

**TOWN OF WESTERLO
TOWN BOARD MEETING OF
TUESDAY, MARCH 4, 2014**

The Town of Westerlo Town Board met on Tue. March 4, 2014 in the Town Hall located at 933 County Route 401, Westerlo. Supervisor Rapp called the meeting to order at 7:30 PM with the Pledge of Allegiance to the Flag.

ATTENDING WERE: Supervisor Richard H. Rapp
Councilman Alfred L. Field
Councilman Theodore S. Lounsbury III
Councilman Anthony W. Sherman

ABSENT: Councilman William F. Bichteman Jr.

Also attending were: Deputy Supervisor Edwin H. Lawson, Highway Superintendent Keith Wright Sr., Justice Robert Carl, Planning Board-Chairperson Dorothy Verch, & Edwin Stevens; Zoning Board of Appeals-John Sefcik, several town employees and approximately eleven residents.

Supervisor Rapp asked for a motion to accept the January 21, 2014 Town Board Workshop meeting minutes. Councilman Sherman made the motion to accept, seconded by Councilman Lounsbury and unanimously carried.

Supervisor Rapp asked for a motion to accept the Town Board meeting minutes of February 4, 2014. The Town Clerk advised of an error on the draft minutes; the vote to accept the 2/4/2014 minutes should be NAYS: Councilman Lounsbury & **Councilman Field, not Councilman Sherman** and has been corrected on everyone's copy here tonight and in the computer. Councilman Field then made a motion to accept the 2/4/2014 Town Board minutes, seconded by Councilman Lounsbury and unanimously carried.

Supervisor Rapp asked for a motion to accept the Town Clerk's January Monthly report. Councilman Sherman made the motion to accept the Town Clerk's January Report, seconded by Councilman Field and unanimously carried.

Supervisor Rapp advised that the Supervisor's Trial Balance for January which was on the agenda, has not been reviewed by the accounting firm Pattison Koskey Howe and Bucci, once reviewed it will be made available for the Town Board members at the next regular Town Board meeting.

Supervisor Rapp explained that due to resignations, there is the need to appoint two members to the Board of Assessment Review. The four applications were received and a recommendation was made by the Assessor's Office. Clerk to the Assessor Claire Marshall explained that the Office of Real Property Tax Service needs the names of the new appointments as soon as possible. Councilman Sherman asked when the training would be held, Claire believed that the training may be held near the end of March or the beginning of April. Councilman Sherman suggested the Town Board schedule interviews for the Board of Assessment Review applicants on Monday March 10th at 7:00 pm. Councilman Sherman then made motion to adopt the following resolution:

WHEREAS: the Town Board wants to interview the applicants for the two vacancies on the Board of Assessment Review on Monday March 10, 2014 @ 7:00 PM, be it hereby

RESOLVED: the Town Board authorizes the Supervisor to appoint two members to the Board of Assessment Review after the interviews on March 10, 2014.

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

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

NAYS: None.

RESOLUTION # 12-2014 was thereby duly adopted.

Supervisor Rapp advised the Highway Materials Bids need to be advertised and then made a motion to authorize Highway Superintendent Keith Wright to advertise the bids. Councilman Field seconded the motion and unanimously carried.

Supervisor Rapp asked Deputy Supervisor/Code Enforcement Officer Ed Lawson to give an update on the roof on highway/court building. Ed reported he had spoken with the architect today. He advised hadn't had the time to review the information he had received from the architect but had copies for the Town Board he would give to them after the meeting for their review. On the original estimate from the architect there was an estimate for \$36,000 for stucco, steel siding is about \$1.00 per sq. ft. more, aluminum which is less likely to rust is an approximate increase of \$10,000. Councilman Field had also given him some additional information to review. Ed advised Councilman Field if he is looking for an extended warranty on a roof you really pay for it. It is better to just take care of it and not add the additional cost. He also has a fee schedule and will let the Town Board know.

Supervisor Rapp reported the Town Clerk would like to attend the New York State Town Clerks Assoc. Conference from April 27th through 30th in Saratoga Springs. Councilman Field made the motion for the Town Clerk to attend the Conference to receive continuing education training, seconded by Councilman Lounsbury and unanimously carried.

Supervisor Rapp reported that the Town has received four applications for a cleaning position. Councilman Sherman suggested the Town Board hold interviews for applicants for the cleaning person position on Monday, March 10, 2014 @ 7:30 PM. Councilman Field asked if the ad indicated a price for cleaning services. The Town Clerk advised that it did not because the Town Board had not given a clear indication as to the language in the ad and she advised that a Help Wanted Notice was posted on the Town website for a cleaning position. Councilman Bichteman and Field had only mentioned that the applicant provide a price for cleaning. She advised that there should be a description of what buildings, frequency, and cleaning duties and that the Town is requiring so the applicants can provide a cost for services. Councilman Lounsbury suggested a walk through for the applicants. Councilman Sherman made the motion to hold interviews for the Cleaning Position applicants on Monday, March 10th @ 7:30 PM, motion unanimously carried by those present.

