

Town of Austerlitz
Public Hearing/Town Board Meeting
April 10, 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

Public Hearing called to order at 6:30 p.m.

Public Hearing called for Local Law 1-2014, Regulating Driveways; Town Clerk provided proof of notice.

No comments from the public.

A motion to close the public hearing on Local law 1-2014, Regulating Driveways, was made by G. Vogler and seconded by J. Mesick.

R. Lagonia: yes

B. Geel: yes

J. Mesick: yes

M. Verenazi: yes

G. Vogler: yes

Motion carried.

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 March 20, 2014 Regular Town Board Meeting minutes 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.

Budget Amendments/Auditing of Accounts and Claims

Budget Amendment #2-2014

Highway Fund

DA5142.1 Snow Removal increase appropriations, decrease est. revenues \$4192.00

DA5110.4 General Repairs increase est. revenues, decrease appropriations \$4192.00

A motion to approve Budget Amendment #2-2014 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 #91-122, in the amount of \$13733.38, and 2014 Highway Fund #64-83, in the amount of \$16472.52 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.

Reports

Monthly Cash Disbursement and Supervisor Report

Supervisor Lagonia noted one area of concern which is that revenues are down quite a bit from last year, about \$35000.00. Most of this figure is in fines and forfeitures which is down \$20000.00. The Attorney line item is already at the budgeted amount, but Supervisor Lagonia knew coming in that the budgeted figure would not be enough. These line items will continued to be monitored. The expenses looked about the same as last year this time so they are not really a concern. Supervisor Lagonia wants to keep a tight rope on all areas of the budget so that very little, if anything, is taken from savings to balance. There is currently \$1,000,000.00 in the bank as of today.

The 2014 budget showed a line item of \$100,000.00 for C.H.I.P.s, but the Town has actually been awarded \$134,000.00. In addition, Supervisor Lagonia is hopeful that the Town will get some grant money, but the Town has not heard anything yet concerning this. The culvert replacement project on Harvey Mountain Road needs to be started regardless, and the Town will use C.H.I.P.s money to start. If grant money is awarded for this project, Supervisor Lagonia will use that instead of C.H.I.P.s and free the C.H.I.P.s funding up for other projects. If the Town does receive grant money, it will be in a better position financially.

Supervisor Lagonia continued noting that he would like to start workshops in May, before each Town Board meeting. The workshop could start an hour ahead of time and the Board can discuss different topics each month. For the May Town Board Workshop, the Board should discuss bonding, and start to put together ideas of what purchases the Town needs to make.

Supervisor Lagonia would like to have a community day in June for the public to weigh in on what to do in the park behind the Spencertown Academy. Businesses, associations and residents should attend so different perspectives are heard.

The GPS coordinates on State Route 203 and 22 for placement of the speed sign were given to the State and now the Town is just waiting for conformation and approval. Once the Town is given approval, the speed sign will be placed on these State Highways. Highway Superintendent Meehan advised that he will start to place the sign on Town roads.

The NYS Comptroller's office audit has begun. Town Clerk Haag has given her part electronically, and the Accountant's records have been requested, but not sent yet. The Comptroller's Office has noted that there were issues noted during the October 2013 Risk Assessment done. Supervisor Lagonia welcomes the NYS Comptroller's visit and feels that it is a good time to do an audit. If there are areas that the Town needs to correct, the Town will comply.

Supervisor Lagonia advised that Technology 4 All has met with Town Clerk Haag, Property Clerk Davis and himself to discuss back-up options and IT issues. Technology 4 All's pricing for offsite back-up was higher than BAS (Business Automation Services) so the Town will be moving forward with BAS. It was noted that currently each computer, except Code Enforcement, has an external hard drive for back-up.

In addition, the Town has been having issues with the email back-up overloading. This will be corrected by Technology 4 All by changing the hosting provider.

