

Town of Austerlitz  
Town Board Meeting  
March 20, 2014

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

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 February 20, 2014 Regular Town Board Meeting minutes was made by G. Vogler and seconded by B. Geel.

R. Lagonia: yes

B. Geel: yes

J. Mesick: yes

M. Verenazi: yes

G. Vogler: yes

Motion carried.

**Budget Amendments/Auditing of Accounts and Claims**

**Budget Amendment #1-2014**

**General Fund**

A1220.4 Supervisor Contractual increase appropriations, decrease est. revenues \$1500.00

A01120 Sales Tax increase est. revenues, decrease appropriations \$1500.00

A motion to approve Budget Amendment #1 for the 2014 year was made by J. Mesick and seconded by M. Verenazi.

R. Lagonia: yes

B. Geel: yes

J. Mesick: yes

M. Verenazi: yes

G. Vogler: yes

Motion carried.

**Auditing of Accounts and Claims**

A motion to approve 2014 General Fund #57-90, in the amount of \$17142.13, and 2014 Highway Fund #30-63, in the amount of \$22118.90 was made by B. Geel and seconded by M. Verenazi.

R. Lagonia: yes

B. Geel: yes

J. Mesick: yes

M. Verenazi: yes

G. Vogler: yes

Motion carried.

## **Reports**

### **Monthly Cash Disbursement and Supervisor Report**

Supervisor Lagonia went over the numbers noting the differences between last year and this year. As of February there are less expenses this year. Bigger differences are seen in the Code Enforcement clerk line because more hours are being put in for the Highway Department. Revenues are down--\$17000.00 in fines and forfeitures most likely because there is a new judge, fines are lower, there has been numerous snow storms which have left snow on the parkway patrol areas, and the Town has cut down on the time put in by the Enhanced Patrol.

The Kinderhook bank accounts showing over a million, with roughly \$440000.00 in First Niagara that still needs to be moved over to Kinderhook Bank. There is a resolution for tonight to authorize closure of these accounts per the bank's request.

Supervisor Lagonia noted that bond issues have been discussed back and forth with Attorney for the Town, Joseph Catalano. The Town Board will schedule workshops to become more informed concerning bonding issues and to determine how best to fund future projects.

Attorney Catalano has crunched some numbers and investigated options which were noted and explained. Supervisor Lagonia is looking to pursue bonding future projects, but this will require a considerable amount of discussion by the Town Board.

Town Board Member Greg Vogler noted the \$50000.00 in the 2014 budget that was put in for equipment purchases.

Supervisor Lagonia advised that since the snow is melting more focus can be placed on the Park project up behind the Spencertown Academy. R. Lagonia would like to hold a Community Day, which includes the involvement of the Summer Recreation Director, and talk about what the needs are for this area and what the community would like to see.

The new 35 mph speed signs have been put up in the Hamlet of Spencertown. Our Resident Deputy will sit in the Hamlet on Fridays. Speeders will be warned for a while before writing tickets. The Resident Deputy will also sit on Sundays on the Taconic Parkway. Since fines are down, the Town Board will need to watch this line item expense. Town Board Member Geel questioned how many tickets the State Troopers are writing and Supervisor Lagonia noted tickets are being written.

Supervisor Lagonia has also spoken with Paul McCreary from Morris Associates. Highway Superintendent Meehan plotted some GPS areas that were given to P. McCreary to place on a map. This map will then be included with the application to the NYSDOT for placement of the speed sign on State Route 203 and State Route 22.

The Town will not know how much C.H.I.P.s funding it will be given until April 1<sup>st</sup>. The amount should be at least as much as last year.

Supervisor Lagonia will be meeting with Technology 4 All concerning back up and IT issues. Supervisor Lagonia put a call into the Hudson Correctional Facility for painting services. The inside of the Town Hall needs to be finished and that is scheduled for April 28<sup>th</sup>. Because of this, the Town Hall may be closed for a couple of days.

