

**WESTERLO TOWN BOARD  
MEETING OF  
WEDNESDAY, SEPTEMBER 10, 2014**

The Town of Westerlo Town Board held their regular Town Board meeting on Wed. September 10, 2014 at Town Hall 933 CR 401, Westerlo, NY. A change of date Notice was published prior to the meeting in the official newspaper. Supervisor Rapp opened the meeting with the Pledge of Allegiance to the Flag at 7:30 PM.

Attending 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: Edwin H. Lawson Deputy Supervisor, Keith Wright Sr. Highway Superintendent, Dorothy Verch Planning Board Chair, John Sefcik Zoning Board member, Kathleen Spinnato Town Clerk, several highway employees and eight residents.

Supervisor Rapp asked the Town Clerk to open the three bids received for repairs to the building which houses the garage, court, & NYS Police. The Town Clerk opened and read aloud the bids from the following companies:

1. Bunkoff General Contractors, Inc. Base Bid: \$337,000; Add Alt. #. 1: \$307,000; Add Alt. # 2: \$31,000
2. Hoosick Valley Contractors, Inc. Base Bid: \$363,000; Add Alt. #1: \$252,000; Add Alt.#2: \$39,000
3. Mid-State Industries, Ltd. Base Bid: \$245,600; Add Alt. # 1: \$198,811; Add Alt. # 2: \$33,811

All bids included a signed and notarized non-collusive document, a base bid, and two add alternate bids.

The Town Board asked questions about the bid and the add alternates. Ed Lawson responded to the questions explaining what each part of the bid included. Councilman Bichteman made a motion that the three bids received should be reviewed by Architecture Plus and their recommendations be made to the Town Board with representative of architecture firm present at a workshop, Councilman Lounsbury seconded the motion. A workshop to discuss the bids with Architecture Plus was scheduled for Tuesday, September 16<sup>th</sup> at 7:00 PM to be held at Town Hall. Supervisor Rapp informed the Board members he would be unable to attend on the date chosen, all Board members polled were in favor of having the workshop on Sept. 16<sup>th</sup>, motion carried. The public asked questions pertaining to the building, the bids, OSHA, cost of the repair project, R values, etc. which were answered by the Councilman Bichteman, Councilman Field and Ed Lawson. Ed Lawson was asked to contact and inform Architecture Plus about the workshop.

Supervisor Rapp asked for a motion to approve the Town Board minutes of 8/5/2014. Councilman Field made a motion to accept the minutes, seconded by Councilman Bichteman, motion carried all in favor.

Supervisor Rapp asked for a motion to accept the Town Board Workshop minutes of 8/19/2014. Councilman Sherman and made the motion to approve the workshop minutes, Councilman Bichteman seconded, a roll call vote follows; Supervisor Rapp, Councilman Bichteman and Councilman Sherman voted aye, Councilman Field and Councilman Lounsbury abstained because they had not attended the workshop. Motion to approve the workshop minutes carried.

Supervisor Rapp reported the Town Clerk had submitted the August monthly report and asked for a motion to accept the report as presented. Councilman Field made a motion to accept the Town Clerk's August monthly report, seconded by Councilman Bichteman, motion unanimously carried.

Supervisor Rapp reported the monthly bills need to be paid he then 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 # 368 through Voucher #417 in the amount of \$ 85,218.76

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

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

NAYS: None.

**RESOLUTION # 41-2014 was thereby duly adopted.**

Supervisor Rapp asked for the Zoning Board Report. Zoning Board of Appeals member John Sefcik reported the Aug. 25<sup>th</sup> meeting was canceled.

Supervisor Rapp asked Planning Board Chair Dorothy Verch to give the Planning Board Report. Dorothy reported the meeting of Aug. 26<sup>th</sup> had one application for a name transfer. A Public hearing for the Gumport subdivision is to be held on Sept. 23<sup>rd</sup>. She also submitted a draft of the Comprehensive Plan to the Town Board. She indicated the draft Comprehensive Plan was signed and complete. The newest draft follows the guidelines as recommended by the Albany County Planning Board it includes agricultural maps and flood plains. The Zoning Board is requesting copies of Comprehensive Plan when they are made. Councilman Bichteman stated the Town Board will need to review the document and then copies can be made.

Supervisor Rapp reported due to the passing of Bill Scott who was the Deputy Dog Warden the Town needs to appoint a new Deputy Dog Warden to fill the vacancy. Supervisor Rapp then made a motion adopt the following resolution:

WHEREAS: the position of Deputy Dog Warden needs to be filled, be it hereby

RESOLVED: to appoint Salvatore Spinnato IV to the position of Deputy Dog Warden

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

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

NAYS: None.

