

Town of Austerlitz  
Regular Town Board Meeting  
March 21, 2024

Present: Robert Lagonia, Town Supervisor, G. Vogler, Cara Humphrey, Ken Kaplan, Town Board Members, Susan Haag, Town Clerk and Peter Fitzpatrick, Highway Superintendent.

Attorney for the Town, Joseph Catalano present.

Town Board Member Chris Schober absent.

Public Hearing called to order at 6:46 p.m.

Public Hearing called for Local Law #1-2024, Extension of Town of Austerlitz Moratorium of 2023 on Certain Land Uses and Development.

Town Clerk Haag noted that legal notices were placed in the paper as required.

No comments from the public. All those wishing to be heard were heard.

A motion to close the public hearing was made by G. Vogler and seconded by K. Kaplan.

R. Lagonia: yes

G. Vogler: yes

C. Schober : absent

C. Humphrey: yes

K. Kaplan: yes

Motion carried 4:1. Public Hearing closed at 6:52 p.m.

Regular meeting called to order at 7:02 p.m.

Moment of Silence followed by the Pledge of Allegiance.

### **Minutes**

A motion to accept the February 15, 2024 Meeting minutes was made by K. Kaplan and second by C. Humphrey.

R. Lagonia: yes

G. Vogler: yes

C. Schober : absent

C. Humphrey: yes

K. Kaplan: yes

Motion carried 4:1.

### **Auditing of Accounts and Claims**

A motion to authorize payment of the March General Fund, #78-110 in the amount of \$20829.55 and Highway Fund, #29-52 in the amount of \$56412.61 was made by K. Kaplan and seconded by G. Vogler.

R. Lagonia: yes  
G. Vogler: yes  
C. Schober : absent  
C. Humphrey: yes  
K. Kaplan: yes  
Motion carried 4:1.

## **Reports**

### **Supervisor's Report**

Supervisor Lagonia noted there is around \$2.940 million in the bank. There are no anomalies in respect to the line items.

On a County level, Ralph Graziano was interviewed and chosen as the new Director for Probation. There is a new Office of the Aging Director, Nina Benvenuto who Supervisor Lagonia is looking forward to working with. It appears N. Benvenuto will bring new programs and new excitement to the office and she will even come out to Towns for informational sessions.

Supervisor Lagonia gave a heads up that the First Amendment Auditors are out and about again in the area. They have made visits to 401 State Street and the DMV Offices.

The new windows have been installed in the History Center and look nice. There is some painting that has to be done and Supervisor Lagonia is looking into getting this completed.

Supervisor Lagonia and Highway Superintendent Fitzpatrick have met numerous times discussing the 284 Agreement. Supervisor Lagonia and Town Board Member Ken Kaplan have taken car rides looking at the Town roads and the parks. Member Kaplan would like to be involved in park related issues.

Supervisor Lagonia has been working with Code Enforcement Officer Reis to help to get her caught up. Clerk J Lotus has as well.

Mid-Hudson Cablevision has not started their part of the Broadband project yet. They only have a small portion of the Town of Austerlitz and are waiting for one telephone pole to be replaced so they can start. The project will go quickly once they start.

The heating system at the Town Hall has broken again on the lower lever. This system is breaking often now even though it is not that old. The Town was given an estimate of \$4250.00 to fix the current issue. Supervisor Lagonia signed off on the estimate because there needs to be heat in the Town Hall as quickly as possible. Parts had to be ordered so it will be a bit before heat is restored.

### **Highway Report:**

So far that groundhog may have known something!! We have had unusually warm weather and spring is definitely knocking on the door.

It's is still March though and we were reminded with a few inches of snow the other morning to deal with. Fortunately, with warm temps and nice sunshine it didn't hang around long.

The roads are soft and have been posted for spring weight limits, please due your part to limit heavy loads and excessive trips! We have had to talk to a few contractors about the heavy trucks, fortunately they have been understanding.

We have been working on Dugway, West Hill, and Partridge with brush cutting and mowing. This work has been received well, with several thanks, and is a great improvement.

The unusually warm and wet weather has the potholes growing like weeds! We are out filling and patching as the weather allows to help ease them until we can start grading. The roads are way too soft to start grading yet, but as soon as conditions are appropriate, Spring grading will begin.

We replaced a few pins and bushings on the grader that I had mentioned about a year ago needed attention. This repair was done in house saving us thousands of dollars over taking it somewhere, and limiting the time we were without this vital piece of equipment.

The battery powered hand held power equipment order was finalized and placed. Most of the equipment is ready for pickup, and the last couple items should be in shortly. We look forward to this addition to our tools.

