

Town of Austerlitz  
Town Board Meeting  
May 16, 2019

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

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 April 16, 2019 Town Board Meeting minutes was made by C. Schober and seconded by G. Vogler.

R. Lagonia: yes

G. Vogler: yes

C. Schober: yes

N. Friedman: abstain

J. Wrightsman: yes

Motion carried 4:1.

**Auditing of Accounts and Claims**

A motion to pay General Fund, #160-188, in the amount of \$54184.44, Highway Fund, #101-117, in the amount of \$23498.67, and the Capital Fund #69-77, in the amount of \$24765.41 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.

**Reports**

**Monthly Cash Disbursement and Supervisor Report**

Monthly Cash Disbursement for the Month of April 2019 submitted. Supervisor Lagonia advised that there is roughly \$2.4 million in the bank. Line items seem to be in order. A comparison of sales tax and fines and forfeitures between last year and this year noted that the figures are slightly up this year. Town Board Member Vogler noted that the incorrect C.H.I.P.s entry from last month has been corrected.

Supervisor Lagonia congratulated Town Clerk Haag who was recently sworn in as the President of the New York State Town Clerks Association.

**Highway Report**

Highway Superintendent Meehan reported he has talked to Zwacks concerning the new highway trucks. They will be delivered the first or second week in June. The Highway Crew has been filling pot holes, but they just can not gain any ground on this because of all the rain. Tree cutting on West Hill is being done since there will be blacktopping at the end of June. Weather permitting, oil and stone will be put down on Bryarcliffe in June as well. There is a culvert on Herrington Drive that has settled this year. Engineer Ray Jurkowski has looked at the area noting that damage has been done to the culvert at some point. This culvert will need to be replaced within the next couple of years. The Town might have to put a weight limit on this road. The culvert replacement will cost roughly \$50-60,000.00 for material. This culvert has been in for almost 30 years and it is a 30 year culvert. Superintendent Meehan also advised that the Highway Crew can handle this replacement. Engineer Jurkowski also looked at the Strawberry Hill bridge as well, noting it does need some work. This is a project that can be done in the Fall. Engineer Jurkowski is checking for permitting issues and will need an easement from the property owners where work is being done. Member Vogler asked the condition of the bridge and when does the Town have to worry about it again after it is fixed. R. Meehan noted that the Town would be working just to save this bridge for now. The Taylor Hollow Road bridge was also looked at and would need to be replaced in about 5 years. Concrete culvert on Rigor Hill Road was looked at.

Supervisor Lagonia advised that Engineer Jurkowski gave the Town a proposal for a complete road analysis and he is still waiting for another proposal to come in from another firm. One this comes in, the Town Board can look at the proposals and see what they would like to do. If an analysis is done, this would be on file and can be used for future Highway Superintendents.

Superintendent Meehan advised there is grant money out there for this type of project. A meeting in June is set up to go over issues and see what the Town can put in a grant for.

Highway Superintendent Meehan advised that the crown of Mallory Road to West Hill Road was scrapped and taken off this Winter. Between Engineer Jurkowski and Peckham, they suggested to lay oil and stone for about \$25000.00 so this section of the road is not lost.

Supervisor Lagonia questioned work set for Dugway Road. R. Meehan noted the first part of Dugway Road to Fire Hill Road will be motopaved, oil and stone laid to the end. The Town might have to juggle some money around on the Highway Form 284. Discussion on current highway work that needs to be done.

The Town Board questioned Highway Superintendent Meehan as to whether or not he needed to hire a part time worker since one of the Highway Crew Members continues to be out on leave. Highway Superintendent Meehan advised that some trucking has been subbed out. It is difficult to find a person willing to work part time. If someone comes along, R. Meehan will consider hiring. Supervisor Lagonia asked if any of the highway projects could be put out for bid. R. Meehan does not think so. He is working with Peckham for the blacktopping and then will put oil and stone down. If the highway worker currently on leave does not come back to work soon, then R. Meehan will go to plan B.

Supervisor Lagonia noted there is a lot on Highway Superintendent Meehan's plate without a full crew. Member Vogler noted someone has to work the grader as well. R. Meehan stated that this work crew has been running a little thin, but they are managing. What really needs to happen is it needs to stop raining!

Engineer Jurkowski is to have a report to the Town on all these issues.

Town Clerk Report for the month of April 2019 submitted.

Tax Report for the month of April 2019 submitted. Town Clerk Haag advised that the tax records will be handed over to the County after the end of the May.

Planning Board Report for the month of April 2019 submitted. Member Vogler questioned the AT&T project. Supervisor Lagonia noted that packet is not yet complete. The Planning Board is still gathering information so a decision can be made.

