby determines that these modifications are minor in nature and effect and are not material or significant enough to warrant a public hearing on the modified law.

1. The Town Board hereby adopts 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 a new use category entitled, Solar Energy Systems, together with regulations and definitions pertaining to that new use category.

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

Local Law #1-2017

Be it enacted by the Town Board of the Town of Austerlitz as follows:

ARTICLE 1 - Amendment of Zoning Code Relating to Home Occupations

SECTION 1. Policy, Purpose and Authority

It is the policy of the Town of Austerlitz to further the appropriate use of private land and commercial enterprise in the Town provided that such use and enterprise does not unreasonably effect neighboring lands as well as the rural character of the community. In this regard, the Town's Zoning regulations allow a broad category of home occupations and was intended to provide two levels of review depending on the type and character of the home occupations. However, since the Zoning regulations were originally adopted, an error has been discovered in that the table of allowable uses provides that Home Occupation, Level 2, is allowed as of right and may be permitted only by review of the Code Enforcement Officer. Since this is contrary to the definition of this use in the Zoning Code as well as the intention for the review and permitting process of this use, the error is to be corrected so that Home Occupation, Level 2 will require a special use permit and site plan review before being allowed. The authority for amending the zoning provisions for Home Occupation: Level 2, is pursuant to Article 16, sections 261-263, of the Town Law of the State of New York, which authorize the Town to adopt zoning provisions that advance and protect the health, safety, and welfare of the community.

SECTION 2. Amendment of Use Table for Home Occupation, Level 2.

The Allowable Use Groups Chart set forth in the Zoning Law of the Town of Austerlitz (Local Law No. 2 of 2009), subsection B of Section 195-13, of Article IV, Chapter 195 of the Town Code, is hereby amended by replacing "A" (signifying the designated use category is allowed as of right) with "SP" (signifying the designated use category requires a special permit) for the use category "Home Occupation: Level 2" under the Residential Use Group in all zoning district columns (A-HM, S-HM, and RR).

ARTICLE 2 - Amendment of Zoning Code Relating to SOLAR ENERGY

SECTION 1. AUTHORITY

The authority for adopting the zoning provisions for solar energy systems is pursuant to Article 16, sections 261-263, of the Town Law of the State of New York, which authorize the Town to

adopt zoning provisions that advance and protect the health, safety, and welfare of the community, and “to make provision for, so far as conditions may permit, the accommodation of Solar Energy Systems and equipment and access to sunlight necessary therefor.”

SECTION 2. STATEMENT OF PURPOSE

The Zoning Regulations originally adopted by the Town of Austerlitz in 2009 did not make any provision for solar energy systems. As such the Town has been recently addressing solar energy systems on an ad hoc basis. As these systems are becoming more popular and prevalent, the Town desires to provide reasonable regulation for the installation of these systems. The zoning provisions for solar energy systems as set forth below are adopted to advance and protect the public health, safety, and welfare of the Town of Austerlitz, including:

Taking advantage of a safe, abundant, renewable, and non-polluting energy resource;
Decreasing the cost of energy for commercial and residential properties, including single-family houses; and
Increasing employment and business development in the region by furthering the installation of Solar Energy Systems.

SECTION 3. ADDING NEW SECTION TO Zoning LAW RELATING TO SOLAR ENERGY
The Zoning Law of the Town of Austerlitz (Local Law No. 2 of 2009), as amended from time to time and as codified in Chapter 195 of the Town of Austerlitz Code, is hereby amended by adding a new section (195-25A), entitled, “Solar Energy Systems,” in Article VI of said Chapter to read as follows:

A. Applicability

The requirements of this law shall apply to all Solar Energy Systems installed or modified after its effective date, excluding general maintenance and repair and Building-Integrated Photovoltaic Systems.

B. Solar as an Accessory Use/Structure

1. Roof-Mounted Solar Energy Systems.

- a) Roof Mounted Solar Energy Systems that use the electricity onsite or offsite are permitted as an accessory use in all zoning districts of the Town of Austerlitz when attached to any lawfully permitted building or structure.
- b) Height. Solar Energy Systems when mounted to a roof shall not exceed maximum height restrictions within the zoning district it is located in and are provided the same height exemptions granted to building-mounted mechanical devices or equipment.
- c) Aesthetics. Roof-Mounted Solar Energy System installations shall incorporate, when feasible, the following design requirements: Panels facing the front yard must be mounted at the same angle as the roof’s surface with a maximum distance of 18 inches between the roof and highest edge of the system.
- d) Roof-Mounted Solar Energy Systems that use the energy onsite or offsite shall be exempt from site plan review under the Town of Austerlitz zoning code or other land use regulations.

e) Plans prepared in accordance with the New York State Building Code shall be submitted to the Town Code Enforcement Officer and a permit issued prior to the commencement of installation. All electrical work shall be performed and/or inspected by an electrician licensed in New York State.