Supervisor Lagonia advised that at some time in the past the Town was enrolled with American Gas for electricity and their electric rates are now out of control. R. Lagonia is investigating options to lower these rates. American Gas is supposed to give the Town a rebate check in June.

March is nutritional month and the County comes out to different areas to discuss this. The Town could possibly host something on a Saturday.

There is a business page being set up on the Town's website listing businesses located in the Town. There is an option to sign up for those who wish to participate.

#### Columbia County

On a County level, Supervisor Lagonia noted that the airport is the biggest issue; voting continues to be put off for multiple reasons. Discussion centered around whether or not to purchase Meadowgreens Restaurant, length of runway, etc.

#### Highway Superintendent Report

Highway Superintendent Meehan reported that on one truck the clutch blew out in last storm, but it is fixed now. The new pickup is almost ready.

Highway Superintendent Meehan advised the Town Board that he slid off the road and did about \$3000.00 worth of damage to one of the Town's plow trucks. A claim was put in. The Highway Garage door has been repaired and the insurance payment for that has been received. Pot holes are being filled in.

R. Meehan advised the Town Board that he needs to start working on the Harvey Mountain Bridge very soon, so bid specs need to be completed and put out. The NYSDEC has already called this year and reminded R. Meehan that there is a temporary bridge in place that needs to be replaced with a permanent bridge by this fall. Supervisor Lagonia noted that he has spoken with Engineer for the Town, P. McCreary, and P. McCreary will go out and start some preliminary work.

New Truck Bid Specs: The Town Board discussed how to put a bid package together, and what R. Meehan is looking for in a truck. Supervisor Lagonia would like to bid this truck both to lease and to purchase. Attorney for the Town Catalano will put together a set of bid specs for the April 2014 Town Board Meeting. Attorney Catalano explained how the bidding process works and Highway Superintendent Meehan will investigate state bids.

Town Clerk Report for the month of February 2014 submitted.

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

Attorney for the Town Catalano advised that he attended the March Planning Board Meeting and gave the Town Board some specifics on the projects before the Planning Board.

Comprehensive Plan Oversight Committee Report for March 2014 year submitted.

Building Inspector/Code Enforcement Report for the month of February 2014 submitted. Supervisor Lagonia advised that the Town of Canaan is now heading up the shared services agreement arrangements and it is working out fine. The current sign law was given to Attorney Catalano for revisions.

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

Justice Grubin Justice Court Report for the months of January and February 2014 submitted.

Supervisor Lagonia is meeting with the justices to help explain in house procedures.

Dog Report for the month of February 2014 submitted.

#### Attorney Report

Attorney for the Town, Joseph Catalano, reported that he has been busy adjusting to our town meeting schedule and would like to get material to board in a timelier manner. J. Catalano will be unable to make the April Town Board meeting.

We Attorney Catalano attended the Planning Board Meeting, he took some time to ascertain where the education level of each board member was. The Planning Board Members asked a number of questions and J. Catalano advised that there will be a learning curve for the Planning Board because the members are green and there is some confusion. No one on the current board is interested in being appointed as Chair. Attorney Catalano will be attending the next Planning Board Meeting and advised the Town Board that he would be available to do some training with the Planning Board that would fill the State mandated 4 hour required yearly schooling for all planning board members. This training could be done in increments. J. Catalano has been a training instructor in the past for the NY Planning Federation and training that he would provide would satisfy the yearly education requirement. The Town Board discussed different types of training available. The Zoning Board Appeals can attend these training sessions as well. These types of training are nice because they can be tailored to what is currently before the Planning Board.

A motion to authorize the Attorney for the Town, Joseph Catalano, to provide periodic training over the current year to the Planning Board and the Zoning Board of Appeals as their option that would qualify towards the four hours training required by State Law was made by B. Geel and seconded by M. Verenazi.

R. Lagonia: yes

B. Geel: yes

J. Mesick: yes

M. Verenazi: yes

G. Vogler: yes

Motion carried.

