

Town of Austerlitz
Regular Town Board Meeting
February 11, 2010

Meeting called to order at 7:00 p.m.

Moment of Silence, followed by the Pledge of Allegiance.

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

Town Board Member M. Verenazi absent due to vacation.

Minutes

A motion to approve the January 14, 2010 Organizational/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: abstain due to meeting absence

Motion carried 3:1.

Auditing of Accounts and Claims

A motion to approve General Fund #47-83 in the amount of \$12909.13, and Highway Fund #18-38 in the amount of \$17461.71, was made by C. Pinto and seconded by P. Bernstein.

J. Braley: yes

P. Bernstein: yes

C. Pinto: yes

B. Geel: yes

Motion unanimously carried.

Reports

Monthly cash disbursements for the month of January 2010 were presented. Supervisor Braley reported that the tax money is in so the balances are high. He is looking into investments and interest rates.

On the County level, Supervisor Braley noted that it has been a hectic month relearning everything. Explanation was given concerning the declination decision of bringing Kohls Department Store to the County noting the County pilot program, and the players involved. The County Board of Supervisors voted down a raise for the supervisors, but gave a 2% raise to elected officials and County Department Heads. The County Board of Supervisors also hired a comptroller. Moving the current DSS offices is still on hold, but a decision needs to be made soon since the contract comes due at the end of the year. There are some County Departments that have already moved out to the Ockawamick Building in the Town of Claverack.

The Town has advertised for someone to take minutes for the Planning Board and the Zoning Board of Appeals. A letter of interest from one applicant has been received and they will be asked to come in for an overview of the position and the computer program.

Supervisor Braley also notified the Town Board that he signed a contract last night with the Columbia County Sheriff's Department to provide Enhanced Patrol services with the Town of Austerlitz. This is separate from the fees paid for services provided on Wednesday night for the Justice Court.

The 2009 General Fund and Highway Fund Account books were submitted for review by the Town Board.

Town Clerk Report for the month of January 2010 submitted. Town Clerk Susan Haag noted that a listing of Town Officers who are required to take continuing education, showing completed courses, was given to the Town Board.

Tax Collector Report for the month of January 2010 submitted. Town Clerk Haag noted that the Town has collected the same percentage as last year this same time.

Highway Superintendent Meehan reported that there were only a few minor breakdowns this past month. The supply of sand is holding and the Town should have plenty for the winter. There were heavy rains a couple of weeks ago, but no major flooding.

Engineer for the Town Pat Prendergast walked the park area behind the Spencertown Academy with Highway Superintendent Meehan to survey the current condition and provide the Town with a plan of action to correct the water flow issues. P. Prendergast feels he should come back and observe conditions when it is raining. Supervisor Braley and Highway Superintendent Meehan have been talking about ways to relieve some of the problems the water flow is creating.

Highway Superintendent Meehan also noted that residents are leaving their garbage cans out in the road after they have been emptied by collectors. This is creating a problem during a snow storm because there is no room for the plows to navigate without hitting the cans. The Highway crew was stopping, getting out of the trucks and moving the cans, but this is taking too much time. Maybe the Town can somehow address this issue.

Planning Board Report for the month of January 2010 submitted. Discussed the Hawkins/Verenazi project driveway cut.

Comprehensive Plan Oversight Committee Report for the month of January 2010 submitted. The Comprehensive Plan needs to be updated.

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

Justice Roberts Court Report for the month of December 2009 submitted.

Dog Control Officer Report for the 2009 year submitted.

Historian Report for the 2009 year submitted.

A motion to accept the above reports was made by P. Bernstein and seconded by B. Geel.

J. Braley: yes

P. Bernstein: yes

C. Pinto: yes

B. Geel: yes

Motion unanimously carried.

Correspondence

None

Unfinished Business

Rural Water Project: Supervisor Braley noted that the project is moving along.

Outdoor Wood Boiler Law: Town Board Member Geel would like to see the Town Board have a workshop on this. Town Board Member Bernstein notes that the idea behind putting this law into place was to protect residents against health issues caused by the emissions. The Town is not looking to negate the use, only to protect residents who live in confined areas. Discussed problems with use. The Town Board would like to start to look at this issue before major problems occur, but the presented law needs to be reworked.

A workshop to rework this law is set for February 24, 2010 at 7:00 p.m. at the Town Hall.