Materials bids are coming in.

There is legislation that the Department of Labor changed last year that is currently in court concerning trucking of aggregates that could greatly impact our material costs in the future. Also, we are seeing signs of and hearing about sand, gravel, and quarries either closing or running short on production with no new ones in development to replace that production. Both of those items happening would dramatically increase our costs.

The Spring sun is welcome and feels good! Enjoy!

End of Report

Highway Superintendent Fitzpatrick very briefly discussed the highway bids that were received for the 2024 cycle. See results under new business. It was noted that the Town can also buy off the County bid.

Superintendent Fitzpatrick noted that there are dozens of culverts that need to be replaced this summer.

Town Clerk Report for the month of February 2024 submitted.

Tax Collector Report for the month of February 2024 submitted. Town Clerk Haag advised that second notices for those who have yet to pay their taxes will be going out the beginning of April.

Planning Board Report for the month of March 2024 submitted. The Town Board discussed a possible project for the old Spencertown store.

No Comprehensive Plan Advisory Committee Report.

Chair Vogler advised that the draft Comprehensive Plan is on the website for review by the public. The public review period for comments will run through May 31<sup>st</sup>. The Comprehensive Plan Advisory Committee will hold a public hearing May 18, 2024 at 10:00 am. After this, the Committee will compile it's final draft and forward that to the Town Board.

Building Inspector/Code Enforcement Report for the month of February 2024 was submitted. Looking at open permits that need to be closed out.

Justice Cassuto Justice Court Report for the month of February 2024 submitted.

Justice Grubin Justice Court Report for the month of February 2024 submitted.

Dog Control Report for the month of February 2024 submitted.

Climate Smart Report for the month of March 2024 submitted. The 2023 Annual Energy Benchmarking Report was also submitted.

Climate Smart Committee Chair Cara Humphrey advised that the Committee is looking to establish an internal revolving green fund dedicated to funding energy efficiency and sustainability measures. It is believed that by establishing a Green Revolving Fund it will facilitate greater ease in tracking of revenues and expenditures and will provide for increased flexibility and latitude with regard to timing and project management. The Green Revolving Fund will also allow the Town to accumulate multiple awards, thereby saving for more ambitious projects.

Supervisor Lagonia noted that General Municipal Law sets accounting guidelines and nowhere in these guidelines is there mention of a revolving fund. Under what authority does this type of fund get its approval? The Town has already set up a line item in the budget for the Climate Smart Committee. Town Board Member Vogler would like to see what monies are approved, but not yet received for projects pending.

Attorney Catalano explained what revolving funds are and how they work noting that there is no revolving green fund authority in state statues for municipal accounting.

It is believed that the Town already has what the Climate Smart Committee is looking for with a dedicated budget line item for the Climate Smart Committee. The Town Board discussed the budget as it currently stands with the Climate Smart line item. Town Board Member Vogler noted that maybe establishing a line-item formalizing monies for 'green activities' would satisfy the need.

The Town Board discussed grants that are available with Member Humphrey advising that the Town would receive \$100,000.00 for reaching silver status, which hopefully will happen this summer.

The Town Board will discuss further after Attorney for the Town Catalano looks more into revolving funds.

Member Humphrey reminded the Town Board that the Repair Café is set for April 13<sup>th</sup>. There will be 2 tents in the back part of the Town Hall parking lot; one for lawn mowers and small engine repairs and the other for bike repairs.

Member Humphrey spoke with the Spencertown Academy for help with bench marking and they were agreeable.

The Climate Smart Committee will host a May Energy Reduction Campaign. There will be an informational session for funds available for roof top solar. Member Humphrey will be presenting.

Discussions have happened with a few locals concerning the indigenous history in the Town.

A motion to authorize the Climate Smart Committee to apply for a grant from Berkshire Taconic was made by R. Lagonia and seconded by K. Kaplan.

R. Lagonia: yes

G. Vogler: yes

C. Schober: absent

C. Humphrey: yes

K. Kaplan: yes

Motion carried 4:1.

Member Humphrey ended by noting that the Committee has received a letter advising that NYSERDA is looking to drastically cut funding from Climate Smart activities. They are looking for the public to comment on this with comments due by April 18<sup>th</sup>. Member Humphrey will send a template around to use when making comments to NYSDERA.

Highway Superintendent Fitzpatrick will be picking up the equipment that was purchased with Climate Smart grant funding.

A motion to accept the monthly reports was made by K. Kaplan and seconded by G. Vogler.

R. Lagonia: yes

G. Vogler: yes

C. Schober: absent

C. Humphrey: yes

K. Kaplan: yes

Motion carried 4:1.

