

**TOWN OF WESTERLO
SPECIAL TOWN BOARD
RE: NATURAL RESOURCES CONSERVATION SERVICES AGREEMENT
OF
TUESDAY JANUARY 14, 2014**

The Town of Westerlo Town Board held a Special Town Board meeting on Tuesday, January 14, 2014. Supervisor Rapp opened the meeting with the Pledge of Allegiance to the Flag at 7:30 PM in the Westerlo Town Hall located at 933 County Route 401, Westerlo. The meeting was posted on the sign board and posted on the Town of Westerlo website. The purpose of the meeting was to authorize Town of Westerlo Supervisor Richard H. Rapp to enter into a federal contract with Natural Resources Conservation Services (NRCS) for an Emergency Watershed Protection Program project on State Route 143 in the hamlet of Westerlo.

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

Also present were Town Attorney Aline D. Galgay, Deputy Supervisor/Zoning Administrator Edwin H. Lawson, Town Clerk Kathleen Spinnato and seven interested residents.

Attorney Galgay reported on the package she had prepared for the Notice of Agreement and the Cooperation Agreement between the Town of Westerlo and the two funding agencies NRCS and the Albany County Soil & Conservation District for the project. There is an attorney letter for the Acquisition of Land Rights and the request for an Extension due to the time limit which would be exceeded. This project is federally sponsored it requires that a Town Board meeting be held to authorize the Supervisor to enter the contract. She advised the project is to stabilize the creek bank/bed because there is a fear that further erosion could compromise the Albany County bridge on County Route 1. The Town of Westerlo is a municipality that would be the sponsor of the project. The Town of Westerlo is not responsible for any funding of the project. The project is federally funded 75% through NRCS a part of the USDA, and 25% through an Emergency Watershed Protection Grant received by the Albany County Soil & Water Conservation District.

The public asked questions regarding the land acquisition rights, flood plain, who would do the construction, engineering, warranty, inspections, if any other flood prone areas qualify for the project, etc. which were answered by the Town Attorney, Councilman Bichteman and Edwin H. Lawson. It was reported the Town of Westerlo would not be involved in the work, engineering, or inspections of the project. A resident raised the concern about a huge tree left in the creek after the hurricane that could wash down and cause damage to a bridge. Discussion followed.

There being no further comment Supervisor Rapp asked for a motion to authorize the agreement. Councilman Bichteman made a motion to adopt the following resolution:

WHEREAS: the Town of Westerlo Supervisor Richard H. Rapp requires authorization of the Town of Westerlo to enter into an agreement with Natural Resources Conservation Services (NRCS), be it hereby

RESOLVED: The Town of Westerlo Supervisor is authorized to enter into an agreement with NRCS.

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

AYES: Supervisor Rapp, Councilman Bichteman and Councilman Sherman.

NAYS: None.

RESOLUTION # 4 -2014 was thereby duly adopted.

There being no further business, Supervisor Rapp adjourned the meeting at 7:59 PM.

Respectfully Submitted,

Kathleen Spinnato