

Town of Austerlitz
Public Budget Hearing/Workshop/Town Board Meeting
October 20, 2016

Present: Robert Lagonia, Supervisor, Greg Vogler, Nansi Friedman, Jere Wrightsman, and Matthew Verenazi, Town Board Members, and Susan Haag, Town Clerk. Attorney for the Town, Joseph Catalano also in attendance.

Robert Meehan, Highway Superintendent, was absent due to a wake.

2017 Annual Budget Public Hearing

Public Hearing for the 2017 Annual Budget was called to order at 6:34 p.m.

Town Clerk Susan Haag advised that the public hearing was noticed as required under law.

Tim Stalker asked if there were any changes from the 2016 budget. Supervisor Lagonia reiterated the comments from the September 2016 board meeting as follows:

- 1) Property Tax increase calculated at .0068% increase as allowed by law
- 2) Overall budget General and Highway appropriations and revenue increases \$58,210 or 4.2%
- 3) General Appropriations:
 - a) Overall, General Appropriations increases \$29,632 or 4.8%
 - b) Notable spending increases:
 - i. Court increases \$6,300 with Clerk salary increase of \$2,000, and Deputy Court Clerk pay increases from \$700 to \$5,000. Overall court increase is 15.2%
 - ii. \$10,000 additional spend in Building A1620.4 for Academy septic
 - iii. \$10,000 for Bonding
 - iv. 3% pay increase for Town Clerk, Assessor, CEO, Dog Control and Mary Davis.
 - c) No increase in salary for Town Board, Supervisor, Justices, Historian, ZBA or Planning Board.
 - d) CPOC continues to work with no compensation.
 - e) \$500 donation to St. Peter's eliminated
- 4) General Revenue increases (ex-property taxes):
 - a) \$10,000 in Sales tax (Love's is helping overall county numbers)
 - b) \$5,000 in Rec fees – attendants to pay bus and swimming cost
 - c) \$5,000 increase in mortgage tax revenue (2016 is above budget)
 - d) \$5,000 increase in court revenue (2016 is above budget)
- 5) In Highway appropriations, we have:
 - a) Overall increase of \$28,578 or 3.6%
 - b) Spending increases:
 - i. \$20,000 for dust control
 - ii. Highway guys ex-Bobby get 10% pay increase to get closer to market rates. Bobby gets 3% increase (in general fund)
 - iii. Highway General Repairs (road maintenance) budget increase \$15,000 over 2016 to better fix gravel roads while Machinery Repairs decreases \$20,000 as equipment getting newer.

Tim Stalker thanked the Town Board for all their hard work.

Howard Reznikoff asked how it is determined whether a town position is elected or appointed. Supervisor Lagonia answered by law.

All those wishing to be heard were heard.

A motion to close the Public Hearing was made by N. Friedman and seconded by J. Wrightsman.

R. Lagonia: yes

G. Vogler: yes

M. Verenazi: yes

N. Friedman: yes

J. Wrightsman: yes

Motion carried 5:0. Public Hearing closed at 6:43 p.m.

Town Board Workshop

A motion to open the Town Board Workshop was made by G. Vogler and seconded by M. Verenazi.

R. Lagonia: yes

G. Vogler: yes

M. Verenazi: yes

N. Friedman: yes

J. Wrightsman: yes

Motion carried 5:0. Workshop opened at 6:45 p.m.

The Town Board Workshop was called to discuss updating a number of current sections of the Town of Austerlitz' Zoning Code, and adding a new section. Discussion centered on ridgeline protection, subdivisions, road law and solar energy.

The Comprehensive Plan Oversight Committee and its subcommittee has worked on a number of sections in the Town's Zoning Law and given revisions to the Attorney for the Town, Joseph Catalano. Attorney Catalano noted that home occupation inclusions and exclusions need to be revised as well. J. Catalano explained the procedure involved in changing a Town's Zoning Code and the cost involved, noting that some revisions are needed.

Chairman of the Comprehensive Plan Oversight Committee, Tim Stalker, advised that revisions are to help make the code enforceable and to correct some conflicting and confusing sections. T. Stalker also sits on the Columbia County Planning Board and is involved on a State level with the New York Planning Federation. This has given him access to material and examples to help work out the updates he believes are needed.

