

Town Of Austerlitz  
Organizational Meeting  
January 8, 2020

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

Town Board Meeting called to order at 8:36 a.m.

Moment of Silence, followed by the Pledge of Allegiance.

Supervisor Lagonia welcome new Town Board Member Maureen Wilson.

**Minutes**

A motion to accept the December 19, 2019 Town Board Meeting minutes was made by J. Wrightsman and seconded by C. Schober.

R. Lagonia: yes

G. Vogler: yes

C. Schober: yes

M. Wilson: abstain

J. Wrightsman: yes

Motion carried 4:1.

**Auditing of Accounts and Claims**

A motion to pay General Fund, #449-469, in the amount of \$21046.17 and Highway Fund, #278-291, in the amount of \$19490.47 was made by G. Vogler and seconded by C. Schober.

R. Lagonia: yes

G. Vogler: yes

C. Schober: yes

M. Wilson: yes

J. Wrightsman: yes

Motion carried 5:0.

**Supervisor Report**

Supervisor Lagonia advised that the Town is in good shape. Some 2019 bills were okayed today, but there will still be others so the 'end of the year' financials will be adjusted again once all the bills come in and are paid. Because the Town is flush, the Town Board hopes to have a more aggressive road plan for the coming year. Supervisor Lagonia advised Highway Superintendent Meehan that the Highway Form 284 needs to be submitted by February.

Town Board and Highway Superintendent Meehan discussed projects to be included in the 2020 Highway Form 284, both new and leftover projects from 2019. For the 2020 year, Supervisor Lagonia would like to have a progress report on the 284 projects each month by Highway Superintendent Meehan.

### **2020 Organizational Resolutions**

The Town Board changed Resolution #16, section #1 to \$14.50/hr. Supervisor Lagonia noted that the Highway employees will be using a card for deductibles and prescriptions. Certain yearly appointments will be awarded in due course. It was noted that the Town Board needed to fill 2 positions on the Board of Assessment Review.

A motion to adopt Resolutions #1-27, 2020 with changes was made by G. Vogler and seconded by C. Schober.

R. Lagonia: yes

G. Vogler: yes

C. Schober: yes

M. Wilson: yes

J. Wrightsman: yes

Motion carried 5:0.

### **RESOLUTIONS 1-2020**

Be it resolved that the Town Board hereby appoints Joseph Catalano as Attorney for the Town for a term beginning January 1, 2020 and ending December 31, 2020 on a time and materials basis at a rate of \$150 per hour.

### **RESOLUTION 2-2020**

Be it resolved that Community Bank is hereby designated as the primary official depository for all town funds for the year 2020 and other secondary financial institutions for investment purposes may be chosen at the discretion of the Supervisor. The Town Supervisor and the Deputy Supervisor will be designated as signatories for Supervisor's Accounts.

### **RESOLUTION 3-2020**

Be it resolved that the Register Star newspaper, having circulation in the Town of Austerlitz, is hereby designated as the official newspaper of the Town of Austerlitz for the year 2020.

### **RESOLUTION 4-2020**

Be it resolved that the Town Board hereby appoints the Town Supervisor, Robert Lagonia, as the budget officer and is hereby authorized to invest idle funds of the Town of Austerlitz in those investments as approved by law, the State Comptroller, and the Investment Policy of the Town of Austerlitz as it becomes apparent that such funds will not be required to meet immediate commitments of the Town.

### **RESOLUTION 5-2020**

Be it resolved that after the audit of properly submitted claims to the Supervisor, the Supervisor, the Town Clerk/Tax Collector, Assessor, Justices, Justice's Clerk, Councilpersons, Planning Board, Assessor's Clerk, Zoning Board of Appeals, Animal Control Officer and Code Enforcement Officer, may request mileage and tolls reimbursement for the use of privately owned vehicles on official town business, such expenses, will be made at the rate that is promulgated by the Federal Government and provided that funds are available in the budget. Be it further resolved that with the exception for the Code Enforcement Officer, Assessor, and

Animal Control Officer, mileage shall not be paid for normal travel within the Town of Austerlitz in ordinary performances of duties of the office held or for the travel to and from meetings of the Town Board, Planning Board, Zoning Board of Appeals or committees thereof. Daily automotive log must be submitted with vouchers and substantiated.

