

Town of Austerlitz
Town Board Meeting
January 18, 2018

Present: Robert Lagonia, Supervisor, Greg Vogler, Christopher Schober, Nansi Friedman and Jere Wrightsman, Town Board Members, Robert Meehan, Highway Superintendent, and Susan Haag, Town Clerk.

Attorney for the Town, Joseph Catalano, also present.

Town Board meeting called to order at 7:00 p.m.

Moment of Silence, followed by the Pledge of Allegiance.

Minutes

A motion to accept the December 21, 2017 Town Board Meeting minutes and the January 2, 2018 Organizational meeting minutes was made by N. Friedman and seconded by J. Wrightsman.

R. Lagonia: yes

G. Vogler: yes

C. Schober: yes

N. Friedman: yes

J. Wrightsman: yes

Motion carried 5:0.

Budget Amendments

Highway Fund

DA5110.1 General Repairs increase by \$5740.00

DA5130.1 Machinery decrease by \$5740.00

DA5130.4 Machinery increase by \$21276.74

DA5110.4 General Repairs decrease by \$21276.74

DA9060.8 Hospitalization increased by \$730.00

DA9030.8 Social Security decrease by \$730.00

General Fund

A1420.4 Attorney increase by \$330.00

A1010.4 Town Board increase by \$20.00

A1220.4 Supervisor decrease by \$350.00

A1010.1 Town Board increase by \$.24

A1010.4 Town Board increase by \$481.65

A1110.1 Town Justice increase by \$577.00

A1220.1 Town Supervisor increase by \$1.00

A1355.1 Assessor increase by \$250.00

A1440.4 Engineer decrease by \$1309.89

A3620.1 Building Inspector increase by \$310.00

A3620.4 Building Inspector increase by \$172.00

A3620.11 Building Inspector Clerk decrease by \$482.00
A4020.1 Registrar increase by \$1.00
A5182.4 Street Lighting increase by \$280.00
A6772.4 Aged Programs increase by \$235.00
A7140.4 Playgrounds increase by \$60.00
A7510.4 Historian decrease by \$576.00

A motion to approve budget amendments for the end of the 2017 year was made by N. Friedman and seconded by R. Lagonia.

R. Lagonia: yes
G. Vogler: yes
C. Schober: yes
N. Friedman: yes
J. Wrightsman: yes
Motion carried 5:0.

Auditing of Accounts and Claims

A motion to pay General Fund, #1-32, in the amount of \$14612.12, Highway Fund, #1-22, in the amount of \$34919.38, and the Capital Fund #1-12, in the amount of \$64939.81 was made by G. Vogler and seconded by C. Schober.

R. Lagonia: yes
G. Vogler: yes
C. Schober: 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 December 2017 submitted. Supervisor Lagonia advised that the 2017 Annual AUD will be prepared and sent out within 60 days as required. The Town will be putting money into reserves, but needs good numbers to make decisions on final amounts. 2017 bills are still being paid so this will have to wait until next month. Sales tax was up for the year. The Town may have \$100,000.00 plus for reserves. The Town has been prudent and there has been sound management so there is money to set aside. The Town cannot just continue to put money aside though, it must be used. There is the new salt shed, equipment and the new town hall. At next month's board meeting the Town Board will discuss at length how to use the money and what to put into reserves.

Highway Report

Highway Superintendent Meehan advised that the Highway Crew has been dealing with snow storms and flooding. Rhoen Road and Middle Road both flooded and have culverts that need replacing. Both these roads are back open at this point. Most of the trucks are running without any major problems. There is a big dent in the sand pile already. One problem the guys are having is that people keep leaving their garbage pails out in the road. Something will be put on the website concerning this. Town Board Member Vogler would like a picture of this for the

newsletter. Town Board Member Schober noted that there is garbage on Schoolhouse Road that hasn't been picked up by any company for 3 weeks. Supervisor Lagonia will mention this to Code Enforcement Officer Smith for his review.

Highway Superintendent Meehan advised he had a call from a surveyor representing a client who is interested in building a home on Cross Road. This will be discussed later.

The truck purchased from the Town of Canaan should be here by the end of January.

Town Clerk Report for the month of December 2017 submitted.

Planning Board Report for the month of December 2017 submitted. Town Board Member Vogler noted that since there haven't been any Planning Board meetings because it is slow this time of year, maybe this time could be used for training.

No Comprehensive Plan Oversight Committee Report for the month of December 2017 submitted. The Comprehensive Plan Oversight Committee attended the Climate Smart Communities Meeting.

Building Inspector/Code Enforcement Report for the month of December 2017 submitted.