## **Correspondence**

Spencertown Academy Use of Ballfield June 21, 2024. The Spencertown Academy is asking for use of the ballfield June 21, 2024 for a free outdoor Shakespeare performance of *The Tempest*. This is a very low impact event with under 100 attendees.

A motion to allow the Spencertown Academy to use the ballfield June 21, 2024 for an outdoor free Shakespearean performance was made by K. Kaplan and seconded by G. Vogler.

R. Lagonia: yes

G. Vogler: yes

C. Schober: absent

C. Humphrey: yes

K. Kaplan: yes

Motion carried 4:1.

### **Unfinished Business**

#### **2024 Highway Form 284**

After meeting with Supervisor Lagonia, Highway Superintendent Fitzpatrick is continuing to look at specific projects and costs. The Town Board discussed individual projects, costs involved and available funding. Supervisor Lagonia is asking for a project schedule with a solid Highway Form 284 ready for approval for the April meeting.

Supervisor Lagonia noted that over the last 10 years, the Town Board has built a new Town Hall, has purchased needed highway equipment and is now focusing on the roads. There is money available to do this.

Highway Superintendent Fitzpatrick noted that NYS is proposing a 9% cut to the C.H.I.P.s funding next year.

#### **Resolution #35-2024, Adoption of Local Law 1-2024**

A motion to adopt Resolution #35-2024, Adoption of Local Law #1-2024 was made by G. Vogler and seconded by R. Lagonia.

R. Lagonia: yes

G. Vogler: yes

C. Schober : absent

C. Humphrey: yes

K. Kaplan: yes

Motion carried 4:1.

A Local Law entitled, "Extension of Town of Austerlitz Moratorium of 2023 on Certain Land Uses and Development"

A Local Law establishing a nine-month extension of the moratorium on certain uses and development in the Town of Austerlitz.

**Be It Enacted By The Town Board Of The Town Of Austerlitz as follows:**

## **Section 1: Legislative Findings**

By Local Law No. 1 of 2023, the Town Board of the Town of Austerlitz adopted a nine-month moratorium on the acceptance, processing and approval of special permit applications as may be required by the Town Zoning Code in order to establish certain uses. The reason for the moratorium was, and still is, to provide time to finish the process, started in 2022, for a complete update of the Town of Austerlitz Comprehensive Plan which was first adopted on September 9, 2004, and had not been amended or revised since its adoption. Since the update process started in 2022, it became clear that the Town Zoning Code, which basically allows a wide variety of uses anywhere in Town upon the issuance of special use permit, does not serve the community well and does not provide for appropriate planning for the future growth of the Town. As stated in Local Law No. 1 of 2023, the Town Zoning Code also does not provide the specific criteria and guidance to the Planning Board in reviewing and determining whether special use permits should be issued and this has created difficulty not only for the Planning Board but also for the community and applicants due to the lack of predictability in the planning for new uses and developments and in the review and decision-making process. Thus the Town Board concluded that the moratorium was necessary because continuing to accept and process special use permit applications while the Comprehensive Plan was being updated and changes were made to the Zoning Code could result in land uses and developments being established that are (a) contrary to the goals, policies and recommendations in the updated Comprehensive Plan, (b) contrary to the zoning amendments that will be based on the updated Comprehensive Plan, and (c) detrimental to residents and the future growth of the Town.

The Town has made much progress since the moratorium Local Law was adopted in 2023. A complete draft of the updated Comprehensive Plan has been circulated internally for comments and the draft Plan is being readied for public comment. The Town has also started working on changes to the Town Zoning Code based on the draft Comprehensive Plan. Although much work has been done, the Town Board recognizes that more time is needed to allow for the public comment portion of the process and to complete both the Comprehensive Plan and zoning updates. The Town Board affirms its prior finding set forth in Local Law No. 1 of 2023 that it is necessary and appropriate to have a short-term moratorium on those uses that require a special use permit as set forth in the present Town Zoning Code in order to ensure that new land uses and developments are compatible with the policies and recommendations set forth in an updated Comprehensive Plan and are in compliance with zoning amendments that will proceed from the updated Comprehensive Plan. Accordingly, the moratorium enacted in 2023 should be continued until the Comprehensive Plan and Zoning update process is complete. The 9-month moratorium enacted in 2023 and which became effective on July 18, 2023 (the filing date with the Department of State) will expire on April 18, 2024. The Town Board estimates that such process will take another nine months from that date.

