

Town of Westerlo  
Public Hearings Budgets &  
Regular Town Board  
Meeting of  
Wednesday, November 4, 2015

The Town of Westerlo Town Board held Public Hearings on Wednesday, November 4, 2015 at the Town Hall located at 933 CR 401, Westerlo, NY for the following: 2016 Town of Westerlo Vol. Fire Co. Budget, 2016 Westerlo Rescue Squad Budget and the 2016 Town of Westerlo Preliminary Budget. The 2016 Preliminary Budget was posted on the town website, available for public review prior to the meeting at Town Clerk's office, and was available at the meeting. The regular Town Board meeting immediately followed the Public Hearings. Supervisor Rapp opened the first Public Hearing for the 2016 Town of Westerlo Vol. Fire Co. at 7:30 PM with the Pledge of Allegiance to the Flag.

ATTENDING WERE: Supervisor Richard H. Rapp  
Councilman Anthony W. Sherman  
Councilman William F. Bichteman  
Councilman Alfred L. Field

ABSENT: Councilman Theodore S. Lounsbury

Also attending were: Code Enforcement Officer Edwin H. Lawson, Fred Grober of Delaware Engineering, Westerlo Highway Superintendent Keith Wright Sr. & Deputy Highway Superintendent Jody Ostrander, Deputy Town Clerk Gertrude Smith, Planning Board Chairwoman Dorothy Verch and members Gerry Boone & Edwin Stevens, Clerk to the Assessor Claire Marshall, Clerk to the Supervisor Patricia Boice, Town Clerk Kathleen Spinnato, several highway dept. employees and approximately twenty-two residents.

Supervisor Rapp asked the public if they had any questions regarding the proposed 2016 Fire Co. Budget in the amount of \$225,863. The public inquired about past & current year budget amounts and why an increase. Their questions were answered first by Councilman Sherman and then by Fire Co. Chief Kevin Flensted. The increase is due to a need to purchase a new apparatus to replace the current vehicle a 1993, professional service fees for accounting and engineers for proposed replacement of building Station # 1 built in the 1930's and located on State Route 143. There being no further questions Councilman Bichteman made a motion to close the public hearing, seconded by Councilman Sherman motion unanimously carried by those attending. Closed at 7:35 PM.

Supervisor Rapp opened the Public Hearing for the proposed 2016 Westerlo Rescue Squad Budget in the amount of \$100,000 - unchanged from prior year. The public was asked if there were any questions there being none, Councilman Sherman made a motion to close the Public Hearing on the Rescue Squad Budget, seconded by Councilman Bichteman, motion unanimously carried by those attending. Closed at 7:37 PM.

Supervisor Rapp opened the Public Hearing on the 2016 Town of Westerlo Preliminary Budget at 7:37 PM. The public reviewed, inquired or commented on: account code titles and their meanings, personal services vs. contractual, criteria for difference between an employee vs. contractor, suggested Zoning Board of Appeals members be volunteers, complained of the font size too small, how expenses are tracked, etc. Public review of the budget continued with more comments or inquiries on: Bond Anticipation Notes, rise in Health Care costs countrywide, NYS Audit & Control required account codes, increase to 2016 Fire Co. budget, engineering fees for Town, museum expenses & museum personal services, social security & salaries, Ambulance-Albany Co. EMS vs. Westerlo Rescue Squad, water fund, highway fund, etc. The Town Board reviewed and discussed the proposed 2016 Budget with the Public and explained and/or answered their inquiries. All those wishing to speak having had the opportunity to do so, Supervisor Rapp made a motion to close the Public Hearing on the 2016 Preliminary Budget.

Motion to close the Public Hearing on the 2016 Preliminary Budget seconded by Councilman Bichteman, motion unanimously carried by those attending. Closed at 8:40 PM.

