

Town of Austerlitz
Town Board Meeting
October 18, 2018

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

Town Board Nansi Friedman absent due to an emergency.

Town Board meeting called to order at 7:04 p.m.

Moment of silence and pledge of allegiance.

Minutes

A motion to accept the September 20, 2018 Town Board Meeting minutes was made by G. Vogler and seconded by C. Schober.

R. Lagonia: yes

G. Vogler: yes

C. Schober: yes

N. Friedman: absent

J. Wrightsman: abstain due to absence at last meeting

Motion carried 3:2.

Auditing of Accounts and Claims

A motion to pay General Fund, #326-361 in the amount of \$36319.91, Highway Fund, #145-167, in the amount of \$364112.99, and the Capital Fund #120-138, in the amount of \$217738.68 was made by G. Vogler and seconded by J. Wrightsman.

R. Lagonia: yes

G. Vogler: yes

C. Schober: yes

N. Friedman: absent

J. Wrightsman: yes

Motion carried 4:1.

Reports

Monthly Cash Disbursement and Supervisor Report

Monthly Cash Disbursement for the Month of September 2018 submitted. Supervisor Lagonia advised that sales tax money will be up for the year, but court revenue will be close, maybe a bit short. Supervisor Lagonia will speak with Jack Shear and the Austerlitz Historical Society concerning their monetary contributions for this past summer's bicentennial so the Town can clear up the celebration line item. Building permits are down for the year. All the rest of the line items seem fine. The highway fund money is also still in line, but most of their money will be paid out later this year. Highway Superintendent Meehan still has about 8 weeks left in the season to finish up some projects. The work at the new town hall and the new salt shed will be winding down next week.

Supervisor Lagonia advised that he is aware that the Comprehensive Plan Oversight Committee has been working on a number of projects such as Ridgeline Protection and updating the Subdivision Regulations, but the Town has been straight out with all that is going on and appreciates the patience of the committee. The Town Board will probably get to these next year.

Highway Report

Highway Superintendent Meehan reported that curbing around the new town hall was put in today and the project is winding down. Item 4 needs to be put down next and then the blacktopping. There is some prep work for the sidewalks and finishing work on the septic. The project is coming together. The Town Board discussed landscaping between the two buildings. The old town hall will be kept and not sold because it shares power, the well and septic with the new town hall. There is no room for separate utilities.

The East Hill Road culvert replacement project is almost complete. The guardrails will be put in the first week of November. Superintendent Meehan will put up Jersey barriers for now so East Hill Road can be opened back up tomorrow.

The new salt shed is coming along. The walls are up and R. Meehan will back fill next week. There is a push to get the roads graded next week.

Highway Superintendent Meehan met with Consolidated Communications about the pole placement for broadband on Punsit Road. There are a couple that are a little close to the road, but it can not be helped. Reed Road and Dugway Road will also be seeing fiber run.

A few trees on West Hill Road have been taken down and a culvert on Spencer Road replaced. There is more culvert work on Spencer Road, but patching for the Winter will be done for now. R. Meehan is still looking to replace the culverts on Longview Drive, and maybe some on Pierson Road. There is now a house at the end of Pierson Road which means that the snow plowing schedule will change to incorporate this road earlier in the day.

Supervisor Lagonia noted that there was a lot of concrete used to pour the walls in the new salt shed. The walls are high. The concrete used was sent to a lab for testing to make sure that the specs were followed and that the walls will hold. Once the area is back filled, the rest of the building will go up pretty quickly. There was a small design change on the wing part of the building. Engineer Jurkowski, Contractor Wes Coons, Supervisor Lagonia and Highway Superintendent Meehan are all working together on this project.

Supervisor Lagonia advised that because of all the wet weather this fall the Town had projects that were in our sights to do, but couldn't because of that weather. This has nothing to do with Highway Superintendent Meehan.

Highway Superintendent Meehan advised that Peckham is willing to still come out and blacktop Bryarcliffe roads, but they will not guarantee their work because of the latest in the season. Their schedule as delayed because of the rain as well. R. Meehan needs the work guaranteed, so this project will be put off until Spring. The Highway Crew did a lot of prep work on the

Bryarcliffe roads already. Supervisor Lagonia noted that the Town will put the money aside that was earmarked for this from this year's budget and use next year.

Highway Superintendent Meehan discussed how much extra work was done on the East Hill Road culvert replacement because of the wet weather.

The Schoolhouse Road culvert replacement project was not done because the culvert was never ordered so this will be another project for next year.

Supervisor Lagonia received an email from a resident on East Hill Road concerning drainage issues. Attorney for the Town, Joseph Catalano, has reviewed the situation and advised that it is not the Town's issue. Supervisor Lagonia noted that the Town will see if there is a way to help. Engineer Ray Jurkowski will look at the area. R. Meehan noted that the current culvert and drainage pattern have been in existence for 50 years.