Supervisor Lagonia is still waiting to hear back from the Hudson Correctional Facility concerning their participating in painting the inside of the Town Hall.

The speed limit in the Hamlet of Spencertown has been lowered and signage has been put in by the State. The Enhanced Patrol services are down to 2 days per week. Supervisor Lagonia will keep an eye on the budget line item for this service.

The backroom in the Town Hall will be cleaned-up and organized somewhat differently. Additional shelving may need to be purchased.

Supervisor Lagonia is going to look into purchasing a single air conditioning unit for the Town Hall. The toilet was replaced in one of the bathrooms and the other one was repaired.

Supervisor Lagonia met with the Town Justices going over their roles, the role of the court clerk, spacing issues, etc. It was a good meeting.

Custodian for the Town Hall, Tammy Page, has resigned. Sandy Okonski will be taking her place.

Supervisor Lagonia has spoken to the owner of the building next to the Town Hall concerning the purchase to use as a Town Hall. The numbers offered generated some interest to continue looking into this. R. Lagonia noted there may be some private funds available as well. Supervisor Lagonia has toured this historical building and it is in good condition.

Supervisor Lagonia is also looking into the electric rates and shopping companies.

Columbia County

On a County level, Supervisor Lagonia noted that the County Board of Supervisor voted for the airport to go north verses south. Supervisor Lagonia voted to go south. Regardless of the vote, it was the right thing to get something going in this regard. The FAA will dictate how the project goes forward. The Pine Haven project does not look like it is going to go through. If anyone would like to discuss this with Supervisor Lagonia, they can email him.

Town Clerk Report for the month of March 2014 submitted. Town Clerk Haag hired Deborah Welch as the First Deputy Town Clerk, and she started this week.

Tax Collection Report for the month of March 2014 submitted.

Highway Superintendent Report

Highway Superintendent Meehan reported that the roads are drying out, although there are some soft spots. Some roads have been posted for heavy loads. The Highway Crew has been patching potholes and doing some touch up. In a couple of weeks roads will be graded. The Highway Crew is doing a great job picking up garbage. East Hill Road is really bad, Middle Road is not good, both need signs up for keeping heavy trucks off. There is still frost in the ground causing soft spots. The roads are better than expected.

Supervisor Lagonia noted that he and Highway Superintendent Meehan met with a representative from the Nortrax Company concerning the purchase of a new grader. They presented two proposals. The Town Board discussed the proposals and optional equipment. Supervisor Lagonia's sense is that the Town needs a new grader and there was budgeted \$50000.00 in the 2014 budget for equipment, but the Town also needs a new highway truck. R. Lagonia explained financial considerations and options for this possible purchase. This will either be put out to bid, or the Town will piggyback off of another Town's bid process. Once an order is placed for a new grader, it will take 3 months to arrive. The consensus of the Town Board is that the Town needs a new grader since the grader is used all year round. Nortrax is a John Deere dealer, but CAT equipment has been looked at as well.

Town Board Member Vogler asked for next steps to be taken. Supervisor Lagonia advised that the Town needs a bottom line number for the grader, and then the Town Board will decide to purchase or lease. This can be discussed at the workshop before the Town Board Meeting in May. How to bid would need to be decided as well.

Planning Board Report for the month of March 2014 submitted. Attorney for the Town, Joe Catalano, attended the Planning Board meeting again this month and advised Supervisor Lagonia that a Planning Board Chairman needs to be appointed. Attorney Catalano's recommendation is Jay Engle. J. Engle was in attendance. Jay Engel advised the Town Board he is willing to take this on and that the rest of the Planning Board Members were not interested in holding the Chairmanship position.

A motion to appoint J. Engle as Chairman for the Planning Board for a term beginning immediately and ending December 31, 2014 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.

No Comprehensive Plan Oversight Committee Report submitted.

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

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

Justice Grubin Justice Court Report for the month of March 2014 submitted.

Dog Report for the months of January and March 2014 submitted.

