

Town of Austerlitz  
Town Board Meeting  
November 15, 2018

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

Public Hearing called to order at 6:30 p.m. Public hearing called for the 2019 Preliminary Town Budget. Town Clerk advised that the public hearing was duly noticed.

No public. No questions.

A motion to close the public hearing 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.

Public Hearing closed at 6:32 p.m.

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

Moment of silence and pledge of allegiance.

**Minutes**

A motion to accept the October 18, 2018 Town Board Meeting minutes was made by J. Wrightsman and seconded by C. Schober.

R. Lagonia: yes

G. Vogler: yes

C. Schober: yes

N. Friedman: abstain due to absence at last meeting

J. Wrightsman: yes

Motion carried 4:1.

**Auditing of Accounts and Claims**

A motion to pay General Fund, #362-387, in the amount of \$27562.42, Highway Fund, #168-183, in the amount of \$16168.40, and the Capital Fund #139-164, in the amount of \$362702.94 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 October 2018 submitted.

Supervisor Lagonia reported sales tax up substantially, but other line items are down. Fines and forfeitures on target to make budget, building permit fees down. R. Lagonia will meet with Highway Superintendent Meehan to go over the highway fund for end of the year projects.

Some of the costs for the East Hill Bridge Replacement project have been submitted to C.H.I.P.s. Supervisor Lagonia noted that C.H.I.P.s money next year can be used for road issues since the last of the bridge replacement projects are complete for now. The bridge at Strawberry Hill on Dugway Road has been looked at and deemed okay for the time being. Town Board Member Vogler would like to have a second opinion on this and it was noted that Engineer Ray Jurkowski can inspect.

When completing the Highway Form 284 for 2019, the Town Board and Highway Superintendent Meehan will have to decide what projects C.H.I.P.s money can be used for. Supervisor Lagonia noted that maybe a road can be blacktopped next year and Prathill Road really needs to be taken care of as well.

Highway Superintendent Meehan advised that Longview Drive has been cleaned, culverts need to still be changed out, but the weather has just been terrible because of all the rain. R. Meehan hopes to get to this before Winter.

Discussion on possibilities for next year.

Supervisor Lagonia advised that since the new Town Hall is not yet complete all holiday decorating will be done on the old Town Hall and the Town will just light the tree in the park. The official tree lighting ceremony will be December 8<sup>th</sup>. Maybe a mid-Winter bash once the new Town Hall is open. Town Board Member Wrightsman will reach out to Dan Howes to decorate. Next year will be different when the Town can really ramp it up. This year there will be hot chocolate and cookies at the old Town Hall and maybe Santa will be available. Member Wrightsman will contact the Spencertown Fire Company for this. Event will start at 5:00 p.m.

On a County level, the Board of Supervisor agreed to institute a new fee for recycling. Stickers will be sold through the Town Clerk. Details are being worked out and will go into effect in the new year.

### Highway Report

Highway Superintendent Meehan reported curbing and blacktop work for the new Town Hall is done. R. Meehan feels a better job could have been done on the blacktopping. The leech field will be put in next week. A few trucks have been fixed and should be good for the upcoming snowstorm. Some ditching and potholes have been fixed. The new salt shed is coming along. The trusses are up and the plywood is on. The project will be done in about a week, week and a half. Blacktopping at the new salt shed should be done next week. The Town needs to hire an electrician for that work. The old salt shed at the Braley property needs to be cleaned out, but there are possibilities to rent this space on a month to month basis if necessary.

Town Board Member Wrightsman questioned when the Bicentennial banners would be put up. Highway Superintendent Meehan advised that he would see what he can do. Town Board Member Vogler advised he also needs to have the bollards in place in front of the electronic charging station. R. Meehan will see what he can do with this as well.

Highway Superintendent Meehan advised that no salt should be used on the new side walks this winter. Only sand.

Town Clerk Report for the month of October 2018 submitted.

Planning Board Report for the month of October 2018 submitted.

No Comprehensive Plan Oversight Committee Report for the month of October 2018 submitted.

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

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

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

No Dog Report for the month of October 2018 submitted.

#### Climate Smart Committee Report

Town Board Member Vogler reported that Eleanor Saunders from the Citizens Climate Lobby did a presentation on climate change. Included in the presentation was an outline of the legislative goals of the Citizens Climate Lobby which centers on a Cap and Fee carbon system.