**RESOLUTION 6-2020**

Be it resolved that the Superintendent of Highways is authorized to advertise for sealed bids for the furnishing of road materials and highway supplies, including but not limited to calcium chloride, culvert pipe, sand, gravel, shale, salt, crushed stone, fuel oil, diesel fuel, and gasoline, that may be required for the year 2020. Be it further resolved that if a state or county bid for the foregoing materials is available to the Town, the Superintendent of Highways may elect to purchase such supplies and/or materials under such contract rather than by competitive bidding, pursuant to State Law. All purchases shall be made in accordance with the Town Procurement Policy.

**RESOLUTION 7-2020**

Be it resolved that the Town Board of the Town of Austerlitz shall meet on the third Thursday of each month for its regular monthly meetings and said Board meetings will be commenced at 7:00 p.m. and held at the Town Hall, 816 Route 203, Spencertown, NY, and

Be it further resolved that the regular monthly meetings of the Town of Austerlitz Planning Board are hereby designated to be held on the first Thursday of each month in 2020; the Zoning Board of Appeals regular monthly meetings are hereby designated to be held on the second Thursday of each month in 2020; the Comprehensive Plan Oversight Committee regular monthly meetings are hereby designated to be held on the third Monday of each month in 2020; The Climate Smart Communities Committee regular monthly meetings are hereby designated to be held on the third Wednesday of each month in 2020; with all meetings to be held at the Town Hall, 816 Route 203, Spencertown, NY and commence at 7:00 p.m.

**RESOLUTION 8-2020**

Be it resolved that pursuant to section 29, subdivision 10a, of Town Law that the Supervisor is directed to submit to the Town Clerk within sixty days after the close of the fiscal year, a copy of the report sent to the State Comptroller which is required by section 30 of the General Municipal Law, and the Town Clerk shall cause a summary of such report to be published in the Town's official newspaper within ten days after receipt thereof; this shall be in lieu of preparation of the report required by subdivision 10, section 20 of Town Law.

**RESOLUTION 9-2020**

Be it resolved that the Town Board hereby affirms the following Planning Board members with term dates expiring December 31st of each respected year and hereby appoints \_\_\_\_\_ to a term ending December 31, 2024:

Deborah Lans: 2020  
Perry Samowitz: 2021  
Lee Tilden: 2022  
Eric Sieber: 2023

No appointment was made at this time.

**RESOLUTION 10-2020**

Be it resolved that Lee Tilden, a member of the Planning Board, is hereby designated as Chairman of the Town of Austerlitz Planning Board for the 2020 year.

**RESOLUTION 11-2020**

Be it resolved that the Town Board hereby re-appoints to the Comprehensive Plan Oversight Committee the following members with term dates expiring December 31, 2020:

Barbara Smith,  
Edwin Barden,  
Timothy Stalker,  
Constance Mondel  
Eric Spiegel.

**RESOLUTION 12-2020**

Be it resolved that Timothy Stalker, a member of the Comprehensive Plan Oversight Committee, is hereby designated as Chairman of the Town of Austerlitz Comprehensive Plan Oversight Committee for the 2020 year.

**RESOLUTION 13-2020**

Be it resolved that the Town Board hereby affirms the following Zoning Board of Appeals members with term dates expiring December 31st of each respected year and hereby appoints Karl Gabosh to a term ending December 31, 2024:

Gerald Seligman: 2020  
Michael Fabiano: 2021  
Stephen Pearlman: 2022  
Loren Brink:2023

**RESOLUTION 14-2020**

Be it resolved that Karl Gabosh, a member of the Zoning Board of Appeals, is hereby designated as Chairman of the Town of Austerlitz Zoning Board of Appeals, for the 2020 year.