2. Ground-Mounted Solar Energy Systems.

a) Ground-Mounted Solar Energy Systems that use the electricity primarily onsite are permitted as accessory structures subject to site plan approval in all zoning districts of the Town of Austerlitz.

b) Height and Setback. Ground-Mounted Solar Energy Systems shall adhere to the setback requirements of the underlying zoning district in which they are located. In no case shall the structure exceed 25 feet in height when oriented to its maximum height.

c) All such Systems are permitted in the side or rear yards of all districts . Systems in front yards are permitted in the Rural Residential district with a minimum setback of 100 feet. Front yard installations are not permitted in the Austerlitz or Spencertown hamlets.

d) All such Systems shall be located in such a manner so that the System is adequately screened with respect to neighboring properties so that the views of the System from neighboring properties, particularly residences, or from a public road, are not a significant detraction. The proposed development shall be visually compatible with the character of the community to the extent feasible. Mitigation of visual incompatibility, such as screening, may be required to prevent uses from detracting from adjoining uses. Screening can be accomplished by utilizing existing buildings and vegetation as well as deer resistant evergreen plantings when necessary.

e) In addition to the screening, height and setback requirements listed above, sites to be developed shall be of such character that they can be used for the proposed purposes without danger to the public health or safety, or peril from fire, flood or other causes.

f) Standards: Site development shall comply with the following requirements and with all applicable federal, state and local laws and any road maintenance agreement:

Adequate and safe vehicular movement between site and street network.

Safe and adequate on-site vehicular movement

Sites should have year-round accessibility, including adequate accessibility for emergency vehicles.

Environmentally sensitive areas shall be protected and adverse impacts avoided or mitigated.

If applicable, adequate storm water and drainage facilities, with all drainage conveyance systems designed for a twenty-five (25) year storm event.

Appropriate protection of or mitigation of adverse impacts to adjacent uses, particularly residential uses, through landscaping, vegetative and other screening, buffering, planting and methods of construction.

Avoidance or mitigation of dangerous or hazardous activities.

g) The location of Ground-Mounted Systems shall not interfere with adequate parking or with ingress and egress to the property on which it is located. Ground-Mounted Solar Energy Systems in all districts must allow room for Fire Company access to all out buildings. The

systems must be at least 20 feet from any existing structures and must not block any existing roadways, lanes or other pathways to out buildings. The intent of this section is to ensure adequate emergency access.

h) Once site plan approval is received, plans prepared in accordance with the New York State Building Code shall be submitted to the Town Code Enforcement Officer and a permit issued prior to the commencement of installation.

3. Equipment for Solar Energy Systems

Roof-Mounted Solar Energy Equipment such as batteries and control panels (except individual on/off switches) shall be installed in such a manner to reduce their visual impact. Ground Mounted Solar Energy Equipment shall be located in out-buildings where feasible or otherwise in such a manner to reduce their visual impact. Electric lines or wires from the System or Equipment to buildings should be installed below ground to the extent practicable.

C. Large-Scale Solar Systems

Large-Scale Solar Systems are not permitted anywhere in the Town of Austerlitz.

D. Enforcement

Any violation of this Solar Energy Law shall be subject to the same civil and criminal penalties provided for in the zoning regulations of the Town of Austerlitz.

SECTION 4. Adding definitions to Zoning LAW RELATING TO SOLAR ENERGY

The Zoning Law of the Town of Austerlitz (Local Law No. 2 of 2009) as amended from time to time and as codified in Chapter 195 of the Town of Austerlitz Code, is hereby amended by adding the following new definitions to section 195-58, entitled, "Definitions," in Article XV of said Chapter to read as follows:

BUILDING-INTEGRATED PHOTOVOLTAIC SYSTEM: A combination of photovoltaic building components integrated into any building envelope system such as vertical facades including glass and other facade material, semitransparent skylight systems, roofing materials, and shading over windows.