Supervisor Lagonia noted that a resident on Elm Street is concerned with the number of unregistered vehicles on a neighboring property and has put in a formal complaint. The Town is diligently working on this. There is a formal date to finish the clean up before the case will go to court.

Town Clerk Report for the month of September 2018 submitted.

Planning Board Report for the month of September 2018 submitted.

Comprehensive Plan Oversight Committee Report for the month of September 2018 submitted.

Building Inspector/Code Enforcement Report for the month of September 2018 submitted.

Justice Grubin Justice Court Report for the month of September 2018 submitted.

Justice Cassuto Justice Court Report for the month of September 2018 submitted.

Dog Report for the month of September 2018 submitted.

A motion to accept the monthly reports was made by C. Schober and seconded by J. Wrightsman.

R. Lagonia: yes

G. Vogler: yes

C. Schober: yes

N. Friedman: absent

J. Wrightsman: yes

Motion carried 4:1.

Correspondence

NYMIR: NYS Department of Labor Finalizes Sexual Harassment Prevention Guidance for Employees.

Supervisor Lagonia advised that the Town will start to work on updating our highway employee handbook and policies if needed. Town Board Member Vogler will head this up.

Unfinished Business

New Town Hall Update

Cost analysis sheet was updated by Therese Boehme, Architectural Bureau.

Supervisor Lagonia advised that everyone is hustling to get the new Town Hall completed. Architect Wallace is on board and is available when needed. W. Wallace has been brought up to speed and works with an even keel figuring out how to fix issues. A meeting for all concerned is set for October 29th for a status update and completion time schedule.

Supervisor Lagonia noted all the areas currently being worked on or just completed. The hope is to be in the new Town Hall in December or early January.

New Salt Shed Update

The Town of Austerlitz went out to bid for the salt shed building pavement construction. The following bids were received:

A. Colarusso and Sons, Inc.

PO Box 302

Hudson, New York 12534

Bid: \$101752.05

DelSignore Blacktop Paving, Inc.

42 Brick Church Road

Troy, New York 12180

Bid: \$119077.00

HMA Contracting Corp.

PO Box 151

Mechanicville, New York 12118

Bid: \$112712.72

Linda Holding Corp.

374 Floyd Hawver Road

Round Top, New York 12473

Bid: \$160712.00

New Castle Paving, LLC

1 Madison Street, Suite 100

Troy, New York 12180

Bid: \$253214.40\

A motion to accept the bid for the salt shed building pavement construction from A. Colarusso and Sons, Inc. for \$101752.05 was made by J. Wrightsman and seconded by G. Vogler.

R. Lagonia: yes
G. Vogler: yes
C. Schober: yes
N. Friedman: absent
J. Wrightsman: yes
Motion carried 4:1.

East Hill Bridge Update

Discussed.

Highway Equipment Purchase

Resolution 36-2018, Highway Equipment Purchase

Supervisor Lagonia advised that this resolution authorizes purchases totaling \$627829.36 and the bond issuance is for a maximum of \$700,000.00. Both the roller purchase and the bond counsel costs can be included in this bond if the Town Board chooses.

R. Lagonia and Member Vogler met to discuss finances; what equipment to pay outright for, what to bond. The roller purchase will be paid for out of the Highway Equipment Reserve Fund and the rest of the new highway equipment will be bonded.

Two new highway dump trucks have been ordered. Part of this order will be delivered in April and the rest in September/October. The excavator, loader and roller will all have to be paid for in about a month. The dump trucks not until next year at some point. Attorney for the Town, Joseph Catalano, has noted that he will speak with the bond counsel to see if the Town can get the bonds issued in two stages which would be the best unless there is an extreme hike in interest rates.

A motion to adopt Resolution 36-2018, Highway Equipment Purchase was made by G. Vogler and seconded by J. Wrightsman.

R. Lagonia: yes
G. Vogler: yes
C. Schober: yes
N. Friedman: absent
J. Wrightsman: yes
Motion carried 4:1.

Whereas, the Town Board and the Highway Superintendent for many months have been discussing and analyzing the need for acquiring equipment for the Highway Department in order to replace old equipment, to avoid renting equipment and to provide the Highway Department with the essential equipment it needs to maintain and repair Town roads; and

Whereas, for this purpose, the Town Board adopted a bond resolution authorizing the issuance of bonds and/or bond anticipation notes for a maximum amount of \$700,000.00; and

Whereas, the time period for permissive referendum and the estoppel notice expired on October 11, 2018 without any petitions, claims or opposition of any kind; and

