

Town of Austerlitz
Regular Town Board Meeting
April 8, 2010

Meeting called to order at 7:03 p.m.

Pledge of Allegiance.

Roll call. Present: Jeffrey Braley, Supervisor, Paul Bernstein, Carol Pinto, Bryan Geel, Matthew Verenazi, Town Board Members, Susan Haag, Town Clerk, Robert Meehan, Highway Superintendent.

Minutes

A motion to approve the March 11, 2010 Regular Town Board Meeting minutes was made by P. Bernstein and seconded by C. Pinto.

J. Braley: yes

P. Bernstein: yes

C. Pinto: yes

B. Geel: yes

M. Verenazi: yes

Motion unanimously carried.

Auditing of Accounts and Claims

A motion to approve General Fund #114-139 in the amount of \$7141.17, and Highway Fund #63-82 in the amount of \$15438.63, was made by B. Geel and seconded by P. Bernstein.

J. Braley: yes

P. Bernstein: yes

C. Pinto: yes

B. Geel: yes

M. Verenazi: yes

Motion unanimously carried.

Reports

Monthly cash disbursements for the month of March 2010 were presented. Supervisor Braley reported that the Town is on budget except for the health care costs. Court income is up over last year.

Supervisor Braley advised that the Chatham Central School District will be holding an informational session for budgetary purposes at the Town Hall, on May 3, 2010 starting at 6:30 p.m.

NYSDOT will be paving sections of New York State Route 22.

The Columbia County Youth Advisory Board has recommended, and the Columbia County Board of Supervisors has accepted and approved the NYS Office of Children and Family Services allocation for 2010. The Town of Austerlitz will receive funding in the amount of \$493 for the 2010 Recreation Program.

On April 26, 2010 the Columbia County Veteran's Service Agency will honor a Town of Austerlitz veteran. Fred Oleynek has been chosen for this honor and Supervisor Braley has been asked to take part in the presentation. Sheriff Harrison will also be in attendance.

Supervisor Braley continued with an update on the Building Department shared services contract alerting the Town Board that this contract is still in the hands of the attorney. The Town of Canaan has employed G. Smith already and is just waiting for the agreement to be signed and put in place.

Supervisor Braley and Highway Superintendent Meehan have discussed putting together an official Town Highway Road map. Jimapco has been contacted to put together a map and it can be put on a webpage eventually as well. There are errors in current maps out there as found when looking at census maps. Problems were found in the listing of abandoned roads. This should be corrected.

Items are being added each day to the Town's website.

On the County level, Supervisor Braley noted that things are quiet. The Supervisors are trying to keep taxes in line. The new comptroller has been hired.

Town historian Sally Light has received the designation of Registered Historian. The approval committee was impressed with her application, stating that it was well organized. The Town Board congratulates S. Light!

Town Clerk Report for the month of March 2010 submitted.

Tax Collector Report for the month of March 2010 submitted. Tax will be collected on a Town level until the end of May. Second notices went out the beginning of April.

Highway Superintendent Meehan reported that the grader is back together and operating well. The Highway Crew has been out grading roads, filling potholes and cutting brush. There are soft spots on some roads that need to be fixed especially a couple on Dugway Road. One tandem truck is off getting springs. An additional truck will need springs as well. The sander has been taken off the big truck so the Highway Crew can start hauling materials. Blacktopping of some areas will begin probably by the end of the month. Superintendent Meehan will go look at the roads in Bryarcliffe to see how they are holding up. Engineer for the Town Pat Prendergast will look as well. There are a couple of spots that need to be fixed. Supervisor Meehan has been holding off in case there is another snow storm so he doesn't do any additional damage. Money is still being held in escrow for needed repairs to these roads.

Planning Board Report for the month of March 2010 submitted.

Comprehensive Plan Oversight Committee Report for the month of March 2010 submitted.

Building Inspector/Code Enforcement Report for the month of March 2010 submitted.

Justice Roberts Court Report for the months of March 2010 submitted.

A motion to accept the above reports was made by C. Pinto and seconded by P. Bernstein.

J. Braley: yes

P. Bernstein: yes

C. Pinto: yes

B. Geel: yes

M. Verenazi: yes

Motion unanimously carried.

Correspondence

St. Peter's Presbyterian Church 250th Anniversary Celebration Request: St. Peter's has written the Town Board requesting a grant of up to \$1000.00 to put towards their 250th Anniversary Celebration. In observance of this historic event, a gala is planned for memorial day weekend inviting the entire community. Saturday night will host a musical even featuring St. Peter's pianist/organist and choir director, Luke Olivieri along with other musicians.

Town Board Member Bernstein notes that these types of donations are what the Town should be involved in. St. Peter's Presbyterian Church is a focal point of the community, and the Town Board should support. Many activities occur at the Church that are not religiously orientated. P. Bernstein notes that the 250th Anniversary Celebration is not a function of the Friends of Historic St. Peters. The Friends of Historic St. Peter's are concerned with preservation of the building and in fact additional work is currently being done.

Town Board Member Geel notes that from time to time the Town has used the Church building for meetings and the like.