No Attorney Report

Attorney for the Town, Joseph Catalano, was not in attendance. Supervisor Lagonia noted that Attorney Catalano is doing quite a bit for the Town behind the scenes.

A motion to accept the above reports was made by B. Geel and seconded by G. Vogler.

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

Correspondence

No Correspondence

Unfinished Business

Highway Truck Bid Specs

Highway Superintendent Meehan submitted bid specs to the Town Board for approval for a new heavy duty highway truck he will drive. The Town discussed and added a few minor details.

A motion to approve the Heavy Duty Highway Truck bid specs with minor changes and to authorize a notice to be published for submission of bids was made by R. Lagonia and seconded by B. Geel. Bids to be submitted to the Town Clerk's Office no later than 10:00 a.m. on May 1, 2014.

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

Motion carried.

Highway Form 284

Highway Superintendent Meehan has re-worked this form and submitted it for consideration. Supervisor Lagonia noted that this can be amended at any time.

A motion to approve the Highway Form 284 was made by G. Vogler and seconded by M. Verenazi.

R. Lagonia: yes

B. Geel: yes

J. Mesick: yes

M. Verenazi: yes

G. Vogler: yes

Motion carried.

Lawn Care Bid

Lawn Care bids were opened at 10:15 a.m., April 9, 2014 by the Town Clerk and Supervisor. One bid was received by Howes Horticultural.

Howes Horticultural

Bid: Lawn Care and Trimming-\$130.00 per mowing

Ground Maintenance: Clean up-\$40.00 per hour

Maintenance of perennial bed on green-\$40.00 per hour

Cost of materials-Estimated cost \$400.00

Trash and broken glass removal and disposal-\$30.00 per week

A motion to award the Lawn Care Bid for the 2014 year to Howes Horticultural was made by R. Lagonia and seconded by G. Vogler.

R. Lagonia: yes

B. Geel: abstain because he is a supplier of goods purchased by Howes Horticultural

J. Mesick: yes

M. Verenazi: yes

G. Vogler: yes

Motion carried.

Highway Bids

Due to confusion of bidders concerning the trucking bid specs, trucking services for the Town of Austerlitz for the 2014 year will be rebid with more detailed bid specs.

A motion to reject all trucking bids and to rebid trucking services for the 2014 year 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.

Highway Superintendent Meehan submitted new trucking bid specs for the Town Board Approval.

A motion to approve the new highway trucking services bid specs as presented and to authorize a notice to be published for submission of bids was made by B. Geel and seconded by R. Lagonia. Bids to be submitted to the Town Clerk's Office no later than 10:15 a.m. on May 1, 2014.

R. Lagonia: yes

B. Geel: yes

J. Mesick: yes

M. Verenazi: yes

G. Vogler: yes

Motion carried.

Highway Bid Continuation

Crushed Stone bids were received from: Rifenburg Construction, Inc. Troy, New York
A.Colarusso and Son, Inc., Hudson, New York

Shale/Gravel/Stone/Sand bids were received from: Rifenburg Construction, Inc. Troy, New York
Bob Boll Excavating, Niverville, New York
A.Colarusso and Son, Inc., Hudson, New York

Bituminous Asphalt Bids were received from: A.Colarusso and Son, Inc., Hudson, New York
New Castle Asphalt, LLC, Troy, New York

Delivered Material Bids were received from : A.Colarusso and Son, Inc., Hudson, New York

Asphalt Emulsion Bids were received from: Peckham Materials Corp., Athens, New York

Calcium Chloride Bids were received from: Peckham Materials Corp., Athens, New York

