

Town Of Austerlitz
Regular Town Board Meeting
August 18, 2022

Present: Robert Lagonia, Supervisor, Greg Vogler, Jere Wrightsman, Maureen Wilson and Christopher Schober, Town Board Members and Peter Fitzpatrick, Highway Superintendent

Town Clerk Susan Haag absent due to COVID.

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

Moment of Silence, followed by the Pledge of Allegiance.

Minutes

A motion to accept the July 14, 2022 Regular Meeting minutes was made by C. Schober and seconded by J. Wrightsman.

R. Lagonia: yes

G. Vogler: yes

C. Schober : yes

M. Wilson: yes

J. Wrightsman: yes

Motion carried 5:0.

Auditing of Accounts and Claims

A motion to authorize payment of the July General Fund, #267-303, in the amount of \$26196.95 and Highway Fund, #120-140 in the amount of \$31446.05 was made by J. Wrightsman and seconded by C. Schober.

R. Lagonia: yes

G. Vogler: yes

C. Schober : yes

M. Wilson: yes

J. Wrightsman: yes

Motion carried 5:0.

Congratulations to Robert Meehan

The Town Board presented retired Highway Superintendent Robert Meehan with a plaque for 25 years of service to the Town of Austerlitz. Each Town Board Member personally thanked R. Meehan.

Reports

Monthly Cash Disbursement and Supervisor Report

Monthly Cash Disbursement Report for the Month of July 2022 submitted. Supervisor Lagonia advised there is roughly \$2.464 million in the bank.

Town Board agreed it is time to take down the Bi-centennial signs. The air conditioning downstairs of the Town Hall is fixed. Supervisor Lagonia has a meeting with the Town Engineer tomorrow.

On a County level, the County needs a new bureau director and budgeting is underway. Police reform is still being worked on.

Highway Report

Highway Superintendent Fitzpatrick submitted the following report:
Someone turned up the Heat!!

This year's Historical Markers have been completed; they look good!

We have had a few Thunderstorms add some extra work to our list from downed trees and washouts. Most of which have been cleaned up at this point but still a few stragglers that are out of the way.

We had prepped for the pavement patches on Schoolhouse and Harrington culvert projects, But the paving was delayed due to storm cleanup and then a broken-down paver. Once complete we can schedule the Guardrails for Harrington.

Tended to several washed shoulders on Harrington and Partridge, as well as spot graded some of the worse hills and areas in town.

Applied Calcium for dust control in several areas. Having our own water truck makes a noticeable difference in the grading and calcium process.

Roadside grass mowing is in full swing.

Received a salt order and have the Sand Barn almost full.

Received a pipe order we have been waiting for, as well as, millings off the parkway, recycling this material into our roadbeds greatly increases their durability.

Fern Hill received a large volume of material in order to reestablish the crown and lessen the mud and potholes!!

In the next month we expect to receive the new "little truck" it is currently being outfitted.

We have several problem culverts (partially collapsed) we will be replacing on Reed, Pratt, and East hill.

Will be applying material to parts of Mallory and East Hill soon.

There will be more dust control as well, it's been quite dry this summer!!

End of report.

Highway Superintendent Fitzpatrick put 2 pieces of highway equipment up for auction through Auctions International. The bidding went well and Superintendent Fitzpatrick asked the Town Board to accept the following bids:

1983 Chevy C7D042 Utility Truck: Highest Bid-\$3100.00

1986 John Deere 595 Bucket Excavator: Highest Bid-\$26200.00

A motion to accept the \$3100.00 bid for the 1983 Chevy C7D042 Utility Truck and the \$26200.00 bid for the 1986 John Deere 595 Bucket Excavator, both through Auctions International was made by M. Wilson and seconded by C. Schober.

R. Lagonia: yes

G. Vogler: yes

C. Schober: yes

M. Wilson: yes

J. Wrightsman: yes

Motion carried 5:0.

Town Clerk Report for the month of July 2022 submitted.

Planning Board Report for the month of August 2022 submitted.

No Comprehensive Plan Oversight Committee Report for the month of July 2022 submitted.