**RESOLUTION 15-2020**

Be it resolved that the 2020 salaries for the following elected officials and appointees, and the schedule of payment of such salaries, shall be as follows:

Supervisor	\$ 7217.00 per year payable monthly
Budget Officer	\$ 2500.00 per year payable monthly
Councilpersons (4 each)	\$ 2317.50 per year payable monthly
Town Clerk/Tax Collector	\$ 31414.00 per year payable bi-weekly
Registrar of Vital Stats	\$ 450.00 per year payable annually
Deputy Town Clerk	\$ 11.80 per hour payable biweekly
Superintendent of Highways	\$ 57396.00 per year payable bi-weekly
Highway Superintendent Clerk	\$ 16.63 per hour payable bi-weekly
Justices (2 each)	\$ 11255.00 per year payable monthly

Justice's Clerk	\$ 12444.00 per year payable monthly
Justice's Deputy Clerk	\$ 5306.00 per year payable monthly
Town Assessor	\$ 21903.00 per year payable monthly
Code Enforcement Officer	\$ 15355.00 per year payable monthly
Historian	\$ 1850.00 per year payable monthly
Planning Board Chairman	\$ 2800.00 per year payable monthly
Planning Board Members (4 each)	\$ 915.00 per year payable monthly
Clerk/Typist (Taker of the Minutes)	\$ 50.00 per meeting payable monthly
Animal Control	\$ 2300.00 per year payable monthly
Clerk/Typist (Blding Insp/Plan Bd/ZBA)	\$ 16.63 per hour payable bi-weekly
Custodian	\$ 8000.00 per year payable bi-weekly

**RESOLUTION 16-2020**

Supervisor Lagonia noted that the Town Board is only authorizing to pay 100% of the Highway Employee's insurance for the 2020 year. This decision is made year to year.

Be it resolved that the wage scale and fringe benefits for highway employees for the 2020 year shall be as follows:

1. Wages: For the year 2020, wages shall be increased by 3% over the wages received by current Highway employees in 2018 and the starting salary for new Motor Equipment Operators (MEO) (all current Highway employees are MEO's ) shall be a minimum \$14.50 per hour;
2. Full-time/part-time/seasonal employee defined: (a) a full-time employee is a Town employee that, for a calendar month, is employed on average at least 30 hours of service per week or 130 hours of service per month; (b) a part-time employee is a Town employee that for a calendar month, is employed on average less than 30 hours of service per week or less than 130 hours of service per month; (c) a seasonal employee is an employee hired by the Town to work for the Town on a temporary basis only during the winter season or summer season - said employee shall be considered part-time no matter how many hours of service per week or per month so long as such term of service is no more than 16 consecutive weeks and there are 26 consecutive weeks of non-service between the end of one year's seasonal work and the beginning of the next year's seasonal work;
3. Vacation: (i) upon completion of one year full-time employment, Highway employee shall be entitled to five (5) days of paid vacation; (ii) upon completion of two years full-time employment, Highway employee shall be entitled to ten (10) days of paid vacation; (iii) upon completion of seven years full-time employment, Highway employee shall be entitled to fifteen (15) days of paid vacation; (iv) upon completion of full-time employment in excess of seven years, Highway employee shall be entitled to one (1) additional day of paid vacation for every additional year of full-time employment up to five (5) additional days; (v) the maximum paid vacation days for any Highway employee per the previous schedule shall be twenty (20); (vi) up to five (5) days of unused vacation time may be carried over to the following year of employment to be utilized as sick days but must be used by June 1st of the carry-over year; (vii) all vacation time must be approved by the Highway Superintendent; (viii) for the use of any vacation time of over two (2) days, all employees must submit a written request to the Highway

Superintendent for vacation days at least thirty (30) days prior and the Highway Superintendent must approve or disapprove the request within two (2) weeks after submission of the request;

4. Paid Holidays: Highway employees shall be entitled to the following paid holidays for 2020: New Years Day, Martin Luther King Day, President's Day, Memorial Day, Independence Day, Labor Day, Columbus Day, Veterans Day, Thanksgiving Day, Christmas Day; said holidays will be paid only if the employee works the day immediately prior to and after such holiday or holiday weekend unless they are on a previously approved vacation or personal day or have a sick day with doctor's note;

