

**Town of Westerlo
Town Board Meeting
Tuesday, April 1, 2014**

The Westerlo Town Board met on Tue. April 1, 2014 in the Westerlo Town Hall located at 933 County Route 401, Westerlo. The meeting was called to order at 7:32 PM by Supervisor Richard H. Rapp with the Pledge of Allegiance to the Flag.

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

Also attending were: Highway Superintendent Keith Wright Sr., Town Justice Ken Mackey, Planning Board Chairwoman Dorothy Verch, and Members Edwin Stevens & Gerry Boone, several Highway Dept. employees, Town Clerk Kathleen Spinnato and approximately eleven residents.

Supervisor Rapp asked the Town Clerk to open and read the bids for Highway Materials of stone products and asphalt concrete which were advertised and received from the following bidders: Callanan Industries, Inc., Carver Sand & Gravel LLC, Cobleskill Stone Products, Peter K. Frueh, Inc. All bids included a signed non-collusive bidding certification. Supervisor Rapp then made a motion to adopt the following resolution:

WHEREAS: bids for stone and asphalt products were properly advertised, received by the Town Board, be it hereby

RESOLVED: that the Superintendent of Highways, Keith Wright Sr. is authorized to purchase from the lowest bidders, unless, in his opinion the material in question is found to be inferior quality or unless transportation and/or availability of materials becomes a factor.

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

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

NAYS: None.

Resolution # 17-2014 was thereby duly adopted.

Supervisor Rapp asked for a motion to accept the Town Board meeting minutes of March 4, 2014. Councilman Field made the motion to accept the minutes, seconded by Councilman Sherman, Supervisor Rapp and Councilman Lounsbury voted aye, Councilman Bichteman abstained, motion carried.

Supervisor Rapp advised the Office of the State Comptroller's (OSC) Report of Examination had been completed. The Town Clerk reported she had presented a copy tonight to each Town Board member and Notice will be placed in the official newspaper. A copy of the Report of Examination will be available in the Town Clerk's office for public review, an OSC examiner had advised that the Report of Examination can also be viewed on the OSC website @ osc.state.ny.us

Supervisor Rapp announced the two appointments for the vacancies on the Board of Assessment Review. He asked the Town Board members for a motion to accept the appointments. Councilman Lounsbury made a motion to adopt the following resolution:

WHEREAS: there were two vacancies on the Board of Assessment Review and the Town Board had advertised and interviewed applicants and authorized the Supervisor to make appointments, be it hereby

RESOLVED: that Susan Cunningham and Sara Statham were appointed by the Supervisor as members of the Board of Assessment Review on March 10th, 2014 to fill the vacancies due to the resignations of Tracey Lawson and Eugene Coogan, respectively.

Councilman Sherman seconded the motion and a roll call vote followed:

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

NAYS: None.

RESOLUTION # 18-2014 was thereby duly adopted.

Supervisor Rapp asked for a motion to accept the Town Clerk's monthly report for March. Councilman Sherman made the motion to accept the March report, seconded by Councilman Lounsbury and carried all in favor.

Supervisor Rapp announced the Town Board had interviewed for a cleaning person for the Town Offices. Supervisor Rapp made a motion to adopt the following resolution:

WHEREAS: the Town Board had posted on the website a position for a cleaning person and held interviews, be it

RESOLVED: that Renee Van Iderstyne was hired as cleaning person

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

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

NAYS: None.

RESOLUTION # 19-2014 was thereby duly adopted.

Supervisor Rapp informed that the Special Town Board meeting of March 27, 2014 was canceled, he then asked the Town Board to select a date to reschedule. Discussion followed between Councilmen Field, Bichteman, Sherman, Lounsbury and several residents regarding comments, opinions or questions of each on the canceled meeting, a date to reschedule, the Hydrofracking Committee's role at the meeting and their attendance when rescheduled, etc. Councilman Bichteman advised he would invite the Hydrofracking Committee members to attend the rescheduled meeting. Councilman Bichteman made a motion to adopt the following resolution:

WHEREAS: the Town Board needs to reschedule a Special Town Board meeting to hear Public comment on the Draft Hydrofracking Report submitted by the Hydrofracking Committee, be it hereby

RESOLVED: to reschedule and hold a Special Town Board meeting to hear Public Opinion on the Draft Hydrofracking Report on Tuesday, May 6th starting at 7 PM. The Special Town Board Meeting would be immediately followed by the Regular Town Board meeting.

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

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

NAYS: None

RESOLUTION # 20-2014 was thereby duly adopted.

Councilman Bichteman requested the date of the next scheduled Town Board Workshop. Councilman Sherman advised the third Tuesday, April 15th. The Town Clerk requested if the Town Board should decide to cancel the workshop please notify her in advance for posting purposes.

Councilman Field asked about the Employee Handbook which the Town Board had reviewed and revised and its availability to the employees. Councilman Bichteman reported that it had been finalized and was being compiled. He was notified by Deputy Supervisor Edwin Lawson about two items in the handbook that were brought to his attention, those items need to be discussed at the next Town Board Workshop before the handbooks are finished being compiled. Councilman Bichteman advised that one

appears to be a typographical error and the other maybe a possible omission he did not want to change anything in the handbook without the entire Town Board's input on the matter.