A motion to award 1A washed, #2, #1 and #2 Mixed, #3, Crusher Run (<2"), Crusher Run (<2") bid for the 2014 year to Rifenburg Construction, Inc., to award 1B (washed), 1st (washed), #1 (washed), Screenings, Light Stone Fill, Medium Stone Fill, Heavy Stone Fill bid for the 2014 year to A. Colarusso and Son, Inc., to award Boulder Rip Rap (0.5'-2'), Item 4 or Crushed (4" minus), Bank Run, Cobbles bid for the 2014 year to Rifenburg Construction, Inc., to award Sand (snow) bid for the 2014 year for A. Colarusso and Son, Inc., to award Screened Shale (< 6") bid for the 2014 year for Bob Boll Excavating, to award the Bituminous Asphalt bid for the 2014 year for A. Colarusso and Son, Inc., to award the delivery of highway material bid for the 2014 year for A. Colarusso and Son, Inc., to award the Asphalt Emulsions bid for the 2014 year to Peckham Material Corp., to award the Calcium Chloride bid for the 2014 year to Peckham Material Corp. 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.

Fuel-Automatic Delivery Bids were received from: Main Brothers Oil Co., Inc., Albany, New York.

Service Contract Bids were received from: Main Brothers Oil Co., Inc., Albany, New York
The town can still use County prices.

A motion to award the Fuel-Automatic Delivery bid and Service Contract bid subject to pricing on the Columbia County Contract, whichever is lower, was made by R. Lagonia and seconded by B. Geel.

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

Summer Recreation Program Registration Form

A revised Summer Recreation Program Registration Form was presented for approval. Supervisor Lagonia noted some minor edits.

Supervisor Lagonia noted that this program currently costs the town \$10000.00 when comparing the expenditures versus the revenues. Figures were discussed. Town Board Member Geel feels that this program should be a wash; revenues should cover the costs. Town Board Members Vogler and Verenazi agree. The Town Board discussed different pricing alternatives. Town Board Member Geel noted that this is a great program and any cost increase is justified.

Supervisor Lagonia advised the Town Board that the busing arrangements last year were not done properly and in fact, the Town of Ghent was never billed for fuel or part of the driver salary. Gas was taken from the Town of Austerlitz' highway garage.

A motion to increase fees charged for the summer recreation program as follows: a single child resident fee to a new amount of \$50.00 and resident family fee to \$100.00; a nonresident fee is 200.00 each for first and second child and 150.00 for every child thereafter; and to approve registration form 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.

Off-Sight Storage Record Retention

See Supervisor Report

New Business

Presentation by Town Assessor Pam Cook

Supervisor Lagonia advised that he was notified by the State of New York that our current equalization rate is too high at 112%. R. Lagonia has spoken with Town of Austerlitz Assessor, Pam Cook, who will be taking at least 20 million of assessed value off the forthcoming assessment roll. The higher equalization rate occurred because market value of properties have decreased. R. Lagonia noted that with assessed value down, the millage rate will go up. This will cause some taxpayers to pay less, but others will actually pay more. Supervisor Lagonia wanted it to be clear that the directive to lower the equalization rate is coming from the State of New York, not from the Town Board, or from our Assessor, Pam Cook.

Assessor Cook addressed the Town Board stating that she has held off doing a major reassessment over the last few years, but now the Town is forced to. There have been so few sales in Town, and what sales there are have come in under the assessed value, which is forcing the Town to make adjustments. There is also not much new construction going on. Assessor Cook is working with Columbia County and the State, taking sales in Austerlitz and the Town of Hillsdale because of the CAP Program, and adjusting at least 90% of the roll, decreasing most property assessments. Individual properties are being looked at; farming and commercial properties are not being sold giving no comparisons for use, so these types of properties are not being touched.

Assessor Cook explained the procedures for assessing in a Town noting that next year the Town will need to collect property data again. P. Cook noted that she should have done some adjusting last year, but due to her illness she was unable to do so.

How exemptions affect the process and values was discussed.

Town Board Member Mesick noted that P. Cook does a good job assessing for the Town of Austerlitz. Supervisor Lagonia thanked Assessor Cook. P. Cook asked that residents email or call her with questions.