Supervisor Rapp reported that the monthly bills need to be paid and made a motion to adopt the following resolution:

WHEREAS: the Town Board has audited the monthly bills, be it hereby

RESOLVED: the monthly bills be paid

Vouchers # 58 through Voucher # 112 in the amount of \$149,382.64

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

AYES: Supervisor Rapp, Councilman Field, Councilman Sherman, and

Councilman Lounsbury

NAYS: None.

RESOLUTION # 13-2014 was thereby duly adopted.

Supervisor Rapp reported that a resolution is needed to comply with the 2014 Solid Waste Management Plan for the Capital Region Solid Waste Management Partnership. Supervisor Rapp made a motion to adopt the following resolution which was read aloud by Councilman Sherman.

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WESTERLO TO:
COMPLY WITH THE SOLID WASTE MANAGEMENT PLAN FOR
THE CAPITAL REGION SOLID WASTE MANAGEMENT PARTNERSHIP**

WHEREAS, in order to promote the public health, safety and welfare and further the purposes of the New York State policy on solid waste management articulated in New York Environmental

Conservation Law § 27-0106, the Town of Westerlo is a member of the Capital Region Solid Waste Management Partnership Planning Unit ("Planning Unit"), formerly the Albany New York Solid Waste Energy Recovery System (ANSWERS) Solid Waste Management Planning Unit; and

WHEREAS, on behalf of the Planning Unit, and with the guidance of a Steering Committee consisting of representatives from each municipality in the Planning Unit, among other stakeholders, the City of Albany had prepared a Solid Waste Management Plan (SWMP) which had been submitted for acceptance to the New York State Department of Environmental Conservation (NYSDEC); and

WHEREAS, the City of Albany Common Council was designated Lead Agency for the review of the Draft SWMP pursuant to the State Environmental Quality Review Act (SEQRA); and

WHEREAS, the City of Albany prepared a Final Generic Environmental Impact Statement (FGEIS), including responses to all comments received during the public comment period, in accordance with SEQRA regulations 6 NYCRR 617.10 and submitted a copy of the FGEIS to each member of the Planning Unit; and

WHEREAS, the City of Albany Common Council passed a resolution on February 7, 2011 declaring the FGEIS complete in accordance with SEQRA regulations 6 NYCRR 617.10; and

WHEREAS, the City of Albany Common Council, as Lead Agency, passed a resolution on March 11, 2011 in which it adopted a Statement of Findings pursuant to 6 NYCRR Part 617.11 of the New York State Environmental Quality Review Act (SEQRA); and

WHEREAS, the Town of Westerlo accepted and adopted the FGEIS, SWMP and Findings Statement adopted by the City of Albany Common Council, and agreed to accept and adopt those documents as representing the long-term plan for the Planning Unit; and

WHEREAS, the Town of Westerlo extended its membership in the Planning Unit by authorizing the Mayor to enter into and execute the Intermunicipal Agreement with the members of the Planning Unit; and

WHEREAS, in response to comments received from the New York State Department of Environmental Conservation on September 26, 2012, the City of Albany submitted a Revised Draft Solid Waste Management Plan to the NYSDEC on October 7, 2013; and

WHEREAS, the City of Albany has submitted a 2-volume Solid Waste Management Plan (SWMP) dated January 2014 which contains all of the changes agreed to by the NYSDEC and which have been deemed approvable, pending the Common Council, as Lead Agency, filing an amended findings statement; and

WHEREAS, by Resolution dated March 3, 2014, the City of Albany Common Council, as Lead Agency, accepted and adopted the Solid Waste Management Plan dated January 2014 as Final and authorized that it be submitted to the New York State Department of Environmental Conservation as representing the long-term plan on behalf of the Capital Region Solid Waste Management Partnership Planning Unit;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Westerlo hereby accepts and adopts the Solid Waste Management Plan dated January 2014 as the long-term plan for the Planning Unit.

BE IT FURTHER RESOLVED, that the Town of Westerlo will implement the solid waste management programs, projects and plans as identified in the final Solid Waste Management Plan dated January 2014.

Councilman Field seconded the motion.

DATED: March 4, 2014

KATHLEEN SPINNATO
TOWN CLERK

Vote:

Ayes	4	Supervisor Rapp, Councilman Field, Councilman Sherman & Councilman Lounsbury
Nays	_____	
Absent	1	Councilman Bichteman
Abstained	_____	

RESOLUTION #14-2014 was thereby duly adopted.

Supervisor Rapp asked Town Clerk Kathleen Spinnato to report on the proposed resolution to extend the term of the Registrar of Vital Statistics. The Town Clerk reported she had been contacted by Jim O’Conner of the New York State Department of Health asking why the current term of the Registrar of Vital Statistics is one year. He made the recommendation if the Town Board would pass a resolution to change the term of the Registrar of Vital Statistics to a 4 year term to coincide with the 4 year term of the Town Clerk it would reduce the need to file the required forms with the NYSDOH each year.

Supervisor Rapp then made a motion to adopt the following resolution:

WHEREAS: the Town of Westerlo Registrar of Vital Statistics term is currently a one year term, be it hereby

RESOLVED: the Town of Westerlo Registrar of Vital Statistics become a four year term of office to coincide with the term of office of the Town Clerk.

