

Town of Austerlitz
Town Board Meeting
February 20, 2014

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

John Mesick absent.

Regular meeting called to order at 7:00 p.m.

Moment of Silence, followed by the pledge of Allegiance.

Minutes

A motion to accept the January 16, 2014 Regular Town Board Meeting minutes was made by G. Vogler and seconded by M. Verenazi.

R. Lagonia: yes

B. Geel: abstain due to absence at meeting

J. Mesick: absent

M. Verenazi: yes

G. Vogler: yes

Motion carried.

Auditing of Accounts and Claims

A motion to approve 2014 General Fund #17-56, in the amount of \$26088.96, and 2014 Highway Fund #3-29, in the amount of \$29055.89 was made by B. Geel and seconded by M. Verenazi.

R. Lagonia: yes

B. Geel: yes

J. Mesick: absent

M. Verenazi: yes

G. Vogler: yes

Motion carried.

Reports

Monthly Cash Disbursement and Supervisor Report

Supervisor Lagonia noted that there is \$1,381,680.63 in the bank and funds are slowly being moved over to Kinderhook Bank from First Niagara. The sales tax check is in and roughly \$66,000.00. This is a quarterly check and the last for 2013. Labor costs in highway department for January 2014 are high because of the snowstorms. Supervisor Lagonia thanks the highway crew for all their hard work and the overtime put in.

Supervisor Lagonia advised that at beginning of the year the Town Board filled the open Planning Board seat and Charles Lawson was appointed as Chairman. At that time, C. Lawson mentioned that he may have to resign because of a change in job location and unfortunately, that

time has come to fruition. Therefore, the Town Board needs to fill an empty Planning Board seat and the chairmanship. There has not been a Planning Board meeting in January or February. When notice was made in December of last year for various positions, Deborah Lans expressed interest in serving on the Zoning Board of Appeals. R. Lagonia has spoken with D. Lans inquiring whether or not she is interested in serving on the Planning Board because he feels D. Lans would be an asset.

Supervisor Lagonia also advised that for now he would prefer to leave the chairman's seat empty because most of the members on the Planning Board are fairly new. R. Lagonia would like Attorney for the Town, J. Catalano, to head up a couple of meetings so that the all members are on the right track and then hand off the chairmanship.

Town Board Member Geel would like to meet with Deborah Lans because he does not know her and feels that the Planning Board is one of the most important boards the Town has. R. Lagonia suggests that each member of the Town Board call and set up a meeting with D. Lans. Town Board Member Verenazi would also like to meet with D. Lans. Supervisor Lagonia will speak with Town Board Member Mesick in case he would like a meeting as well.

The Town Board tabled the Planning Board Appointment until next month.

Supervisor Lagonia met with Nick VanAlstyne, Director of the Spencertown Academy to discuss possible use of Academy space for the Town Court, or other departments. R. Lagonia has reviewed the current lease the Town has with the Spencertown Academy. The Spencertown Academy is open for future discussions concerning this issue.

While meeting with N. VanAlstyne, R. Lagonia noted the condition of the building and advised that there are financial issues because the Academy building itself is in need of serious work. The Town should assist the Academy in any way it can because the current Spencertown Academy Board is trying hard to reach out to the community. Further discussion is worth the time since there is the potential down the road to use this option.

Supervisor Lagonia did try to ascertain the amount of C.H.I.P.s funding the Town of Austerlitz will receive for the 2014 cycle, but will not find out until April.

Supervisor Lagonia met with the Comprehensive Plan Oversight Committee and had a preliminary discussion concerning gateway signs. R. Lagonia handed the Town Board a mock-up to help spur ideas.

The Town website is being looked at to see where it can be changed and/or jazzed up. R. Lagonia did have a meeting scheduled with Laurie Quinn, Technology 4 All, concerning IT issues, but it was cancelled due to weather.

Supervisor Lagonia met with Supervisors Rick Keavney, Town of Canaan, and Art Baer, Town of Hillsdale, concerning the Code Enforcement Shared Service Agreement. All three thought there was no need for a contract, but all Towns will continue the shared services of Code Enforcement Officer, Lee Heim. The Town of Austerlitz was the lead agency, but the Town of

Canaan will now be taking over that position. Expenses and revenues have been adjusted and transferred to the Town of Canaan. CEO Heim was consulted. A new car fund will be established. All three Towns expressed their pleasure with L. Heim and there will be no changes in the CEO position.

On a County level, Supervisor Lagonia noted that there is quite a bit happening. Financially though, the County is not in great shape. The airport is a hot topic, as is Pine Haven. Pine Haven loses a lot of money for the County and the decision is whether or not to build a new building.

