

Town of Austerlitz
Workshop/Town Board Meeting
June 19, 2014

Present: Robert Lagonia, Supervisor, Matthew Verenazi, Greg Vogler, Jon Mesick, Bryan Geel, Town Board Members, Robert Meehan, Highway Superintendent, and Susan Haag, Town Clerk.

Workshop called to order at 6:10 p.m.

Supervisor Lagonia advised that discussion during the workshop will center on work to be completed at the Town Park, quote for painting one of the highway outbuildings, and the purchase of the property next to the Town Hall.

Highway Outbuilding

Supervisor Lagonia read a quote from Ronald VanAlstyne for painting and repair work on an outbuilding up by the highway garage. Repairs needed and painting costs were discussed as to the scope of the work that could be completed within budgetary constraints. Not all of the work needs to be completed and the Town Board can choose pieces of this project. The consensus of the Town Board was to only paint the roof of this highway outbuilding.

Property Purchase

Supervisor Lagonia advised that Attorney for the Town, Joseph Catalano, has spoken with Attorney William Better, who is representing Martin Parker concerning the purchase of his property next to the Town Hall. All parties are amenable towards drawing up and signing a contract, but this has not been done yet. Engineer for the Town, Morris Associates, has also evaluated the property and found some issues that will need to be addressed in the future.

Supervisor Lagonia noted that the money for the down payment and eventual purchase of this property is being given to the Town. Closing costs will be paid for by Martin Parker. Any issues noted by Morris Associates can be addressed in the contract with an "out clause" if one of these issues becomes insurmountable.

Supervisor Lagonia also noted that the Town has a commitment for future money for repairs and upgrades to this building.

The Town Board discussed some of the issues Morris Associates highlighted. Town Board Member Geel felt that the Town Board needs to make sure that the building is usable, especially since this property will be coming off the tax rolls; meaning the Town will lose tax revenue. The septic seems to be one of the major issues noted on Morris Associates' Report. Town Board Member Verenazi believes that the County can come out and inspect the septic.

The consensus of the Town Board was to have the County come out and inspect the septic. The Town Board will pursue the purchase of property owned by Martin Parker next to the Town Hall, as long as, the property can be used for the purpose of a new Town Hall. The purchase contract will reflect all concerns with an option for non-purchase.

Town Park

Town Board Member Vogler and Verenazi attended the Community Day at the Town Park held to solicit resident's ideas for the Town Park. Member Vogler correlated ideas into a report and distributed to the Town Board. The Town Board discussed the ideas given.

Supervisor Lagonia advised that the tennis courts have been looked at and so has the lighting on the pathway going to the Spencertown Academy. Copeland advised that the tennis courts are shot, but they can be patched and this would last only about 6 years. The banking is falling away and can be fixed, but this area does not need a retaining wall. Supervisor Lagonia felt the tennis courts are an asset and should be kept, and kept where they are because of the foundational work that is already in place for this, such as drainage. There is not really room for anything else in this area.

The electrician noted that the exterior lighting is illegal and needs to be completely redone bringing the lighting up to the current regulated standards.

In addition, Supervisor Lagonia felt that the ball field should be kept; maybe adding horseshoe pits and a bigger pavilion. Town Board Member Geel noted that the ball field is not used much anymore because of the campus in Chatham. Maybe this area could be used for a large field area in general for many types of sports.

The Town Board discussed options and cost involved.

During the open house and after really evaluating the area, Town Board Member Verenazi realized there is not much that can be done to change the park area, just repair and replacement. Although M. Verenazi would love to see something new, this is not feasible and the Town Board needs to use the donated money wisely when making decisions.

Overall, Town Board Member Vogler believes that residents just want something in place that is useable. The green area should be multipurpose in scope.

Supervisor Lagonia advised that due to timing, the Summer Recreation Program will run for the next couple of months. During this time, the Town will put out a bid and any work can start after Labor Day.

The Town Board discussed the repair of the tennis courts and the parking area deciding that no additional parking was necessary.

Supervisor Lagonia will follow-up so the Town can move forward with this project.