Chairman Stalker thanked the Comprehensive Plan Oversight Committee, the two Town Board Members involved, G. Vogler and M. Verenazi, and former Town Board Member, Carol Pinto for all the hard work and long hours put in compiling the revisions.

Specific revisions were noted, whether clarifying or procedural changes, and discussed briefly. The general consensus was that the Ridgeline Protection Law would receive the most public input and therefore involved the most time and money. Public feedback is the most important item needed to modify this law going forward. The Town Board looked at a topographical map showing proposed protected ridgelines. Town Board Member Vogler noted that the objective was to identify the most sensitive ridgelines that were viewable and generally seen from the road, not from individual property.

A new solar energy law would be introduced and a model law from NYSERDA was used in drafting a proposal. The commercial use versus residential use of solar energy was discussed noting there are vast differences between the levels of review needed for each. Windmill allowance is another area to be considered.

The subdivision law needs to include a section on boundary line adjustments and the road law needs inconsistencies cleaned up.

Attorney Catalano advised the Town Board that it needs to decide if it is going to handle all the changes at once, or partially over time. The changes will involve a large expenditure in time and money. Supervisor Lagonia wants to be realistic of the current priorities of the Town and the money spent, dealing with the most important issues first. Town Board Member Vogler advised that a strategy, outline and timeframe will be submitted at the next Town Board Meeting for consideration.

Attorney Catalano advised that the Comprehensive Plan Oversight Committee can handle most of the preliminary work on each of the proposed changes and work to get public feedback as well. Once the strategy, outline and timeframe are decided, the Town Board will hold workshops on sections.

A motion to close the Workshop was made by M. Verenazi and seconded by J. Wrightsman.

R. Lagonia: yes

G. Vogler: yes

M. Verenazi: yes

N. Friedman: yes

J. Wrightsman: yes

Motion carried 5:0. Workshop closed at 7:33 p. m.

Town Board Regular Monthly Meeting

Regular Town Board meeting called to order at 7:34 p.m.

Moment of Silence, followed by the Pledge of Allegiance.

Minutes

A motion to accept the September 15, 2016 Town Board Meeting minutes was made by N. Friedman and seconded by M. Verenazi.

R. Lagonia: yes

G. Vogler: yes

M. Verenazi: yes
N. Friedman: yes
J. Wrightsman: yes
Motion carried 5:0.

Auditing of Accounts and Claims

A motion to pay General Fund, #293-322, in the amount of \$13392.50, Highway Fund, #156-173, in the amount of \$15394.28, and the Capital Fund #37-44, in the amount of \$51092.49 was made by M. Verenazi and seconded by J. Wrightsman.

R. Lagonia: yes
G. Vogler: yes
M. Verenazi: yes
N. Friedman: yes
J. Wrightsman: yes
Motion carried 5:0.

Reports

Monthly Cash Disbursement and Supervisor Report

Monthly Cash Disbursement for the Month of September 2016 submitted. Supervisor Lagonia noted the Town is getting to the end of year where it is important to utilize monies left in different lines.

Total of all accounts is \$1.167 million.

The appropriations seem to be in line, but R. Lagonia will have a better sense by the end of October where the Town will come in at the end of the year.

Highway Superintendent Report

Highway Superintendent Meehan was absent and Forman Shawn Williams reported that culverts have been put in on the Fizzinoglia property. Material has been placed on the roads to keep up with the potholes and wash boarding. It is dry so this is hard to fix for the long term. Routine maintenance being accomplished as well.

Town Clerk Report for the month of September 2016 submitted.

No Planning Board Report for the month of September 2016 submitted because meeting was cancelled due to no new or unfinished business.

No Comprehensive Plan Oversight Committee Report for the month of September 2016 submitted.

Building Inspector/Code Enforcement Report for the month of September 2016 submitted. New Inspector, Glenn Smith, is now on board.

Justice Grubin Justice Court Report for the month of September 2016 submitted.

Justice Cassuto Court Report for the month of September 2016 submitted.

Dog Report for the month of September 2016 submitted.

A motion to accept the above reports was made by N. Friedman and seconded by J. Wrightsman.

R. Lagonia: yes

G. Vogler: yes

M. Verenazi: yes

N. Friedman: yes

J. Wrightsman: yes

Motion carried 5:0.

Correspondence

Association of Towns 2016 Personnel Management School notice: November 18, 2016 in Albany, NY.