Sally Light notes that this church building is one of the very oldest buildings in the State, and one that is still functioning. There may be an issue of separation of church and state for some, but keep in mind that many of the Town meetings were held there in the 1800s.

Charles Vander Weit points out that senior lunches are held there as well.

Supervisor Braley noted that money in the past has been donated towards some Saturday night Town functions. These are friends and neighbors that we all interact with. It is a public building open more than Town Hall or fire house.

A motion to donate \$1000.00 to the St. Peter's Presbyterian Church for their 250th Anniversary Celebration was made by P. Bernstein and seconded by B. Geel.

J. Braley: yes

P. Bernstein: yes

C. Pinto: yes

B. Geel: yes

M. Verenazi: yes

Motion unanimously carried.

Unfinished Business

Outdoor Wood Boiler Law: A workshop to rework this law was held on March 25, 2010 at 7:00 p.m. at the Town Hall. The Town Board agreed to go forward with this. Supervisor Braley will continue to work on this law and present updates to the Town Board. Member Bernstein notes that it is a good time of year to work on this law since it is beginning to be off season for their use.

To answer a question from the audience, Supervisor Braley explained what an outdoor wood boiler is and how it works. The Town board does not want to over regulate, but wants to put some protective measures in place.

Code Revitalization Services Proposal:

A motion to approve the Code Revitalization proposal made by General Code for \$5995.00 was made by M. Verenazi and seconded by P. Bernstein.

J. Braley: yes

P. Bernstein: yes

C. Pinto: yes

B. Geel: yes
M. Verenazi: yes
Motion unanimously carried.

Supervisor Braley explained the process to the audience.

Austerlitz Fire House Land Subdivision: Town Board Member Geel reports that the process is moving ahead. B. Geel attended both the March and April Planning Board meetings and explained this project to those in the audience unfamiliar it. There is a Public Hearing set for the May Planning Board meeting.

There were no provisions made for a Town Hall or Town Court in this new firehouse.

Columbia County Traffic Advisory Committee: The committee seat for the Town of Austerlitz on the Columbia County Traffic Advisory Committee is vacant. Previous Town Board Member C. Vander Weit has stepped down.

C. Vander Weit noted that Alan Silvernale is not currently the Town of Austerlitz represented for this committee. C. Vander Weit was put on this board back in the summer of 2009. C. Vander Weit would like to step down from serving on this committee because he feels that this committee seat should be occupied by a member of the Town Board.

Supervisor Braley noted that a replacement needs to be put on this committee. A Motion to recommend Town Board Member M. Verenazi to the Columbia County Board of Supervisors for appointment to the Columbia County Traffic Advisory Committee upon C. Vander Weit's resignation was made by P. Bernstein and seconded by C. Pinto.

J. Braley: yes
P. Bernstein: yes
C. Pinto: yes
B. Geel: yes
M. Verenazi: abstained
Motion carried 4:1.

New Business

Lawn Care Bids: The Town has received two bids for lawn care for the 2010 season; one from Highlander Lawn Care & Property Maintenance and the second from Howes Horticultural.

Howes Horticultural

1543 Stonewall Road

Chatham, New York 12037

Bid for lawn cutting and ground maintenance-2010 season

- 1.) Price per lawn mowing \$195.00 estimate 27 mowings in the season.
- 2.) Ground maintenance Spring and Fall cleanup \$40.00 per hr.
- 3.) Garden maintenance \$40.00 per hr.
- 4.) Trash removal \$35.00.
- 5.) Cost of materials-Mulch \$45.00 per yard, perennials if needed between \$12 and \$30 depending on size. Trees and shrubs-estimate will be given before installation.

Highlander Lawn Care

5431 Rte 9H & 23

Hudson, New York 12534

Please consider by bid for the 2010 lawn mowing season for your properties in the Town of Austerlitz, NY. The price breakdown is as follows:

Town Green (across from Town Hall)-\$40

Ball Field-\$75

Tennis Courts-\$65

Firehouse-\$110 (up to the 3 Pine trees)/additional \$75 up to the Church

These prices include all equipment necessary to complete all jobs (mowers, string trimmers, blowers and fuel). Also trimming and blowing as necessary each time.

Hourly rates for labor will be \$45/hour (including Spring and Fall clean-up, storm damage, bush & tree trimming, weeding)

Debris (garbage, bottles, cans) will be removed as mowing is performed at no additional charge.

If it is necessary to return for a second time during the week as stated in the Newspaper Classified, the fee will be an additional \$100.

Highland Lawn Care by law is unable to perform the following: Fertilizing and Bee extermination. As New York State requires pesticide and fertilizer application licenses to be able to perform these specific tasks.

The price for mulch ranges from \$35-\$45 per yard depending on material desired. IE: color and type of mulch. This will be discussed and decided upon before installation.

Proof of Workers Comp insurance is not applicable due to I am the sole proprietor of Highlander Lawn Care. Proof of liability insurance is attached.

Thank you for your consideration for the 2010 lawn mowing season. Please feel free to contact me with any questions.

Ken Martin

Town Board Member Geel is abstaining from award vote due to a recent business sale.