5. Sick days: Each current full-time employee is entitled to five (5) paid sick days per year; sick days may accumulate and carry over from year to year up to a maximum of 80 days.; and any employee seeking paid sick days in excess of three (3) days requires a doctor's note indicating that the employee was sick during the days off for such days to be considered sick days, without a doctor's note for a request of more than 3 sick days, such days shall either not be paid or personal days will be charged per the employee's preference;

6. Personal days: Each full-time employee is entitled to a maximum of five (5) personal days per year; said personal days cannot be carried over from year to year and must be utilized in the current year or will be waived; notice must be given to the Highway Superintendent at least the day before a personal day is taken in order to be paid;

7. Bereavement: Each full-time employee is entitled to three (3) days paid for immediate family members (parents, siblings, children, grandparents);

8. Medical Insurance: The Town will pay 100% of individual or family coverage for current full-time Highway employees for the 2020 year only. Any current full-time employee who elects not to participate in the Town's health insurance shall be entitled to receive \$2,000 at the end of the year provided such employee has worked full-time for the entire year.

9. Retirement: Mandatory enrollment shall be made for all full-time employees with the Town contribution set by the State; part-time employees will have the option for enrollment but the Town shall not make any contribution;

10. Clothing Allowance: Full-time employees shall have a clothing allowance for 2020 at a maximum of \$300 for the purchase of apparel, gloves, boots, used on the Highway job, provided receipts are submitted for same.

11. Emergency call outs will be paid on a 4 hour minimum overtime rate. All call outs shall include a minimum of two (2) employees for safety reasons.

#### **RESOLUTION 17-2020**

Be it resolved that the Supervisor is authorized to pay certain regularly occurring invoices, such as utility, telephone, health insurance premiums, postage and Town Visa credit card, without prior audit, and said audit to occur at the next regular Town Board meeting.

**RESOLUTION 18-2020**

Be it resolved that the Town Clerk is hereby appointed to the position of Records Access Officer for a term beginning January 1, 2020 and ending December 31, 2020.

**RESOLUTION 19-2020**

Be it resolved that all diesel fuel, heating oil, and furnace maintenance will be purchased under state and/or county contract for the period of January 1, 2020 and ending December 31, 2020 unless such products and services are subject to competitive bidding.

**RESOLUTION 20-2020**

Be it resolved that the Town Board of the Town of Austerlitz hereby authorizes attendance for schooling and annual conferences for officials and/or employees of the Town. Be it further resolved that the Town Board hereby authorizes the payment of said officials or employees' actual and necessary expenses incurred at each school or conference in so much as said expenses have been included in the annual budget and if meals are not included in the price of such school or conference a per diem meal allowance not to exceed \$50 per day will be provided upon submission of receipts. If an official or employee resigns within 3 months of attendance of such school or conference, said official or employee shall reimburse the Town 75% of the cost of attendance of such school or conference and if resignation occurs within 6 months of such attendance, reimbursement shall be up to 50% of the cost of attendance.

**RESOLUTION 21-2020**

Be it resolved that the Town Board of the Town of Austerlitz hereby appoints \_\_\_\_\_ as a clerk/typist for the Planning Board, Code Enforcement, and the Zoning Board of Appeals beginning January 1, 2020 and ending December 31, 2020.

No appointment was made at this time.

**RESOLUTION 22-2020**

Be it resolved that the Town Board of the Town of Austerlitz hereby appoints \_\_\_\_\_ as minute taker for the Planning Board, Zoning Board of Appeals and, at the absence of the Town Clerk, for the Town Board for the 2020 year. Rate of pay will be \$50.00 per meeting.

No appointment was made at this time.

**RESOLUTION 23-2020**

Be it resolved that the Town Board hereby appoints Furlano and Arace P.C. as Accountant for the Town to perform accounting services and Adirondack Payroll Services beginning January 1, 2020 and ending December 31, 2020.

**RESOLUTION 24-2020**

Be it resolved that the Town Board will retain an engineer or engineering firm from time to time to provide engineering services for specific Town projects as authorized by the Town Board beginning January 1, 2020 and ending December 31, 2020.