## **Section 2. Purpose and Intent.**

Pursuant to the statutory powers vested in the Town Board of the Town of Austerlitz to regulate and control land use within the boundaries of the Town and to protect the health, safety and welfare of its land owners and residents, the Town Board proposes to continue the temporary pause on

new land uses and development that require a special use permit under the Zoning Code in order to allow the Comprehensive Plan process to be completed and zoning amendments to be enacted.

It is the intent of the Town Board to complete the Comprehensive Plan process currently in progress as quickly as practicable, with opportunity for further input from Town residents and property owners, and to thereafter enact amendments to the current Town Zoning Code.

The purpose of this local law is to prohibit, for a relatively short duration, the acceptance, processing, or approval of any application for a special use permit for any and all of the uses that require a special use permit as listed in the Allowable Use Groups Chart set forth in Section 195-13 of the current Town Zoning Code for the Rural Residential (RR), the Austerlitz Hamlet (A-HM) and the Spencertown Hamlet (S-HM) zoning districts with the exception of a few uses identified in Section 3 of this local law. All uses that are indicated as prohibited in the Allowable Use Groups Chart in those districts shall remain as prohibited. By enacting this moratorium, the Town can continue the planning process for an updated Comprehensive Plan and zoning amendments and can evaluate land use policies and regulatory controls in an orderly manner that will consider the Town's future growth, economy, and the Town's existing natural resources and community character.

### **Section 3. Moratorium**

A. Pursuant to the powers of New York State Home Rule and Town Law, for a period of nine (9) months immediately following the April 18, 2024 expiration date of Local Law No.1 of 2023, the moratorium established in said Local Law No. 1 of 2023 shall continue for an additional nine months to end January 18, 2025. Said moratorium is on the acceptance, processing, or approval of any application for a special use permit for any and all of the uses that require a special use permit (SP) as listed in the Allowable Use Groups Chart set forth in Section 195-13 of the current Town Zoning Code for the Rural Residential (RR) zoning district, the Austerlitz Hamlet (A-HM), and the Spencertown Hamlet (S-HM) with the exception of applications for professional office, restaurant or retail business uses in an existing building without need for exterior improvements that are located in the Austerlitz Hamlet (A-HM) or the Spencertown Hamlet (S-HM) zoning districts.

B. During the term of this moratorium as continued herein, no applications will be accepted and no processing, review, actions, permits or approvals shall be continued, commenced, undertaken, made or issued by the Town of Austerlitz Planning Board or any other board, department, committee, official or agent of the Town of Austerlitz with respect to any of the uses identified in Section 3(A) of this local law. This moratorium shall apply to all special use permit or site plan applications whether pending or in process at, or received prior to, the effective date of this local law.

### **Section 4. Enforcement**

This local law shall be enforced by the Code Enforcement Officer of the Town of Austerlitz pursuant to, and in the same manner and subject to the same penalties, fines and remedies as set forth in Article XIII (entitled "Enforcement") of the Town Zoning Code.

## **Section 5. Supersession**

To the extent that this local law, or any provision set forth therein, is inconsistent with any New York State statute or regulation, it is the intent of this local law to supersede any such statute or regulation.

## **Section 6. Severability**

Should any section or provision of this local law be declared null, void, voidable or invalid, by a court of competent jurisdiction, such judgement, order, declaration, or finding shall not effect the remaining sections or provisions of this local law.

## **Section 7. Effective Date and Term**

This local law shall take effect immediately upon its filing with New York State Secretary of State and shall remain effective until the first of the following occurs: (a) the repeal of this local law or (b) the date nine (9) months from the expiration date of Local Law No.3 of 2023, unless otherwise extended or amended by the Town Board.

## **End Of Local Law**

### **Resolution #36-2024 Speed Limit Reduction Harlemville Road**

A motion to adopt Resolution #36-2024 Speed Limit Reduction Harlemville Road was made by K. Kaplan and seconded by C. Humphrey.

R. Lagonia: yes

G. Vogler: yes

C. Schober: absent

C. Humphrey: yes

K. Kaplan: yes

Motion carried 4:1.

**WHEREAS**, the Columbia County Department of Public Works received a request from the Town of Ghent for a lowered speed limit on Harlemville Road from the Taconic State Parkway east to the Town of Ghent line 2022; and

**WHEREAS**, since this road runs through 3 townships, Ghent, Austerlitz and Hillsdale, the Columbia County Department of Public Works requested that Austerlitz and Hillsdale also submit a request for a lowered speed limit for their respective portions of Harlemville Road to facilitate the original request the Town of Ghent submitted; and

**WHEREAS**, at its December, 2023 monthly meeting, the Town Board adopted a motion to approve the submission of the request made by Ghent and to request that submission include the portion of Harlemville located in the Town of Austerlitz, but the County has recently informed the Town of Austerlitz that a resolution is needed; and

