

Town of Austerlitz
Regular Town Board Meeting
March 11, 2010

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

Moment of Silence in memory of Emily Eckstrom and Robert Mitchell

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 February 11, 2010 Regular Town Board Meeting minutes was made by P. Bernstein and seconded by B. Geel.

J. Braley: yes

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 #84-113 in the amount of \$7557.20, and Highway Fund #39-62 in the amount of \$18702.14, 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.

Reports

Monthly cash disbursements for the month of February 2010 were presented. Supervisor Braley reported that the Town is on budget.

Supervisor Braley advised that Property Clerk, Mary Davis, has worked on the new website and gotten all the bugs out. The Town is working on adding more forms and sections that would be helpful for the public. Supervisor Braley is working on a newsletter. This will first appear on the website, then a mailing for those who want it. Census 2010 is on. Census workers are out in the Town collecting data and handing out forms. Supervisor Braley urges residents to cooperate because County, State and Federal aid depends on numbers.

Supervisor Braley further noted that Gerald and Phyllis Batti lost their appeal in the Bryarcliffe suit. This case can be further appealed should the plaintiffs decide to do so. The Comprehensive Plan Oversight Committee asked the Town to do a water survey to find aquifers, understand the types of water

throughout the Town, etc. Supervisor Braley has been asking residents when they come into the Town Hall and the survey is also on our website.

Supervisor Braley explained the Shared Services Contract between the Towns of Austerlitz, Canaan and Hillsdale for Code Enforcement services. Our current Code Enforcement Officer, Glenn Smith, who is also employed in Hillsdale, has just been hired by the Town of Canaan. G. Smith will head up this new joint unit with the main office being in the Town of Austerlitz. G. Smith will have office hours in each township and the Town of Austerlitz will only loose him on Wednesday mornings. The Towns of Austerlitz and Hillsdale currently have a combined assessment agreement. Discussed particulars on how this will work. Supervisor Braley noted that all three towns should save money and the Town of Austerlitz might even make some. This will be a renewable contract.

On the County level, Supervisor Braley noted that due to new laws passed to tighten things up, the County is looking to hire new auditors and a new comptroller. County is in good shape money wise.

Town Clerk Report for the month of February 2010 submitted.

Tax Collector Report for the month of February 2010 submitted.

Highway Superintendent Meehan reported that this past month was a rough one. The last snow storm hit hard and the snow was heavy. It beat up the roads because they weren't frozen. Blacktop roads road were also torn up somewhat noting that Rigor Hill has a bad spot. The Highway crew is working on equipment now, general maintenance, and opening culverts making sure the ice is out of them. Highway Superintendent Meehan also noted that the grader is getting old and tired and he is looking for a good used one to purchase. R. Meehan has started asking big trucks to stay off the dirt roads until the water is out and the road dry up.

Planning Board Report for the month of February 2010 submitted.

Comprehensive Plan Oversight Committee Report for the month of February 2010 submitted. Supervisor Braley reports that Attorney for the Town, Tal Rappleyea, has looked at the Comprehensive Plan and it is in good shape. Goals should be updated and possibly a section on wind turbines. Attorney Rappleyea has also reviewed the zoning law. Some of the sections should be looked at; mining, storage sheds and ridgeline protection. The penalty provisions really need to be changed. Jail time needs to be taken out because this would cause many problems. Town Board Member Pinto has some issues with a couple areas in the zoning document that she would like to see addressed as well.

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

Justice Roberts Court Report for the months of January and February 2010 submitted.

Justice Lagonia Court Report for the months of January and February 2010 submitted.

A motion to accept the above reports 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.

Correspondence

None

Unfinished Business

Outdoor Wood Boiler Law: Last month's workshop was cancelled due to weather.

A workshop to rework this law is set for March 25, 2010 at 7:00 p.m. at the Town Hall.

Code Revitalization Services Proposal: Supervisor Braley notes that this proposal has been discussed with Attorney Rappleyea. Codifying proposal discussed. Town Board Member Bernstein is in favor of starting this process. It is a necessary evil. Supervisor Braley will put this on a list for the attorney to discuss with the Town Board when he attends the March 25, 2010 workshop.

John Pindt: Welcomes new members of the Board and advises that he has come to the new Town Board to discuss his issues with the Otto Maier racetrack. According to J. Pindt, O. Maier has many surprises for this summer. Discussed the court case that the Town of Austerlitz lost. O. Maier has not stopped using this property for racing purposes and J. Pindt has pictures new 6 new jumping mounds. J. Pindt notes that he believes there are numerous other violations on the property: built a deck without a building permit, 'new' trailer hooked up to water and septic without permit, 4 unlicensed vehicles on property. Discussed other violations that have happened over time including harassment issues. Town Board Member Bernstein advised J. Pindt that he needed to discuss the harassment and trespassing issues with the police.

Robert Hoyt: Advises that his farm stand is blocked by a trailer placed in front of it by O. Maier. Cars traveling the parkway and stopping at the dinner cannot see his business. O. Maier originally put up a fence to block this stand which was later taken down.

Supervisor Braley will talk to Code Enforcement Officer Glenn Smith about this and will get back to J. Pindt. Town Board discussed the history of the situation.

New Business

The Town received 2 applications for minute taker; one from Leslie Coons and one from Fran Heaney. The Town Board discussed each applicant's credentials.

A motion to hire Leslie Coons to take minutes for the Planning Board and the Zoning Board of Appeals for \$50.00 a meeting 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.

Public Comments

None

Executive Session

A motion to enter executive session to discuss negotiations of the Austerlitz Fire House Land Purchase was made by B. Geel and seconded by M. Verenazi. Executive session entered at 7:55 p.m.

J. Braley: yes

P. Bernstein: yes

C. Pinto: yes

B. Geel: yes

M. Verenazi: yes

Motion unanimously carried.

David Savage, representing the Austerlitz Fire Company, also present.

A motion to exit executive session was made by P. Bernstein and seconded by M. Verenazi. Executive session exited at 8:18 p.m.

J. Braley: yes

P. Bernstein: yes

C. Pinto: yes

B. Geel: yes

M. Verenazi: yes

Motion unanimously carried.

A motion to authorized Attorney Baker to make a demand to S. Stollman to sign the contract with the Town of Austerlitz concerning the purchase of land in Austerlitz no later than 12:00 p.m., Friday, March 19, 2010. If contract is not signed by this time and date, said contract is null and void. Motion was made by C. Pinto and seconded by B. Geel.

J. Braley: yes

P. Bernstein: yes

C. Pinto: yes

B. Geel: yes

M. Verenazi: yes

Motion unanimously carried.

Adjournment

A motion to adjourn was made by P. Bernstein and seconded by C. Pinto.

J. Braley: yes

Bernstein: yes

C. Pinto: yes

B. Geel: yes

M. Verenazi: yes

Motion unanimously carried. Meeting adjourned at 8:25 p.m.

Respectfully Submitted,
Susan A. Haag, Town Clerk