

**REGULAR MEETING  
OF THE TOWN BOARD  
OF THE TOWN OF WESTERLO  
TUESDAY  
JANUARY 3, 2012**

The Town of Westerlo Town Board met on the 3<sup>rd</sup> day of January, 2012 in the Westerlo Town Hall at 933 County Route 401 in Westerlo. The meeting was opened by Supervisor Rapp at 7:48 PM with the following present:

PRESENT WERE:           Supervisor Richard H. Rapp  
                                  Councilman Edward A. Rash  
                                  Councilman R. Gregory Zeh, Jr.  
                                  Councilman Alfred L. Field  
                                  Councilman Anthony W. Sherman

Also present were Town Clerk Kathleen J. Spinnato, Zoning Administrator/Code Enforcement Officer Edwin H. Lawson and several Town officials and employees and approximately thirty residents.

The minutes of December 2011 were not acted upon for approval.

Supervisor Rapp asked for a motion to adopt the following resolution, Councilman Zeh made the motion

WHEREAS: The Town needs to borrow money for expenses until property taxes are collected and paid, be it hereby  
RESOLVED: that Supervisor Rapp be authorized to borrow \$40,000.00 Tax Anticipation Note from the National Bank of Coxsackie at .45% per annum payable at maturity.

Councilman Field seconded the motion and a roll call vote resulted as follows:

AYES:           Supervisor Rapp  
                          Councilman Rash  
                          Councilman Zeh  
                          Councilman Field  
                          Councilman Sherman

NAYS:          None.

**RESOLUTION # 1-2012 was thereby duly adopted.**

Supervisor Rapp reintroduced the topic of a Code of Ethics. All previous and newly elected Town Board members had received a copy of the Code of Ethics. Councilman Zeh explained that the prior Town Board had previously done the work to define what the Code of Ethics updates

should be. There was an adoption to create a Board of Ethics but no action had been taken to adopt the Code of Ethics. Changes were made, a date was added to indicate when it is put into effect and the dollar amount for gifts was revised to \$25.00.

Supervisor Rapp made a motion to adopt the following resolution:

WHEREAS: the Town needs a Code of Ethics,  
be it,

RESOLVED: that a revised Code of Ethics be adopted by  
the Town of Westerlo

Councilman Zeh seconded the motion and a roll-call vote resulted as follows:

AYES: Supervisor Rapp  
Councilman Zeh  
Councilman Rash  
Councilman Field  
Councilman Sherman

NAYS: None.

**RESOLUTION #2-2012 was thereby duly adopted.**

Next month plan to review a Board of Ethics.

Supervisor Rapp introduced Edwin H. Lawson. Mr. Lawson spoke about information he gathered from various sources on high-volume hydraulic fracturing (HVHF) or Hydrofracking. He provided the information to the Town Board and anyone interested in the audience. Sources included articles from the Association of Towns Talk of the Towns Nov/Dec 2011 issue by Paul Granger & Sandra Fallon. By January 11<sup>th</sup> NYSDEC will have to draft an Environmental Impact Statement. He advised the Board of things that should be considered, water resources and the affect it may have on them. A typical well site is 4-6 acres, and the well drill rig is up to 75 ft high, they use a tremendous amount of water and tremendous amount of heavy truck traffic. Another consideration is the chemicals used to do the hydrofracking with high pressure water are proprietary chemicals, you do not know the name of these chemicals. Consider if the clean up of a spill should occur you don't know what you are dealing with. Another consideration is the town's resources as far as emergency services for the potential influx of people to support a well drilling operation, roads, housing. Consider the impact to other communities, the drilling goes first down then horizontally. Be aware of other communities surrounding us. The Altamont Enterprise had a recent article on the Town of Rensselaerville having a Moritorium on the drilling operations, they have formed a committee, and have a schedule of when the meetings are occurring. This

is just for your information and you may want to consider what is happening in the area.