The Town of Westerlo Town Board meeting was opened by Supervisor Rapp. Supervisor Rapp made a motion to adopt the following resolution:

WHEREAS: the Town Board has received and reviewed the following budgets:  
2016 Town of Westerlo Vol Fire Co. budget originally submitted in the amount of \$237,863.00 and reduced by \$12,000 as agreed upon by the Fire Co. to \$225,863.00, the 2016 Westerlo Rescue Squad budget in the amount of \$100,000.00, and the 2016 Town of Westerlo Preliminary Budget in the amount of \$2,584,105.00, be it hereby,

RESOLVED: the Town Board accepts the reduced 2016 Westerlo Vol. Fire Co. Budget as agreed upon by Fire Co., the 2016 Westerlo Rescue Squad Budget as submitted, and adopts the 2016 Town of Westerlo Final Budget.

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

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

NAYS: None.

**RESOLUTION #37-2015 was thereby duly adopted.**

Supervisor Rapp asked for a motion to accept the Town Board meeting minutes of 10/6/2015. Councilman Field made a motion to accept the 10/6/2015 minutes, seconded by Councilman Bichteman, motion unanimously carried by those attending.

Supervisor Rapp asked for a motion to accept the Town Board Workshop minutes of 10/20/2015. Councilman Sherman made a motion to accept the Town Board Workshop minutes of 10/20/2015, seconded by Councilman Field, motion unanimously carried by those attending.

Supervisor Rapp asked for a motion to accept the Special Town Board Meeting minutes of 10/29/2015. Councilman Sherman made a motion to accept the Special Town Board minutes of 10/29/2015, seconded by Councilman Field, motion unanimously carried by those attending.

Supervisor Rapp asked for a motion to accept the Supervisor's Report as submitted for the month of September. Councilman Field made a motion to accept the Supervisor's report for September as submitted, seconded by Councilman Bichteman, motion unanimously carried by those in attendance.

Supervisor Rapp asked for a motion to accept the Town Clerk's monthly report for October. Councilman Sherman made a motion to accept the Town Clerk's monthly report for October as submitted, seconded by Councilman Bichteman, motion unanimously carried by those attending.

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

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

RESOLVED: that the following be paid:

Voucher # 485 through Voucher # 528 in the amount of \$45,036.07

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

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

NAYS: None.

**RESOLUTION # 38-2015 was thereby duly adopted.**

Supervisor Rapp advised the 2015 Town of Westerlo Water District No. 1 unpaid water bills need to be levied onto the 2016 Town of Westerlo Property Taxes. The Town Clerk provided an unpaid listing generated by the BAS Utility program to the Town Board members for their review. Councilman Bichteman made a motion to adopt the following resolution:

WHEREAS: The Town of Westerlo Town Board has reviewed the Town of Westerlo Water District No. 1 unpaid water bill list totaling \$23,719.40 for the billing periods of November 15, 2014 through July 15, 2015, be it hereby

RESOLVED: the Town Board hereby authorizes the submission of the Water levies in the amount of \$23,719.40 to the Albany County Legislature for inclusion on the 2016 Tax Warrant and the 2016 Town of Westerlo Property Tax bills

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

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

NAYS: None.

**RESOLUTION #39-2015 was thereby duly adopted.**

The Zoning Board of Appeals report had not been received.

Supervisor Rapp asked Planning Board Chairwoman Dorothy Verch to give the Planning Board report. She reported the following: Oct. 27, 2015 the Planning Board met, discussed and approved a Broadband Conference to be offered in conjunction with NYS Senator George Amedore. She briefly reported on a Broadband Conference she had previously attended held in the Town of Knox. If approved by the Town Board, the Planning Board had set a tentative date for a Westerlo conference on Broadband of Nov. 24, 2015 at 7:30 PM. A roundtable discussion relating to the advancement of Broadband communications in the Town of Westerlo will be the main focus and would be open to the Public. Invitations to Mid-Hudson Cable, Hudson Valley Wireless, Verizon Wireless, NY Air will be extended. Focus of conference is how can we provide more communications coverage to the residents? The proposed Mid-Hudson Cable Franchise Agreement was also reviewed. There were no applications before the Planning Board.

