

Town Of Austerlitz  
Regular Town Board Meeting  
September 17, 2020

The September 17, 2020 Town Board Meeting was held via Zoom in accordance with the Governor's Executive Order 202.1. Meeting instructions were on the Town website.

Present via Zoom: Robert Lagonia, Supervisor, Greg Vogler, Maureen Wilson, Jere Wrightsman, Chris Schober, Town Board Members and Susan Haag, Town Clerk. Attorney for the Town, Joseph Catalano was also present via Zoom.

Town Highway Superintendent Robert Meehan unavailable due to Zoom.

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 August 20, 2020 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: yes

J. Wrightsman: yes

Motion carried 5:0.

**Auditing of Accounts and Claims**

Supervisor Lagonia noted that the September abstracts were sent to the Town Board Members for review. If any of the Town Board Members would like to see and sign the actual vouchers, please make arrangements with Town Clerk Haag.

A motion to authorize payment of the September General Fund, #230-260, in the amount of \$24381.07 and Highway Fund, #176-195, in the amount of \$74824.17 was made by G. Vogler and seconded by M. Wilson.

R. Lagonia: yes

G. Vogler: yes

C. Schober: yes

M. Wilson: yes

J. Wrightsman: yes

Motion carried 5:0.

**Reports**

**Monthly Cash Disbursement and Supervisor Report**

Monthly Cash Disbursement Report for the Month of August 2020 submitted. Supervisor Lagonia advised that all departments are watching their budgets which he appreciates. No

summer program was held this year so there is extra in that budget line. The fines and forfeiture line is down and sales tax is less than normal. Although houses are selling, the portion of mortgage tax that Towns get is very little so the Town is not seeing much revenue in this line item. Supervisor Lagonia and Town Clerk Haag have been monitoring C.H.I.P.s spending and funding. The Town may only spend around \$150000.00 this year. Large projects have been difficult to do this year due to COVID. The Town may be able to purchase some of the supplies needed for projects so when the actual service can be rendered the Town will be ready and will have used available C.H.I.P.s funding

On a County level, Supervisor Lagonia noted that COVID issues are still time consuming. The County budget is dreadful. Even after massive cuts, the County is still looking at a \$10 million shortfall for the year.

COVID cases in Columbia County are low. The County did go for a week without any new cases.

Supervisor Lagonia will talk with Highway Superintendent Meehan to see if there is a way to get him hooked in for Town Board meetings. Not having R. Meehan available for so many months to ask questions too has been a challenge.

Highway Superintend Meehan and Town Clerk Haag cleaned out the backroom at the old Town Hall. Beale Road still needs the finishing phase completed.

There is a leak at the new Town Hall in the balcony ceiling. This is what has caused the fire alarms to go off. Water leaked into the alarm and it had to be replaced. The Fire Company was called out a couple of times. Doyle has been at the Town Hall to fix the issue 3 times. Supervisor Lagonia asked Contractor Bob Daloia to come and take a look at the leak and he found that shingles were off in a spot on the roof. B. Daloia will fix the area and also take care of some minor issues inside the building.

The Town Hall procedures for entrance due to COVID seem to be working fine. Foot traffic has picked up. The Planning Board had it's September meeting down stairs. Supervisor Lagonia spoke to Chair Tilden before the meeting to make sure that protocols were met. The Planning Board needed to review maps which can not be sent via computer. R. Lagonia noted it was not yet appropriate to hold a meeting upstairs. Member Vogler felt that the Town still needed to be diligent and keep people safe. Court will begin with criminal matters in October. Supervisor Lagonia will meet with Court Clerk, Kelly Baccaro, to go over process and procedures to make sure protocols are being met. It is going to be a long haul before there will be large groups in the Town Hall.

Supervisor Lagonia also noted that the Town Hall Custodian got stuck in the lift. L. Mesick used the phone in the lift and was able to get out after 45 minutes. Albany Elevator came and fixed the problem.

#### Highway Report

Highway Superintendent Meehan was not in attendance because he does not have a computer.

Town Clerk Report for the month of August 2020 submitted.

Planning Board Report for the month of September 2020 submitted.

No Comprehensive Plan Oversight Committee Report for the month of August 2020 submitted.

Building Inspector/Code Enforcement Report for the month of August 2020 submitted. Year to Date report submitted as well.

Justice Cassuto Justice Court Report for the month of August 2020 submitted.