Paving on State Route 203

Highway Superintendent Meehan asked that a notice be put on the Town website asking that residents call the NYSDOT County Office in Hudson with complaints concerning the road condition of State Route 203. Supervisor Lagonia advised that during his discussions with the NYSDOT it was noted that the State has no money in the budget for this, but this stretch of road on State Route 203 is high on a list. Repatching can be done. Supervisor Lagonia will ask the

NYSDOT to come out and look at the road again. Town Board Member Verenazi reiterated that the residents need to speak up.

Workshop closed at 6:51 p.m.

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 May 15, 2014 Workshop/Regular Town Board Meeting minutes was made by G. Vogler and seconded by M. Verenazi.

R. Lagonia: yes

B. Geel: abstain due to meeting absence

J. Mesick: yes

M. Verenazi: yes

G. Vogler: yes

Motion carried 4:1

Budget Amendments/Auditing of Accounts and Claims

Supervisor Lagonia explained the amendments and reasoning behind them, noting that several other amendments will need to be done in the future.

Budget Amendment 3-2014

General Fund

A1410.11 Deputy Town Clerk increase \$1280.00

A2701 Refund Prior Year Expense increase \$1280.00

A1320.4 Accountant increase \$7365.00

A1320.1 Bookkeeper decrease \$7365.00

A1420.4 Attorney increase \$3000.00

A2701 Refund Prior Year Expense increase \$3000.00

Highway Fund

DA5142.1 Snow Removal increase \$15000.00

DA5112.2 C.H.I.P.s increase \$35511.43

DA3501 State Aid CHIPs increase \$50511.43

A motion to approve Budget Amendment 3-2014 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

Monthly Cash Disbursement for the month of May 2014 submitted. Supervisor Lagonia noted the areas in the 2014 budget that are of concern; expenses-Attorney and Code Enforcement line items are over budget. These are being watched closely. Revenue in the Justice Court has picked up. The Town has roughly \$1,000,000.00 collectively in all accounts. Supervisor Lagonia and Accountant for the Town, Nelson Furlano, have discussed the numbers in depth.

Supervisor Lagonia read a report from Accountant Furlano outlining the financial condition for the Town:

Town of Austerlitz Financial Report

Nelson Furlano, P.C.

- The 2014 budget as adopted used \$100,000 from general reserves and \$50,000 from highway reserves; in fact, highway only had \$40,000 in reserves;
 - this level of draw down would drain all reserves in 3 – 4 years
- The 2014 budgeted appropriations appear low for both general and highway:
 - General fund
 - The section for Town Board, Court, Supervisor, Assessor and Town Clerk had almost no increase from 2012 actual expended levels with no adjustment for inflation
 - The attorney line was cut from \$13000 actual in 2012, \$16,000 budget in 2013 to \$8000 for FY 2014; not realistic with town projects
 - Buildings costs were cut by \$7,000 from 2012 actual levels for 2014 budget; unrealistic with energy prices
 - The highway garage line was cut by \$2600 from 2012 actual levels; same comment
 - The mandatory NYS retirement was reduced from 2012 actual amounts
 - Same comment for payroll tax and hospital insurance
 - Highway fund
 - Personnel costs were 2012 = \$207,000 with 2014 budget = \$208,000
 - Contractual costs were 2012 = \$137,000 with 2014 budget = \$137,000
 - Mandatory NYS retirement was reduced from 2012 - \$46,500 to 2014 -\$41,000
- Where the tax cap may have allowed for a modest increase to expenditure by \$31,000 the total general & highway budget was reduced by \$23,000; net swing \$50,000++
- The inventory of highway equipment will need to be updated over the next 3-5 years to have all equipment with a purchase/build date in this century

Line items that need to be monitored for balance of year:

- General revenues:
 - Local aid and “joint services” = \$21,000; unclear where/who that comes from
 - Fines & forfeitures – looks ahead of budget & great trend
- General appropriations:

- Most lines should be at 42% or less expended, except for seasonal costs
- Out of range items:
 - Legal
 - Highway garage (A5132.4)
- Highway
 - Personnel costs and health insurance are just ahead of schedule. (Possibly due to CHIPS allocable costs)
 - Personnel is \$99,800 vs \$208,000 budget; almost half used through end of May 2014

Supervisor Lagonia advised that the Bryarcliffe Account has an excess over and above the yearly bond payment. Since this excess is specific to the Bryarcliffe Road District, this will have to be used for this specific purpose. Once this excess is confirmed, a decision will be made as to how this money will be allocated.