The Town Board plans to continue to use Engineer Ray Jurkowski.

### **RESOLUTION 25-2020**

Be it resolved that the Town Board hereby appoints Wes Powell, as Dog Control Officer to perform those duties as outlined in Article 7 of the Ag and Market Law, beginning January 1, 2020 and ending December 31, 2020.

### **RESOLUTION 26-2020**

Be it resolved that the Town Board hereby appoints Glenn Smith, as the Code Enforcement Officer, beginning January 1, 2020 and ending December 31, 2020 to perform building and code enforcement services under the New York State Building Code and Town Local Laws.

### **RESOLUTION 27-2020**

The Town Board hereby consents and authorizes the following Department Head appointments as follows:

#### **Supervisors Appointments**

The Supervisor hereby appoints Greg Vogler to serve as Deputy Supervisor without pay for a period of one year beginning January 1, 2020 and ending December 31, 2020. In the position of Deputy Supervisor, Greg Vogler can act as Supervisor when the incumbent Supervisor is unreachable, unavailable or not capable of performing the duties of Supervisor. Be it noted that said Deputy Supervisor can attend Columbia County Board of Supervisors meetings in the absence of the Supervisor or as his designee but does not have voting power on Columbia County affairs.

#### **Town Historian**

The Supervisor hereby appoints Tom Moreland, as Town Historian, beginning January 1, 2020 and ending December 31, 2020.

#### **Court Clerk Appointment**

The Town Justices hereby appoints Kelly Baccaro, as Court Clerk and Dineen Panadis as the Deputy Court Clerk beginning January 1, 2020 and ending December 31, 2020.

#### **Policies**

The Town will keep the policies the same for 2020 just changing the bank names. Some thresholds might be tweaked in the procurement policy.

#### **2019 Required Schooling**

Town Clerk Susan Haag presented the Town Board with a listing of Town Officials and the education sessions attended by each. Some did not fulfill their statutory requirements. The Town Board directed Town Clerk Haag to email those not in compliance.

#### **2019 Contracts**

Town Clerk Haag presented the Town Board with a listing of current contracts and bonding. Supervisor Lagonia noted that the Town will bring the Historical Records back into the Town. The Town's Historical records have been stored at the Austerlitz Historical Society.



### **Roller Bid**

The Town received one bid for an asphalt roller.  
Abele Tractor and Equipment Co., Inc.  
72 Everett Road  
Albany, NY 12205  
Bid: \$28500.00

A motion to accept a bid from Abele for \$28500.00 for a 2017 asphalt roller was made by C. Schober and seconded by J. Wrightsman.

R. Lagonia: yes  
G. Vogler: yes  
C. Schober: yes  
M. Wilson: yes  
J. Wrightsman: yes  
Motion carried 5:0.

The Town Board and Highway Superintendent Meehan discussed equipment that needed to be replaced.

### **Columbia County MIS Contract**

A motion to authorize Supervisor Lagonia to sign the 2020 Columbia County MIS Contract was made by J. Wrightsman and seconded by G. Vogler

R. Lagonia: yes  
G. Vogler: yes  
C. Schober: yes  
M. Wilson: yes  
J. Wrightsman: yes  
Motion carried 5:0.

Highway Superintendent Meehan advised the Town Board that there have been cars parked on the road on Fern Hill Road. He would like to put signs up that say, 'No Parking on Roadways November -April.' Research will be done for Town Ordinances.

Supervisor Lagonia asked that Superintendent Meehan provide Highway Clerk Mary Davis with wording for the website explaining highway issues and concerns so the public will have answers to some of their road concerns.

### **Adjournment**

A motion to adjourn was made by G. Vogler and seconded by J. Wrightsman.

R. Lagonia: yes  
G. Vogler: yes  
C. Schober: yes  
M. Wilson: yes  
J. Wrightsman: yes  
Motion carried 5:0. Meeting adjourned at 9:15 a.m.

Respectfully Submitted,  
Susan A. Haag, Town Clerk