Justice Grubin Justice Court Report for the month of August 2020 submitted.

Dog Report for the months of July, August and September 2020 submitted.

Supervisor Lagonia noted that he has spoken with the Veterinarian in Copake and this is not an option for a place to take dogs picked up by the Dog Control Officer that are injured. The emergency veterinarian in Latham is not an option either so the Town will continue as is.

#### Climate Smart Report

Town Board Member Vogler reported that the Climate Smart Committee discussed the following at it's meeting:

- The Garage Solar project is getting closer to installation. NYSEG says it needs a dedicated land line for its monitoring and data extraction purposes. We are in contact with Consolidated to make this happen.
- The LED street light efforts at this time as completely in the hand of NYSEG. We will continue to monitor and push for progress
- Cara Humphrey has submitted a report from the County Environmental Management Council (EMC) on their activities. A Letter of Support from the Town Board to the County Board of Supervisors urging the county become a Climate Smart Community will be discussed at the Town Board meeting Thursday night
- The Climate Committee is making progress on the website. After discussions with the Supervisor, we will ask for pricing to implement a web page, owned by the town and operated under town rules.
- Data gathering for our inventorying and benchmarking efforts continues
- The FB page is slowly getting more "followers" as more useful information is being posted
- Finally, a new town email address has been setup for people to ask the Climate Committee questions or for information. That email is [ClimateCommittee@austerlitzny.com](mailto:ClimateCommittee@austerlitzny.com)

The following rules for posting on the climate smart area of the website were presented for consideration:

Website Governing Rules

- This website is a public service of the Town of Austerlitz, and it belongs to the people
- Content:
  - Emphasis is on standing information. Topical news and events should be also be accessed through the town Facebook page.
  - Examples of Acceptable Use include:
    - Government programs, resources or news releases supporting the environment or the fight against climate change
    - References to local organization (e.g. CLC, EMC) and events
    - Town of Austerlitz news
    - Information about good environmental practices, e.g. retaining rainwater, composting, recyclables and so on
    - Awareness or notification of specific legislation, without opinion
  - Examples of Unacceptable Use include:
    - Endorsement, promotion or opposition of specific legislation or legislators
    - Personal opinions
    - Political opinions
- Content is controlled by the Town of Austerlitz Climate Committee and by the Town Board
- Public cannot post comments or content. The public can provide their thoughts to the Climate Committee or the Town Board
- Contact information (e.g. email) is [climatecommittee@austerlitzny.com](mailto:climatecommittee@austerlitzny.com). The account is required to keep all emails, for record retention purposes. All replies are to originate from this account, or the account is to be copied on all replies.

A motion to approve the present rules for posting on the climate smart section of the website was made by G. Vogler and seconded by M. Wilson.

R. Lagonia: yes

G. Vogler: yes

C. Schober: yes

M. Wilson: yes

J. Wrightsman: yes

Motion carried 5:0.

Cara Humphrey, Member of the Columbia County Environmental Management Council representing the Town of Austerlitz, submitted a report outlining County efforts.

A motion to approve the proposed letter from the Town Board to the Columbia County Board of Supervisors requesting for Columbia County to join the NY Climate Smart Communities Program was made by J. Wrightsman and seconded by C. Schober.

R. Lagonia: yes

G. Vogler: yes

C. Schober: yes

M. Wilson: yes

J. Wrightsman: yes

Motion carried 5:0.

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

M. Wilson: yes

J. Wrightsman: yes

Motion carried 5:0.

### **Correspondence**

Bob Newman: Safety threat of oversize load trucks passing through the Spencertown Hamlet on State Route 203. See public comment for discussion.

NYSORPS: The Town of Austerlitz has met the requirements for aid for Cyclical Reassessment on the 2019 Assessment Roll. Because of the successful competition of these requirements, the taxpayers are receiving the benefits of equitable assessments that reflect current market value. A State Aid voucher in the amount of \$4357.74 has been forwarded to the State Comptroller for payment.

### **Unfinished Business**

**Injured Dog Housing** Discussed above.

### **Chatham Rescue Squad Contract**

Supervisor Lagonia has spoken with the Town of Ghent Supervisor, Mike Benvenuto, concerning this contract and feels this is fine. R. Lagonia has inquired about having a representative of the Chatham Rescue Squad speak to the public via Zoom, but he has not heard anything back yet. R. Lagonia feels that this year's contract was much better presented and more comprehensive than it has been in the past.