#### Planning Board Chairman Appointment

Supervisor Lagonia advised that the Planning Board and Attorney Catalano recommend that the Town Board fill the Chairman's position on the Planning Board. They are both comfortable with Planning Board Member Lee Tilden holding this position.

A motion to appoint Planning Board Member Lee Tilden as the Chair of the Planning Board for a term that begins immediately and ends December 31, 2019 was made by J. Wrightsman and seconded by N. Friedman.

R. Lagonia: yes

G. Vogler: yes

C. Schober: yes

N. Friedman: yes

J. Wrightsman: yes

Motion carried 5:0.

No Comprehensive Plan Oversight Committee Report submitted.

Letter from Eric Spiegel, CPOC Member discusses the fact that our township seems to be aging as a population and as a rural population there are few easily identifiable services as people's needs evolve. Writing, E. Spiegel asked the Town Board to take up and support this issue so that as people do age, they are more able to manage their lives with some respect and dignity. E. Spiegel wrote concerning Neighbors of Northern Columbia County and a possible speaker from Taghkanic, Joyce Thompson.

Discussion on having J. Thompson come to a Town Board Meeting speaking about Senior aging issues. Supervisor Lagonia will reach out to E. Spiegel as how to proceed.

Building Inspector/Code Enforcement Report for the month of April 2019 submitted.

Justice Grubin Justice Court Report for the month of April 2019 submitted.

No Justice Cassuto Justice Court Report for the month of April 2019 submitted.

No Dog Report for the month of April 2019 submitted.

### Climate Smart

Member Vogler reported that the Climate Smart Committee met last night and reviewed what projects could be used to apply for a NYSERDA Grant. The consensus was to apply for a \$35000.00 grant to be divided into 2 sections; \$34000.00 to solarize the Town Garage and \$1000.00 for LED street lights. Member Vogler noted that the Town Board needed to approve this grant and that there needs to be a structural analysis done on the Town Garage for this.

A motion by G. Vogler and seconded by N. Friedman for the Town to apply to NYSERDA for a \$35000.00 grant: \$34000 for solarizing the Town Garage and \$1000.00 for LED street lights.

R. Lagonia: yes

G. Vogler: yes

C. Schober: yes

N. Friedman: yes

J. Wrightsman: yes

Motion carried 5:0.

Comprehensive Plan Oversight Committee Chair, Tim Stalker, recommended and the Committee agreed, that the Town needs a heating system audit for the Highway Garage to see if it is efficient. Highway Superintendent Meehan stated that Dell's Heating and Cooling has looked at this and noted that the Town could change the heads out to make the system run better. This would cost about \$2500.00. R. Meehan believes the Town should do this if it will save money in the long run. The Town Board discussed the specifics of this and Member Vogler will get more information. For now, if a piece of equipment needs to be fixed, it should be taken care of by whoever has the County bid for this work.

### Attorney Report

Supervisor Lagonia summarized Attorney Catalano's Report noting the following: Attorney Catalano has been working on the subdivision regulations, namely the design and environmental criteria, required improvements and performance guarantees and variances, enforcement, appeals, etc. A draft will be forwarded to Town Board Member Vogler and Comprehensive Plan Oversight Committee Chair Stalker.

Highway Superintendent Meehan has complained about the line work by Consolidated Communication specifically the installation of lines both on poles in the roadways and lines underground in the roadways. Attorney Catalano has contacted the attorney for Consolidated and alerted him to these issues but needs more specific information from R. Meehan concerning the locations and pictures of poles that are a problem, etc. The Town will have no liability for damage of any lines. Consolidated's Attorney will get contact information for a point person for R. Meehan to use.

The Planning Board has yet to approve the AT&T Tower application as complete as it required some additional information and some changes to the photo simulation. The Planning Board has been very thorough in its review and the applicant has been cooperative. A public hearing will be scheduled soon.

There is a portion of River Road, the short section from State Route 22 a little north of Sawyer Road to the main River Road that goes into Hillsdale is listed on the Columbia County maps as a Town Road. The property owner has been asserting that this section is a private road and requesting that the Town change the designation to private. Attorney Catalano has been working with Columbia County Mapping on this. Columbia County Mapping needs some documentary evidence that this road is not a Town road. A resolution may be put together for clarification.

Attorney Catalano has been speaking with Wallace Architecture and Eileen LaCorte concerning LaCorte's claims for additional compensation and revoking warranty. Once Wallace Architecture has an inspection done on the lighting and warranty issues are settled, it is believed that LaCorte will keep its warranty in place and just exempt out the light fixtures installed by someone else.

