

**TOWN OF WESTERLO  
TOWN BOARD MEETING  
of  
Tuesday, May, 6, 2014**

The Town of Westerlo Town Board met on Tuesday, May 6, 2014 at the Westerlo Town Hall, 933 County Route 401, Westerlo, NY. The Town Board meeting which immediately followed a Special Town Board meeting held on the same date was opened at 8:01 PM by Supervisor Richard H. Rapp.

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

Also attending were: Deputy Supervisor Edwin H. Lawson, Zoning Board Chair Virginia Mangold, Zoning Board member John Sefcik, Planning Board Chair Dorothy Verch, Planning Board member Edwin Stevens, Highway Superintendent Keith Wright Sr., Town Clerk Kathleen Spinnato and approximately sixteen interested persons.

Supervisor Rapp asked for a motion to accept the Town Board minutes of 4/1/2014. Councilman Field made a motion to accept the Town Board minutes of 4/1/2014, Councilman Lounsbury seconded the motion, motion unanimously carried.

Supervisor Rapp asked for a motion to accept the Town Board Workshop minutes of 4/15/2014. Councilman Bichteman made a motion to accept the Town Board Workshop minutes of 4/15/2014, Councilman Field seconded the motion, motion unanimously carried.

Supervisor Rapp advised the Town Clerk had submitted the Town Clerk's April monthly report to the Town Board and he asked for a motion to accept. Councilman Sherman made the motion to accept the Town Clerk's April report, Councilman Lounsbury seconded the motion, motion unanimously carried.

Supervisor Rapp advised Tax Collector Kathleen Spinnato had submitted the Final Tax Collector's report to the Town Board and he asked for a motion to accept. Councilman Sherman made a motion to accept the 2014 Final Tax Collector's report, Councilman Field seconded the motion, motion unanimously carried.

Supervisor Rapp reported the monthly bills need to be paid. Councilman Field 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 #167 through Voucher #211 in the amount of \$60,281.76

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

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

NAYS: None.

**RESOLUTION # 23-2014 was thereby duly adopted.**

Supervisor Rapp reported that Town of Westerlo Highway Superintendent Keith Wright had advertised, received, and reviewed two bids for the purchase of a 2015 F-250 pickup truck and recommends purchasing from Crossroads Ford. Councilman Field made a motion to adopt the following resolution:

WHEREAS: the Town of Westerlo Highway Superintendent has advertised and received two bids for the purchase of a 2015 F-250 4x4 extended cab, be it hereby

RESOLVED: the Town Board authorizes the purchase of a 2015 F-250 4x4 extended cab for the bid price of \$28,320.62 from the dealership Crossroads, Ravena, NY

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

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

NAYS: None.

Supervisor Rapp advised he will arrange the financing.

**RESOLUTION #24-2014 was thereby duly adopted.**

Highway Superintendent Keith Wright advised the Town Board he had received three quotes from Arrowhead Equipment, T & T Body King, and Fort Miller FAB3 Corp. for the purchase of a new plow for the new truck. He recommended and asked the approval of the Town Board to purchase a plow from Arrowhead Equipment. Councilman Bichteman made the motion to adopt the following resolution:

WHEREAS: the Town of Westerlo Highway Superintendent has received and reviewed three quotes for the purchase of a new 8' one way plow, be it hereby

RESOLVED: the Town Board authorize the purchase a new 8' One way plow from Arrowhead Equipment, for the 2015 Ford truck, in the amount of \$7,400.00

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

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

NAYS: None.

**RESOLUTION #25-2014 was thereby duly adopted.**

Highway Superintendent Keith Wright advised the Town Board he has reviewed the Driveway Permit Application for the Town of Westerlo with the Town Attorney. Currently the fee for a Driveway Permit on a Town road in Westerlo is \$15 and the town has previously provided the pipe, crusher run, and the labor for installation of a driveway on a town road, this is inadequate. He recommended the following:

- Driveway Application fee be increased to \$150.00
- Landowner pay for the additional cost of the pipe to be purchased from the Town
- Driveway Permit Application be revised
- The Town of Westerlo Highway Superintendent would still make the determination as to the length and type of pipe needed for the driveway.

After a brief discussion, Councilman Bichteman made a motion adopt the following resolution:

WHEREAS: the Highway Superintendent has recommended a revision of the Town of Westerlo Driveway Permit Application, the fees, and the landowner purchase of the pipe from the Town, be it hereby

RESOLVED: the Town Board revise the Driveway Permit Application, increase the fee From: \$15 To: \$150, and the landowner additionally purchase the pipe from the Town of Westerlo, the type and length of pipe as determined by the Town Highway Superintendent.

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

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

NAYS: None.

**RESOLUTION #26-2014 was thereby duly adopted.**

Supervisor Rapp asked Zoning Board of Appeals Chairwoman Virginia Mangold to report.

Virginia reported the following:

- On 4/28/2014 received training officiated by Town Attorney Aline Galgay with regards to survey maps and some SEQRA –Copies of completion will be given to the Town Clerk for training file.