Councilman Bichteman reported he had attended the same conference in the Town of Knox. He applauded Dorothy for her efforts in organizing a conference on Broadband. He advised he left with the impression that the although the figure of \$500,000,000 sounds like a lot it is to be shared throughout all of New York State with guidelines which have not yet been established. I do think it's important to figure out where we can put ourselves into a position where we qualify if possible with a service provider. He gave his opinion on the motivations of service providers and was in favor of a conference in Westerlo. Discussion followed between Dorothy Verch and Councilman Bichteman regarding broadband communication interest expressed by Hudson Valley Wireless and the reported lack of interest if any by Time Warner Cable in our area. More discussion followed on the topic of the important need for better broadband communications for cable and internet in the Town.

Councilman Sherman made a motion to accept the Planning Board report as submitted and to adopt the following resolution:

WHEREAS: the Planning Board has requested to hold a Broadband Communications Informational Conference on Nov. 24, 2015, be it hereby

RESOLVED: the Town Board authorized the Planning Board to host a Wireless Communications informational session to be held on November 24, 2015 in the Town Hall at 7:30 PM

Councilman Bichteman seconded the motion adding to accept the Planning Board report and resolution and a roll call vote resulted as follows:

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

NAYS: None.

**RESOLUTION # 40-2015 was thereby duly adopted.**

Councilman Bichteman reported on the Westerlo Water District No. 1 proposed water tank repairs and maintenance of the tank and system. He advised that Statewide Aquastore had called him today. The planned maintenance repairs will start on Friday, Nov. 13, 2015 at 8:00 AM. This means that on Thurs. Nov. 12<sup>th</sup> at approximately 10 PM the water will be shut off to the Water District, the water tank will be drained prior to that and it will be below Fire Protection levels two days before that. He will send a formal letter to the Westerlo Vol. Fire Co. so they can anticipate when you will have water in the hydrants and when it will be off. The repair is scheduled to take approximately three hours and refill of the tank will immediately follow. It may take the remainder of that day or evening before water is provided back to the Water District. Notices will be sent to Water District property owners as well as posted on the Town website.

Code Enforcement Officer Edwin H. Lawson advised Supervisor Rapp had requested he look at the Town Hall and speak to the Town Board for a request to approve a new heating system and insulation for the Town Hall, this is a critical need project. The Supervisor has reported problems with the current steam boiler system. Ed reported based on a plan that had been prepared for this building a hot air system had been proposed so there could also be air conditioning, this is not an option at this point. Mr. Lawson proposed a hot water baseboard and that could be designed with the floor plan you have. He advised Insulation needs to be addressed first, so that a heating system could be designed based on the R-value of the building. He advised the Board of discussion he had with vendors at a Training session he attended. Air circulation could be improved and water damage could be eliminated by use of spray insulation and lowering ceiling of the meeting room preventing heat loss. The walls are approx. 8" thick and have firestops about midway and they are bare. An approach would be to open walls and insulate. Winter cold and heat loss has caused water damming which needs to be addressed and stopped. Once a direction for insulation is determined, a heating system could then be based on that. He also advised the building contains asbestos to put in a duct system would be an issue. There could be no disruption of the asbestos that would have to be part of an RFP. He discussed the remaining \$58,000 of a Dormitory Authority Grant and their need to approve a renovation plan and estimate on an insulation and heating project ahead of time. The grant expiration date has not been specified. He also advised asbestos abatement was not included in the original grant application. The Dormitory Authority wants to know when these projects will be completed, so they can evaluate.