A motion to accept the above reports was made by J. Mesick and seconded by G. Vogler.

R. Lagonia: yes

B. Geel: yes

J. Mesick: yes

M. Verenazi: yes

G. Vogler: yes

Motion carried.

### **Correspondence**

Empire State Development: Columbia County-Hurricane Irene-Tropical Storm Lee Flood Mitigation Capital Project, Public Hearing. Amounts listed for 3 projects in the Town of Austerlitz for a grant amount of \$60000.00.

Supervisor Lagonia spoke with Laura Sager, Columbia County Soil and Water, who advised that the NYSDEC is very difficult to deal with in these types of situations. L. Sager suggested that maybe the Town Board should pick one project out of the three that is not very cumbersome to accomplish to lessen our aggravation. All of the projects listed will incur engineering fees, some less than others. Supervisor Lagonia has given the grant award notification to Engineer for the Town, Paul McCreary, for his input. The Town Board discussed the different projects noting that these projects will probably be bid out because R. Meehan does not have the time to take these on. Supervisor Lagonia noted that once preliminary numbers are in the Town Board can decide what to do. All of these projects must be completed by the end of this year.

### **Unfinished Business**

#### **Zanconato Demolition**

Attorney Catalano has sent four letters to B. Zanconato; two have been returned. The assumption is that B. Zanconato has received the letter. Neither Attorney Catalano, or Code Enforcement Officer, L. Heim have received any phone calls or other correspondence from B. Zanconato concerning this notification letter.

In reviewing the Unsafe Building Regulations, it was determined that certain Town Board decisions must be made by resolution; therefore the following resolution is put forth for consideration.

Resolution #34-2014

A motion to adopt Resolution #34-2014 was made by R. Lagonia and seconded by M. Verenazi.

R. Lagonia: yes

B. Geel: yes

J. Mesick: yes

M. Verenazi: yes

G. Vogler: yes

Motion carried.

State of New York County of Columbia  
Town Board of the Town of Austerlitz

In the Matter of the Application of the Town  
Austerlitz to remove an Unsafe Structure,  
Vehicles and unsafe Condition Upon Lands  
Owned by Brian Zanconato, located at  
Middle Road, Austerlitz, NY  
Tax Map #: 79.-1-21

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**RESOLUTION & ORDER**

Resolution No. 34-2014

**WHEREAS**, Brian Zanconato is the owner of certain real property located at Middle Road, Austerlitz, Columbia County, New York, bearing Tax Map Number 79.-1-21; and

**WHEREAS**, the Town Board of the Town Austerlitz (hereinafter the "Town Board") received and reviewed a Report from the Town Building Inspector/Code Enforcement Officer regarding the condition of the said property, the structures and vehicles located on such real property in accordance with the requirements of Chapters 83 and 90 of the Town of Austerlitz Town Code, at its regular meeting held on October 10, 2013; and

**WHEREAS**, following its review of said Report, the Town Board on October 10, 2013, issued an Order that: (1) determined that the structure located on the real property located at Middle Road, Austerlitz, Columbia County, New York, bearing Tax Map Number 79.-1-21 and owned by Brian Zanconato, was unsafe and dangerous due to foundation and footing failure so that the collapse of the structure was immanent, (2) directed and ordered the owner, Mr. Zanconato, to repair, demolish or secure the structure by installation of a security fence around the structure, within 60 days of said Order, (3) scheduled a public hearing for November 14, 2013, on the unsafe condition of the structure and providing Mr. Zanconato an opportunity to appear and be heard by the Town Board on the matter of his property; and (4) ordered that if Mr. Zanconato failed to comply with the Town Board's Order, the Town of Austerlitz had the right to enter on Mr. Zanconato's property and to remove the structure and to charge the property owner for the costs of such removal and proceedings; and