Supervisor Lagonia is please with Accountant for the Town Furlano. Now that the transfer between accounts has been completed, extra reports will be generated for the Town Board Members. Town Board Member Vogler is on top of the numbers and is watching closely as well.

Supervisor Lagonia advised that the Town did not receive the grant for the Harvey Mountain Road culvert replacement project. C.H.I.P.s funding will pay for this.

In addition, Supervisor Lagonia advised that the NYS Comptroller's Office is still auditing the Town and will be for a few more weeks. The Auditor looked through the Retirement Reporting and done a cursory audit that will be passed to the NYS and Local Retirement System for follow-up if necessary.

Supervisor Lagonia advised that the Town Board and the Town's Insurance Company have investigated the possibility of the Town's Code Enforcement Officer carrying a concealed weapon. Code Enforcement Officer, Lee Heim, has a pistol permit. The Insurance Company has responded that the process the Town would have to undertake to allow this to happen is extremely cumbersome. Supervisor Lagonia outlined the steps that would have to happen. Supervisor Lagonia noted that current Town Policy does not allow for this. The Town Board discussed this issue noting that there is no compelling reason for the Code Enforcement Officer to carry a concealed weapon. The Town Board consensus was to let the current Town Policy stand with no changes; Code Enforcement Officer will not carry a concealed weapon while on the job for the Town of Austerlitz.

Supervisor Lagonia advised that the Town has switched hosting sights for the Town email program. There will be some minor glitches at first, but the changes will be better in the long run and will eliminate the excess of junk email and deal with back-up issues.

Supervisor Lagonia and Highway Superintendent Meehan, along with Engineer for the Town, Paul McCreary, evaluated the streams in the Town that needed to be cleaned out. Once this

evaluation is complete, the Town will discuss the findings with Laura Seager to determine what is permissible and how the work can be completed in the shortest time frame.

Supervisor Lagonia received a quote for an air-conditioning/heating unit for the Town Hall. Town Board Member Geel also arranged for an additional quote.

Supervisor Lagonia advised that work is beginning on the 2015 budget. Forms will be going out for completion.

Columbia County

On a County level, Supervisor Lagonia advised that the biggest issue continues to be Pine Haven. If anyone in the community has thoughts or opinions on this issue, please email Supervisor Lagonia. Although the County is in the exploration stage, it appears that this issue is leaning towards privatizing because this is costing the County millions a year to subsidize. Most counties throughout the State are getting out of the nursing home business.

Town Clerk Report for the month of May 2014 submitted.

Tax Collection Report for the month of May 2014 submitted. Town Clerk Haag noted that the 2014 tax roll has been turned over to the Columbia County Treasurer as of the beginning of June.

Highway Superintendent Report

Highway Superintendent Meehan reported that culvert replacements are getting done, and mowing the sides of the roads will be completed in about the next 2 weeks. All the Town roads are graded at this point. The culvert on Fern Hill still needs to be replaced. Some drainage work by the Malay Colony needs to be done. The highway crew is doing some blacktop patching on Harrington Road and Partridge Drive. Some spots on Angell Hill Road are rough, but will have to wait until next year due to budget concerns.

Planning Board Report for the month of May 2014 submitted. Supervisor Lagonia noted that the new Chairman, Jay Engle, is doing a good job. The Planning Board and Zoning Board of Appeals Minute Taker, Heather Tompkins, resigned suddenly due to time constraints. Constance Mondel stepped in and took minutes for the month of June. The Town Board discussed a replacement for Heather Tompkins.

A motion to appointed Constance Mondel as the Planning Board and Zoning Board of Appeals Minute Taker 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.