The consensus of the Town Board was not to send out notices to residents if their assessments decreased. It is law that a resident must be notified of any increase.

Spencertown Academy Use of the Green

The Spencertown Academy has asked to use the Town Green on June 21, 2014 for their Annual Garden Market as part of their Hidden Gardens Tour between the hours of 9:00 a.m. and 3:00 p.m.

A motion to allow the Spencertown Academy use the Town Green on June 21, 2014, from 9:00-3:00 p.m. for their Garden Market as part of their Hidden Gardens Tour 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.

Resolution #35-2014, Authorizing Credit Card for Supervisor

Supervisor Lagonia advised that the Town had a credit card with First Niagara which has been cancelled. Supervisor Lagonia questioned Kinderhook bank about the issuance of a Town credit card and the bank has advised that they need a resolution authorizing the usage and credit limit.

A motion to adopt Resolution #35-2014, Authorizing Credit Card for Supervisor was made by M. Verenazi and seconded by J. Mesick.

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

Resolution #35-2014, Authorizing Credit Card for Supervisor

WHEREAS, the Town Supervisor as the Town's Chief Fiscal Officer is authorized to manage the accounts of the Town and is required from time to time to make purchases for the Town and in the course of his official duties; and

WHEREAS, it is recognized by the Town Board that the use by the Supervisor of a credit card issued on a Town of Austerlitz account would be more efficient and effective in making purchases and tracking those purchases than a petty cash account or making purchases by check;

NOW, THEREFORE, BE IT RESOLVED, that the Town Supervisor is hereby authorized to apply for, and have issued in his name as a Town official, a credit card from Kinderhook Bank, which has been previously designated as the authorized depository for Town of Austerlitz funds and accounts; and be it

FURTHER RESOLVED, that the credit line for said credit card shall not exceed \$10,000 and that the credit account be in the name of the Town of Austerlitz and that the only authorized user and signatory for the credit card shall be Robert Lagonia, Supervisor of the Town of Austerlitz; and be it

FURTHER RESOLVED, that said credit card account shall be subject to audit of the Town Board at any time and that this Resolution shall take effect immediately.

NYMIR Proxy

Supervisor Lagonia noted the proxy for NYMIR.

A motion to approved NYMIR's Proxy and Attendance Card appointing William Cherry, NYMIR Treasurer, as Proxy and authorizing him to represent and vote in the Town of Austerlitz name for the election of the nominated Governors at the Annual meeting of the Subscribers to be held in Albany, New York on May 2, 2014 at 10:00 a.m. or any adjournment thereof 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.

Public Comments

Jay Engle questioned how many nonresidents attended the Spencertown Summer Recreation Program. Supervisor Lagonia advised about half of those who attend. The number of counselors needed for the program is dependent on attendance and are determined by the State. J. Engle does not want nonresidents to cost the residents money. When working the figures, J. Engle believes that nonresidents should pay more to pick up the Town's cost of adding counselors. Town residents should pay less. Supervisor Lagonia feels like there should be an increase in fees this year to some extent, and then raise the registration fee up again next year. The Town Board discussed program parameters and fees.

A motion to increase the nonresident fee for the Spencertown Summer Recreation Program to \$250.00 per child across the board 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.

Town Board Member Verenazi questioned why the NYSDOT put up guardrails in areas on the State roads when there is supposedly no money available to pave the roads. Supervisor Lagonia will ask and Highway Superintendent Meehan was advised last year that the State was going to replace guardrails.

Executive Session

A motion to enter Executive Session to discuss a 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 8:55 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: yes
M. Verenazi: yes

G. Vogler: yes

Motion Carried. Executive Session was exited at 9:10 p.m.

No final decisions were made in Executive Session.

Adjournment

A motion to adjourn 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. Meeting adjourned at 9:10 p.m.

Respectfully Submitted,
Susan A. Haag, Town Clerk