

Town of Austerlitz  
Regular Town Board Meeting  
June 10, 2010

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

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

Pledge of Allegiance.

Minutes

Town Board Member Pinto asked that the following sections of the May 13, 2010 minutes be changed as followings:

From: "Drainage Issues-Spencertown Ball Field: Engineer for the Town Pat Prendergast has presented the Town Board with his proposal on how to correct this water issue. Discussed proposal. Highway Superintendent Meehan noted that he will try to do some of the minor proposals. Neither Supervisor Braley or Superintended Meehan plan on incorporating any of the corrective steps concerning the pond in back of the Town Hall since this is on private property. Any of the work done up at the ball field will need to be done in the fall. All the private property work is on hold for now. Town Board Member Pinto noted that she has serious reservations concerning the proposal done by Pat Prendergast, *namely the cost for culvert pipes, maintenance of these pipes, and the fact that these are on private property. Member Pinto also notes that the direction that this water would be diverted causes the flow to end up down onto Route 203 across from Howe's where this is already a major water issue.* Highway Superintendent Meehan noted that the other option would be to route the excess water across Route 203 up by Dugway Road. But, this has it's issues as well. Sterling Engineers had this theory. Discuss current water flow noting that Supervisor Braley and Highway Superintendent Meehan will talk and see what work can be done and at what price. up by Dugway Road. But, this has it's issues as well. Sterling Engineers had this theory. Discuss current water flow noting that Supervisor Braley and Highway Superintendent Meehan will talk and see what work can be done and at what price."

To: "Drainage Issues-Spencertown Ball Field: Engineer for the Town Pat Prendergast has presented the Town Board with his proposal on how to correct this water issue. Discussed proposal. Highway Superintendent Meehan noted that he will try to do some of the minor proposals. Neither Supervisor Braley or Superintended Meehan plan on incorporating any of the corrective steps concerning the pond in back of the Town Hall since this is on private property. Any of the work done up at the ball field will need to be done in the fall. All the private property work is on hold for now. Town Board Member Pinto noted that she has serious reservations concerning the proposal done by Pat Prendergast, *namely the cost for underground pipes, maintenance of these pipes, and the fact that these are on private property. Member Pinto also notes that there would be an increase in the amount of water directed to the catch basin across from Howe's where this is already a major water issue, and to a culvert under Route 203 that was too small to handle the water that already ends up there.* Highway Superintendent Meehan noted that the other option would be to route the excess water across Route 203 up by Dugway Road. But, this has its issues as well. Sterling Engineers had this theory. Discuss current water flow noting that Supervisor Braley and Highway Superintendent Meehan will talk and see what work can be done and at what price. up by Dugway Road. But, this has it's issues as well. Sterling Engineers had this theory. Discuss current water flow noting that Supervisor Braley and Highway Superintendent Meehan will talk and see what work can be done and at what price."

From: "Town Board Member Pinto questioned the process employed in deciding what engineer the Town is going to use for each project. C. Pinto understood that Sterling Engineering was to be used on any large project and Pat Prendergast was to be used for routine issues and that *the Town Board would make the decision in each case*. Member Pinto discussed the report given to the Town Board on the Town ball field water issues and noted that Sterling Engineering's report and plan was more viable. Supervisor Braley noted that if a road issues comes up, Highway Superintendent Meehan will just call Engineer Prendergast. J. Braley and R. Meehan called in Pat Prendergast to look over the ball field water situation. J. Braley noted that in a discussion with P. Prendergast after an analysis was done, more was discussed than appeared in the report. Superintendent Meehan noted that Sterling Engineer's report was done with different original parameters therefore giving different results. Supervisor Braley advised that for right now, minor fixes will be done, nothing on private property, and decisions will have to be made for the major portion of work. Discussion turned to the availability of donated money sitting in a reserve account that can be used to correct some of the water flow issues."

To: "Town Board Member Pinto questioned the process employed in deciding what engineer the Town is going to use for each project. C. Pinto understood that Sterling Engineering was to be used on any large project and Pat Prendergast was to be used for routine issues and that *the Town Board as a whole would discuss and make the decision in each case*. Member Pinto discussed the report given to the Town Board on the Town ball field water issues and noted that Sterling Engineering's report and plan was more viable. Supervisor Braley noted that if a road issues comes up, Highway Superintendent Meehan will just call Engineer Prendergast. J. Braley and R. Meehan called in Pat Prendergast to look over the ball field water situation. J. Braley noted that in a discussion with P. Prendergast after an analysis was done, more was discussed than appeared in the report. Superintendent Meehan noted that Sterling Engineer's report was done with different original parameters therefore giving different results. Supervisor Braley advised that for right now, minor fixes will be done, nothing on private property, and decisions will have to be made for the major portion of work. Discussion turned to the availability of donated money in a reserve account that can be used to correct some of the water flow issues."