### **Harvey Mountain Road Easement**

Attorney for the Town, Joseph Catalano, addressed the Town Board noting at first that this project will qualify for C.H.I.P.s funding. If the easement documents are signed and work is done, this project can be submitted this year for C.H.I.P.s. Supervisor Lagonia stressed that the Town needed to follow through with this because it was so hard to get in touch with the resident to begin with. Attorney Catalano noted that Engineer Jurkowski has drawn up the plans for underground drainage and Highway Superintendent Meehan has signed off on them. Since the underground drainage includes the nearby stream, it is required to have a DEC permit. This permit was sent to the Town, but no one seems to have it so Attorney Catalano will track it down. Once this permit is in place the work can begin.

### **New Business**

#### **BAR Annual Appointment**

A motion to appoint Scott Sylvester to the Board of Assessment Review for a 5-year term beginning October 1, 2020 and ending September 30, 2025 was made by G. Vogler and seconded by M. Wilson.

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

## **2021 Tentative Budget**

Town Clerk Haag presented the 2021 Tentative Budget to the Town Board.

Supervisor Lagonia advised that preparing the 2021 budget was difficult this year. The 2020 budget will see shortfalls due to COVID. R. Lagonia did not want to raise taxes, even though the Town will see substantial shortfalls in revenues. Supervisor Lagonia thanked Town Board Member Greg Vogler for all his help again this year in putting the budget together.

Supervisor Lagonia noted the following for the 2021 budget:

1. For the third year in a row, town property taxes will have no increase.
2. The pandemic, however, is significantly impacting the proposed budget for 2021.
3. General Revenue are budgeted down about \$25,000. Specifically, there are reductions in projected Sales Tax and Fines and Forfeitures revenues which are partially offset by an increase in Mortgage Tax revenues and interest earnings.
4. General Appropriations are budgeted down about \$25,000. To offset the reduction in revenues, funding for the summer recreational program is eliminated, and an appropriation for restoring historic minute books is being delayed. There is an increase in appropriations for the retirement pension benefit contribution of about 16%, as determined by the State.
5. The highway budget revenue is down about a net \$6,000 mostly due to an expectation of reduced CHIPS funding.
6. The highway budget appropriations are also down about \$6,000. This amount is accounted for by reducing CHIPS spending \$10,000 (which corresponds to CHIPS funding), lowered funding for dust control (\$5,000) versus an increase in appropriations for the retirement pension benefit contribution (\$6,000) and health insurance costs (\$3,000).
7. There will be no salary increases for anyone

Supervisor Lagonia noted that the Town Board can discuss the budget tonight or wait until next month. R. Lagonia is open to any suggestions, changes, etc. Town Board Member Schober would like to look the 2021 Tentative Budget over before it becomes the 2021 Preliminary Budget.

Some discussion was heard. Member Vogler noted that retirement and health care costs along with losing revenues are the issues. G. Vogler would like a balanced budget without raising taxes. In order to do this for 2021, the proposal is to cut out the summer recreation program, give no raises and then just nibble around the sides. The Board does not know what will happen next year to revenues due to COVID. Member Vogler would like to keep paying the health insurance premiums for the Highway crew if possible. Supervisor Lagonia noted that revenue

from sales tax next quarter will say a lot. Some towns are in very rough shape and have put employees on furloughs or laid them off completely. Supervisor Lagonia went after this year's budget aggressively, but responsibly. The Town still has a healthy fund balance that R. Lagonia and G. Vogler did not want to dip into.

Town Board Member Wilson asked that since this was her first time doing the Town budget she would like someone to go over it in detail with her.

A motion to adopt Resolution #34, 2020 Adoption of the Tentative Budget as the 2021 Preliminary Budget 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.

**WHEREAS**, the Supervisor of the Town of Austerlitz prepared a Tentative Budget for the Town's fiscal year 2021 and presented that Tentative Budget at a regular meeting of the Town Board held on September 17, 2020; 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 2021, as the Preliminary Budget for the fiscal year of 2021 of the Town of Austerlitz; and

**BE IT FURTHER RESOLVED**, that the Town Board hereby schedules a public hearing on said 2021 Preliminary Budget for Thursday, October 15, 2020 at 6:30 pm held via Zoom and directs the Town Clerk to post and publish the required notices for said hearing.