**WHEREAS**, the Town Board confirms its belief that the speed limit reduction request made by the Town of Ghent is warranted, as is the additional request to include the section of Harlemville Road located in the Town of Austerlitz and is prepared to support and authorize such request by resolution of the Town Board;

**NOW, THEREFORE, BE IT RESOLVED**, by the Town Board of the Town of Austerlitz that the Town Board hereby supports the Town of Ghent’s request to lower the speed limit and further requests and authorizes a speed limit reduction for that portion of Harlemville Road located in the Town of Austerlitz that begins at the at the Town of Ghent Town Line extending to the Town of Hillsdale Town Line; and

**BE IT FURTHER RESOLVED**, that the Town Clerk is authorized to send a copy of this resolution to the Columbia County Department of Public Works, the Town of Ghent and such other agencies that may request a copy.

**New Business**

**Resolution #34-2024 Standard Work Day and Reporting Resolution**

A motion to adopt Resolution #34-2024 Standard Work Day and Reporting Resolution was made by G. Vogler and seconded by K. Kaplan.

R. Lagonia: yes

G. Vogler: yes

C. Schober: absent

C. Humphrey: yes

K. Kaplan: yes

Motion carried 4:1.

BE IT RESOLVED, that the Town of Austerlitz, location code #30889, hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the time keeping system records or the record of activities maintained and submitted by these officials to the clerk of this body:

<u>Title</u>	<u>Name</u>	<u>Social Security Number (Last 4 Digits)</u>	<u>Registration Number</u>	<u>Standard Work Day (Hrs/Days)</u>	<u>Term Begins/Ends</u>	<u>Participates In Employer's Time Keeping System (Y/N)</u>	<u>Days/Months (based on Record of Activities)</u>
<b>Appointed Officials</b>							
Property Clerk	J Lotus			6 hrs	01/01/24-12/31/24	N	17.99

Sections deliberately blacked out.

**2024 Lawn Care Bids**

**Howes Horticulture**

153 Stonewall Road

Chatham, NY 12037

Lawn Care and Trimming from Spring through fall: Price per mowing: \$200.00

Ground Maintenance to include Spring and fall clean up, removal of ground debris, damage caused by storms and bee or wasp extermination as needed at the rate of \$50.00/hour.

Ground maintenance to include maintenance of perennial bed on green including edging, mulching, fertilizing, tree trimming, trimming of hedges, weeding as needed at the rate of \$50.00/hour.

Cost of materials estimated at \$60.00 per yard.

Trash and broken glass removal and disposal thereof, twice a week, from the Town Park, recreation area and ball field at a rate of \$30.00/week.

A motion to award the 2024 Lawn Care to Howes Horticulture for 2024 was made by K. Kaplan and seconded by G. Vogler.

R. Lagonia: yes

G. Vogler: yes

C. Schober : absent

C. Humphrey: yes

K. Kaplan: yes

Motion carried 4:1.

#### **2024 Highway Bids**

##### **Bemiss Trucking Service Inc.**

187 Tunnel Hill Road

Canaan, NY 12029

Jim Bemiss

Tractor Trailer Aluminum Trailer

\$155.00/hr average load permitted legally: 36

Tractor Trailer Steel Trailer

\$170.00/hr average load permitted legally: 32

Haul material to Town Garage from Colarusso Sand and Gravel: \$7.00/ton

Haul material from Colarusso Sand and Gravel to the intersection of State Route 203 and State

Route 22: \$8.00/ton

Haul material to Town Garage from Colarusso Quarry: \$5.50/ton

Haul material to Town Garage from Rifenburg Construction: \$10.00/ton

Haul material from Rifenburg Construction to the intersection of State Route 203 and State

Route 22: \$10.00/ton

Haul material to Town Garage from West Stockbridge: \$7.00/ton

Haul material from West Stockbridge to the intersection of State Route 203 and State Route 22:

\$6.25/ton

Haul material to Town Garage from Polaro Gravel: \$8.50/ton

##### **A.Colarusso and Son, Inc.**

91 Newman Road

Hudson, New York 12534

Tractor Trailer Aluminum Trailer

\$160.00/hr average load permitted legally: 36

Tractor Trailer Steel Trailer

\$175.00/hr average load permitted legally: 28

Tri-Axle Dump Truck

\$130.00/hr average load permitted legally: 22

**M&C Farm Trucking**

1834 State Route 66

Ghent, New York 12075

Chester Blass

Tractor Trailer Aluminum Trailer

\$140.00/hr average load permitted legally: 36

Tractor Trailer Steel Trailer

\$150.00/hr average load permitted legally: 32

Tri-Axle Dump Truck

\$120.00/hr average load permitted legally: 21

Haul material to Town Garage from Colarusso Sand and Gravel: \$6.20/ton

Haul material from Colarusso Sand and Gravel to the intersection of State Route 203 and State Route 22: \$7.20/ton