Councilman Field reported that the position of Deputy Code Enforcement Officer should be eliminated. The position is not currently filled. He then made a motion to eliminate the position of Deputy Code Enforcement Officer, Councilman Lounsbury seconded the motion. Discussion followed between the Board members about the position of Deputy Code Enforcement Officer formerly held by Bruce Bunzey, and discussion on whether to enter into executive session or not the matter. The public commented as well. Councilman Field then rescinded his first motion and made the following motion for the Supervisor to reach out to the former Deputy Code Enforcement Officer, Councilman Lounsbury seconded the motion. Councilman Sherman, Councilman Bichteman, and Supervisor Rapp voted nay, motion not carried. Councilman Lounsbury stated from a Town Board perspective, if there is an issue with anybody on any Board it needs to be addressed immediately in Executive Session.

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

WHEREAS: the monthly bills have been reviewed by the Town Board, be it hereby
RESOLVED: that the following bills be paid:

Voucher # 113 through Voucher # 164 in the amount of \$50,916.81

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

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

NAYS: None.

RESOLUTION #21-2014 was thereby duly adopted.

Supervisor Rapp asked Planning Board Chairwoman Dorothy Verch to give the Planning Board Report. Dorothy reported the following applications came before the Planning Board on March 25th:

1. Minor Subdivision-Richard Prince needs to go before the Zoning Board of Appeals for variances, due back before the board May 27th.
2. Application for approval for a Preliminary Plat for a Major Subdivision-Elizabeth Wedell represented the owners of various lots along with a representative from The Great Outdoors Land Surveying Co. of Altamont. Application was accepted, a public hearing has been scheduled for April 22nd.
3. New York Planning Federation Conference today was attended by Gerry Boone, Rich Kurylo, Edwin Stevens, and Dorothy Verch. Town Board approval of the training is needed to satisfy their training requirements.

Councilman Lounsbury made a motion to adopt the following resolution:

WHEREAS: the Planning Board is seeking the approval of training held at the NYPF Conference and attended by the following Planning Board members:
G. Boone, R. Kurylo, E. Stevens and D. Verch, be it hereby

RESOLVED: the NYPF Conference training attended is approved.

Councilman Field seconded the motion, and a roll call vote followed:

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

NAYS: None.

RESOLUTION # 22-2014 was thereby duly adopted.

Councilman Sherman suggested with the complexities of a major subdivision Dorothy contact Town Attorney Aline Galgay, Dorothy agreed.

4. Dorothy requested permission from the Town Board to offer a 3 ½ hour Webinar sponsored by the Department of State at Westerlo Town Hall. She has been working with Erin Thomas from DOS and Dorothy had contacted Westerlo Zoning Board Chairwoman Virginia Mangold

who is interested. She has also contacted the Towns of Rensselaerville, Berne, and Knox but has not heard back from them. The training is for Planning Boards, Zoning Boards and Code Enforcement Officers. No date has been set but possibly a Wed. or Thurs. evening in June.

There is no cost to the Town, except provide pizza, refreshments for those attending.

Councilman Field made a motion for the Town of Westerlo to host the Webinar, Councilman Lounsbury seconded the motion, motion unanimously carried.

Councilman Field suggested that the Zoning Board of Appeals Chairperson should provide a ZBA report to the Town Board. Councilman Lounsbury made a motion for the Supervisor to send a letter to the ZBA Chair asking for ZBA reports. Councilman Field seconded the motion.

Councilman Sherman advised that this was never a policy in the past. No nay votes were cast, motion carried.

5. Dorothy advised amendments should be made to Local Law of 1989 - Section 9.20 Application, is out of date. She read and reported on the areas in this section the Town Board should consider amending.

Councilman Bichteman asked Dorothy if she would be available to come to the next Town Board Workshop meeting to discuss the amendments to Local Law of 1989-Section 9.20, she agreed.

Supervisor Rapp asked Councilman Bichteman to give the Water Board Report. Councilman Bichteman advised:

1. Issues with the Chlorinator have been fixed by operator Doug Story.
2. With good weather approaching will be checking fire hydrants.

Supervisor Rapp asked if the Town Board had any other topic to discuss. Councilman Sherman advised he had been approached by someone from the food pantry run by Catholic Charities. Since they were displaced after Hurricane Irene they are seeking accommodations, they are currently using the Reformed Church Hall. He wanted to bring this before the Town Board for consideration. After listening to comments from Councilman Field, and public input about Catholic Charities need for a large space and equipment requirements the Hiawatha Grange was mentioned as a possible alternative site. Councilman Sherman advised he would provide the food pantry with contact info. for someone from the Hiawatha Grange.

Councilman Sherman advised he had attended Westerlo Town Court as an observer and would like to thank the Justices for doing a good job.

The meeting was opened to the Public.

Gerry Boone asked if a sign will be put up out front (Town Hall). Supervisor Rapp reported yes.

Councilman Field suggested removing the chain link fence in front of the Town Hall and moving the playground equipment currently located at Town Hall to the Park. Two persons voiced their opposition to removal of the playground equipment from Town Hall property.

The Community Activity Committee (CAC) was briefly discussed. Councilman Sherman advised that he is a member of the CAC, they are currently in limbo. At this time there is no chairperson, and no planning or preparation has been made for a Breakfast with the Easter Bunny this year. Need someone to spearhead the CAC, there are still members of the CAC who are still interested in being involved and there is a positive fund balance. Should they ever decide to disband the CAC will need to discuss what to do with the funds.

Ned Stevens asked about roof repairs at the Highway Garage building. Councilman Field asked about the plans for the same building. Supervisor Rapp advised there will be plans.

Supervisor Rapp asked for a motion to adjourn the meeting. Councilman Lounsbury made the motion to adjourn, seconded by Councilman Bichteman, motion unanimously carried. Meeting adjourned at 8:59 PM.

Respectfully Submitted,
Kathleen Spinnato