Jim Murray, Austerlitz representative on the Columbia County Environmental Management Council attended the meeting noting that the committee is in the process of working out wording for a County resolution supporting the market-base, revenue-neutral price on greenhouse-gas emissions.

The Climate Smart Committee further discussed the new charging station, benchmarking and unified solar permits.

#### Attorney Joseph Catalano Report

1 - The closing on the bonds for the highway equipment purchases is scheduled for November 29th. Funds should be available that day or the next. So you can go ahead and order the purchase of the excavator and loader. The roller was previously authorized and that was not coming out of the bond funding. The bonds will be for a 15 year term at 3.1%. I checked and it is a good rate and the bank supposedly gave the Town a lower rate than market by about 0.75% as a courtesy. We are closing on the \$630,000 which will also cover the purchase of the 2 dump trucks that will not be ready or payable until late spring. After consultation with bond counsel and the bank as well as Jay Engel (whose profession is in the municipal bond market) it was deemed best to close now since interest rates are likely to go up and to avoid the cost of 2 closings. I have asked for language in the bonds to invest the dump truck money until we need it. Bank is to get me a 6-month CD rate should be at least around 2%.

2 - Town Hall Project - legal work has slowed down on this. Last month I prepared lien waiver forms need before we close out contracts. We have a few small contracts for various finishing work for which I have not required certificates of insurance since it will raise those contract costs and liability risk is small to none. For example, the AV system installation. The general contractor is helping out on affixing the equipment to the ceiling and walls and the rest is basically connecting cables and checking the equipment. One exception was the stain glass cleaning. I did require insurance for that due to the use of a ladder or lift to get to the windows from the outside.

3 - I am working with Ray Jurkowski on the complaint about flooding of a property on East Hill Road allegedly due to a town culvert. Rob and I wanted Ray to check it out and provide a letter to the Town as to whether there is anything the Town can or should do.

4 - One thing I have yet to do is a letter to the County regarding the T portion of River Road. County has that as a town road but it isn't. Sue found a temporary easement that the property owner gave to the Town in the 1990's (great work Sue) when construction work was being done on the main River Road which proves it is not a town road. Will get to that soon.

A motion to accept the monthly reports 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.

### **Correspondence**

NYMIR: Webinar- 'Understanding Recent Changes to NYS Sexual Harassment Legislation'

NYS Dept of Ag and Markets: Municipal Shelter Inspection Report October 2018. Town of Austerlitz rated satisfactory.

CDPHP: How Employees Can Take Advantages of Benefits Offered.

CDPHP: 2019 Preview of Costs and Plans Available. Supervisor Lagonia advised that health insurance costs will only go up 1.4% and nothing has changed with the policy. The Town will still pay for the deductibles.

Barbara and Nick Iuviene: Thank you for flowers.

NYSEG: LED Street Light Conversion Program. NYSEG Received the Town's request to convert the existing NYSEWG owned cobra head street lights to energy efficient LED street lights. The Town will be contacted to discuss the wattage, color temperature desired and to complete the required documentation to initiate the conversion to LEDs.

### **Unfinished Business**

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

Cost analysis sheet was updated by Therese Boehme, Wallace Architecture. Supervisor Lagonia advised that the current plan is for the bottom floor of the new Town Hall to be open by the end of December, although this is not for sure. William Wallace thought it may be doable, but the Town will wait and see. Contractor Daloia has been working Saturdays and has hired an extra man. Supervisor Lagonia advised the Town Board what has been done in the last month and what is still outstanding. Currently this is just finishing work.

### **New Salt Shed Update**

Discussed

### **East Hill Bridge Update**

Highway Superintendent Meehan advised that the guardrails are scheduled to be put in next week.

### **Town of Austerlitz Discrimination and Harassment Policy**

Town Board Member Vogler has updated the Town's Discrimination and Harassment Policy as per new State requirements. Complaint forms and acknowledgement of receipt forms have been completed and are ready for use. These will replace the old forms. New training will need to take place.

A motion to adopt the new Discrimination and Harassment Policy 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.

### **Town Reassessment Project**

Town Assessor, Pamela Cook, came before the Town Board and gave the following report:

During the summer and fall, the Columbia County Data Collectors and the assessor were very busy out and about inspecting and collecting property data in the town. Almost all properties have been field inspected and collected data recorded in the NYS real property system. In addition, new photos and sketches were completed and updated. It's been over a decade since this arduous process was done on a town wide basis.