GROUND-MOUNTED SOLAR ENERGY SYSTEM: A Solar Energy System that is anchored to the ground and attached to a pole or other mounting system, detached from any other structure for the primary purpose of producing electricity for onsite consumption.

LARGE-SCALE SOLAR ENERGY SYSTEM: A Solar Energy System that is ground-mounted and produces energy primarily for the purpose of offsite sale or consumption. Any installation of a ground-mounted system producing electricity greater than 150% of onsite electrical usage is considered a Large Scale Solar Energy System. The electrical usage for on-site consumption shall be demonstrated from an average of past utility bills of the preceding twelve months or from an analysis of present and projected future onsite electrical usage, or both.

ROOF-MOUNTED SOLAR ENERGY SYSTEM: A Solar Panel System located on the roof of any legally permitted building or structure for the primary purpose of producing electricity for onsite consumption. If the electricity production is more than what is needed for on-site consumption, the additional electricity production may be utilized for off-site consumption.

SOLAR ENERGY EQUIPMENT: Electrical energy storage devices, material, hardware, inverters, or other electrical equipment and conduit of photovoltaic devices associated with the production of electrical energy not including Building-Integrated Photovoltaic Systems.

SOLAR ENERGY SYSTEM: An electrical generating system composed of a combination of both Solar Panels and Solar Energy Equipment.

SOLAR PANEL: A photovoltaic device capable of collecting and converting solar energy into electrical energy.

SECTION 5. AMENDING Zoning LAW USE CHART RELATING TO SOLAR ENERGY

The Allowable Use Groups Chart set forth in the Zoning law of the Town of Austerlitz (Local Law No. 2 of 2009) as amended from time to time and as codified in subsection B of Section 195-13, of Article IV, Chapter 195 of the Town Code, is hereby amended by adding a new use group entitled “**Solar Energy**” at the end of said Chart to read as follows:

Solar Energy Group A-HMA-HMRR

GROUND-MOUNTED SOLAR ENERGY SYSTEMSPR*SPR*SPR*

LARGE-SCALE SOLAR ENERGY SYSTEMXXX

ROOF-MOUNTED SOLAR ENERGY SYSTEM AAA

The symbol “SPR” means site plan review and approval is required from the Planning Board.

SECTION 6. SEVERABILITY

The invalidity or unenforceability of any section, subsection, paragraph, sentence, clause, provision or phrase of the aforementioned sections as declared by the valid judgment of any court of competent jurisdiction to be unconstitutional shall not affect the validity or enforceability of any other section, subsection, paragraph, sentence, clause, provision or phrase, which shall remain in full force and effect.

SECTION 7. Effective date

This local law shall take effect immediately upon filing with the Secretary of State.

End of Law

Planning Board Appointment

Supervisor Lagonia advised that Perry Samowitz is interested in being a member on the Planning Board. He has chatted with him. R. Lagonia urges the Town Board to reach out to him as well. Member Friedman has already done this. Member Verenazi will reach out.

Resolution #35-2017, Supporting Town Assessor in Updating the 2019 Assessor Roll

A motion to adopt Resolution #35-2017, Supporting Town Assessor in Updating the 2019 Assessor Roll was made by G. Vogler and seconded by N. Friedman.

R. Lagonia: yes

G. Vogler: yes

M. Verenazi: yes

N. Friedman: yes
J. Wrightsman: absent
Motion carried 4:1.

WHEREAS, the Town of Austerlitz Town Board supports the efforts of its Town Assessor, Pam Cook, in updating of the Town's 2019 Assessment Roll and maintenance of such Assessment Roll at full-market value, and

WHEREAS, the Town Board supports the allocation of sufficient resources for Town staff and services to complete the project,

NOW, THEREFORE, BE IT RESOLVED, that the Town of Austerlitz Town Board hereby expresses its support of its Town Assessor, Pam Cook, in updating of the Town's 2019 Assessment Roll and maintenance of such Assessment Roll at full-market value, and authorizes the allocation of sufficient resources for Town staff and services to complete such project, and

BE IT FURTHER RESOLVED, that the Town Board further requests that the New York State Office of Real Property Tax Services and the Columbia County Office of Real Property Services provide assistance that is typically afforded during such projects to the Town of Austerlitz Town Assessor, and

BE IT FURTHER RESOLVED, that the Town Board further authorizes and directs the Town Clerk to send a certified copy of this Resolution to the New York State Office of Real Property Tax Services and the Columbia County Office of Real Property Services and authorizes and directs the Town Supervisor, Town Assessor and/or Town Clerk to take such other and further actions as may be necessary to effectuate the terms of this Resolution.