A motion to approve the May 13, 2010 Regular Town Board Meeting minutes as read with changes was made by P. Bernstein and seconded by M. Verenazi.

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 #177-201 in the amount of \$27,924.51, and Highway Fund #107- 124 in the amount of \$21,688.97, 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.

Supervisor Braley noted that there are budget amendments to be done but he didn't know where to take the money from. He will take care of this next month.

#### Reports

Monthly cash disbursements for the month of May 2010 were presented. Supervisor Braley reported that there was a discrepancy in one of the accounts that will be corrected. Also, money will need to be put in brush and weeds to cover a shortage in that account. J. Braley also advised that Highway Superintendent Meehan has been getting the Town playground ready for the summer recreation program. The Columbia County Department of Health inspected and the Town passed the inspection with only minor issues to be taken care of. Supervisor Braley advised that the Memorial Day Services had a nice turnout.

On the County level, Supervisor Braley noted that there was to be a Committee vote on where to house the Columbia County DSS, but the Committee meeting was cancelled.

Town Clerk Report for the month of May 2010 submitted.

Tax Collector Report for the month of May 2010 submitted. Discussed percentage collected.

Highway Superintendent Meehan reported that most of the roads in Town are in good shape. The Highway Crew has been filling potholes, ditching, and changing culverts out. R. Meehan is still waiting on the County for some advice concerning the culvert on Big Woods Road. The County has also closed the bridge on the end of Dugway Road in the Town of Hillsdale. R. Meehan noted that work still needs to be done on the County bridge on Upper Hollow Road and requests that the Town Board send a letter to Dean Knox at County Columbia DPW to fix the Upper Hollow Road Bridge. If possible, the Fire Department should send a letter to the county about the danger of having Dugway Road bridge closed.

As for the Town playground, Highway Superintendent Meehan advised that they would need a few new benches, garbage cans, some fencing, kid's swing set seats, and work needs to be done on the tennis courts. Copeland was up to the park to look at the tennis courts and went over repair estimates with R. Meehan. Other work that needs to be accomplished is repairs to the dugouts and shed. Town resident Rich Nesbitt has planned a workday for the park on June 25th when the dugouts and shed will be fixed. Work will also be done on the ball field and new sand put down.

Planning Board Report for the month of May 2010 submitted.

Comprehensive Plan Oversight Committee Report for the month of May 2010 submitted. Supervisor Braley would like to see this Committee work to correct a few errors in the Planning Board rules and regulations.

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

Supervisor Braley noted that the Board of Assessment Review saw about 15 cases with varied results.

A motion to accept the above reports 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.

#### Correspondence

Chatham Rescue Squad, Inc.: Update on the County 911 Dispatch Plan and Chatham Rescue's non-participation in this plan at the current time. Town of Austerlitz will be covered as always.

Rich Nesbitt, Assistant Chief for the Spencertown Fire Company came before the Town Board to discuss this issue that is affecting more than the Chatham Rescue Squad. Also with R. Nesbitt was Don Fischer and Tab Eigenbrocht from the Red Rock Fire Protection District. Columbia County 911 has changed its dispatch plan and has sought to establish a procedure for dispatching the most appropriate response to requests for emergency medical care, using the MPDS. In doing so, coded priority #3 and #4 calls are no longer handled by local EMS, unless a signed agreement is in place. Such signed agreement grants an exception to the Emergency Medical Dispatch Response Assignments Plan for local EMS as long as Certificates of Insurance providing Commercial General Liability insurance with minimum limits of \$1,000,000.00 per occurrence, subject to a \$2,000,000.00 annual aggregate, listing Columbia County and Columbia County 911 as additional insured. R. Nesbitt, D. Fischer and T. Eigenbrocht feel that the County is putting local residents at risk by using this new plan since it has been taking additional time for non-local EMS to respond to emergencies. Local EMS know the residents putting them at ease, know the roads, the areas and can respond in a more timely fashion.

Discussed the history of this issue and noted that Fire Company attorneys have advised against the signing of the proposed exemption contract. Unfortunately, the County does not seem to be listening to the local fire companies and local EMS. Representatives have come to the Austerlitz Town Board asking for support and for Supervisor Braley to represent their interests with the County Board of Supervisors.

Supervisor Braley has started to research this issue on the County level and will be in touch with Rich Nesbitt and Don Fischer.

NYS Department of Ag and Markets: Dog Control Officer Inspection Report. DCO Services were rated as satisfactory.

New York State Town Clerks Association: Notice advising the Town Board that Town Clerk, Susan Haag, has been appointed as Secretary to the NYSTCA.

#### Unfinished Business

Austerlitz Fire House Land Subdivision: Supervisor Braley spoke with Attorney Jeff Baker and the closing process is moving forward.