**RESOLUTION # 42-2014 was thereby duly adopted.**

Councilman Bichteman reported at the previous workshop meeting there was a discussion about moving forward to form a proposed Zoning Recommendation Committee (ZRC) in respect to hydrofracking and potential zoning changes within the Town of Westerlo. He read aloud a list of objectives he would like to see the ZRC address and he asked the other Board members if they wanted to add or make their own recommendations, the other board members made no recommendations at this time.

Dorothy Verch asked why not have the ZBA members make the recommendations instead of forming a separate committee. Councilman Bichteman and Councilman Sherman responded to her question indicating the following reasons: the forming of a potential ZRC to be chaired by the Zoning Administrator Edwin Lawson, time constraints, and a potential review of the Comprehensive Plan by the Zoning Board once it has been accepted by the Town Board, etc. Discussion followed regarding the potential review of Zoning regulations and the need to include any safeguard recommendations concerning hydrofracking practices. Two persons offered to volunteer to serve as members of the potential ZRC. Councilman Sherman made a motion to adopt the following resolution:

WHEREAS: the Town needs to form a Zoning Recommendation Committee (ZRC) consisting of five persons to review the Zoning Law and make recommendations to the Town Board based on the objectives

made by the Board for concerns of hydrofracking, be it hereby  
RESOLVED: the Town Board appoints Edwin H. Lawson Chairman of the ZRC. The  
Chairman of the ZRC shall have the authority to choose the remaining four  
Members to serve on the committee.

Councilman Bichteman seconded the motion, a vote resulted as follows:

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

NAYS: None.

**RESOLUTION # 43-2014 was thereby duly adopted.**

Councilman Field asked about the contract for shared Sr. Bus Transportation with the Town of Rensselaerville, he stated he was in support. Supervisor Rapp asked if the Board was in agreement, all were in favor.

The meeting was opened to the Public. Councilman Field introduced Gordon Cochrane owner of Cochrane Contracting & Infinite Renewable Energy. Mr. Cochrane spoke regarding solar energy and his proposal to look at the Town of Westerlo's energy bills for a period of one year. He reported to the Board how a power purchase agreement typically works:

- The investor, Energy in the Bank (EIB) pays for the solar system.
- They offer a reduced electric bill for a specified number of years as stated in a contract.
- Municipality would need to agree to purchase electricity from them.
- They would use your roof or land.
- Benefit to Town: reduces electric expenses, funds capital improvements, or funding for other projects.
- The investors would pay for a project: Agree to cover all funding project costs, agree to manage, furnish, install and maintain solar system, deliver capital expense, repair roofs to withstand lifetime of the system usually 25-30 yrs., insurance and maintenance for the lifetime of the installation.
- Bills are analyzed for free: a proposal is reached and the electric rate can run between .11 cents to .09 1/2 cents per kW based on type and cost of installation.
- Benefit to Investor: receive tax credits, receive credit for depreciation of the solar system, grants, and earn revenue from the system.

Mr. Cochrane then answered questions from the Town Board and the public. Mr. Cochrane told the Town Board a Letter of Authorization is needed to review the Central Hudson electric bill accounts. Councilman Lounsbury made a motion to adopt the following resolution:

WHEREAS: a Letter of Authorization is needed in order to review the

Town of Westerlo's Central Hudson electric bill accounts, be it hereby

RESOLVED: the Town Board authorizes Supervisor Rapp to sign a letter of Authorization needed for a review and analysis of the Town of Westerlo's Central Hudson electric bill.

Councilman Field seconded the motion and the vote follows:

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

NAYS: None.

**RESOLUTION # 44-2014 was thereby duly adopted.**

Dorothy Verch requested a copy of the Employee Handbook. Town Clerk Kathleen Spinnato advised her to speak to the Supervisor's Clerk Patricia Boice on Monday.

Dorothy Verch asked for an update on the new computers. Deputy Supervisor Ed Lawson reported the computers were received and have been installed. Waiting for IT person(s) to return and explain and address email situation with Town Board members.

There being no further business Supervisor Rapp requested a motion to adjourn. Councilman Lounsbury made a motion to adjourn the meeting, seconded by Councilman Bichteman, motion unanimously carried. Meeting adjourned at 8:43 PM.

Respectfully submitted,

Kathleen Spinnato