On the compensation claim, Attorney Catalano has negotiated to reduce the claim to \$3400.00 which would be acceptable to LaCorte, but he stated that he will try to get it reduced a little more than that. J. Catalano needs to Town Board's approval as to the amount the Board will be willing to pay. The Town Board discussed this claim.

A motion to allow Attorney for the Town, Joseph Catalano, to negotiate with LaCorte for a settlement for the claim in an amount not to exceed \$3400.00 was made by R. Lagonia and seconded by N. Friedman.

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

A motion to accept the monthly reports 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.

### **Correspondence**

Mary Anne Davis: Welcome to Summer in Spencertown-Requests use of Town Green May 25<sup>th</sup> from 10:00-3:00 p.m. and road closure of County Route 7 in front of the St. Peter's Presbyterian Church for event.

A motion to allow the use of the Town Green May 25<sup>th</sup> for ‘Welcome to Summer in Spencertown’ and to allow the road closure of County Route 7 in front of the St. Peter’s Presbyterian Church from 10:00-3:00 p.m. was made by C. Schober and seconded by J. Wrightsman.

R. Lagonia: yes

G. Vogler: yes

C. Schober: yes

N. Friedman: yes

J. Wrightsman: yes

Motion carried 5:0.

St. Peter’s Presbyterian Church: Seeking permission to use the Spencertown Green in July and August for ‘Tea on the Green.’

A motion to allow the St. Peter’s Presbyterian Church to use the Spencertown Green in July and August for ‘Tea on the Green,’ 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.

Supervisor Lagonia advised that there will be coffee and refreshments for the Memorial Day celebration at the old Town Hall.

### **Unfinished Business**

#### **New Town Hall Update**

Supervisor Lagonia advised that the new Town Hall is coming along. Progress is being made, but it is slow. R. Lagonia discussed what has yet to be completed since the last Town Board meeting noting that unfortunately the Town will probably not use the upstairs for the June Town Board meeting. There are elevator lift issues, but these are being worked on. Supervisor Lagonia has also met with the Town Justices concerning their offices and the court area.

#### **Greenagers**

Supervisor Lagonia and Town Board Member Nansi Friedman met with the Greenagers and walked the unfinished trails in the Austerlitz Town Park area. The Greenagers plan to come out again this summer to finish up the trail project and a plan of action was formalized. Unfortunately, someone drove a four-wheeler all through this area and made deep ruts which the Town will have to fix. The Town Board discussed some additional ideas to incorporate as this project is moved forward.

### **New Business**

#### **New Town Hall Landscaping**

The Town received an estimate from Howes Horticultural to install and mulch trees, shrubs and perennials around the new Town Hall for \$9157.00. Supervisor Lagonia met with D. Howes and

J. Shear concerning this plan. In speaking with Attorney Catalano, Supervisor Lagonia advised that a change order can be done to the lawn care bid agreement awarded to Howes Horticulture to incorporate the plan so no additional bidding has to occur.

A motion to do a change order for lawn care incorporating the plan received from Howes Horticulture for a price of \$9157.00 was made by N. Friedman and seconded by C. Schober.

R. Lagonia: yes

G. Vogler: yes

C. Schober: yes

N. Friedman: yes

J. Wrightsman: yes

Motion carried 5:0.

### **Used Desks**

The Town has 3 used desks in the old Town Hall that are no longer needed. Supervisor Lagonia would like to declare this furniture salvage and sell it. Member Friedman suggested offering these to the community on a first come first serve basis and give them away. The consensus of the Town Board was to just give these away.

A motion to declare the 3 desks in the old Town Hall salvage was made by G. Vogler and seconded by J. Wrightsman.

R. Lagonia: yes

G. Vogler: yes

C. Schober: yes

N. Friedman: yes

J. Wrightsman: yes

Motion carried 5:0.

### **Broadband**

Town Board Member Jere Wrightsman noted he received a call from a gentleman about broadband who suggested to survey Town residents on what service they have. There are alternatives out there. Member Wrightsman advised that he could come up with a survey, get results and then pass those results to the appropriate people. The Town Board wants to make sure that no one thinks that the Town had anything to do with the broadband decisions made for the County and specifically the Town. The Town Board consensus was to just steer people to appropriate companies to handle their issues. The Town will encourage Consolidated Communications to run extra fiber.

There are residents on Reed Road who are informally banding together for broadband hookup.

### **Public Comments**

Kathy Vander Weit questioned Highway Superintendent Meehan on the use of the speed sign.

Maureen Wilson questioned if the Enhanced Patrol was out in the Town yet. Supervisor Lagonia noted it was.

### **Adjournment**

A motion to adjourn 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. Meeting adjourned at 8:13 p.m.

Respectfully Submitted,  
Susan A. Haag, Town Clerk#

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