Comprehensive Plan Oversight Committee Report for the month of June 2014 submitted. It was noted that Town Board Members Vogler and Verenazi, Comprehensive Plan Oversight Committee Chair Stalker, and Member Smith met to discuss the proposed ridgeline protection

changes to the Town's current zoning law. The work done to date is being looked at to move project forward. It appears that only minor changes will be made and a draft of changes will be forwarded to the Town Board for consideration.

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

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

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

Dog Report for the months of April and May 2014 submitted.

No Attorney Report

Supervisor Lagonia advised that Attorney for the Town Catalano is working on the Charter Communications contract renewal. R. Lagonia just received a new Comcast contract that needs to go to Attorney Catalano for review. Comcast is the new player in the Charter Communications contract.

A motion to set a public hearing for the Charter Communication contract for July 17, 2014, at 6:45 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.

A motion to accept the above reports 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.

Correspondence

Arlene Newton-Thank you for plaque honoring her father.

Janet Paul-Thank you for plaque honoring her father.

NYS Dept of Taxation and finance: Town's Tentative Equalization Rate of 100%.

Unfinished Business **Highway Culvert Bid**

The Town only received one bid, and this was lower than anticipated. Bid was opened per specification of bid packet.

LHV Precast, Inc.
540 Ulster Landing Road
Kingston, New York 12401-6963
Bid: \$56,572.00

Highway Superintendent Meehan advised that the Town would incur additional costs for this project: stone, gravel, equipment rental (excavator and crane), grout, guardrail, and blacktop. The cost of the extras will come in around \$40000.00 making the whole project cost total out around \$90000.00-100000.00. Supervisor Lagonia noted that C.H.I.P.s funding will pay for this project.

A motion to accept the Harvey Mountain Road culvert replacement; a material bid to design, fabricate and deliver a precast reinforced concrete three-sided culvert bid, from LHV Precast, Inc. as the lowest responsible bidder that met the bid specifications was made by M. Verenazi and seconded by G. Vogler.

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

Zanconato Bid

Supervisor Lagonia reiterated the history behind this project. The Town only received one bid. Bid was opened per specification of bid packet.

Visage Construction Corporation
719 Church Ave.
Germantown, New York 12526
Bid: \$8420.00

A motion to award the demolition of an unsafe structure on Middle Road in the Town of Austerlitz bid from Visage Construction Corporation 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.

New Business

Resolution 37-2014

A motion to adopt Resolution 37-2014 Standard Workdays for NYS and Local Employees Retirement System 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.

Resolution 37-2014 Standard Workdays for NYS and Local Employees Retirement System
BE IT RESOLVED that the Town of Austerlitz Town Board does hereby establish the following as a standard work day for elected and appointed officials for the purpose of determining days worked reportable to the New York State and Local employees' Retirement System:

All Elected Officials

Supervisor	6 hour day
Town Board Member	6 hour day
Town Clerk/Tax Collector	6 hour day
Town Justice	6 hour day
Highway Superintendent	8 hour day

Highway Employees

Highway Employees	8 hour day
Highway Superintendent Clerk	6 hour day

Appointed Officials

Building Inspector/Code Enforcement Officer	6 hour day
Assessor and/or Assessor Clerk	6 hour day
Court Clerk and/or Deputy Court Clerk	6 hour day
Deputy Town Clerk	6 hour day
Planning Board Members	6 hour day
Clerk/Typist (Blding Insp/Plan Brd/ZBA)	6 hour day
Comprehensive Plan Oversight Cmt Chair/Members	6 hour day
Zoning Board of Appeals Chair/Members	6 hour day
Clerk/Typist (Taker of the Minutes)	6 hour day
Board of Assessment Review Chair/Members/Sec	6 hour day
Historian	6 hour day
Dog Control Officer	6 hour day
Summer Recreation Staff	6 hour day
Custodian	6 hour day

Resolution 38-2014

A motion to adopt Resolution 38-2014, Standard Day and Reporting Resolution 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.

