

Town of Austerlitz
Town Board Meeting
June 20, 2019

Present: Robert Lagonia, Supervisor, Greg Vogler, Nansi Friedman, and Christopher Schober, Town Board Members, Robert Meehan, Highway Superintendent and Constance Mondel, Minute Taker. Attorney for the Town, Joseph Catalano, also present.

Town Board Member Jere Wrightsman absent.

Susan Haag, Town Clerk, absent due to surgery. The Board acknowledged that Constance Mondel, the appointed minute taker for the Town, would be taking the minutes of the meeting in the absence of the 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 G. Vogler and seconded by N. Friedman.

R. Lagonia: yes

G. Vogler: yes

C. Schober: yes

N. Friedman: yes

J. Wrightsman: absent

Motion carried 4:1.

Auditing of Accounts and Claims

A motion to pay General Fund, #189-, in the amount of \$, Highway Fund, #118-, in the amount of \$, and the Capital Fund #78-, in the amount of \$ was made by C. Schober and seconded by N. Friedman.

R. Lagonia: yes

G. Vogler: yes

C. Schober: yes

N. Friedman: yes

J. Wrightsman: absent

Motion carried 4:1.

Reports

Monthly Cash Disbursement and Supervisor Report

Monthly Cash Disbursement for the Month of May 2019 submitted. Supervisor Lagonia advised that sales tax is up some; building permits-not so much of an increase; same true for fines and forfeitures; some money left in general equipment repairs, funds to be moved for other equipment or used for roads.

Information shared by Supervisor Lagonia concerning the work that will be done at the old Town Hall; painting by Hudson prisoners, floors will be done, whitewashing and fencing.

Highway Report

Highway Superintendent Meehan reported that oiling and stoning have been done on Partridge Drive and Harrington Drive. There is a section of Partridge between West Hill and Harrington Drive that needs to be patched and will be oiled and stone when West Hill is done. Colarusso Blacktopping will blacktop the entrance to the sand barn.

Highway Superintendent Meehan advised that there are three plow trucks that he would like to have declared as surplus equipment so he can put them out to auction.

A motion by G. Vogler and seconded by R. Lagonia to declare the 1988 International plow truck, the 1991 International plow truck and the 1996 International plow truck as surplus equipment and authorize Highway Superintendent Meehan to put these out for auction.

R. Lagonia: yes

G. Vogler: yes

C. Schober: yes

N. Friedman: yes

J. Wrightsman: absent

Motion carried 4:1.

Town Clerk Report for the month of May 2019 submitted.

Tax Report for the month of May 2019 submitted.

Planning Board Report for the month of May 2019 submitted. Attorney Catalano provided additional information on the pending AT&T tower application and answered questions from the Board on the procedures. The public hearing is scheduled for July 25th pending a few additional submittals by the applicant and a report from the Town's RF Engineer.

Comprehensive Plan Oversight Committee Report of May 2019 submitted.

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

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

Justice Cassuto Justice Court Report for the months of April and May 2019 submitted.

No Dog Report for the month of May 2019 submitted.

Climate Smart

Member Vogler reported that he has submitted a grant to NYSERDA for \$35000.00. Once this is approved, the Town will be reimbursed. Street lights are included.

Town Board discussion on a street light on West Hill Road located in front of the old fire house, moving it down one pole so it would be by the entrance to the park land.

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: absent

Motion carried 4:1.

Correspondence

None

Unfinished Business

New Town Hall Update

Wallace Architecture submitted an updated construction budget versus cost sheet for review.

Supervisor Lagonia advised that the glides are being placed on the meeting hall chairs to prevent floor scratching. A video system is being installed. Fencing is needed around the heat pumps. The project may be complete possibly in late August.

New Business

Audits

Supervisor Lagonia advised that Accountant for the Town, Nelson Furlano, audited the books of the Supervisor, Town Clerk/Tax Collector and both Justices. No findings or instances of noncompliance with record keeping requirements was found.

A motion to accept the audit 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: absent

Motion carried 4:1.

Strawberry Hill Culvert

Engineer Ray Jurkowski submitted a report on the culvert located at Strawberry Hill on Dugway Road noting that based on his initial visual assessment, it appears there is a section of streambank side slope approximately 15-20 feet along the easterly side of the stream on the inlet and outlet side of the culvert structure that needs to be reconstructed and stabilized. At a minimum, the anticipated slope reconstruction control measures will involve hydraulic controls, hard structural stabilization at the toe of the slope, as well as, slope regrading and vegetative controls. A preliminary finished cost would come in around \$118,000.00 if a private contractor was used at prevailing wages. Significant savings could be realized if the Town's Highway Department did the work.

Superintendent Meehan advised that easements and NYSDEC permits would have to be secured for the project. Engineer Jurkowski to coordinate with Attorney Catalano to facilitate this. The Town will need to find out if future C.H.I.P.s money could be used for this.