Building Inspector/Code Enforcement Report for the month of July 2022 submitted.

Justice Cassuto Justice Court Report for the month of July 2022 submitted.

Justice Grubin Justice Court Report for the month of July 2022 submitted.

Dog Control Report for the month of July 2022 submitted.

No Climate Smart Report for the month of July 2022 submitted.

A motion to accept the above reports was made by G. Vogler and seconded by C. Schober.

R. Lagonia: yes

G. Vogler: yes

C. Schober: yes

M. Wilson: yes

J. Wrightsman: yes

Motion carried 5:0.

Correspondence

Resignation Letter: Jane Magee resigned from the Planning Board. The Town Board thanks J. Magee for her service and accepted her resignation.

Unfinished Business

Dugway Road Culvert Replacement Project Bid Packet

This bid packet will hopefully go out when Attorney Catalano is back from vacation.

Broadband

Money to fully fund and complete the broadband project has been obtained. The Town will use its ARPA funding along with a donation that was obtained. This will provide broadband for 199 households within the Town of Austerlitz.

Resolution #43 - 2022, Authorization for Contract Broadband Projects

A motion to adopt Resolution #43-2022. Authorization for Contract Broadband Projects was made by J. Wrightsman and seconded by M. Wilson.

R. Lagonia: yes

G. Vogler: yes

C. Schober: yes

M. Wilson: yes

J. Wrightsman: yes

Motion carried 5:0.

WHEREAS, the Supervisor and Town Board has been working for years with nearby towns to bring broadband facilities to underserved portions of Columbia County (hereinafter referred to as the “Broadband Project”); and

WHEREAS, this process has included grant applications, inter-municipal memorandum of understanding and public bidding; and

WHEREAS, the grant funding has not come to fruition so the Town of Ghent and Town of Austerlitz have proceeded together in negotiating with the only bidders, Consolidated and Mid-Hudson who are also the only providers for the affected areas so that no further bidding is required; and

WHEREAS, the Town Board intends to utilize ARPA funds for the project as they remain unallocated and this is a much-needed public service for many Town residents; and

WHEREAS, pursuant to the efforts of the Town Supervisor in reducing the Broadband Project cost by direct negotiations with the providers, Consolidated and Mid-Hudson, the Project cost has been reduced to an acceptable amount that is affordable to the Town of Austerlitz by using the ARPA funds it has received from the federal government;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Town Board hereby authorizes the Town Supervisor and Town Counsel to prepare, negotiate and finalize contracts for the extension of broadband service to certain areas of the Town that do not currently have broadband service.

2. The Town Board further authorizes the Town Supervisor to execute such contracts provided the contract prices do not exceed the following: \$332,100 for the Consolidated contract and \$27,000 for the Mid-Hudson contract.
3. This resolution shall take effect immediately.

New Business

2023 Budget Calendar

The general budget calendar was reviewed and noted that the 2023 budget is underway.

Generator

Supervisor Lagonia is working on getting the Town Hall a generator that will provide service to the entire building. There is possible State funding for this.

Planning Board Appointments

A motion to appoint Chris Ferrone as a Planning Board Member for a term beginning January 1, 2022 and ending December 31, 2027 and to appoint Steve Lobel as a Planning Board Member to finish the unexpired term of Jane Magee beginning August 18, 2022 and ending December 31, 2024 was made by M. Wilson and seconded by C. Schober.

R. Lagonia: yes

G. Vogler: yes

C. Schober: yes

M. Wilson: yes

J. Wrightsman: yes

Motion carried 5:0.

Climate Smart Committee Resolutions and Commitment Letter

Resolution #44-2022, Undertake A Government Operations Greenhouse Gas Inventory and Government Operations Climate Action Plan

A motion to adopt Resolution #44-2022, Undertake A Government Operations Greenhouse Gas Inventory and Government Operations Climate Action Plan was made by M. Wilson and seconded by C. Schober.

R. Lagonia: yes

G. Vogler: yes

C. Schober: yes

M. Wilson: yes

J. Wrightsman: yes

Motion carried 5:0.