Now that the first phase of the project is complete, verification of the collected data is the next step. A property description report will be mailed to each property owner next week. It needs to be reviewed by the taxpayer and changes are necessary, they should correct and mail back to the office. If there is a major discrepancy, it will be necessary to do another site visit. I will not take changes over the phone. All information must be in writing and the form requires a signature.

We have had many denials of access to properties. Less than a half dozen upset taxpayers that we didn't call them first, one very rude to the new data collector. Once denied, letters were sent to property owners asking for permission, but many do not respond. I cannot access property,

only the building inspector can legally access. If there are pictures taken by the inspector at each visit, they could be used.

We do have the ability to view from the air with google earth. It has given us some information, but square footage, condition and other information may not be correct. But we do the best we can.

The new tentative assessments scheduled to be sent out in January. There is a lot to be done before we reach that part of the process. Sales prices of homes, vacant land, and land tables are being updated. Accurate and equitable value create a fair distribution of the tax burden. The county data collectors have done a yeoman's job in getting the information as accurate as possible. At that point, taxpayers can make an appointment to meet with me to discuss the information. The appointments will be made thru the county office, not the town office.

The town board has to decide if they are going to apply for the reimbursement \$\$ by end of Dec. There is about \$750,00 for the entire state for the aid. The wording states up to \$5 but they have not given that in several years. Last year they gave \$2.00 per parcel, but the catch is you must sign and enter into another 4-6 year plan of some reappraisal each year, with a full data collection to begin during the 4 or 5<sup>th</sup> year and ending by the end of the 6<sup>th</sup> year. Not sure how much more this will cost to do, workload, supplies, mailing and postage. Some towns do this, others do not. This was not part of the last reval 10 years ago. The town received \$5 per parcel in 2008 with no attachments.

The town board discussed that Saturday hours should be offered and for protection, possibly have another Town official on site at the time Assessor Cook is conducting these meetings. Another option is to hire the Columbia County Sheriff for some of the meeting times. The Town Board will set up workshop before next meeting to discuss the parameters of this.

### **Columbia County Youth Bureau Contract Update**

Supervisor Lagonia advised that when the Attorney for the Town looked over the 2018 Columbia County Youth Bureau Contract, he noted that it will cost more in attorney fees for the Town to tweak this contract than the Town will actually get, which is only \$1000.00. Supervisor Lagonia does not think the Town should go ahead because of this. Town Board Member Vogler understands the frustration associated with this, but if there is money available to the Town, the Town should move forward.

### **Tennis Court Patching Update**

Supervisor Lagonia has gone back and forth with whether or not to patch the tennis court. Copeland did not want to patch now as it is too cold. Copeland also would prefer to do this differently and try and save the area around the poles, but this will cost slightly more money. R. Lagonia feels this is the better way to go and noted that this will be done in the Spring. There will not be any additional negative effects to this area from the snow or cold weather. Supervisor Lagonia also advised that the Town could see another donation from H. Newton for this.

Town Board Member Vogler questioned how the Town was going to formally recognize H. Newman and J. Shear for their generosity to the Town.

### **Highway Equipment Bond Update**

See Attorney Catalano's Report. The Town Board felt it best to put the bond proceeds in CDs until such time as the trucks are completed and onsite.

### **New Business**

#### **Board of Assessment Review Appointments**

Supervisor Lagonia noted that after consultation with Assessor, Pam Cook, Karen Kellogg and Maureen Wilson are willing to serve on the Board of Assessment Review.

A motion to appoint Karen Kellogg to a position of Board of Assessment Review Member for a term beginning October 1, 2018 and ending September 30, 2023 was made by J. Wrightsman and seconded by G. Vogler.

R. Lagonia: yes

G. Vogler: yes

C. Schober: yes

N. Friedman: yes

J. Wrightsman: yes

Motion carried 5:0.

A motion to appoint Maureen Wilson to a position of Board of Assessment Review Member to fill the unexpired term of Bruce Burns beginning November 15, 2018 and ending September 30, 2021 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.

#### **2019 Town of Austerlitz Final Budget**

Resolution #37-2018 Adoption of the 2019 Budget

A motion to adopt Resolution #37-2018, Adoption of the 2019 Budget, 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.

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 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 November 15, 2018; 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 2019, without any changes made by the Town Board, as the Final Budget for the fiscal year of 2019 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.