Justice Grubin Justice Court Report for the month of December 2017 submitted.

Justice Cassuto Justice Court Report for the month of December 2017 submitted.

Dog Report for the month of December 2017 submitted.

A motion to accept the monthly reports was made by N. Friedman and seconded by G. Vogler.

R. Lagonia: yes

G. Vogler: yes

C. Schober: yes

N. Friedman: yes

J. Wrightsman: yes

Motion carried 5:0.

Correspondence

Columbia County Office of the Aging: 2018 Senior Citizen of the Year Award nomination forms. Deadline for submission is February 28, 2018.

Association of Towns of NY State: 2018 Annual Meeting and Training School packet.

NYMIR: Online Training Courses

Attorney Mitchell Khosrova: Submitted a picture of Longview Drive depicting the steep downhill slope as he perceives it.

Columbia County Sheriff's Office: 2018 Sergeant and Deputy Hourly Rates. Supervisor Lagonia noted that the Town will need to have the Enhanced Patrol start earlier this year.

Unfinished Business

Appointments: Planning Board, ZBA, CPOC

Lee Tilden, applicant, was interviewed by the Town Board. The Town Board requested that Planning Board Chairman, James Engle, speak with L. Tilden.

Additional applicant for the Comprehensive Plan Oversight Committee, Eric Spiegel, will speak with CPOC Chair, Tim Stalker.

New Town Hall

Architect Joseph Iuviene updated the construction budget verses costs sheet through the January 2018 abstract. The contingency line was removed because real numbers are now available. There was some fat built into the numbers that has now been removed as well. The Town Board discussed the project with Architect Iuviene. It was noted that an RFP for data and telephone still needs to be done.

Also submitted by Architect Iuviene was a report on the Green Building Features of the new town hall for the Climate Smart Communities initiative. Architect Iuviene prepared designs for car charging stations at the new town hall. This was gratis work done by J. Iuviene. Town Board Member Friedman questioned solar sources to which Member Vogler noted that someday the Town would work in that direction.

Salt Shed

Architect Iuviene submitted a design for the new salt shed and advised that the Town may need a geotechnical soils analysis. J. Iuviene also submitted a break down of what his cost would be for this project. Designs can be sent out to Wes Coons for comment and a bid package needs to be prepared. Town Board Member Friedman questioned factory made buildings and it was noted that factory made buildings do not last as long. In addition, designs were submitted based on Highway Superintendent Meehan's directions.

In discussing J. Iuviene costs for the project, it was noted that \$5000.00 includes the preliminary designs and cost analysis. \$20000.00 covers construction services and bid documents. Supervisor Lagonia would like to see a more detailed outline of costs. The Town could save \$5000.00-7500.00 if someone inhouse was the general contractor for this project. Architect Iuviene was asked if the Town could expect to see any additional costs not outlined in his proposal. J. Iuviene advised that if changes were made there would be additional work and additional cost to the Town. The Town Board discussed the project, the different areas of work and who would need to be involved. Attorney for the Town, Joseph Catalano, advised that a SEQRA review would be necessary. SEQRA and site plan design are not included in J. Iuviene cost. Neither are electrical, contractor and concrete.

Supervisor Lagonia spoke concerning ventilation and how imperative this is. Superintendent Meehan noted that the building that was designed is like the salt shed for the Town of Stuyvesant which both that one, and the one designed for the Town of Austerlitz, has taken ventilation into

consideration. Member Vogler questioned run off from heavy rains, where does it go because part of the land at the site for this project is protected wetlands. It was noted that there is an approved NYSDEC area. The water will go where it is currently going. If need be, the Town can put in drainage catch pans. The building is 50x150, plus 2 sheds on each side. It will be a metal shed in cream and green.

Attorney Catalano feels comfortable with using \$500000.00 as the project cost figure for bonding. If bids come in too high, the Town Board would have to work to get the building inline with the available funds.

Supervisor Lagonia advised that he and Attorney Catalano looked into grant funding for this project; a Water Quality Improvement Grant from NYSDEC who have some money set aside for salt sheds. The grant is awarded at the end of each year with a matching contribution by the Town. The grant program is competitive and there is limited money available. The number one factor to increase getting this grant is if the project is remedying a pollution area or near a sensitive water issue. Currently the Town does not have a salt shed and where the salt is being stored is not the best. If the Town wants to move forward, it would write the grant. An engineer would be needed to assist with environmental issues. If the project is timed right, the construction cost could be reimbursable. Our attorney cost could be part of the Town's contribution. Grant approval really depends on what other grants are submitted for consideration.