Highway Superintendent Report

Highway Superintendent Meehan reported that there has been quite a bit of snow and rain. There have been some minor breakdowns, the department is going through salt, and may be in the red. There was a minor mishap and a highway truck went through one of the garage doors. The estimate to fix this from Madsen Overhead Doors is \$1525.00. R. Meehan will see if this can go through insurance. Highway employee Robert Miller cut the back of hand, and had 5 stitches put in, but is back to work today.

There have been mailboxes taken down which will be fixed. Interestingly, the plows are not touching these, but rather the snow as it rolled off the plows.

Superintendent Meehan plowed up at the park behind the Spencertown Academy because of a community event. Some minor clean up around the stone still needs to be done.

Town Board Member Verenazi asked if there were any specs for the new highway truck. Superintendent Meehan explained that he prefers a Chevy or GMC, but is finding it difficult to locate a suitable truck. R. Meehan has not had luck with Ford trucks in the past and wants to stay away from them. In addition, R. Meehan is looking into a new grader and has been speaking with the John Deere dealer. Specs for this purchase will be put together soon and hopefully go out next month.

Supervisor Lagonia questioned the GPS coordinates for the speed radar sign on State Routes in Town. He would like to get these coordinates approved so this project can move forward.

Town Clerk Report for the month of January 2014 submitted.

No Planning Board Report for the month of January 2014 submitted. Meeting was cancelled.

Comprehensive Plan Oversight Committee Report for January 2014 year submitted. Included was a town survey. Town Board Member Vogler questioned the cost of the survey and whether or not it was budgeted for. Supervisor Lagonia suggested that Chairman Stalker could answer these questions.

Building Inspector/Code Enforcement Report for the month of January 2014 submitted.

Justice Cassuto Justice Court Report for the month of January 2014 submitted.

No Dog Report for the month of January 2014 submitted. The Town received notification from the NYS Department of Ag and Markets that an additional Dog Officer Inspection Report was completed on 1/28/14 and DCO services were rated as “Satisfactory”, and the Town of Austerlitz is now in compliance with Shelter services.

Attorney Report

Attorney for the Town, Joseph Catalano, reported that an engineer’s or architect’s report on the Mesick/Mulligan property will be forthcoming. Once received, it will be reviewed by CEO Lee Heim and if all is in order, a CO can be issued for this property.

Attorney Catalano has spoken with Bond Council at Supervisor Lagonia’s request concerning financing and refinance options, specifically bonding. The Town of Austerlitz currently has slightly over \$300,000.00 left on the Highway Garage bond. If this amount could be paid off, or refinanced, the Town could refinance for other needs. The Town Board discussed the parameters of bonding, types of bonds, what could be bonded, time limitations, etc. Additional discussion centered on interest rates, buyers and how much more stringent requirements now are. Attorney Catalano will continue to follow-up on this issue, but does need firmer figures and plans.

Supervisor Lagonia would prefer to take care of some of the more pertinent concerns facing the Town currently than waiting for 2017 when bonds are paid off. The Town needs to address out of date highway equipment, a new salt shed, etc. The Town Board needs to figure out a financing plan.

Supervisor Lagonia will meet with Attorney Catalano and bond council and set up workshops for the Town Board.

Supervisor Lagonia noted that Attorney Catalano did not charge the Town of Austerlitz for work done in December and discounted his current bill since he was spending extra time ‘coming up to speed’. R. Lagonia thanked J. Catalano for this consideration.

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

R. Lagonia: yes

B. Geel: yes

J. Mesick: absent

M. Verenazi: yes

G. Vogler: yes

Motion carried.

Correspondence

NYSDOT: Speed Limit Reduction State Route 203 in Hamlet of Spencertown from 40 to 35 mph. Supervisor Lagonia stated that this was great for the community and many people were involved in getting this accomplished. The change should be seen in the next couple of months.

NYSDOT: Rumble Strip Placement State Route 22.

Unfinished Business

Zanconato Demolition Update

Attorney Catalano advised that he looked at the Zanconato property today during a tour of the Town with Supervisor Lagonia. Attorney Catalano will send a letter to B. Zanconato reiterating the situation, the current status, and B. Zanconato's responsibilities giving a time deadline for a response from B. Zanconato. If the Town does not hear from B. Zanconato, bids will go out when the weather is better and the more likelihood of receiving bidders. If the Town bids out the work, the Town will pay upfront, but the costs will be billed on B. Zanconato's 2015 Town Tax bill.

Spencertown Academy

Addressed in Supervisor's Report.