- 4/28/2014 ZBA meeting-Public Hearing for a side line variance was accepted & completed.
- Two new applications were presented to the board and rejected after careful consideration. Each applicant requires further markings & measurements on their survey maps and will be re-reviewed at the next ZBA meeting, on Mon. May 19th at 7:30 PM
- With respect for Memorial Day, the ZBA has moved their May meeting to Monday, May 19<sup>th</sup> @ 7:30 PM

Councilman Sherman made a motion to accept the ZBA report as submitted, seconded by Councilman Bichteman, motion unanimously carried.

Councilman Sherman made a motion to adopt the following resolution:

WHEREAS: The Zoning Board of Appeals received training officiated by Town Attorney Aline Galgay on 4/28/2014, be it hereby

RESOLVED: the Town Board approves the training received by the ZBA on 4/28/2014

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

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

**RESOLUTION #27-2014 was thereby duly adopted.**

Supervisor Rapp asked Planning Board Chairwoman Dorothy Verch to report.

Dorothy reported the following:

- At the last meeting the Planning Board approved Major Subdivision: Sunset Ranch located on Sunset Rd. consisting of seven (7) lots.
- Received copy of resignation of Planning Board Clerk Rita Perciballi.
- She notified the Planning & Zoning Boards of the Towns of Berne, Knox and Rensselaerville regarding upcoming Webinar scheduled for Wed., June 4<sup>th</sup> sponsored by the Department of State and to be hosted by the Town of Westerlo. Waiting for reply for an accurate count of number of persons attending. She is working on communications aspect & locating a projector and screen. Will coordinate dry run sometime in May. Meeting is for training purposes only and there will be no Board business discussed, open only to members of Planning or Zoning Boards.
- Webinar-She has contacted P & L Deli for cost of pizzas, wings & soda approximate cost under \$200. She will purchase water, coffee & tea. Asked for use of utensils from the CAC, and who should she ask? She is asking the Town Board's approval to use the kitchen and purchase refreshments for those attending.

Supervisor Rapp advised she could use the CAC utensils. Councilman Lounsbury made a motion to adopt the following resolution.

WHEREAS: the Town of Westerlo is hosting a webinar on June 4<sup>th</sup>, sponsored by the Dept. of State for the purpose of training members of Zoning Boards and Planning Boards, be it hereby

RESOLVED: the Town Board approves of the use of the kitchen and the cost of refreshments for webinar training as reported by Planning Board Chair Dorothy Verch.

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

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

NAYS: Councilman Sherman.

**RESOLUTION #28-2014 was thereby duly adopted.**

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

Councilman Bichteman reported the following:

- Albany County Health Dept. has issued the 2013 Annual Drinking Water Quality Report for the Westerlo Water District No. 1 a copy is posted on the bulletin board at Town Hall. Any resident who wishes a copy may obtain it from the Town Clerk's Office.
- Any tests for contaminants were well below the State standards.

The Town Board scheduled a Town Board Workshop meeting for Tuesday, May 20<sup>th</sup> at 7:00 PM to review preliminary plans for construction repairs to the former Town Hall located at 671 CR 401, Westerlo, NY.

The meeting opened to the public.

Planning Board Chair Dorothy Verch reported on a situation involving a property abutter's access to plot plans for a subdivision, she was able to help him. Discussion followed on future procedures for Planning Board documents which have been noticed in the newspaper.

Doyle Shaver thanked Highway Superintendent Keith Wright on the behalf of the BKW Little League for his help with the Little League field, it came out awesome.

John Sefcik asked what will be done with the Draft Hydrofracking Report. Councilman Bichteman responded he took notes based on tonight's opinions, concerns, and comments and was unsure what will be done to the report, the Town Board will need to discuss the report.

Anita Marrone asked a question regarding the NYS OSC's audit of the Town of Westerlo. Councilman Bichteman advised he had previously reported on this at a Town Board Workshop. He again reported on the Water District portion of the OSC audit.

Edwin Stevens asked questions pertaining to the Town budget and if there is any State funding available that would help our town. Councilman Bichteman advised the problem is that most grants require an upfront purchase and then the town usually has to wait a long period of time to receive some grant fund reimbursement. There are very few programs that advance the funding first.

Anita Marrone asked questions regarding Water District funds. Councilman Bichteman advised that inter-fund transfers can legally be made. The general fund can lend monies to another account if necessary. Discussion followed on the subject of the Water District, the Water Board and its members.

Councilman Sherman advised that with the resignation of Rita Perciballi Clerk to the Planning and Zoning Board the Town Board should advertise the position. Councilman Bichteman requested that the new hire should also be the Clerk to the Water Committee. Councilman Sherman made a motion to advertise in the newspaper for the part-time position of Clerk to the Planning Board, Zoning Board and Water Board with the application deadline return date of May 19<sup>th</sup>, interviews to be held on the 20<sup>th</sup> at 6:45 PM. Councilman Field seconded the motion, motion carried all in favor.

Supervisor Rapp asked for a motion to close the meeting. Councilman Field made the motion to close, seconded by Councilman Bichteman, motion unanimously carried. The meeting adjourned at approximately 8:50 PM.

Respectfully Submitted,

Kathleen Spinnato