Town Board Member Vogler will work with Attorney Catalano in preparing the grant application.

Attorney Catalano again mentioned the bonding process, when it could start and with what numbers. Rough numbers with a contingency are needed. Architect Iuviene noted it will take about a month to get a good design and number. SEQRA to be done as well.

A motion was made by R. Lagonia and seconded by J. Wrightsman to authorize Architect Iuviene to do up the preliminary designs and cost analysis for a cost of \$5000.00 and to approve the cost of a surveyor for an amount not to exceed \$2000.00.

R. Lagonia: yes

G. Vogler: yes

C. Schober: yes

N. Friedman: yes

J. Wrightsman: yes

Motion carried 5:0.

Bonding: Salt Shed/Equipment Purchase/Auction

Barclay Damon LLP presented a Letter of Engagement and Retainer for bonding. Attorney Catalano advised that fees set by statute. This contract is for one bond and will cover all documents and advice, as well as finding buyers for the bonds. It does not cover local counsel and SEQRA.

A motion to authorize Supervisor Lagonia to execute the Letter of Engagement and Retainer with Barclay Damon LLP for bond issuance was made by G. Vogler seconded by N. Friedman.

R. Lagonia: yes

G. Vogler: yes
C. Schober: yes
N. Friedman: yes
J. Wrightsman: yes
Motion carried 5:0.

Highway Form 284

The Town Board had a preliminary discussion with Highway Superintendent Meehan concerning the 2018 Highway Form 284. Beginning discussion centered on the East Hill Bridge replacement referencing a report by Engineer Ray Jurkowski from Morris Associates. Supervisor Lagonia noted that bridge replacements normally cost around \$200000.00-250000.00 so the Town needs to see what parts of the project the Town Highway Department will do or not do. C.H.I.P.s funding was discussed noting that the Town had roughly \$104000.00 left from last year and \$135000.00 for 2018. In addition, two other funding sources through C.H.I.P.s may be given amounting to around 55000.00. These two sources are not guaranteed though. So, the Town is looking at \$239000.00 for sure and maybe an additional \$55000.00. Supervisor Lagonia would like to just get this replacement done this year. It has been put off and now is the time. Highway Superintendent Meehan would also like to get it done and start before April if possible.

Discussed different projects that need to be done this year with rough prices for each. The Town Board and R. Meehan discussed Longview Drive, which is not a priority. R. Meehan would like to replace the culverts on Longview Drive noting the price would come in around \$2500.00 for this. If the hill on Longview was paved, this couldn't be done until the culverts were replaced and the entire hill would need to be paved. This would cost roughly \$100000.00.

Projects that would most likely be on the Highway Form 284 are the East Hill Bridge replacement using C.H.I.P.s funding; culvert replacement on Schoolhouse, paving of the leftover piece from West Hill Road and Dugway Road, and sealing on Prathill Road. This should all come in under \$400000.00.

If 2018 projects are complete, and no emergencies or unforeseen situations come up, the Town may pave Longview Drive next year. Last year, the Town Board changed the 284 Form because the winter was hard and the roads took a beating needing additional work done. At the end of the year, sand and salt is purchased which will take money as well.

A motion to authorize Morris Associates to develop a bid package for the East Hill Bridge replacement to be completed this summer was made by G. Vogler and seconded by C. Schober.

R. Lagonia: yes
G. Vogler: yes
C. Schober: yes
N. Friedman: yes
J. Wrightsman: yes
Motion carried 5:0.

Highway Superintendent Meehan advised that he and his crew will do whatever needs to be done for the East Hill Bridge replacement project.

Bid documents will be done for the whole project, as well as, each individual part.

Architectural Bureau Construction Summary Report

Discussed.

Historical Districting

A letter was received from the NYS Parks, Recreation and Historic Preservation informing the Town that the Spencertown Historic District will be considered by the NYS Board for Historic Preservation at its meeting March 16, 2018.

A meeting was held on Saturday, January 13, 2018 to inform the public concerning the Town's proposal to create a Historic District in the Hamlet of Spencertown. Town Board Member Wrightsman advised that about 35 showed up for this informational meeting and there was no opposition to this proposal. Residents were mainly just asking questions.

A motion for the Town of Austerlitz to support the Austerlitz Historical Society in seeking the designation of two historic districts be considered by the NYS Board of Historic Preservation was made by J. Wrightsman and seconded by C. Schober.

R. Lagonia: yes

G. Vogler: yes

C. Schober: yes

N. Friedman: yes

J. Wrightsman: yes

Motion carried 5:0.

A motion to pledge \$100.00 to the Austerlitz Historical Society for out of pocket costs in relation to completing the application for historic district designation was made by N. Friedman and seconded by G. Vogler.