**WHEREAS**, a true and accurate copy of the Order was personally served on Mr. Zanconato on October 25, 2013; and

**WHEREAS**, the hearing before the Town Board was duly held on November 14, 2013, and Mr. Zanconato was present and he addressed the Board at that time and the Town Board continued the hearing to December 12, 2013, in order to give Mr. Zanconato further opportunity remediate the unsafe condition of the structure on his property and an additional opportunity to address the Town Board; and

**WHEREAS**, the hearing was continued on December 12, 2013, but Mr. Zanconato failed to appear at said hearing and the Town's Code Enforcement Officer reported that the unsafe condition of the structure on Mr. Zanconato's property remained unchanged; and

**WHEREAS**, the hearing was closed on December 12, 2013, and after the close of the hearing the Town Board adopted a motion that affirmed the Town Board's prior determination made on October 10, 2013, that the structure in question was indeed unsafe; that Mr. Zanconato failed to remediate the unsafe condition of the structure, further determined that the structure had to be demolished and removed from the property, and the Town Board directed that bid specifications be prepared in order to solicit a contract for demolition and removal of the structure from the property; and

**WHEREAS**, since that motion was adopted, the Town sent a letter to Mr. Zanconato advising him of the above-referenced determinations of the Town Board by letter and providing him another opportunity to remediate the unsafe condition of the structure on his property; and

**WHEREAS**, to date, Mr. Zanconato has not responded to said letter and has not otherwise contacted the Town and the unsafe condition of the structure has not been remediated and is worsening over time; and

**WHEREAS**, the Town Board members are fully familiar with the facts of this matter and proceedings held on this matter to date;

**NOW THEREFORE THE TOWN BOARD OF THE TOWN OF AUSTERLITZ RESOLVES, DETERMINES AND ORDERS** as follows:

**RESOLVED**, that the Town Board hereby affirms and ratifies its determinations and Order made on October 10, 2013, and affirms and ratifies its determinations made on December 12, 2013, by motion after the hearing duly held on the unsafe condition of the structure located at Middle Road, Austerlitz,

Columbia County, New York, bearing Tax Map Number 79.-1-21 and owned by Brian Zanconato; and that the Town Board again determines that said structure has not been repaired, removed or otherwise secured and that said structure remains in an unsafe and dangerous condition of collapsing with footing and foundation failure that is only worsening over time, and that the Order issued on October 10, 2014, is continued and affirmed with the modification that the only appropriate method for remedying the unsafe and dangerous condition of the structure in question is that it must be demolished and removed from the property; and it is further

**RESOLVED**, that the Town Board of the Town of Austerlitz hereby determines that the proceedings of this matter are in compliance with Chapter 83 of the Town of Austerlitz Code regarding unsafe buildings and that Mr. Zanconato has had an ample and fair opportunity to be heard regarding said matter and to remediate the unsafe condition, and it is further

**ORDERED**, that the Owner, Brian Zanconato is once again hereby directed and ordered to demolish and completely remove the structure and debris from the demolition on or before May 14, 2014, to the satisfaction of the Code Enforcement Officer; and it is further

**RESOLVED and ORDERED**, that in the event the Owner, Brian Zanconato fails to complete such removal, the Town of Austerlitz shall have the right to complete such removal, and it is further

**RESOLVED and ORDERED**, that in the event the Town of Austerlitz is required to complete such removal and the Owner of such real property fails to reimburse the Town for the cost of such demolition and remediation within 60 days of the date of the invoice of such costs served upon the Owner via certified return receipt requested mail, same shall be reported to the Columbia County Treasurer and Columbia County Real Property Tax Services and recorded as a lien upon such real property and collected as a special ad valorem levy thereon in accordance with Chapter 83 and 90 of the Town of Austerlitz Town Code; and it is further

**RESOLVED**, that a true and accurate copy of this Resolution and Order be personally served on Mr. Zanconato and that a bid notice and specifications be prepared for the demolition and removal of the

unsafe structure from Mr. Zanconato's property so that the Town may retain a qualified contractor to perform such work.