Haul material to Town Garage from Colarusso Quarry: \$5.20/ton

Haul material to Town Garage from Bolls: \$3.00/ton

Haul material to Town Garage from Rifenburg Construction: \$8.50/ton

Haul material from Rifenburg Construction to the intersection of State Route 203 and State Route 22: \$9.00/ton

Haul material to Town Garage from West Stockbridge: \$6.25/ton

Haul material from West Stockbridge to the intersection of State Route 203 and State Route 22: \$5.50/ton

**Polaro Sand & Gravel Inc.**

607 NYS Route 351

PO Box 265

Poestenkill, NY 12140

Scott Polaro

Tractor Trailer Aluminum Trailer

\$160.00/hr average load permitted legally: 35

Tri-Axle Dump Truck

\$125.00/hr average load permitted legally: 21

**Macfarlane Contracting LLC**

39 Percy Hill Road

Old Chatham, New York 12136  
Corey Macfarland

Tri-Axle Dump Truck  
\$125.00/hr average load permitted legally: 22.5

Haul material to Town Garage from Colarusso Sand and Gravel: \$7.75/ton  
Haul material from Colarusso Sand and Gravel to the intersection of State Route 203 and State Route 22: \$8.50/ton  
Haul material to Town Garage from Colarusso Quarry: \$6.50/ton  
Haul material to Town Garage from Rifenburg Construction: \$9.00/ton  
Haul material from Rifenburg Construction to the intersection of State Route 203 and State Route 22: \$9.75/ton

**ADS Culvert Pipe/Guard Rail/Geotextile Fabric  
Town and Country Bridge and Rail**  
PO Box 16395  
Albany, New York 12212

<u>Culvert Pipe (HDPE)</u>	<u>FOB</u>	<u>Delivery Yard</u>
4" Corrugated Interior	\$.90/lf	\$.90/lf
6" Corrugated Interior	\$2.26/lf	\$2.26/lf
8" Corrugated Interior	\$4.80/lf	\$4.80/lf
10" Corrugated Interior	\$9.55/lf	\$9.55/lf
12" Smooth Flow Interior	\$8.80/lf	\$10.80/lf
15" Smooth Flow Interior	\$14.10/lf	\$14.10/lf
18" Smooth Flow Interior	\$18.05/lf	\$18.05/lf
24" Smooth Flow Interior	\$32.80/lf	\$32.80/lf
30" Smooth Flow Interior	\$42.20/lf	\$42.20/lf
36" Smooth Flow Interior	\$54.10/lf	\$54.10/lf
42" Smooth Flow Interior	\$76.90/lf	\$76.90/lf
48" Smooth Flow Interior	\$98.80/lf	\$98.80/lf

<u>Guard Rail</u>	<u>FOB</u>	<u>Delivery Yard</u>
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Box Beam	\$39.60/lf	\$39.60/lf
Post	\$84.60/post	\$84.60/post
Installation	\$10.45/ft	\$10.45

<u>Arch Pipe (Galvanized)</u>	<u>FOB</u>	<u>Delivery Yard</u>
71" Highx103" Wide (or equal)	\$390.00/lf	\$390.00/lf

<u>Geotextile Fabric</u>	<u>FOB</u>	<u>Delivery Yard</u>
Non-Woven (Mirafi 140M or equal)	\$1.20/sy	\$1.20/sy
Woven (Mirafe 500x or equal)	\$.90/sy	\$.90/sy

**Stone/Gravel/Bituminous Asphalt  
Polaro Sand and Gravel Inc.**

Route 351 PO Box 265  
Poestenkill, NY 12140 Scott Polaro, President

**Shale/Gravel/Stone/Sand**

	<u>FOB Quarry</u>
Sand (snow)	\$11.25/ton
Item 4 Crushed (4" minus)	\$12.35/cy
Bank Run	\$ 9.00/cy
Cobbles	\$ 9.25/ton

**Bob Boll Excavating**

Sand and Gravel  
PO Box 408  
Niverville, NY 12130

Item #4 delivered	\$20.90/ton
Processed Gravel delivered	\$20.90/ton
Bank Run delivered	\$16.40/ton