Ellsworth Kelly Foundation: Presentation of a Grant of \$800,000.00 to the Town of Austerlitz for use in the restoration of the new Town Hall. Supervisor Lagonia was instrumental in securing additional monies with the generosity of Jack Shear. A bid package should be out by the end of this month, beginning of November, with the hope that construction will begin in December. Bidding parameters were discussed and whether or not the Town can hire an electrician for use on these types of Town projects. Attorney Catalano will look into the legality of hiring a town electrician for a year to do this work.

NYSDOT: Notice of Available Grant Funding

Unfinished Business

New Town Hall Update: Architect Joe Iuviene emailed advising that he expects to have his part of the bid documents and the MEP bid documents from GPI by the end of October/beginning of November. J. Iuviene is still waiting to hear the status of the bid documents from Engineer for the Town, Ray Jurkowski, for the site work. Once received, coordination can begin moving towards a completed bid package.

Supervisor Lagonia is not sure where this project will end up in terms of cost since so many unknown variables have come to light, but the Town now has a good amount to deal with the construction thanks to the generosity of the Ellsworth Kelly Foundation and Jack Shear.

Town Park Update: Supervisor Lagonia will be meeting with J. Shear and Contractor Wes Coons to discuss the stain color for the new pavilion. There is a change in which additional concrete will be poured in the front of the new pavilion. The Town has enough to pay for this, but it will take the last available money. Additional needs can be bonded.

Historical District Planning Committee Liaison Appointment

A motion to appoint J. Wrightsman as the Town Board Historical District Planning Committee Liaison was made by R. Lagonia and seconded by M. Verenazi.

R. Lagonia: yes

G. Vogler: yes

M. Verenazi: yes
N. Friedman: yes
J. Wrightsman: yes
Motion carried 5:0.

Town of Austerlitz 2017 Final Budget

Resolution 39, 2016, Adoption of the 2017 Final Budget

A motion to adopt Resolution 39, 2016, Adoption of the 2017 Final Budget, was made by G. Vogler and seconded by M. Verenazi.

R. Lagonia: yes
G. Vogler: yes
M. Verenazi: yes
N. Friedman: yes
J. Wrightsman: yes
Motion carried 5:0.

WHEREAS, the Supervisor of the Town of Austerlitz prepared a Tentative Budget for the Town's fiscal year 2017 and presented that Tentative Budget at a regular meeting of the Town Board held on September 15, 2016; and

WHEREAS, the Town Board reviewed the Tentative Budget and discussed and analyzed it with the Town Supervisor, and

WHEREAS, the Town Board adopted the Tentative Budget without changes made by the Town Board during the course of discussions regarding same as the Preliminary Budget and scheduled a public hearing on the Preliminary Budget for October 20, 2016; and

WHEREAS, the public hearing on the Preliminary Budget has been duly noticed and held;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Austerlitz hereby adopts the Preliminary Budget for 2017, without any changes made by the Town Board, as the Final Budget for the fiscal year of 2017 of the Town of Austerlitz; and

BE IT FURTHER RESOLVED, that the Town Board hereby directs the Town Clerk to file the Final Budget as required by law.

Town Court Audit

The Town Board reviewed the Town Court Audit Report prepared by Accountant for the Town, Nelson Furlano.

Resolution #40, 2016, Town Court Audit

A motion to adopt Resolution #40-2016, Town Court Audit was made by G. Vogler and seconded by J. Wrightsman.

R. Lagonia: yes
G. Vogler: yes
M. Verenazi: yes
N. Friedman: yes

J. Wrightsman: yes
Motion carried 5:0.

Whereas, the Town Board must complete an audit itself or have an audit performed and completed by a qualified individual or firm, in accordance with section 2019-a of the Uniform Justice Court Act, of all Town Justices; and

Whereas, the Town Board determined to have an independent audit performed by Nelson Furlano a certified public accountant with the accounting firm of Furlano & Arace PC; and

Whereas, by letter dated September 22, 2016, the Town Supervisor and Town Board received the audit of both Town Justices, Sharon Grubin and David Cassuto, completed by Mr. Furlano that covers the 2015 fiscal year and a portion of the 2016 fiscal year; and

Whereas, the Town Board has reviewed the aforementioned audit;

NOW, THEREFORE, BE IT RESOLVED that the Town Board hereby acknowledges that an audit of the records of Town Justice Sharon Grubin and an audit of the records of Town Justice David Cassuto have been conducted and completed by Nelson Furlano a certified public accountant with the accounting firm of Furlano & Arace PC, dated September 22, 2016; and that the Town Board has reviewed said audit, a copy of which is annexed to this Resolution, and instructs the Town Clerk or the Town Supervisor to promptly file a copy of said audit to the NYS Office of Court Administration together with a copy of this resolution.