### **Spencertown Academy**

Supervisor Lagonia met with Nick VanAlstyne concerning the use of the Spencertown Academy by the Town. N. VanAlstyne is very open and is willing to work with the Town. The options the Town Board needs to consider for the Academy are: just to move the court, or just the other town offices, or everything? Concerning court needs: do we want to spend money for something that still might not work well? Since a bench is needed, it would have to be something temporary that can be moved back and forth, and a separate area for clerical work. These can't really be kept set up because the Academy has events that we would have to work around. There is also no wi-fi.

The Town really has three needs; court space, office space, and meeting room space. Town Board Member Vogler asked if the Academy could be used just for meeting space. Supervisor Lagonia asked the Town Board to think globally about all departments and explore options before any money is spent. Supervisor Lagonia noted that all at the Academy are wonderful, and though they may agree that using this space is not a viable option currently, they remain open to discussion.

Town Board Member Geel believes that the Town is way off from a new Town Hall and he likes the current Town Hall for meetings. If the Town anticipates a larger attendance at a Town Board Meeting, the meeting location can be moved as it has been in the past. Member Geel thought that the issue with new court space was due to safety issues. Attorney Catalano advised that there are also issues for the Town Clerk and her office space under certain circumstances as required by law.

Supervisor Lagonia stated that there is also office space to consider in the building at the end of Elm Street.

### **Highway Form 284**

Attorney Catalano advised that Highway Superintendent Meehan has worked on this form and submitted it for consideration. After looking at the individual line items, the Town Board felt that because it will not have C.H.I.P.s numbers until April, which may affect which projects are undertaken, this form is tabled until the April Town Board meeting.

### **Charter Communications Franchise Renewal Agreement**

Supervisor Lagonia spoke with a representative from Charter Communications explaining that the service provided is not what it should be. Attorney Catalano advised that the Town can only renew this contract for two years instead of ten years. There are not too many areas that the Town can negotiate in this contract, but renewal years are one. The Town Board discussed this contract and service provided. Attorney Catalano will notify Charter Communications that the Town is only interested in renewing this contract for two years.

### **Local Law 1-2014**

Attorney Catalano presented the Town Board with Local Law 1-014, Regulating Driveways. The Town Board discussed the sections of this proposed law.

A motion to introduce proposed Local Law #1-2014 and to set a public hearing on said law for April 10, 2014 at 6:30 p.m. was made by J. Mesick and seconded by M. Verenazi.

R. Lagonia: yes  
B. Geel: yes  
J. Mesick: yes  
M. Verenazi: yes  
G. Vogler: yes  
Motion carried.

### **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.

A motion to approve the hiring of a Deputy Town Clerk at \$10.00/hour for 128 hours max for the 2014 year was made by R. Lagonia and seconded by G. Vogler.

R. Lagonia: yes  
B. Geel: yes  
J. Mesick: yes  
M. Verenazi: yes  
G. Vogler: yes  
Motion carried.

### **Planning Board Appointment**

Supervisor Lagonia noted that a public notice was placed again in February 2014 for those interested in serving on the Planning Board. Deborah Lans was interested in serving on the Zoning Board Appeals and sent an email to that effect back in December 2013. R. Lagonia spoke with D. Lans who said she was interested in serving on the Planning Board. Supervisor Lagonia and Town Board Member Mesick have spoken with D. Lans. Member Vogler knows D. Lans and is aware of her qualifications. Member Verenazi tried to set up an appointment, but was unable to connect before the Town Board Meeting. Member Geel did not meet with D. Lans. Supervisor Lagonia advised that since there will now be training for planning board members, an appointment needs to be made so that a new member can take advantage of that training.

A motion to appoint Deborah Lans to the Planning Board for a term beginning March 20, 2014 and ending December 31, 2015 was made by R. Lagonia and seconded by J. Mesick.