Councilman Bichteman offered his opinion on the need to improve the heating/air conditioning system and insulation project seeming to favor the heating system proposed in a plan by Delaware Engineering. Councilman Bichteman, Mr. Lawson, Mr. Grober of Delaware Engineering, Councilman Field and the public discussed the specific issues of the building, the possible loss of remaining Dormitory Authority Grant monies, cost of new heat system, the possibility of repurposing grant monies, and also what direction if any, the Town Board would like Mr. Lawson to take based on critical need to replace heating system. Supervisor Rapp made a motion to authorize Code Enforcement Officer Ed Lawson to create a plan to move forward on a the proposed hot water baseboard heating and insulation renovation project for the Town Hall building, seconded by Councilman Bichteman motion unanimously carried by those in attendance.

Kevin Flenstead of the Town of Westerlo Volunteer Fire Co. advised per the contract with the Fire Co. a resolution is needed from the Town Board to allow the Fire Co. go beyond the budget for the approval and purchase of needed apparatus as discussed in the month of October. Councilman Bichteman made a motion to adopt the following resolution:

WHEREAS: the Town of Westerlo Volunteer Fire Co. has requested to seek the purchase of a new apparatus, be it hereby

RESOLVED: the Town Board authorizes the Fire Co. to exceed their budget/contract to seek the purchase of a new apparatus.

Supervisor Rapp seconded the motion and a roll call vote resulted as follows:

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

NAYS: None.

**RESOLUTION # 41-2015 was thereby duly adopted.**

Mr. Grober of Delaware Engineering reported based the Town Board's request Delaware Engineering has sought potential budget cost cuts for proposed project improvements to the Town Hall building & Highway Garage. There wasn't much they could cut costs on but have come up with the following items for Town Hall: cut out site plan, not seal and point brick, not repair concrete, removed emergency generator, not replace roof at Town Hall for now. Roof may last 2-5yrs and will cost more in future, could possibly leak causing damage to any potential renovations. Handicapped access and bathrooms are necessary and need to be addressed. New Heating system and insulation for Town Hall is an emergency need. By making suggested cuts they conceived an approximate reduction of \$150,000 to maybe \$200,000. Town Hall project was originally budgeted \$893,000 now projecting \$706,162.

Mr. Grober reported on the Highway Garage advising not much that can be done to reduce costs of a highway garage. It can be reduced by one bay for approximately \$200,000 in savings. To expand and to add another bay later could cost \$300,000, not really savings by cutting out one bay. Another option could be to go with a pole barn (Morton type) for a cost savings of 10% to 15%. He advised a rigid steel frame building (Butler type) would last 50-100 yrs. and banks tend to loan no more than 20 yrs. on pole barns. He asked the Board to contact him if they any questions or ideas. He provided the Town Board with a Conceptual Plan-Revised Scope & Project Budget document dated 11/2/2015.

Supervisor Rapp and Mr. Grober briefly discussed the use of an emergency declaration for a heating system. Declaration not necessary at this time, no action was taken.

Next Town Board Workshop scheduled for Tue. Nov. 17<sup>th</sup> @ 7:00 PM.

Ed Lawson reported on proposed Emergency repair to the Highway Garage roof to just cover the Court & State Police sections of the building. Materials: Rolled rubber roofing, no sheathing, with turn bars fastened on the block wall and bolted down with turn bars termination over upstairs for former offices occupied by Code Enforcement and Assessor to make it safe for upcoming winter. Repair could probably last 3 yrs. He is still waiting for estimates and hoped to have it completed in November. This is being handled on an emergency basis, he has not received cost estimate yet. Councilman Sherman inquired about the type of roofing and weather conditions. Mr. Lawson advised it would be EDPM and proper adhesives for weather conditions would be applied by professional roofer. Supervisor Rapp asked for a motion to approve emergency roof repair on Highway Garage building. Councilman Bichteman made a motion to approve emergency repair, seconded by Councilman Field motion unanimously carried by those attending.

There being no further public comment, Supervisor asked for a motion to adjourn the meeting. Councilman Field made motion to adjourn, seconded by Councilman Bichteman, motion unanimously carried by those attending. Meeting adjourned at 10:15 PM.

Respectfully submitted,

Kathleen Spinnato