Contract-Shared Services Code Enforcement: In discussing the contract for shared code-enforcement services, Supervisor Braley advises the Town Board that the Town of Austerlitz should make some money on this project and it will enable the Town of Austerlitz to be the headquarters. The Town of Canaan doesn't have a clerk so Town of Austerlitz clerk, Mary Davis will do their work. Currently the computers of Canaan and Austerlitz are hooked up together and our Attorney has said we will have no liability should the Town enter into this contract.

A motion to authorize Supervisor Braley to sign the Shared Building Inspector and Code Enforcement Services Agreement with the Towns of Hillsdale and Canaan was made by P. Bernstein and seconded by M. Verenazi.

J. Braley: yes

P. Bernstein: yes

C. Pinto: yes

B. Geel: yes

M. Verenazi: yes

Motion unanimously carried.

#### New Business

Voting Machine Storage: Currently, the Town of Austerlitz' voting machines are stored in the Spencertown Fire House. Town Board Member Verenazi noted that the Spencertown Fire Company is requesting a space rental fee of \$500.00/year. Supervisor Braley mentioned that part of the Columbia County Board of Elections feels like the personnel in this department need to be full time so attention has centered on this issue. They also noted that new machines are supposed to be put into use so the current machines stored at the Fire House will only be there for a short time. After discussion of rental pricing, the Town Board asked for the Spencertown Fire Company to provide a rental contract for the next Town Board meeting.

Play Ground: As mentioned, the Spencertown Park area has been spruced up by Highway Superintendent Meehan. Supervisor Braley advised the Town Board that the Summer Recreation Program is slowly changing hands from S. Fischer to D. Oleynek. S. Fischer will be handling the administrative work, while D. Oleynek the day-to-day running of program. There needs to be some new equipment for the playground area and Supervisor Braley was given a wish list. J. Braley advises that there are a number of items that need to be repaired or replaced. Town Board Member Geel feels that the Town Board needs to formulate a plan for the entire playground area. B. Geel agrees that the Town Board needs to take care of the small stuff-namely the shed, dugouts, sandbox cover, etc., but again feels strongly that they need to look at the big picture as well. Discussed time-sensitive needs for this area. Town Board Member Verenazi feels that the Town Board should authorize the purchase of appropriate playgroup equipment instead of trying to build something. This equipment is made for children, and lasts longer.

Town Resident R. Nesbitt goes over his list of repairs to be completed June 25. The Town Board discussed repairs to be made. Outcome of the discussion was for the short term-repair what is there and spruce it up; for the long term-come up with a plan to be put in place for the entire area. Discussed drainage issues and possible solutions. Town Board Members Geel and Bernstein would like to use the donated Kelly money for the repairs and purchase of replacement equipment. Town Board Member Pinto is also in favor of putting together a formalized plan of action for the entire area and not to piece meal this. P. Bernstein agrees.

Supervisor Braley noted that this could be discussed at the June 17, 2010 Town Board workshop, along with some zoning issues. Member Geel would like to make a decision on what repairs need to be done, what equipment needs to be purchased, and what the Town Board will authorize in spending for the workday.

Town Board consensus is to allow Supervisor Braley to get together with D. Oleynek and choose which playground equipment to buy and purchase that this week.

A motion by B. Geel and seconded by P. Bernstein to spend up to \$3500.00 on repairs to the play ground and baseball field as outlined by R. Nesbitt.

J. Braley: yes

P. Bernstein: yes

C. Pinto: yes

B. Geel: yes

M. Verenazi: yes

Motion unanimously carried.

R. Nesbitt also requested a dumpster for garbage for the ball field since the small garbage cans currently being used fill up quickly and are only emptied once a week. Discuss cost and who to use. Supervisor Braley will arrange for County Waste to place their smallest dumpster up at the park. .

Public Comments

Judith Choate-Questioned if the ownership of the Bryarcliffe roads has been shifted to the Town yet. Supervisor Braley advised that he has chatted with Tal Rappleyea, County Attorney in charge of this, who is also our Town attorney. A title search is currently being done, the County will then foreclose on the roads from the current owner, the back taxes will be written off, and then these roads will be turned over to the Town. The Town Board will discuss this further with Attorney Rappleyea at the scheduled Town Board workshop on June 17, 2010.

Chuck Weinlein questioned which Township the County bridge on Dugway Road is in. Supervisor Braley advised that it is in the Town of Hillsdale, but through an agreement between the Town of Austerlitz' and Town of Hillsdale's Highway Departments, the Town of Austerlitz plows this area. A brief history of these two bridges, the County's decision to repair/replace them, and why they have yet to be fixed was discussed.

Discussed the culvert replacement on Big Woods Road; namely concrete vs steel and the cost involved.

#### Adjournment

A motion to adjourn was made by M. Verenazi and seconded by C. Pinto.

J. Braley: yes

P. Bernstein: yes

C. Pinto: yes

B. Geel: yes

M. Verenazi: yes

Motion unanimously carried. Meeting adjourned at 8:32 p.m.

Respectfully Submitted,  
Susan A. Haag, Town Clerk