Climate Smart Community

Town Board Member Vogler noted that he and Member Wrightsman are on point with this. Both will meet at the end of May to go over additional materials.

Austerlitz Park Area Trails

Town Board Member Friedman advised that she has been trying to get together with the Land Conservancy concerning the trails in the Austerlitz park area. The Land Conservancy needs to reach out to the surrounding land owners and haven't been successful. Member Friedman will follow-up. If the long-term plan of connecting trails on multiple parcels of land is too hard to accomplish at this point, the Town will work on trails on Town owned property only for now.

New Business

Nick VanAlstine, Spencertown Academy, submitted the following report:

Just over four years ago the Spencertown Academy board made the move to become an all-volunteer organization. We've accomplished a lot in those four years and thanks to our extraordinary gang of volunteers we continue to bring events and programs of interest and relevance to our community with a regular schedule of concerts, recitals and wonderful gallery exhibits as well as presentations that inform and educate our community.

And while the spirit of the Spencertown Academy is in great shape the physical condition of the building is not.

The need for restoration and repair is desperate. We need to act and we need to act soon or the building will become unsafe and unusable. The roof needs to be replaced and years of leaking have seriously damaged the cornice and bell tower. The chimney is in poor condition with loose and cracking bricks and the columns, siding and trim are all showing signs of spreading wood rot.

This is not a wish list and these are not cosmetic enhancements. It's an outline of non-negotiable steps that must be taken to save the building. We are looking to raise \$600,000 to perform the necessary work. This amount includes a maintenance fund that will be used to maintain and preserve the improvements we're making to protect our investment and to ensure we don't find ourselves in such a desperate situation in the future.

We are proposing the work be performed in 3 phases; first will be the roof, cornice and bell tower, to secure the building and prevent further damage from occurring. We estimate this cost to be \$250,000 of the \$600,000 needed. The majority of this first phase cost is the rebuilding of the cornice.

We have hired well known preservation architect Marilyn Kaplan to oversee and manage phase 1. She has drawn up specifications for the work to be done and bids have gone out this week to a list of invited bidders. We are hoping to raise enough money to start construction on phase 1 this fall.

I'm happy to report that we have already raised \$100,000 towards our goal and will be kicking off a full fundraising effort within the next month.

N. VanAlstine will continue to update Supervisor Lagonia as the project moves forward. If all the money for phase one does not come in, the project will not begin until all funding is secured. Town Board Member Friedman suggests looking into grant funding and this is already being done.

Town Park Surveillance Camera

A motion to authorize Supervisor Lagonia to spend up to \$2000.00 to purchase and install camera security equipment for the Town Park was made by N. Friedman and seconded by M. Verenazi.

R. Lagonia: yes

G. Vogler: yes

M. Verenazi: yes

N. Friedman: yes

J. Wrightsman: absent

Motion carried 4:1.

Town Historical Districts

Supervisor Lagonia noted that he has an email from Town Historian Tom Moreland that he will forward to the Town Board Members.

Public Comments

Steve Somlo advised the Town Board that a sign would need to be put up at the Town Park alerting visitors that a surveillance camera is in use.

S. Somlo noted that if the Town Board looks at the first sentence of the large scale system in the Solar Law, and compare that with the last sentence of the definitions, there should be a parallel, a conjunction. No output cap on roof systems was noted. There is a 150% cap on ground mounted system, where this none for a combination of roof and ground mounted systems. This needs to be explained because there will be questions by the Planning Board.

Executive Session

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

R. Lagonia: yes

G. Vogler: yes

M. Verenazi: yes

N. Friedman: yes

J. Wrightsman: absent

Motion carried 4:1. Executive session entered at 7:57 p.m.

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

R. Lagonia: yes

G. Vogler: yes

M. Verenazi: yes

N. Friedman: yes

J. Wrightsman: absent

Motion carried 4:1. Executive Session exited at 8:13 p.m.

Adjournment

A motion to adjourn was made R. Lagonia and seconded by G. Vogler.

R. Lagonia: yes

G. Vogler: yes

M. Verenazi: yes

N. Friedman: yes

J. Wrightsman: absent

Motion carried 4:1. Meeting adjourned at 8:14 p.m.

Respectfully Submitted,
Susan A. Haag, Town Clerk