Resolution 38-2014, Standard Day and Reporting Resolution

BE IT RESOLVED, that the Town of Austerlitz, location code #30889, hereby establishes the following as stand work days for elected and appointed officials and will report the following days worked to the New York State and local Employees' Retirement System based on the time keeping system records or the record of activities maintained and submitted by these officials to the clerk of this body:

Title	Name	Social Security Number (Last 4 Digits)	Registration Number	Standard Work Day (Hrs/Days)	Term Begins/ Ends	Participates In Employer's Time Keeping System (Y/N)	Days/Months (based on Record of Activities)
Elected Officials							
Supervisor	Robert Lagonia	XXXX	XXXX	6 hrs	1/1/14-12/31/17	N	14.33
Town Clerk/Tax Collector	Susan A. Haag	XXXX	XXXX	6 hrs	1/1/14-12/31/17	N	20
Town Justice	Sharon Grubin	XXXX	XXXX	6 hrs	1/1/14-12/31/17	N	2
Highway Superintendent	Robert Meehan	XXXX	XXXX	8 hrs	1/1/10-12/31/17	N	20
Appointed Officials							
Building Inspector/ Code Enforcement	Lee Heim	XXXX	XXXX	6 hrs	1/1/14-12/31/2014	N	7.60
Assessor	Pamela Cook	XXXX	XXXX	6 hrs	10/01/13-9/30/19	N	9
Justice Clerk	Eileen Olsen	XXXX	XXXX	6 hrs	1/1/10-1/1/14	N	9.60
Dog Control Officer	Willard Powell	XXXX	XXXX	6 hrs	1/1/14-12/31/14	N	0.48

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

Public Comments

Eileen Fusco questioned the excess money in the Bryarcliffe account. E. Fusco believes this money should be used to pay down the debt, not to do any sort of road maintenance.

Eileen Fusco also asked when the remainder of West Hill Road would be paved. Supervisor Lagonia noted that this is not in the Town's sight due to budget constraints. Supervisor Lagonia praised Highway Superintendent Meehan noting that R. Meehan does a pretty good job with the little money that he is given.

Eileen Fusco applauded the Town Board for holding a community day to hear use suggestions concerning the Town Park. This park is in Spencertown though, and E. Fusco noted that the residents of Austerlitz would like to see a park there as well.

Charles VanderWeit asked about the plans for the pavilion in the Town Park, noting that residents in Town built this. There are some extra boards in the ceiling rafters of the pavilion that should be saved. Supervisor Lagonia noted that a new pavilion will probably need to be built, but more will be decided once bids specs have been decided.

Constance Mondel suggested the Town Board relook into a kiosk for outside the Town Hall listing Town events. Maybe a sandwich board could be used on the greene.

Town Board Member Mesick asked the status of the permitting process to place the speed sign on State roads in Town. Supervisor Lagonia advised that the NYSDOT has been given

everything they needed and requested for the permit process. R. Lagonia will follow-up. Superintendent Meehan advised that the speed sign is currently on Middle Road.

Cono Fusco questioned procedural requirements for the different types of capital expenditures a Town can incur and which needs a referendum. Supervisor Lagonia is not sure of all the different scenarios yet, but there have been and will continue to be discussions on refinancing certain debt obligations and purchasing some new items.

Cono Fusco continued by questioning the Town's regulations for dumping material on property; what clean fill is and what is not. This question was asked regarding the demolition project on the Zanconato Property and for a property in Bryarcliffe where dumping concrete is taking place. The feeling is that bringing in concrete from another sight is illegal. Supervisor Lagonia advised that the Attorney for the Town is always being consulted.

Last, C. Fusco believes that what the Town Board is doing up at the Spencertown Park is really fabulous, but before any plans are finalized, please let the Town residents know what decisions are made. Town Board Member Verenazi reiterated what was discussed by the Town Board during the workshop. Supervisor Lagonia can put a notice on the website concerning what the final plans will be.

Adjournment

A motion to adjourn 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. Meeting adjourned at 8:24 p.m.

Respectfully Submitted,
Susan A. Haag, Town Clerk