

**WESTERLO TOWN BOARD
PUBLIC HEARING
PROPOSED LOCAL LAW NO. 2 OF 2013
&
SPECIAL TOWN BOARD MEETING
&
TOWN BOARD WORKSHOP
OF
TUESDAY, SEPTEMBER 17, 2013**

The Westerlo Town Board held a **Public Hearing** on Tuesday Sept. 17, 2013 at the Westerlo Town Hall, 933 County Route 401 Westerlo regarding proposed Local Law No. 2 of 2013 an amendment to Local Law No. 1 of 2005 as amended in 2009 entitled Town of Westerlo Water Use Law. The Public Hearing was advertised and posted on the Town website and a draft of the proposed Local Law No.2 of 2013 was available on the Town website, in the Town Clerk's office, and at the hearing for Public review. Supervisor Rapp opened the Public Hearing at 7:00 PM with the Pledge of Allegiance to the Flag.

Present were: Supervisor Richard H. Rapp
Councilman Alfred L. Field
Councilman William F. Bichteman Jr.
Councilman Theodore S. Lounsbury III
Councilman Anthony W. Sherman

Also attending were: Deputy Supervisor Edwin H. Lawson, Town Clerk Kathleen J. Spinnato, and three residents.

Supervisor Rapp asked the Board members for their opinions on the draft of Local Law No. 2 of 2013. Councilman Bichteman suggested:

1. Remove the letter A in the WAB throughout the draft which stood for Water Advisory Board, it should read Water Board (WB).
2. Paragraph 1, # 1. Creation of advisory board. That should read 1. Creation of oversight board.

Councilman Sherman suggested:

1. Paragraph 3, item number 3. Duties of the advisory board. Revising to read: 3. Duties of the Water Board.

It was suggested by resident Leonard Laub to then revise Paragraph 1, #1. to read: Creation of Water Board, not Creation of oversight board as suggested previously by Councilman Bichteman.

Councilman Bichteman also suggested removing: Paragraph 1, the 5th line, which currently reads: 1. A new Section 804 – Water, should be revised to read: Section 804- Water Board, shall be added, to read as follows:

Councilman Field asked about the staggering of Water Board members. Councilman Bichteman responded he had no objection. Councilman Bichteman reported Attorney Galgay had advised on that matter. She advised three years is a long time, if they all run consecutively there shouldn't be a problem.

Resident Anita Marrone asked if Councilman Bichteman serving on the Water Board would be a conflict of interest. Councilman Bichteman and Supervisor Rapp responded saying they felt there would be none.

There being no further comments or questions from either the Public or the Town Board members Councilman Sherman made a motion to close the Public Hearing. Councilman Bichteman seconded the motion and carried all in favor. The Public Hearing closed at 7:10 PM.

Supervisor Rapp asked for a motion to open the **Special Town Board** portion of the meeting.

Councilman Sherman made the motion to open, seconded by Councilman Bichteman and carried all in favor.

Councilman Sherman then made a motion to adopt the following resolution:

WHEREAS: the Town Board has held a Public Hearing regarding proposed Local Law No. 2 of 2013 an amendment to Local Law No. 1 of 2005 entitled Town of Westerlo Water Use Law, as amended in 2009, be it hereby

RESOLVED: the Town Board adopts Local Law No. 2 of 2013 to include revisions made as suggested at the Town Board Public Hearing of September 17th, 2013.

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

AYES: Supervisor Rapp, Councilman Sherman, Councilman Bichteman,
Councilman Field, and Councilman Lounsbury.

NAYS: None.

Councilman Bichteman will forward the revisions made by the Town Board to Local Law No. 2 of 2013 to Town Attorney Aline Galgay.

RESOLUTION # 59 – 2013 was thereby duly adopted.

There being no other business for the Special Town Board meeting Councilman Sherman made a motion to close the Special Town Board meeting, seconded by Councilman Lounsbury and carried all in favor. The Special Town Board meeting closed at 7:12 PM.

Supervisor Rapp then opened the **Westerlo Town Board Workshop** portion of the meeting at 7:12 PM.