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

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

NAYS: None.

RESOLUTION #15-2014 was thereby duly adopted.

Supervisor Rapp advised the Carey Institute’s Helderberg Brewshed Farm Brewery Incubator Business Plan Development project had asked for a letter of support from the Towns of Westerlo, Berne and Rensselaerville. They are applying for a grant under Greenways Communities Grant Program and are also need a municipal approval/endorsement resolution from each municipality. Councilman Sherman read the resolution aloud. Supervisor Rapp informed there is no obligation on the Town. Supervisor Rapp then made a motion to adopt the following resolution:

Municipal Resolution

WHEREAS, the Town of Westerlo is applying to the Hudson River Valley Greenway in partnership with the Town of Rensselaerville for a grant under the Greenway Communities Grant Program for a project Helderberg Brewshed Farm Brewery Incubator Business Plan Development to be located in the Town of Rensselaerville.

WHEREAS, the grant application requires the applicant municipality to obtain the approval/endorsement of the governing body of the municipality or municipalities in which the project will be located;

NOW, THEREFORE, be it resolved that the governing board of Westerlo hereby does approve and endorse the application for a grant under the Greenway Communities Grant Program, for a project known as Helderberg Brewshed Farm Brewery Incubator Business Plan Development and located within this community.

Motion was seconded by Councilman Lounsbury.

03/04/2014 Date of Adoption

Kathleen J. Spinnato Name of Municipal Clerk _____ Signature

VOTE:

AYES: Supervisor Rapp
Councilman Lounsbury
Councilman Field

ABSENT: Councilman Sherman
Councilman Bichteman

NAYS: None.

RESOLUTION # 16-2014 was thereby duly adopted.

Supervisor Rapp asked Planning Board Chairwoman Dorothy Verch to give the Planning Board Report.

- Requested Town Board approval for Planning Board members to attend the NYPF conference on 4/1/2014 in Saratoga at a fee of \$85 per person.

Zoning Board Member John Sefcik asked that the Town Board include Zoning Board of Appeals members who would like to attend the NYPF conference also be included to attend the same training.

Councilman Field then made a motion for any members of the Planning Board and Zoning Board of Appeals members who would like to attend the NYPF Conference and training to be held in Saratoga, NY. Councilman Lounsbury seconded the motion, motion carried by those Town Board members in attendance.

- Reported on progress and negative declaration needed on the draft of the Comprehensive Plan
- Reported on code violations – Asked the Town Board to direct Code Enforcement Officer to furnish the Planning Board with documentation of violations and follow-ups if canceled .
- Reported on missing or misplaced applications 2009-2012 and suggested from here forward digital backups of applications.
- Creation of a binder containing information she obtained from the Department of State. The binder would be kept at Town Hall for Planning Board & Zoning Board of Appeals reference

purposes, she provided the Town Clerk with the information which she had gathered for the binder. She advised the SEQR Long (335 pages) & Short Form (125 pages) should be included in the binder, these extensive documents are stored on a thumb drive. She stated she would provide the thumb drive at a later date to the Town Clerk so the documents could be printed for the binder.

Ed Lawson advised of an antiquated computer and spam issues he has in the Code Enforcement Office and the need for a new computer server and back up for the Town Offices. The computer information technology provider for the Town had looked at his computer but nothing has changed, and he also cannot open attachments. Councilman Lounsbury asked Ed if he would look into the costs and report back to the Town Board.

Supervisor Rapp advised the Town Board needs to reschedule the Special Town Board meeting for the purpose of hearing Public comment on the Draft Hydrofracking Report that was previously scheduled for Feb. 18th and was canceled due to a heating problem in the Town Hall. The Supervisor made a motion to reschedule the Special Town Board meeting to be held on Thursday, March 27th, in the Town Hall @ 7:00 PM. Councilman Lounsbury seconded the motion and carried by the Town Board members present. The Town Clerk was advised to advertise the rescheduled meeting.

Supervisor Rapp reported to the Town Board he has made a decision to remain with the National Bank of Coxsackie as the financial banking institute for the Town of Westerlo. He advised they have always provided the best rates when borrowing is needed and provide great service. The bank will continue to provide more services to the Town of Westerlo. Supervisor Rapp then made a motion to remain with the National Bank of Coxsackie as the financial institute for the Town of Westerlo. Councilman Lounsbury seconded the motion, motion carried by the Town Board members present.

Supervisor Rapp asked Highway Superintendent Keith Wright to report. Keith advised he had ordered two dumpsters for the Transfer Station at a cost of \$15,540 the dumpsters should arrive in four to five weeks. Keith advised he has no news yet on the pickup truck but is waiting for the State Bid prices which may result in savings.

Supervisor Rapp asked if there were any questions from the Public, there being none Councilman Lounsbury made a motion to adjourn the meeting, seconded by Councilman Field and carried. The meeting adjourned at 8:20 PM.

Respectfully Submitted,

Kathleen Spinnato