### **Town Hall Parking Lot Sealing**

The Town Hall parking lot needs to be sealed before winter. The Town received the following bid:

Heffner Sealcoating

176 Dahlgren Road

Valatie, NY 12184

Cut grass to establish edge of pavement, pre-pavement with sweeping and compressed air, apply sealcoat application: \$930.00

Repaint parking lot to customer specs: \$300.00

A motion to accept both bids from Heffner Sealcoating was made by J. Wrightsman and seconded by M. Wilson.

R. Lagonia: yes

G. Vogler: yes

C. Schober: yes

M. Wilson: yes

J. Wrightsman: yes

Motion carried 5:0.

Supervisor Lagonia noted that the Town also needs to seek a bid to seal the tennis courts. R. Lagonia will take this on.

Town Board Member Vogler asked if there were any plans for a kiosk for outside the Town Hall. Supervisor Lagonia did speak with Contractor Bob Daloia and this will happen at some point. Building supplies are hard to come by due to COVID.

### **Public Comments**

Bob Newman: Noted that the Town Board could refer to the email he sent. B. Newman reiterated that there seems to be quite a noticeable increase in oversize load trucks on State Route 203 and the potential danger this poses to joggers, bikers, walkers, etc. B. Newman placed a call to Mike Duval, Supervisor for this stretch of State Route 203 about this issue and his safety concerns. M. Duval advised that the business owners of these trucks were granted permits by the State. Because B. Newman does not see the State doing anything to correct this issue, he is coming to the Town Board to see what they can do.

Supervisor Lagonia will see what he can do and asked B. Newman to send him the contact information for M. Duval.

B. Newman thanked the Town Board for their consideration and for whatever they could do.

Town Board Member Wrightsman noted there was a rollover by the Berry Farm of a large truck. Member Wilson advised that she also lives on State Route 203 and has noticed the increase in oversized trucks. M. Wilson was told it would only last a couple of weeks because of the construction work on State Route 22, but it has not stopped.

Tom Wambach: Sent a letter concerning the speed limit on Crow Hill Road (County Route 7) noting that the speed limit on the short section of this road by the Wambach house is 55 mph. The speed limit approaching their house from the south is 40 mph and from the north is 40 mph. T. Wambach is asking if the Town Board can do anything about dropping the 55 mph section to 40 mph.

Supervisor Lagonia will reach out to the County Highway Department concerning this request as well.

T. Wambach thanked the Town Board for their consideration and for whatever they could do.



Reverend Lynn Horan thanked Supervisor Lagonia and Town Clerk Haag for the use of the Town Hall meeting hall and the help given for the St. Peter's special service. Reverend Horan noted she is the Pastor of St. Peter's Presbyterian Church. The children of St. Peter's painted a banner that read, "All lives can't matter until black lives matter." This banner was placed outside on the railing of the Church and was stolen or taken down. The banner was found in the trash at the Town Park. L. Horan is very sensitive to the political climate of our community and considers the community at large her congregation. Therefore, she does not want to do anything that will cause harm. Currently there is a paper replacement banner up on the railing. Reverend Horan is coming to the Town Board to make sure this is not placing a target for the larger community and to ask for their general thoughts.

Supervisor Lagonia advised that there are many signs noting that black lives matter in Spencertown and Austerlitz that have stayed up. The Town Board does not participate in these issues because it is a representative of the entire town. Sometimes people put signs up on Town property that are taken down. Supervisor Lagonia guesses it might have been kids who took down and threw away the original banner and does not believe there is a problem in the larger community. Supervisor Lagonia does not want anyone to feel afraid and will chat with the Columbia County Enhanced Patrol Officer who handles the Town of Austerlitz. The Town has had some vandalism that was kid related. Reverend Horan noted that it is tradition for the Church to keep the doors unlocked. The Church office area is locked though. The Church Board is moving forward with looking into installing security cameras because of this issue. L. Horan asked that the Town Board keep an eye out and if anyone feels that their banner is inappropriate, to be sure and let her know. Reverend Horan does not want any negativity for the Town.

The Town Board discussed security measures the Church could take. Reverend Horan thanks the Town Board for their time and help.

### **Adjournment**

A motion to adjourn 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.

Meeting adjourned at 8:07 p.m.

Respectfully Submitted,  
Susan A. Haag, Town Clerk