The purpose of the workshop was to continue the review and discuss potential revisions of the Town of Westerlo Employee Handbook adopted June 3, 1997.

The Town Board discussed and reviewed the following:

- Page 46: Councilman Bichteman advised he added a paragraph as previously discussed regarding employee contributions and current contribution plan, he asked the board to please review the sections of this page. He took the liberty of changing some words, anything with a line through it and highlighted in red has been removed. He removed the topic Premium Payment and added Full Time Elected Officials for the topic. He also removed the words “members of the Town Board and”, he left in the Town Attorney. Originally it was suggested to add the Town Clerk in this sentence but, he advised it falls under the Full Time Elected Officials portion.
- Councilman Bichteman advised Premium Payment of employees who work less than 20 hours was removed, now states Full Time Employees. The Town will pay full premiums of individuals hired prior to 1997. Need to change part pertaining to those hired post 1997 are different than other individuals. Full Time Employees was previously discussed at a prior workshop and was revised from 20 hrs to 32 hours.
- Page 8 – Medical Plan Sections 201 & Section 202 need to revise: Full Time employees changed from 30 hrs. to a minimum of 32 hours in both places for consistency.
- Page 46 - Employee Contributions: Discussion by Town Board members regarding:
 - Town premium rate percentage.
 - Employee contributions and a fair percentage rate to charge for single vs. family coverage.
 - The possibility of a flat fee or a stipend for persons eligible for health insurance coverage through a spouse’s employer. Include a stipulation requiring proof of insurance coverage by Feb. 1st, employees hired after Jan. 1, 2013 will pay a percentage of cost for health insurance premium.

No percentage rate or stipend amount was determined by the Town Board.

- Need to verify that NYS work week for Full Time employees is now 32 hours.
- Page 50 - Section 812, Medical Insurance Coverage: The Town Board discussed the language pertaining retired employees in particular the words: the Town make insurance available vs. the Town provide insurance. No change was made.
- Page 50 - Section 812, First paragraph include the Superintendent of Highways and the Town Clerk who retires from the Town. Also change Eligibility from 10 yrs. service to 15 years service with the Town.
- Page 51 - Section 813
 - Remove all three paragraphs pertaining to Coverage, Plan & Premium, not necessary.
 - Leave in the reporting of injury
 - Use of sick leave credits. The Town Board questioned if this was correct - need to check with Town Attorney.
- Page 52 – Section 814, Disability Insurance:
 - Remove the paragraphs pertaining to Coverage, Plan, and Premium Payment
 - Part Time, Temporary, Seasonal or Supplementary employees - not sure if they qualify for disability insurance.
 - Report injury – OK.
 - Use of Sick Leave – Need to check on this.
 - Add reference sentences: The Town will provide Disability Insurance Coverage. The Town will provide Workers Compensation.
- Section 815 Unemployment Insurance – OK.
- Section 816 Social Security: - OK.
- Page 53 – Section 817, NYS Local Employees Retirement System:
 - Update for more current Tier levels.
 - Deputy Supervisor E. Lawson advised the employee hours as previously discussed are addressed in this section. The hours can be set by the Town Board.
- Page 54 – Section 818, Education Assistance Policy:
 - Discussion followed. It is preapproved by the employee dept head. OK.
- Section – 819, Clothing Allowance – Park maintenance man, change to Park maintenance person. Change work boots to read: steel toe workboots. Leave in: 1 pair steel toe workboots per year @ \$70.00.
- Pages 55 -Section 900 Compliance Policies, Section 901 Policy Statement & Section 902 Equal Employment Opportunity: OK.
- Page 56-Section 903, Fair Treatment Policy: OK.
- Discussion followed pertaining to Section 900. It was agreed that Councilman Bichteman draft a blend of the two versions of the Employee Handbook to revise all of Section 900. The Town Board will review the draft revision at a later date.

Councilman Bichteman made a motion to adjourn the workshop meeting, seconded by Councilman Sherman and carried all in favor. The Town Board Workshop meeting adjourned at 8:31 PM.

Respectfully Submitted,

Kathleen Spinnato