WHEREAS, the Town of Austerlitz pledged to take part in the NYS DEC Climate Smart Communities Certification Program that includes the preparation of a Government Operations Greenhouse Gas Emissions Inventory Report and Government Operations Climate Action Plan; and

WHEREAS, a Government Operations Greenhouse Gas Inventory is an inventory of greenhouse gas emissions created by providing municipal services; and

WHEREAS, free technical assistance is available to support the development of the inventory and plan from the Capital District Regional Planning Commission (CDRPC) through a NYS DEC Climate Smart Communities Coordinator Services contract; and

WHEREAS, a completed inventory and plan count toward Climate Smart Communities certification, specifically;

- 1) PE2 Action: Government Operations Greenhouse Gas (GHG) Emissions Inventory; and
- 2) PE2 Action: Government Operations Climate Action Plan; and

WHEREAS, the Climate Smart Task Force, comprised of municipal officials and environmental volunteer community leaders, will collaborate with CDRPC in the development of these publications, reviewed drafts, and provide valuable feedback on iterations that result in the final draft; and

WHEREAS, the task force will provide an opportunity for public input and comment on the draft report; and

WHEREAS, the task force will present a summary of the inventory results and the draft government operations climate action plan to the Austerlitz Climate Committee for consideration of adoption;

NOW THEREFORE BE IT RESOLVED, that the Town of Austerlitz hereby undertake a Government Operations Greenhouse Emission Inventory Report and the Government Operations Climate Action Plan; and

BE IT FURTHER RESOLVED, the Municipal Board authorizes submission of these documents to the NYS DEC Office for Climate Change for consideration of points toward Climate Smart Communities certification for the Town of Austerlitz.

RESOLUTION #45-2022, DECLARING SUPPORT FOR THE NYS CLIMATE ACTION COUNCIL SCOPING PLAN

Town Board Member G. Vogler objected to the building codes resolved clause as written noting specifically the clause states that the Town Board supports the recommendation of the draft scoping document for advanced building codes and he believes it would be misleading if he were to state he knows all of the recommendations, as well as, the detailed advanced building codes. Member Vogler would have preferred something more general.

A motion to adopt Resolution #45-2022, Declaring Support For The NYS Climate Action Council Scoping Plan was made by M. Wilson and seconded by J. Wrightsman.

R. Lagonia: no

G. Vogler: no

C. Schober: yes

M. Wilson: yes

J. Wrightsman: yes

Motion carried 3:2.

WHEREAS, the Sixth Assessment of the International Panel on Climate Change (IPCC) finds that climate change is causing dangerous and widespread climate and environmental disruption affecting the health and welfare of billions of people throughout the world; and

WHEREAS, the IPCC Assessment concludes that rapid, deep and sustained reductions in global greenhouse gas emissions (GHG) must occur in this critical decade, to limit global warming to within 1.5°C and 2°C in this century; and

WHEREAS, the New York State legislature recognized the urgent need to reduce and eliminate GHG emissions in the atmosphere in passing the **2019 Climate Leadership and Community Protection Act** ("Climate Act") committing the State of New York to:

- reduce GHG emissions by 40 percent by 2030 below 1990 levels, and achieve net-zero emissions by 2050;
- meet 70 percent of electricity needs from renewable resources by 2030, and 100 percent of electricity needs from zero-emissions resources by 2040;
- ensure a just and equitable transition that leaves no one behind, and dedicate up to 40 percent of the benefits of clean energy investments to Disadvantaged Communities; and

WHEREAS, the New York State **Climate Action Council** has approved for public comment a **Draft Scoping Plan** to meet the State's climate and equity goals; and

WHEREAS, the Draft Scoping Plan calls for shifting to **energy-efficient electrification** in buildings and transportation as the primary solution to replace fossil-fuel combustion in these sectors, which together account for 60 percent of carbon emissions in the State of New York; and

WHEREAS, the Draft Scoping Plan calls for a **phase-down of emissions** from fossil fuel-fired electricity generation, while ensuring support and protections for impacted workers as they transition to clean energy jobs;