**A. Colarusso and Son, Inc.**

91 Newman Road  
Hudson, New York 12534

<u>Crushed Stone</u>	<u>FOB Quarry</u>	<u>Delivery Yard</u>	<u>Delivery 203 and 22</u>	<u>Delivery Job Site</u>
1A Washed	\$15.00/ton	\$22.00/ton	\$23.00/ton	25.00/ton
1B Washed	14.50/ton	21.50/ton	22.50/ton	24.50/ton
1 <sup>st</sup> Washed	14.50/ton	21.50/ton	22.50/ton	24.50/ton
#1	14.50/ton	21.50/ton	22.50/ton	24.50/ton
#2	14.00/ton	21.00/ton	22.00/ton	24.00/ton
#1 and 2 Mixed	14.25/ton	21.25/ton	22.25/ton	24.25/ton
#3	14.00/ton	21.00/ton	22.00/ton	24.00/ton
Screen Fill	11.50/ton	18.50/ton	19.50/ton	21.50/ton
Crusher Item 4	12.50/ton	19.50/ton	20.50/ton	22.50/ton
Crusher Run ≤ 2"	12.50/ton	19.50/ton	20.50/ton	22.50/ton
Light Stone Fill	14.50/ton	21.50/ton	22.50/ton	24.50/ton
Medium Stone Fill	16.50/ton	26.50/ton	28.50/ton	32.50/ton
Heavy Stone Fill	17.50/ton	27.50/ton	29.50/ton	33.50/ton

<u>Shale/Gravel/Stone/Sand</u>	<u>FOB Plant</u>	<u>Delivery Stockpile</u>	<u>Delivery Job Site</u>
Sand	\$15.50/ton	\$24.50/ton	\$27.50/ton
Cobbles	13.00/ton	22.00/ton	25.00/ton

<u>Bituminous Asphalt</u>	<u>FOB Plant</u>
Type 1 Base Course	\$58.00/ton
Type 3 Binder Course	61.00/ton
19 MM Binder Course	61.00/ton
12.55 MM Top Course	64.00/ton
Type 6 Top Course	67.00/ton
Type 7 Top Course	69.50/ton
Winter Mix Cold Patch	110.00/ton

A motion to award the lowest responsible bidder for highway materials, A. Colarusso and Son, Inc. for aggregate and asphalt, Polaro Sand and Gravel Inc for sand and gravel, M and C Farm

Trucking for trucking services, and Town and Country Bridge and Rail for piping was made by K. Kaplan and seconded by G. Vogler.

R. Lagonia: yes

G. Vogler: yes

C. Schober : absent

C. Humphrey: yes

K. Kaplan: yes

Motion carried 4:1.

A motion to reach out to the second lowest responsible bidder, Bob Bolls Excavating for gravel and Bemiss Trucking Service Inc for trucking services, in the event the lowest responsible bidder is unavailable or unable to deliver or perform pursuant to its bid was made by K. Kaplan and seconded by G. Vogler.

R. Lagonia: yes

G. Vogler: yes

C. Schober : absent

C. Humphrey: yes

K. Kaplan: yes

Motion carried 4:1.

### **Town Website**

Supervisor Lagonia noted the many issues the Town has been having with its website host, Civic Plus. The main issue is that no one responds in a timely manner. Columbia County offers website services through its shared services program charging \$500.00 for set up and \$100.00/month for servicing. Although there is no rush since the Town has paid for a year of service with Civic Plus, R. Lagonia would like to move the Town website to the County at some point. Eblasts can be done differently by keeping an inhouse list and sending the eblasts through individual emails, not through the website. Maybe the Town can launch a new site in July or August. The consensus of the Town Board is to move the website hosting to Columbia County. Supervisor Lagonia will start to move in this direction.

### **2024 Agreement for Enhanced Police Services**

Supervisor Lagina noted this agreement is the same as it has been and Attorney for the Town, Joseph Catalano, has reviewed it.

A motion to authorize Supervisor Lagonia to sign the 2024 Agreement for Enhanced Police Services was made by K. Kaplan and seconded by G. Vogler.

R. Lagonia: yes

G. Vogler: yes

C. Schober : absent

C. Humphrey: yes

K. Kaplan: yes

Motion carried 4:1.

### **Assessor Retirement and Reval**

Assessor for the Town, Pam Cook, has submitted a letter advising that she will be retiring effective June 14, 2024.