McClintock Road Issue

Highway Superintendent Meehan received an additional email from M. McClintock concerning plowing and culvert issues. Attorney Catalano has looked at this property on his tour of the Town. M. McClintock's property was developed and the house built before the current regulations were in place. Attorney Catalano does not believe that a new culvert will correct the current water drainage issue. The Town Board discussed the water flow in this area noting that no work can be done until Spring regardless. It was the consensus of the Town Board not to make a decision on a culvert replacement until Spring, noting that no promises are being made that the Town will take any action what-so-ever. Current Zoning Law will be cited in a letter that Attorney Catalano will send to M. McClintock advising him of the Town Board's direction.

Culvert Policy

Attorney Catalano gave the Town Board an example of a culvert policy he feels covers all bases a Town would face concerning this issue. The Town Board discussed specifics with Town Board Members Vogler and Geel noting they were not in favor of the Town paying for culverts, but Member Geel would like to have any culvert installation inspected by the Town. The Town Board discussed wording and policy options. Town Board Member Verenazi noted that the homeowner should pay for the culvert, not the installation, and Highway Superintendent Meehan would inspect the job before work is done.

Attorney Catalano will put together a draft of law changes for the Town Board to consider.

Playground Bid Package

Supervisor Lagonia met with Jack Shear who offered the Town an additional \$100,000.00 for work up at the park behind the Spencertown Academy. Supervisor Lagonia would like to have a community day in the Spring for residents to express what they would like to see up in the park. Supervisor Lagonia is also planning on meeting with Summer Recreational Director D. Oleynek to discuss the Summer Recreation Program and what would benefit the children.

Supervisor Lagonia also advised that since there is numerous areas that need work in the park; ie. the parking area, the tennis court, the fence, the wall, using the Academy for Town Departments, etc., he would like the Town Board to devise a global plan for this entire area.

Highway Form 284

Attorney Catalano explained the legality for completion of Highway Form 284, explained how to fill it out and advised that he would work with Highway Superintendent Meehan to complete and submit to the Town Board at the next meeting.

Enhanced Patrol Contract

Attorney Catalano has reviewed the Enhanced Patrol Contract finding all in order, and Supervisor Lagonia advised that he would be watching the numbers as compared to the budget with this service.

A motion authorizing Supervisor Lagonia to approve and execute the 2014 Enhanced Patrol Contract was made by B. Geel and seconded by M. Verenazi.

R. Lagonia: yes

B. Geel: yes

J. Mesick: absent

M. Verenazi: yes

G. Vogler: yes

Motion carried.

Charter Communications Cable Contract

This is tabled for the next meeting so Attorney Catalano can review and advise.

New Business

Town Clerk Audit

Supervisor Lagonia and Town Board Member Vogler audited the Town Clerk and Tax Collector books as required by the NYS Comptroller's Office. The audit found no exceptions. Supervisor Lagonia noted that the Town Clerk's records were in excellent order.

Insurance Policy Review

Insurance Agent Rich Nesbit came before the Town Board giving a review of current insurance policies. Renewal date for policies is May 2014. Supervisor Lagonia asked the Town Board to review the coverage amounts for Town property and decide if changes needed to be made. R. Nesbit will work up some new numbers and get them back to the Town Board to see if there is significant cost savings when changing coverage figures. NYMIR will be out in the Spring to do annual appraisals.

Deputy Town Clerk

Town Clerk Haag requested funding from the Town Board for a Deputy Town Clerk since no budget line item was included in the 2014 Budget. Tabled until next month.

St. Peter's Use of Green and Road Closure

St. Peter's asked for permission to use the Greene and close County Route 7 in front of the Church on May 24, 2014 for their annual event, "Welcome to Summer in Spencertown".

A motion to allow the St. Peter's Church to use the Greene and close County Route 7 in front of the Church on May 24, 2014 was made by G. Vogler and seconded by M. Verenazi.

R. Lagonia: yes

B. Geel: yes

J. Mesick: absent

M. Verenazi: yes

G. Vogler: yes

Motion carried.

Insurance Bill

The Town has received the first request for reimbursement for an insurance deductible since the new highway benefits policy was put in place. The submission showed a date of March 2013 and the Town Board questioned why the bill was just being given to the Town. Town Board Member Geel stated that the Town Board had no official policy last year. The consensus of the Town Board was not to pay this because of its late submission and what was given to the Town does not make it clear exactly what the fee is. An insurance EOB needs to be submitted.

Harvey Mountain Bridge

Supervisor Lagonia will ask Morris Associates to look at the Harvey Mountain Bridge work project and ask for a preliminary report.

Public Comments

None

Adjournment

A motion to adjourn was made by R. Lagonia and seconded by B. Geel.

R. Lagonia: yes

B. Geel: yes

J. Mesick: absent

M. Verenazi: yes

G. Vogler: yes

Motion carried. Meeting adjourned at 9:08 p.m.

Respectfully Submitted,
Susan A. Haag, Town Clerk