Whereas, the Town Board, with consultation and advice from the Highway Superintendent, has determined to purchase the following equipment: a dirt roller, an excavator, a loader, and 2 dump trucks; and

Whereas, at its meeting held on September 20, 2018, the Town Board authorized the purchase of a used dirt roller pursuant to the lowest sealed bid received per a public bidding process initiated by the Town Board; and

Whereas, the other equipment listed above are to be purchased from a New York State or other governmental agency contract so no public bidding is required; and

Whereas, the 2 dump trucks were ordered on October 12, 2018 by the Town Supervisor upon consultation with Town Board members, since that was the last day in which to order the trucks so as to have the trucks built, fitted and available in the first quarter of 2019;

NOW, THEREFORE, BE IT RESOLVED as follows:

- The Town Board hereby ratifies, approves and authorizes the order and purchase of 2 dump trucks from Albany Mack Sales for a purchase price of \$200,614.00 per truck which includes plow equipment and extended warranty.
- The Town Board hereby approves and authorizes the purchase of a 2018 CAT 930M Wheel Loader from Milton CAT for the purchase price of \$155,348.00 and the purchase of a Kubota KX057 from Able Tractor & Equipment, Inc. for the purchase price of \$71,253.36 as per the quotes or proposals from said respective dealers.
- The Highway Superintendent is hereby authorized to trade in the Town's existing loader to either reduce the purchase price of the Cat loader or purchase a plow blade for snow or a combination of both.
- This resolution shall be deemed to take effect as of October 12, 2018 for purposes of ratifying and approving the acts of the Town Supervisor, Town Superintendent and such other Town officials as may have facilitated the order of the 2 dump trucks under the circumstances described above and to take effective immediately with respect to the other equipment purchases set forth herein.

A motion to take \$60500.00 out of the Highway Equipment Reserve Fund for the purchase of a roller was made by G. Vogler and seconded by J. Wrightsman.

R. Lagonia: yes

G. Vogler: yes

C. Schober: yes

N. Friedman: absent

J. Wrightsman: yes
Motion carried 4:1.

The Town board discussed timing of the receipt of bond proceeds and the purchase of the highway equipment.

Supervisor Lagonia noted that the Town does have some money set aside that needs to be used. Maybe this could be used for road work. Since Peckham is already scheduled to come out and pave the Bryarcliffe roads, while they are here they can take care of Pratt Hill Road at the same time.

Town Reassessment Project

Assessor Pam Cook reported that the data collectors will probably be finished by next week. There are now two collectors. There will be many follow-up letters to go out to those residents who have gates, fences or who refused to allow the data collector on their property. After this, the data mailers will be sent to all property owners by hopefully the first week of November. New assessment notices will be mailed toward the end of December.

Assessor Cook is hopeful to be in the new town hall by January so her meetings can take place in the new space.

Board Member Vogler would like Assessor Cook to attend the November Town Board meeting to answer questions and give a more in-depth update.

New Business

2018 Summer Recreation Program Wrap Up Report

Summer Recreation Director Deborah Oleynek reported to the Town Board concerning the 2018 program noting it was another great summer. CPR, AED and First Aid training continued as did the recertification of all life guards. The campers went to Fox Hill Camp Grounds for swimming in the afternoon, played kickball and capture the flag. The bus transporting the campers from the Spencertown Park to Fox Hill was again shared with the Town of Ghent.

There were a total of 21 campers registered for the year with an estimated total revenue of \$2300.00.

Director Oleynek further thanked the Highway Department for all of their hard work this past spring in preparation for the summer program. D. Oleynek thanked the Ellsworth Kelly Foundation and Jack Shear for their continued support.

Director Oleynek is concerned that the increased participant pricing over the last few years has caused the enrollment numbers to decrease. Because of this, D. Oleynek suggested changing the fee structure to include a family cap for both residents and non-residents as well as dropping the non-resident pricing per child.

Other suggestions from Director Oleynek included open enrollment through the Town's website and Town Hall and having a sign up day; mailings and backpack mailers to increase awareness;

setting up information tables at Town events; utilizing the Town Hall bulletin board; and camper sponsorship for families with less income.

It was asked how many children in the Chatham Central School District in the K-8th grade range to which it was answered 75. Discussion centered on other Town's summer recreation programs, cost to participate and what they offered.

Supervisor Lagonia noted that the summer recreation program runs from 9:00-3:00 p.m. every day for 6 weeks including swimming. R. Lagonia feels \$100.00 per child is very inexpensive. D. Oleynek did not know what families could not afford this.

Supervisor Lagonia appreciates all the time and thought Director Oleynek has put into these proposals.

The Town Board discussed current cost, future cost options, maybe opening the resident cost to those attending from adjoining towns, etc.

Town Board Member Vogler feels this is a nice feature for our residents and makes our Town more attractive.