Supervisor Lagonia discussed the re-evaluation that was done a few years ago, noting that because of the housing shift during covid, many of the values have been skewed now landing the Town with a 64% equalization rate. The Town of Austerlitz and the Town of Hillsdale have a CAP (Coordinated Assessment Program) Agreement. A meeting was held with the Supervisor from the Town of Hillsdale, Supervisor Lagonia, Town of Austerlitz and Hillsdale Assessor Pam Cook and Director of Columbia County Real Property Suzette Booy to discuss P. Cook's retirement and how to move forward. The Town of Austerlitz was going to do a re-evaluation, but this may not be the best course of action with Assessor Cook's retirement and can be put off. It was noted that there are only a few trained assessors in Columbia County and some of them assess for more than one town. Unfortunately, after an initial poll, no one is available to take on another town. The Towns of Austerlitz and Hillsdale can appoint an acting assessor who has to be certified within 6 months. The Town of Austerlitz will advertise for this position. There was discussion concerning a present Town of Austerlitz employee who may be interested in this position. If someone can be found soon, current Assessor, Pam Cook, can help to train until she leaves in June. Town Board Member Humphrey would like to hire someone who has experience. Advertisement options, how many hours a week the job would require and other issues were discussed.

The Town Board discussed Town-wide reassessments.

### **Insurance Renewal**

The Town's Insurance comes due in May 2024. Supervisor Lagonia met with a NYMIR representative. A building assessment will be done in June.

A motion to renew the Town's insurance with NYMIR was made by K. Kaplan and seconded by C. Humphrey.

R. Lagonia: yes

G. Vogler: yes

C. Schober : absent

C. Humphrey: yes

K. Kaplan: yes

Motion carried 4:1.

### **Intermunicipal Agreement Columbia County/Town of Austerlitz**

The Intermunicipal Agreement between Columbia County and the Town of Austerlitz deals with allowing staff from Columbia County Human Resources Office to provide training for the Town of Austerlitz for a flat fee of \$50.00 per hour. Training will consist of workplace violence, harassment and lactation accommodation.

A motion to authorize Supervisor Lagonia to sign the Intermunicipal Agreement between Columbia County and the Town of Austerlitz was made by G. Vogler and seconded by C. Humphrey.

R. Lagonia: yes

G. Vogler: yes  
C. Schober : absent  
C. Humphrey: yes  
K. Kaplan: yes  
Motion carried 4:1.

Training will take place April 18, 2024 at 6:00 p.m. at the Town Hall.

### **Public Comment**

Adam Reznikoff explained to the Town Board that he is a massage therapist and as the Town Code was explained to him, he can only have one 'worker' in his home for an in-home business without a special use permit, but if he has a receptionist, that pushes the business into a different category where he would need a special use permit. Now the moratorium has been extended. Attorney for the Town Catalano, believes a home occupation level one only needs a building permit. Attorney Catalano will check what is needed for one person to work for Adam Reznikoff and will get back to him.

Lorrain Wilkinson spoke concerning a massive tree on Beale Road that sits right on the road. It is very dangerous and should be taken down. Highway Superintendent Fitzpatrick is aware of this tree and noted that it is very close to the NYSEG wires. NYSEG has taken down one tree already and has been made aware of this tree. Superintendent Fitzpatrick is not sure of the timing, but NYSEG will take care of it. P. Fitzpatrick will call NYSEG and remind them.

Deb Oleynek noted there are 101 days left until the Summer Recreation Program begins. The Spencertown Fire Company bought the AED to donate to the Town of Austerlitz. D. Oleynek thought the AED could be used for the 6-week summer recreation program and then left at the Spencertown Academy to use for the rest of the year. The Town Board consensus was to allow this.

D. Oleynek continued noting that the poetry lady will be coming back this summer. D. Oleynek would like to discuss the work on the tennis courts before it begins. No word yet from Greene County on the available grant money.

Supervisor Lagonia noted that the pavilion in the Town Park has rotting posts. R. Lagonia is looking into getting these fixed.

### **Executive Session**

A motion to enter executive session for a discussion of services provided on a contractual basis was made by K. Kaplan and seconded by C. Humphrey.

R. Lagonia: yes  
G. Vogler: yes  
C. Schober : absent  
C. Humphrey: yes  
K. Kaplan: yes  
Motion carried 4:1. Executive Session entered at 8:34 p.m.

A motion to exit Executive Session was made by K. Kaplan and seconded by C. Humphrey.

R. Lagonia: yes

G. Vogler: yes

C. Schober : absent

C. Humphrey: yes

K. Kaplan: yes

Motion carried 4:1. Executive Session exited at 8:45 p.m.

**Adjournment**

A motion to adjourn was made by G. Vogler and seconded by K. Kaplan.

R. Lagonia: yes

G. Vogler: yes

C. Schober : absent

C. Humphrey: yes

K. Kaplan: yes

Motion carried 4:1. Meeting adjourned at 8:45 p.m.

Respectfully Submitted,  
Susan Haag, Town Clerk