R. Lagonia: yes

G. Vogler: yes

C. Schober: yes

N. Friedman: yes

J. Wrightsman: yes

Motion carried 5:0.

Climate Smart Community Committee

Town Board Member Greg Vogler reported that the Climate Committee met the previous night and was attended by CPOC in lieu of the regular CPOC meeting. Several subjects were discussed around an electric vehicle charging station, joining the Mid-Hudson Street Lighting Consortium and other committee activities. The Town Board agreed it was fine to join the consortium assuming it was at no cost and did not obligate the town to anything. Comprehensive Plan Oversight Committee Chair Timothy Stalker and Member Barbara Smith at the Climate Committee meeting informed they will be reviewing the Comprehensive Plan to determine if it

should be updated to more specifically reflect Town residents' interests in climate change, as well as technologies not addressed in the plan such as solar energy.

New Business

Town of Austerlitz Registrar Appointment was not made at the January 2018 Organizational Meeting.

A motion to appoint Susan Haag, Registrar for the Town of Austerlitz for a term beginning January 1, 2018 and ending December 31, 2021 was made by N. Friedman and seconded by G. Vogler.

R. Lagonia: yes

G. Vogler: yes

C. Schober: yes

N. Friedman: yes

J. Wrightsman: yes

Motion carried 5:0.

Cross Road

A surveyor has approached the Town asking the status of Cross Road and the width of the road. He is preparing a survey for a land owner. Attorney for the Town, Joseph Catalano explained that the road was the source of extensive litigation for the Town for about 10 years mid 80s and 90s, between a land owner and the Town, both parties bringing lawsuits. Lawsuits were brought over the relocation of the road, cost of an engineering report and the width of the roads. In the end, among other points, both parties agreed to stipulate that Cross Road would be plowed up to the property owner's driveway with the rest of the road considered seasonal, and the width of the entire road would be 91/2 feet. Attorney Catalano will advise the surveyor.

Highway Superintendent Meehan noted that from time to time he has put gravel on the road, and only plows the designated area. There is a bridge in the middle of the road that R. Meehan is not sure the condition of. Emergency vehicles can get through, but just barely at the end of the road coming from the County 7 side.

Attorney Catalano noted that at present, the entire road is not accessible for traffic or emergency vehicles and it must be to issue a building permit. Until some type of formal application comes into the Town, this issue is not the Town's concern.

2018 Columbia County MIS Department IT Contract

A motion to authorize Supervisor Lagonia to sign the 2018 Columbia County MIS Department IT Contract was made by G. Vogler and seconded by N. Friedman.

R. Lagonia: yes

G. Vogler: yes

C. Schober: yes

N. Friedman: yes

J. Wrightsman: yes

Motion carried 5:0.#

Subdivision Regulation Update

Attorney Catalano asked the Town Board for authorization to work with Town Board Member Vogler in updating the subdivision regulations. The Comprehensive Plan Oversight Committee has reviewed what is currently on the books and made recommendations. Attorney Catalano feels what the Comprehensive Plan Oversight Committee has compiled is good, but there are some additional areas that need to be updated. Once additional revisions are complete, the update can be brought back to the Town Board for consideration. The general consensus of the Town Board confirmed authorization for J. Catalano to proceed.

Town Logo Update

Supervisor Lagonia advised that the new logo is still being worked on and will be presented to the Town Board for consideration soon. Shirts for the Bicentennial Celebration are coming as well.

Public Comments

Attorney Mitch Khosrova, representing residents on Longview Drive, questioned the Highway Superintendent's and the Town Board's lack of prioritizing Longview Drive on the 2019 Highway Form 284.

Attorney Catalano advised that the Town Board can not make any commitments for the 2019 road plan. Attorney Khosrova has served his clients well by putting Longview Drive on the radar for future attention. The Town has limited revenue and the Highway Form 284 is based on the Highway Superintendent's report to the Town Board. Although the 2018 Highway Form 284 is not yet formally prepared, Highway Superintendent Meehan is talking about projects already a couple years out, road deterioration and safety. The 2018 Highway Form 284 will be finalized next month. R. Meehan has made a commitment to replace the culverts on Longview Drive this year.

Adjournment

A motion to adjourn was made by R. Lagonia and seconded by G. Vogler.

R. Lagonia: yes

G. Vogler: yes

C. Schober: yes

N. Friedman: yes

J. Wrightsman: yes

Motion carried 5:0. Meeting adjourned at 8:53 p.m.

Respectfully Submitted,
Susan A. Haag, Town Clerk#