Supervisor Lagonia noted that is something happened to the bridge and it had to be totally replaced, the cost would be in the millions and at least a two-year project.

A motion to authorize Engineer for the Town, Ray Jurkowski, to design and plan the Strawberry Hill culvert reconstruction project was made by N. Friedman and seconded by G. Vogler.

R. Lagonia: yes

G. Vogler: yes

C. Schober: yes

N. Friedman: yes

J. Wrightsman: absent

Motion carried 4:1.

LED Lighting

Town Board Member Chris Schober will keep in touch on the time table for replacement of the street lights and highway garage lighting to LEDs.

Trout Unlimited/Estuary Program - DEC

Supervisor Lagonia had a meeting with Trout Unlimited concerning a free Town wide culvert assessment and grant program. Attending the Town Board meeting tonight, Megan Lung and Stephanie Facciane, from the DEC Estuary Program, outlined the work to be done beginning in August, assessing culverts and bridges for adequacy to handle stormwater and to accommodate the movement of aquatic organisms. Supervisor Lagonia had signed up the Town to participate in this program at no cost to the Town. All bridges and culverts will be inspected, analyzed and a report given to the Town on its findings. Grants are available for culvert and bridge improvements.

July Town Board Meeting

Supervisor Lagonia advised he can not make the July Town Board meeting and asked to have it moved. Town Board consensus was to move the July Town Board meeting to July 11, 2019.

Resolution #35-2019, Confirmation of River Road as a Private Road

A motion to adopt Resolution #35-2019, Confirmation of River Road as a Private Road, was made by R. Lagonia and seconded by C. Schober.

R. Lagonia: yes

G. Vogler: yes

C. Schober: yes

N. Friedman: yes

J. Wrightsman: absent

Motion carried 4:1.

WHEREAS, it is the understanding of the Town Board that there is confusion over the status of a road located in the Town of Austerlitz that runs through the lands, now or formerly, of Henry J. Meininger in that the County of Columbia has the road identified as a public Town road and the Town of Austerlitz has recognized and treated such road as a private road; and

WHEREAS, the road in question is known as “River Road” and it extends through the lands of Meininger easterly from New York State Route 22 until it connects with a Town Road also known as River Road which runs generally in a north and south direction between Upper Hollow Road and Route 71; and

WHEREAS, in the past Mr. Meininger has provided the Town and Columbia County with temporary easements over the road in question when bridge and road construction required his private road to be used as a detour route and perhaps that was the cause of the confusion in mislabeling or misidentifying the road on official records; and

WHEREAS, the Town Board desires to confirm the status of this particular road so that there is no further confusion;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Town Board hereby confirms and acknowledges that the road located in the Town of Austerlitz, known as “River Road”, which extends through the lands of Henry J. Meininger, said lands as described in the Columbia County Book 432 of Deeds at page 468, easterly from New York State Route 22 until it connects with a Town Road also known as “River Road” situate on the easterly side of the lands of Meininger is a private road and is not maintained by the Town of Austerlitz.
2. The Town Board hereby directs the Town Clerk to forward a certified copy of this Resolution to the Town Highway Superintendent and to the Tax Map Supervisor at the Columbia County Real Property Tax Services.
3. The Town Board also directs that the aforementioned private road is removed from the official list of Town Roads of the Town of Austerlitz if said private road is not already removed from that list.
4. This Resolution shall take effect immediately.

Air BnBs

Attorney for the Town, Joseph Catalano, provided the Board with a preliminary report on the issues involved with short-term rentals of residential properties made popular by such sites as Airbnb. He also explained the wide range of options available to local governments for the regulation of short-term rentals. The type of regulation depends on the Town’s policy. Discussion ensued about making sure the character of residential properties is not altered by short-term rentals and that neighbors are not impacted from such use.

Consensus of the Town Board was to proceed thoughtfully on this subject and have a workshop on this issue within the next couple of months.

Public Comments

None

Executive Session

A motion to enter an executive session for personnel matter and to discuss possible litigation on a zoning enforcement matter was made by G. Vogler and seconded by C. Schober.

R. Lagonia: yes

G. Vogler: yes

C. Schober: yes

N. Friedman: yes

J. Wrightsman: absent

Motion carried 4:1. Executive Session enter at 8:32 p.m.

A motion to exit the executive session was made by G. Vogler and seconded by R. Lagonia.

R. Lagonia: yes

G. Vogler: yes

C. Schober: yes

N. Friedman: yes

J. Wrightsman: absent

Motion carried 4:1. Executive session exited at 9:05 p.m.

Adjournment

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

R. Lagonia: yes

G. Vogler: yes

C. Schober: yes

N. Friedman: yes

J. Wrightsman: absent

Motion carried 4:1. Meeting adjourned at 9:06 p.m.

Respectfully Submitted,
Constance Mondel, Minute Taker