R. Lagonia: yes  
B. Geel: yes  
J. Mesick: yes  
M. Verenazi: yes  
G. Vogler: yes  
Motion carried.

## **New Business**

### **Lawn Care Bid Specs**

Lawn Care Bid Specs were presented for approval.

A motion to approve lawn care bid specs as presented and to authorize a notice to be published for lawn care was made by B. Geel and seconded by R. Lagonia. Bids to be submitted to the Town Clerk's Office no later than 10:00 a.m. on April 9, 2014.

R. Lagonia: yes

B. Geel: yes

J. Mesick: yes

M. Verenazi: yes

G. Vogler: yes

Motion carried.

### **Highway Bid Specs**

Highway Bid Specs for stone, gravel, bituminous asphalt; culvert pipe, guard rail, geotextile fabric; and asphalt emulsion, calcium, fuel were presented for approval.

A motion to approve highway bid specs as presented and to authorize a notice to be published for highway material was made by G. Vogler and seconded by R. Lagonia. Bids to be submitted to the Town Clerk's Office no later than 10:15 a.m. on April 9, 2014.

R. Lagonia: yes

B. Geel: yes

J. Mesick: yes

M. Verenazi: yes

G. Vogler: yes

Motion carried.

### **Highway Truck Bid Specs**

Bid specs for a new highway truck were discussed. Highway Superintendent Meehan will put specs together and send to Attorney Catalano. Bid specs to be presented at April Town Board meeting.

### **Resolution #33-2014, First Niagara Municipal Deposit Resolution**

Supervisor Lagonia noted that in order for the Town of Austerlitz to close its municipal accounts with First Niagara, the following resolution must be approved and sent to them.

A motion to adopt Resolution 33-2014, First Niagara Municipal Deposit Resolution was made by R. Lagonia and seconded by J. Mesick.

R. Lagonia: yes

B. Geel: yes

J. Mesick: yes

M. Verenazi: yes

G. Vogler: yes

Motion carried.

**WHEREAS**, the Town Board at its organizational meeting held on January 2, 2014, adopted a resolution that designated the Kinderhook Bank as the primary official depository of the Town's accounts; and

**WHEREAS**, the Town Supervisor as the Town's Chief Fiscal Officer is authorized to manage the accounts of the Town; and

**WHEREAS**, the Town still has some accounts in First Niagara Bank that the Supervisor desires to close out and consolidate in Kinderhook Bank but in order to do so First Niagara is requiring that the Town Board specifically authorize the Supervisor via a deposit resolution on a form approved by First Niagara; said form is attached and the pertinent resolved clauses are set forth below (for purposes of this Resolution, the term "corporation" means the Town of Austerlitz);

**NOW, THEREFORE, BE IT RESOLVED**, that First Niagara Bank, N.A. headquartered in Buffalo, New York is designated an authorized depository of this corporation; and

**FURTHER RESOLVED**, that all drafts, checks, or other instruments or orders for the payment of money drawn against the account or accounts of this corporation with said depository shall be signed by any   1   (*insert number*) of the following (*insert titles & names*):

Robert Lagonia, Supervisor of the Town of Austerlitz ; and

**FURTHER RESOLVED**, that said depository is authorized to place to the credit of the account, or any of the accounts, of this corporation, funds, drafts, checks or other property by whomever delivered to said depository or agent thereof for deposit to the accounts of this corporation, endorsed with the name of this corporation, by rubber stamp, facsimile, mechanical, manual, or other signature (and any such endorsement by whomever affixed shall be the endorsement of this corporation), or otherwise endorsed, or unendorsed, provided that if any such item shall bear, or be accompanied by, directions (by whomever made) for deposit to specific account, then such deposit shall be to the credit of such specific account: and