Supervisor Lagonia advised that the Town Board will discuss this more thoroughly and come up with parameters. This will happen soon so that information can be put out earlier with more publicity.

Member Vogler noted that the financial reality of this program is that it is going to operate as a loss, but the money is well spent and this program gives back to the community. The Town Board just needs to find the right numbers.

Tennis Court Patching

Supervisor Lagonia stated that Harry Newton called concerning patching of the Town Tennis Court and offered to donate \$750.00 towards this. R. Lagonia advised that any patching should be done before winter so water and ice do not get in.

Supervisor Lagonia received a quote of \$1565.00 from Copeland Coating Company, PO Box 595, Nassau, New York 12123 to furnish all materials, labor and insurance to repair the net footings on the combination court in the Town of Austerlitz.

A motion to hire Copeland Coating Company for \$1565.00 to furnish all materials, labor and insurance to repair the net footings on the combination court in the Town of Austerlitz was made by J. Wrightsman and seconded by C. Schober.

R. Lagonia: yes

G. Vogler: yes

C. Schober: yes

N. Friedman: absent

J. Wrightsman: yes

Motion carried 4:1.

Town Board Member Schober questioned if the work done on the tennis court a few years ago was done correctly. Supervisor Lagonia advised that there were some issues putting in the posts, but these were corrected.

2019 Tentative Budget

Supervisor Lagonia asked if any Town Board Member had a question concerning the 2019 Tentative budget. Hearing none, he presented Resolution 35-2018, Adoption of the 2019 Tentative Budget as the 2019 Preliminary Budget

A motion to adopt Resolution 35-2018, Adoption of the 2019 Tentative Budget as the 2019 Preliminary Budget was made by G. Vogler and seconded by J. Wrightsman.

R. Lagonia: yes

G. Vogler: yes

C. Schober: yes

N. Friedman: absent

J. Wrightsman: yes

Motion carried 4:1.

WHEREAS, the Supervisor of the Town of Austerlitz prepared a Tentative Budget for the Town's fiscal year 2019 and presented that Tentative Budget at a regular meeting of the Town Board held on September 20, 2018; and

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

WHEREAS, the Town Board is prepared to adopt the Tentative Budget without changes made by the Town Board during the course of discussions regarding same as the Preliminary Budget;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Austerlitz hereby adopts the Tentative Budget for 2019, as the Preliminary Budget for the fiscal year of 2019 of the Town of Austerlitz; and

BE IT FURTHER RESOLVED, that the Town Board hereby schedules a public hearing on said 2019 Preliminary Budget for November 15, 2018 at 6:30 pm at the Austerlitz Town Hall and directs the Town Clerk to post and publish the required notices for said hearing.

Columbia County Youth Bureau Contract 2018 Award

Supervisor Lagonia advised that the Town normally signs this contract, but it was changed this year. Attorney for the Town, Joseph Catalano reviewed the contract and has some reservations, namely; there are some terms and phrases that should be crossed out before signing; the Town should check with its insurance carrier to see if there will be any issue providing the insurance to the County as specified under paragraph 16; and this contract is more for a private consultant rather than a municipality noting that there is too much liability and representation that the Town is a 'professional' regarding youth programs.

Supervisor Lagonia did check with the insurance company and the Town is fine on that end.

A motion to authorize Supervisor Lagonia to sign the Columbia County Youth Bureau Contract 2018 Award once wording changes have been made by Attorney Catalano, understanding that if Columbia County does not accept the contract with the changes made it will be brought back to the Town Board in November was made by C. Schober and seconded by G. Vogler.

R. Lagonia: yes

G. Vogler: yes

C. Schober: yes

N. Friedman: absent

J. Wrightsman: yes

Motion carried 4:1.

Public Comments

Charles Vander Weit spoke concerning the Canadian wolves that bred with dogs and have been seen in New York State. C. Vander Weit believes one of these was on his property.

Summer Recreation Program Director Oleynek advised the Town Board that the kids in the program made 2 signs this past summer to help deter the vandalism at the Town Park. The signs said; "Please be kind to our park," and "Smile, you are on camera!"

Logan Weiss, a reporter from Columbia-Greene Media, introduced himself.

Sam Tassinari questioned the recently installed curbing on State Route 203 noting it was put in for quite a distance. Supervisor Lagonia noted that the NYSDOT dictated what curbing was to be put in and where it was to be put.

Adjournment

A motion to adjourn was made by J. Wrightsman and seconded by C. Schober.

R. Lagonia: yes

G. Vogler: yes

C. Schober: yes

N. Friedman: absent

J. Wrightsman: yes

Motion carried 4:1. Meeting adjourned at 8:27 p.m.

Respectfully Submitted,
Susan A. Haag, Town Clerk