Councilman Zeh suggested that they form a committee comprised of a member from each of our different boards to keep each Board educated on the subject of Hydrofracking. A moratorium on hydrofracking along with outreach and communication with neighboring municipalities to work as a group and to inform the county of our concerns was also suggested. A brief discussion on the topic ensued.

Councilman Zeh made a motion to adopt the following resolution:

WHEREAS: the Town Board has concerns on  
hydrofracking and would like to form a Committee  
RESOLVED: to create a Committee comprised of  
membership from any of the Town of Westerlo Boards:  
Planning, Zoning, Town Board along with Building  
Department with at least one member from each Board or  
Department

Councilman Rash seconded the motion and a roll-call vote resulted as follows:

AYES: Supervisor Rapp  
Councilman Zeh  
Councilman Rash  
Councilman Sherman  
Councilman Field

NAYS: None.

**RESOLUTION # 3- 2012 was thereby duly adopted.**

Councilman Field volunteered as a member of the Town Board to be on the newly formed Committee.

Supervisor Rapp reported that Tax Collector, Kathleen J. Spinnato has requested petty cash in the amount of \$200.00. Councilman Field made a motion to adopt the following resolution:

WHEREAS: the Tax Collector needs petty cash in the amount  
of \$200.00 be it hereby  
RESOLVED: that the Tax Collector receive \$200 petty cash for  
the purpose of making change during the 2012 property  
tax collection period.

Councilman Zeh seconded the motion a roll call vote resulted as follows:

AYES: Supervisor Rapp  
Councilman Field  
Councilman Zeh  
Councilman Rash

Councilman Sherman

NAYS: None.

**RESOLUTION #4-2012 was thereby duly adopted.**

Supervisor Rapp announced that on Jan. 28, 2012 between 10AM-12PM at the Greenville Central High School they want to talk with the municipal leaders on the subject of school taxes. If anyone is interested in going please attend.

Councilman Zeh said Supervisor Rapp had reported in December that they had received the Grant funding for 933 County Route 401 (the former school building). Councilman Zeh asked if all the financing for the building has been paid. Supervisor Rapp replied not yet. Councilman Zeh wanted to know how much is outstanding at this point. Supervisor Rapp replied that \$100,000.00 had been received and paid. Still waiting on \$45,000.00, the bill has been submitted and the remaining \$80,000.00 will be invoiced for miscellaneous repairs needed to the building. Councilman Zeh asked if the Town Board members could be given a schedule of outstanding financing at the next Town Board meeting so they can keep track of it. Supervisor Rapp responded sure.

Supervisor Rapp turned the meeting over to the public.

Leonard Laub asked if the information that Councilman Zeh read at the organizational meeting would be available to the public. Councilman Zeh replied it will be available next month with the minutes the only part that might not be included is the investment policy and the procurement policy but we can give you a copy.

Maureen Sikule asked if the minutes will be posted on the website. Councilman Zeh replied that they had already talked about that. He said that he thought the Town Board had agreed once they had been approved they would be posted on the website but not until then.

Leonard Laub asked if it was a surprise that the Town had to borrow money (tax anticipation note) to make payroll. Supervisor Rapp replied no. Councilman Zeh responded thus far only one person had paid their 2012 property tax bill, Supervisor Rapp.

Dawn Belarge asked why the Westerlo Library workers had received raises when no other employees of the town were given a raise. Councilman Zeh replied that is why he voted NAY on the matter and asked the question. He was told that the Westerlo Library sets their own wages independent of the Town Board, and they have a separate charter.

Ned Stevens asked what amount are the Planning Board members currently being paid and what amount is the Town Board currently being paid. Councilman Zeh responded \$1250 for Planning and if he calculated

correctly \$3625 for Town Board, it should be half as much as it was in the year 2011.

There being no further business Councilman Zeh made a motion to adjourn the meeting, seconded by Councilman Field and motion carried, unanimously in favor. The meeting adjourned at 8:15 PM.

Respectfully Submitted,

Kathleen J. Spinnato  
Town Clerk