### **Energy Benchmarking Policy**

Town Board Member Wrightsman is benchmarking town energy usage. The Town Board also discussed the need to document all procedures with the new town hall and climate change systems like the electronic charging station and benchmarking.

#### Resolution #38-2018, Energy Benchmarking Policy

A motion to adopt Resolution #38-2018, Energy Benchmarking Policy was made by J. Wrightsman and seconded by G. Vogler.

R. Lagonia: yes

G. Vogler: yes

C. Schober: yes

N. Friedman: yes

J. Wrightsman: yes

Motion carried 5:0.

WHEREAS, New York State Energy Research and Development Authority (NYSERDA) has announced a new Clean Energy Communities program which would allow the Town access to significant grant funding to further implement clean energy actions reducing both energy costs and greenhouse gas emissions, and

WHEREAS, One of the Clean Energy Communities "High Impact Actions" requires the Town Board to establish a policy which mandates the public reporting of building energy benchmarking, and

WHEREAS, Establishing a building energy benchmarking system will benefit the Town and its residents by making available good actionable information on municipal building energy use to help identify opportunities to cut costs and reduce pollution in the Town of Austerlitz, and

WHEREAS, The Town Board is desirous of adopting a policy that directs that monthly building energy usage for all fuel types including but not limited to electricity, natural gas, fuel oil, chilled water, steam and diesel fuel be collected and formally tracked for all buildings that are 1,000 square feet or larger that are owned or occupied by the Town, using the EPA Portfolio Manager platform, and



WHEREAS, Building reports shall be made available to the Town Board in EPA Portfolio Manager regarding summary statistics for each covered property including Energy Use Intensity, annual greenhouse gas emissions, an energy performance score where available, and other descriptive information as required by EPA Portfolio Manager and for that data to be made available to the public via the internet on an annual basis, and

WHEREAS, The Town Board may exempt a particular covered municipal building from the benchmarking requirement if the Town Board determines that it has characteristics that make benchmarking impractical, and

WHEREAS, The Town Board or its designee shall be the administrator of this local policy and promulgate procedures necessary for the administration of the requirements of this local policy, now, therefore be it

WHEREAS, if it is determined by the Supervisor and the Town Board that the Local Policy is not in its best interest of the Town or there is a change in the operational structure of the Town government that would make this Local Policy obsolete, they will have the ability to no longer proceed with it, now, therefore be it

RESOLVED, That the policy outlined in this resolution be hereby adopted and established for the Town Board, and, be it further

RESOLVED, That the Clerk is directed to forward certified copies of this resolution to the appropriate Town officials.

### **2019 Columbia Greene Humane Society Housing Contract**

Supervisor Lagonia noted this is the yearly contract for the housing of stray dogs.

A motion to authorize Supervisor Lagonia to sign the Columbia Greene Human Society Housing Contract for the 2019 year 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.

### **Welcome to the Town Signage**

Town of Austerlitz Historian, Tom Moreland, presented the Town Board with some options for 'Welcome to the Town of Austerlitz' signs. One option would be, "Welcome to the Town of Austerlitz Settled 1757, Established 1818. The Town would put up three signs; one on each end of State Route 22 and one on State Route 203. The Town Board would prefer one of the nicer options with maybe a logo. Supervisor Lagonia will chat with Historian Moreland. Highway Superintendent Meehan advised that the Town would need to get permission from the NYSDOT to put these signs up on State roads.

### **Austerlitz Town Park Trail**

Town Board Member Nansi Friedman advised that the work on the trail in the Austerlitz Town Park that was to be done by the Greenagers was not complete. The work was to start July 15<sup>th</sup> and take 4-5 days, but they were unable to come due to it raining. The next scheduled work time was in August, but not a lot was accomplished. Unfortunately, then school started. There was an additional Sunday where some work was done, but the overall project was not completed. The Town had paid the Greenagers \$2000.00 at the start and was to pay them the remaining \$2000.00 upon completion. In speaking with the Program Director, Member Friedman was advised that the Town could apply for a grant. The Program Director would do the grant proposal. The consensus of the Town Board was to apply for a grant.

### **Public Comments**

None

### **Adjournment**

A motion to adjourn 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. Meeting adjourned at 9:07 p.m.

Respectfully Submitted,  
Susan A. Haag, Town Clerk