**FURTHER RESOLVED**, that said depository is hereby directed to accept, and/or pay and/or apply any draft, check, instrument or order for the payment of money, or any proceeds thereof, drawn on such account or accounts when signed as required by these resolutions by manual, rubber stamp, facsimile, or other mechanical signature (by whomever affixed) without limit as to amount, without inquiry, and without regard to the disposition of any such item or any proceeds thereof. Further, said depository shall not be liable in connection therewith notwithstanding that such item may be payable to the order of a person whose signature appears thereon or of any other officer or officers, agent or agents of this corporation, or such items or any proceeds thereof may be used or disposed of for the personal credit or account of any such person or persons, officer or officers, agent or agents with the depository or otherwise; and

**RESOLVED**, that the Supervisor is hereby authorized to close out the Town accounts held by First Niagara Bank and transfer same to Kinderhook Bank and that the attached "Deposit Resolution" form be completed and presented to First Niagara Bank and that this Resolution shall take effect immediately.

### **April Town Board Meeting Date Change**

Due to being out of Town, Supervisor Lagonia and Town Board Member Vogler, asked for a date change for the April Town Board Meeting from April 17, 2014 to April 10, 2014 is requested.

A motion to change the April Town Board meeting from April 17, 2014 to April 10, 2014 was made by R. Lagonia and seconded by G. Vogler.

R. Lagonia: yes

B. Geel: yes

J. Mesick: yes

M. Verenazi: yes

G. Vogler: yes

Motion Carried.

### **Justice Court Audit**

Town Board Member Vogler and Supervisor Lagonia audited the Justice Court records as required by the NYS Comptroller's Office. One exception was noted and corrected.

A motion to accept the Justice Court audit was made by J. Mesick and seconded by M. Verenazi.

R. Lagonia: yes

B. Geel: yes

J. Mesick: yes

M. Verenazi: yes

G. Vogler: yes

Motion Carried.

### **Summer Recreational Program**

Supervisor Lagonia met with Summer Recreational Program Director Deborah Oleynek and Elaine VanAlstyne. It was determined that parts of this program have some gaps that need to be fixed and the application needs to be updated. Supervisor Lagonia noted that Deb and Elaine do a great job, but some aspects just need to be fine tuned to make it cost effective, and to make the workers' job easier.

The Town Board decided that there would no longer be any refunds given, it will be full registration, not partial, proof of residence will be required, drop off and pick up times will be strictly enforced, guests not allowed, and there will be a penalty for late registration.

The costs will change as follows: resident cost will be increased to \$40.00 for a single and \$75.00 for a family. Non-resident cost will be increased to \$200.00 for the first child, additional \$200.00 for the second child, and \$150.00 for every child thereafter.

There is a terrific program for so little money. The Town of Canaan will have no program this year so the Town of Austerlitz' participation may increase. The Spencertown Academy will allow the kids to come inside the building if it rains.

Payroll numbers will be discussed in the coming months. Supervisor Lagonia would like this program to just break even. The Town is not out to make money here. The playground equipment is in good shape.

Supervisor Lagonia thanked Deborah and Elaine for their time. Attorney Catalano will update the Summer Recreation Program application.

### **Public Comments**

None

### **Executive Session**

A motion to enter Executive Session to discuss the litigation Fizzinoglia vs Town of Austerlitz Law Suit and personnel matter concerning the accountant was made by R. Lagonia and seconded by G. Vogler.

R. Lagonia: yes

B. Geel: yes

J. Mesick: yes

M. Verenazi: yes

G. Vogler: yes

Motion Carried. Executive session entered at 9:28 p.m.

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

R. Lagonia: yes

B. Geel: yes

J. Mesick: absent

M. Verenazi: yes

G. Vogler: yes

Motion Carried. Executive Session was exited at 10:05 p.m.

No final decisions were made in Executive Session.

### **Adjournment**

A motion to adjourn was made by M. Verenazi and seconded by B. Geel.

R. Lagonia: yes

B. Geel: yes

J. Mesick: yes

M. Verenazi: yes

G. Vogler: yes

Motion carried. Meeting adjourned at 10:05 p.m.

Respectfully Submitted,  
Susan A. Haag, Town Clerk