Columbia County Broadband

Town Board Member, Jere Wrightsman, updated the status of Columbia County moving to incorporate broadband usage in all corners of the County. Columbia County Economic Development Corporation has been named the coordinator in the continuing efforts of bringing this about. Member Wrightsman has concerns how Fair Point Communication will follow through on the installation, but the committee will be a watch dog.

New Business

Town Wide Re-Evaluation: Assessor for the Town, Pam Cook, came before the Town Board to discuss the possibility of performing a Town wide re-evaluation. Assessor Cook noted that it will cost a great deal of money to hire an outside firm to do the evaluation or the Town can hire Columbia County Real Property. The last time a town wide evaluation was done was in 2007. In order to do a town wide evaluation, every single parcel must be looked at and this is what makes it so expensive. The Town is responsible for the entire cost, even though the County and the School District will benefit as well. The cost runs roughly \$50-75.00 per parcel for an estimated cost on the low side of \$75000.00. If the County takes this on, the cost will be \$14000.00 which can be spread out over 1, 2, or 3 years. Columbia County Real Property has hired a data collector who goes out to all the properties in a township, validating all information on file and filing in the missing pieces. The goal is for all the properties to be equitable. The cost of \$14000.00 includes the data collection, notice printing and preliminary work. The data collection can begin at the end of 2017, finishing up in 2018. Notices will be sent to property owners for coordination and signoff. The assessed values are then put in place and meetings are set up for those who disagree. New values will be in place for the 2019 roll beginning with the

school tax bill. If there is no money for this in the 2017 budget, the County will accept 50% in 2018 and 50% in 2019.

Assessor Cook notes that the Town is currently at 100% equalization, but the properties are not equitable. Some are too high and some are too low. The Town does not have to do a town wide evaluation, but in order to make properties equitable, with everyone paying their fair share, the only legal way to accomplish this is to do a town wide revaluation. Assessor Cook has used trending and other techniques, but legally her hands are tied on outright raising property values.

The Town of Hillsdale, which is an equal partner in a CAP program with the Town of Austerlitz, has already given the okay to move forward with a town wide reevaluation. A contract must be signed with the Town of Hillsdale, as well as the County, because of the CAP partnership.

The general consensus of the Town Board was to move forward with a town wide reevaluation and have Columbia County Real Property conduct the data collection. Supervisor Lagonia asked Assessor Cook to get exact figures and the contract for the Town Board to approve.

Columbia County Land Conservancy:

Supervisor Lagonia met with Peter Paden, Executive Director, and Christine Vanderlan, Community Projects Manager, from the Columbia County Land Conservancy to address issues raised from residents in the Austerlitz Hamlet desiring some sort of park or common area. Christine Vanderlan came before the Town Board to discuss some possible ventures the Conservancy can help out with. The main idea that came out of the meeting was to build walking trails on the town owned property. These could coincide with trails that are being put in on a nearby parcel. The Conservancy can help out with grant funding for this. Highway Superintendent Meehan has found the survey boundary pins and chatted with contractors for pricing for trails. It was noted that additional trails will be built on property on Stonewall Road as well.

In addition, C. Vanderlan advised that NY State also has a program where they will come out to a municipality and examine all the culverts throughout the Town. They will then help to secure grant funding for any replacements needed. The evaluation of culverts in town would not be tied to NYSDEC in anyway and if deficiencies are found there would be no punitive action. The Town can speak with Andrew Meyer, Conservation Specialist, Hudson River Estuary Program/Cornell Water Resources Institute.

Supervisor Lagonia would like to apply for grants for culvert work and Town Board Member Friedman would like to help in this regard.

Public Comments

None

Adjournment

A motion to adjourn was made by G. Vogler and seconded by M. Verenazi.

R. Lagonia: yes

G. Vogler: yes

M. Verenazi: yes

N. Friedman: yes

J. Wrightsman: yes

Motion carried 5:0. Meeting adjourned at 8:46 p.m.

Respectfully Submitted,
Susan A. Haag, Town Clerk