Highway Superintendent Meehan stated that at a County Highway Superintendents' meeting the Columbia County Traffic Safety Board was discussed. It was noted that the Town of Austerlitz' representative, A. Silvernale, has not attended a meeting in quite a while and it was therefore assumed that he was no longer serving on this committee. R. Meehan would like the Town Board to look for a replacement. Town Board Member Geel will speak with the current representative to check his status and confirm he is no longer serving in this capacity. Member Geel notes that A. Silvernale has had surgery and is in working through his recovery.

New Business

BAR Appointment

Due to the resignation letter of Ted Howes, an additional seat of the Board of Assessment Review has become available. Although the position was posted again, no additional applicants have come forward. The Town Board did receive two letters of interest in December and one applicant was appointed at that time. The second applicant was Karen Kellogg who has sat on this board in the past.

A motion to appoint Karen Kellogg to the Board of Assessment Review for the unfinished term of Ted Howes beginning February 11, 2010 and ending September 30, 2013 was made by B. Geel and seconded by P. Bernstein.

J. Braley: yes

P. Bernstein: yes

C. Pinto: yes

B. Geel: yes

Motion unanimously carried.

Code Revitalization Services Proposal: General Code provided a proposal to the Town of Austerlitz for codification of existing laws and ordinances. This proposal includes providing the code on the internet for Town officials and for the Town's constituents. Base price for codification services project is \$5995.00. Optional components include a \$65.00 per additional code book purchased, \$995.00 initial fee, standard eCode360 and pre-supplementation posting which includes the first year maintenance, and 1945.00 editorial analyses at the end of the project.

Supervisor Braley advised that he has spoken to Attorney for the Town, Tal Rappleyea, who advises the Town to move forward with this project. Attorney Rappleyea believes the prices are worth it, and this will make the job easier for all involved.

Supervisor Braley would like the board to think about it.

Town Board Member Geel advises the Town Board that the Austerlitz Fire House land purchase is finally moving ahead. Steve Stollman has agreed to sign the contract and the next step is for this project to go before the Planning Board for subdivision approval. Member Geel will represent the Town Board at the Planning Board for this project.

Town Board Member Pinto is concerned with the speeding in the Hamlet of Spencertown. In looking for ways to slow cars down coming down the hill into the Hamlet, she notes that the 'playground ahead' sign is quite small and should be bigger. Supervisor Braley will write to the State DOT asking for a bigger sign. Member Pinto also has looked at radar signs.

The Town Board reviewed pictures of the play ground area provided by Supervisor Braley and discussed water flow issues. Town Board Member Pinto questioned the use of an additional engineer when the Town currently has a report by Sterling Engineering. Supervisor Braley and Highway Superintendent Meehan are trying to formulate a plan that will cost much less and would be simpler so that when Spring comes work can begin. Supervisor Braley advises that he wanted a seconded opinion and that if a simpler solution cannot be found and the Town Board decides to move forward into a large scale project, then Sterling Engineering will be brought back in. Supervisor Braley notes that Sterling Engineering corrects the water flow problems by using existing Town owned land, whereas the new idea incorporates use of privately owned land.

The Town Board discussed the donation of money by the Ellsworth Kelly Foundation understanding this money was given for recreational use.

Highway Superintendent Meehan feels that some residents are looking for answers and the Town needs to do something.

Public Comments

Steve Somlo: Noted that he believes it is good for the Town to have a book with all Town laws in it. He volunteers to organize the current laws placing them in book. Town Clerk Haag advises that the Town already has this done.

S. Somlo also asks the Town Board reconsider the Town Appointment policy. He believes having term limits is short sided and notes that that can be seen.

S. Solmo further notes that the Town Board should clarify the role of the Comprehensive Plan Oversight Committee. Reviewing the Comprehensive Plan is a legitimate process for this board, but oversight of all land use laws is inappropriate.

S. Somlo continues to advise that ownership of Bryarcliffe Road should be finalized. He also discussed the appointment to the Columbia County Traffic Committee explaining that representation on this board is important realizing that that this board helps to shape NYSDOT rules and regulations.

Adjournment

A motion to adjourn was made by P. Bernstein and seconded by B. Geel

J. Braley: yes

P. Bernstein: yes

C. Pinto: yes

B. Geel: yes

Motion unanimously carried. Meeting adjourned at 8:15 p.m.

Respectfully Submitted,
Susan A. Haag, Town Clerk