A motion to award the lawn care services for the 2010 season to Howes Horticultural was made by P. Bernstein and seconded by M. Verenazi.

J. Braley: yes

P. Bernstein: yes

C. Pinto: yes

B. Geel: abstain

M. Verenazi: yes

Motion carried 4:1.

Berkshire Taconic Community Foundation Grant Proposal: Shawn Hancock, from the Historic Preservation Committee, a subcommittee of the Comprehensive Plan Oversight Committee, has written a grant proposal for \$3000.00 to 1.) survey the Town's 200+ historic properties (a project that's been underway since 2007), 2.) development of an architectural narrative of the Town's historic structures, 3.) development of nominations for one or more Historic Districts for the State and National registers, and 4.) development of a new Historic Preservation Law for the Town. Total projected cost of project is \$20000.00 which will come from grant proceeds, citizen donations, sale of a Architectural narrative produced from grant, and additional grant funding yet to be pursued.

Comprehensive Plan Oversight Committee Chair Barbara Smith noted that this grant request is pretty straight forward and it is working to fulfill the goals of the Comprehensive Plan. Chair Smith brought the Town Board up to speed with the work accomplished by the Historic Preservation Subcommittee to date. For this grant, there needs to be a fiscal agent named and the Comprehensive Plan Oversight Committee is asking the Town Board to take on this role.

Town Board Member Geel asked if this grant will be creating a historical district in Town. Chair Smith noted that the Comprehensive Plan Oversight Committee is not taking a position on that. Town Board Member Bernstein is in favor of this grant. Town Board Member Verenazi noted that this grant is asking the Town Board to handle the monetary portion of the grant and he has no problem with that. Town Board Pinto asks what the historic overlay mentioned in the grant will do. Shawn Hancock advised that the words used in the grant application were used to create the framework for the grant only. Those types of points mentioned in the grant will not necessarily be pursued. Chair Smith noted that there are no plans for new Town Laws at this point in the process. Sally Light noted that this grant includes only those things that are man-made.

Supervisor Braley asked where the additional funding will be coming from to support the grant projects. S. Hancock noted again that grant applications require certain components and certain wording is used to support requests. Further discussion on how this grant process would work.

Town Board Member Pinto would like to consult our attorney concerning this grant application.

Resolution 27-2010, Berkshire Taconic Community Foundation 2010 Grant

The Town Board resolves to act as fiscal agent for a 2010 grant to be received from the Berkshire Taconic Community Foundation for the development of a historic structure survey for the Town of Austerlitz.

A motion made by P. Bernstein and seconded by M. Verenazi to adopt Resolution 27-2010, Berkshire Taconic Community Foundation 2010 Grant.

J. Braley: yes

P. Bernstein: yes

C. Pinto: yes

B. Geel: yes

M. Verenazi: yes

Motion unanimously carried.

Town Board Member Pinto notes that she voted to approve this grant application as long as it is used just for a survey.

Public Comments

Dale Hartka: Notes that if the Town Board is concerned about pollutants from an outdoor wood boiler it can just require some simple fixes. D. Hartka asked for clarification of how the Town is saving money on the attorney line. Supervisor Braley noted that there was a good deal of litigation, and the attorney attended every Town Board meeting.

D. Hartka continued that the reason he came to the Town Board meeting was to address the high cost of renewing building permits. D. Hartka reviewed his building project with the Town Board stating that when he first renewed his permit it was a small fee. This time around it was 50% of the original amount and is quite burdensome. Custom homes take some time to build and it is unfair to change fee structures in mid-stream.

Town Board Member Geel noted that the fees are based on the square footage of the project, but feels that D. Hartka has a valid point. Small home permit fees are about the same as they were under the old fee structure, but large scale homes are more expensive due to the Building Inspector having to do more work and a having a greater number of inspections. The Town Board discussed the current fee structure.

Supervisor Braley advised that the Town Board will look into this and get back to D. Hartka.

Judith Choate noted for the new Town Board Members that she is a Bryarcliffe subdivision resident and wanted to bring them up to date on the road conditions on Harrington Drive. J. Choate has noticed cracking along the shoulders. Also of concern to her is the fact that the ornamental rocks she had on her property before this road project began have to date not been returned by the contractor. Supervisor Braley and Highway Superintendent Meehan will look into the condition of the road and see what they can do about replacing J. Choate's rocks.

Bob Herran spoke concerning Harvey Mountain Road stating that he has always lived on Harvey Mountain Road so he is familiar with dirt road conditions. For over 4 years now, heavy machinery has driven up and down this road due to the construction on the top of the mountain. This has broken down Harvey Mountain Road and he feels that the owner of the property on the top of the mountain should fix the road.

Shawn Hancock thanks the Town Board for their support for the Berkshire Taconic Community Foundation grant.

C. Vander Weit advised that the edges of Punsit Road are starting to crack.

Adjournment

A motion to adjourn was made by Paul and seconded by Matt.

J. Braley: yes

P. Bernstein: yes

C. Pinto: yes

B. Geel: yes

M. Verenazi: yes

Motion unanimously carried. Meeting adjourned at 8:07 p.m.

Respectfully Submitted,
Susan A. Haag, Town Clerk