WHEREAS, the 2021 Jobs Study by the Just Transition Working Group for the NYS Climate Action Council estimates that meeting the climate goals of the State of New York will result in a **net gain of jobs** across the State of New York by 2030, alone, with a ratio of jobs gained to jobs displaced of 10 to 1; and

WHEREAS, the Draft Scoping Plan includes measures that would expand the development of renewable resources and battery storage, encourage "agrivoltaics," or the co-location of

agricultural activities with solar and wind, and provide resources to communities to assist with **renewable siting and land-use planning**; and

WHEREAS, the Draft Scoping Plan recognizes the critical role that rural landscapes play, both natural and working lands, in sequestering carbon emissions and enabling the State of New York to achieve net-zero emissions, and the importance of agricultural land preservation, open space protection, support for farmers to improve soil health, and policies that expand afforestation and reforestation and incentivize and assist private landowners in implementing sustainable forest management practices; and

WHEREAS, the Integration Analysis for the Scoping Plan finds that meeting emissions reduction goals of the Climate Act is technically feasible and will have the additional and significant benefit of **improving public health** by eliminating co-pollutants from fossil fuel combustion, resulting in an estimated \$50 to \$120 billion in health-related savings by 2050; and

WHEREAS, according to NYSERDA, over half of what New Yorkers currently spend on energy leaves the State of New York, mostly to purchase fossil fuels and our communities would be better served by keeping energy spending primarily within the **local economy**;

BE IT THEREFORE RESOLVED, the Town of Austerlitz affirms the critical **importance of meeting the emissions and equity goals** of the Climate Act, which will help mitigate dangerous warming while delivering the additional benefits of improving public health, economic opportunities, agricultural land and open space protection, and quality of life for the people of the Town of Austerlitz; and,

BE IT FURTHER RESOLVED, the Town of Austerlitz declares its support for **prohibiting an expansion of fossil fuel infrastructure**, which contradicts the goals of the Climate Act, and for transitioning to efficient electricity-based solutions for buildings and transportation; and

BE IT FURTHER RESOLVED, the Town of Austerlitz supports the recommendations of the Draft Scoping Plan for **advanced building codes** that will improve the energy efficiency of new buildings, creating healthier living and work environments while reducing monthly energy costs; and

BE IT FURTHER RESOLVED, the Town of Austerlitz calls on the Climate Action Council to include in the Scoping Plan incentives and financing assistance to **help owners of existing buildings** improve energy efficiency and transition to zero-emissions equipment, ensuring cost parity with fossil systems; and, be it further

BE IT FURTHER RESOLVED, the Town Clerk shall forward copies of this resolution to the Commissioner of the NYS Department of Environmental Conservation, President of NYSERDA, Chair of the NYS Public Service Commission, the NYS Climate Action Council, and Members of the State Senate and Assembly representing the Town of Austerlitz.

NYSERDA Grant Commitment Letter

A motion to approve a NYSERDA Grant Commitment letter was made by J. Wrightsman and seconded by R. Lagonia

R. Lagonia: yes

G. Vogler: yes

C. Schober: yes

M. Wilson: yes

J. Wrightsman: yes

Motion carried 5:0.

Public Comment

None

Executive Session

A motion to enter into Executive Session to discuss contract negotiations and discuss salaries was made by G. Vogler and seconded by R. Lagonia.

R. Lagonia: yes

G. Vogler: yes

C. Schober: yes

M. Wilson: yes

J. Wrightsman: yes

Motion carried 5:0.

A motion to exit Executive Session was made by G. Vogler and seconded by J. Wrightsman.

R. Lagonia: yes

G. Vogler: yes

C. Schober: yes

M. Wilson: yes

J. Wrightsman: yes

Motion carried 5:0.

Adjournment

A motion to adjourn was made by G. Vogler and seconded by M. Wilson.

R. Lagonia: yes

G. Vogler: yes

C. Schober: yes

M. Wilson: yes

J. Wrightsman: yes

Motion carried 5:0.

Meeting adjourned 8:15 p.m.

Respectfully Submitted,
Greg Vogler, Town Board Member