

**Town of Westerlo
Town Board Meeting
Tuesday, April 7, 2015**

The Town of Westerlo Town Board held a meeting on Tue., April 7, 2015 in the Westerlo Town Hall located at 933 County Route 401, Westerlo, NY. Supervisor Rapp opened the meeting at 7:30 PM with the Pledge of Allegiance to the Flag.

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: Highway Superintendent Keith Wright Sr., Zoning Board Chairwoman Virginia Mangold, Zoning Board Member John Sefcik, Planning Board Chairwoman Dorothy Verch, Planning Board Members Gerry Boone & Edwin Stevens, Zoning Recommendation Committee: Edwin H. Lawson, Dianne Sefcik, Patricia Britton, Kathleen Bobb, & Pamela Schreiber; Town Clerk Kathleen Spinnato and approximately 22 interested persons.

Supervisor Rapp asked for a motion to accept the Town Board minutes of 3/3/2015. Councilman Lounsbury made a motion to accept the 3/3/2015 minutes, seconded by Councilman Field and unanimously carried.

Supervisor Rapp asked for a motion to accept the Town Board Workshop minutes of 3/17/2015. Councilman Bichteman made a motion to accept the 3/17/2015 minutes, seconded by Councilman Sherman, Supervisor Rapp voted aye, Councilmen Field and Lounsbury abstained as they were not in attendance on 3/17/15. Motion carried.

Supervisor Rapp asked the Town Clerk to open and read aloud bids received for highway materials of stone, gravel & bituminous asphalt which had been advertised. The following companies submitted bids: Callanan Industries, Carver Sand & Gravel, Cobleskill Stone Products and Dolomite Products Company. All bids included a signed Non-Collusive Bidding Certification. After the bids were read Supervisor Rapp made a motion to adopt the following resolution:

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

RESOLVED: the Highway Superintendent 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 Sherman,
Councilman Lounsbury and Councilman Bichteman

NAYS: None.

RESOLUTION # 12-2015 was thereby duly adopted.

Supervisor Rapp asked the Town Clerk to open and read aloud the bids for Utility Repair Crews (4/15/15-4/15/16) which had been advertised. The following companies submitted bids: J.R. Pietropaoli Inc. and Trinity Construction Inc. Both bids included a signed Non-Collusive Bidding Certification. After the bids were read Supervisor Rapp made a motion to adopt the following resolution:

WHEREAS: bids for Utility Repair Crews were properly advertised, received and reviewed by the Town Board, be it hereby

RESOLVED: the Town Board accepts the bids for Utility Repair Crews.
Councilman Bichteman 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 # 13-2015 was thereby duly adopted.

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

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

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

RESOLVED: the following bills be paid:

Voucher # 98 through Voucher # 156 in the amount of \$77,582.18

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

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

NAYS: None.

RESOLUTION # 14-2015 was thereby duly adopted.

Supervisor Rapp asked Planning Board Chairwoman Dorothy Verch to give the Planning Board report. She reported no meeting held on March 24, 2015. March 27, 2015 all members of Planning Board attended Capital Dist. Regional Planning Commission Workshop on Local Gov't Planning and Zoning held at HVCC. Six credits were earned toward the annual requirement. She asked the Town Board to approve Jennifer Bungay's submission of 6 hrs. for reimbursement as there is no requirement for the Clerk of the Planning / Zoning Boards to attend the workshops. Jennifer had taken a personal day from her work to attend and become familiar with duties and requirements of those boards. She then read a list of Seminars attended by the Planning Board. Councilman Bichteman made a motion to adopt the following resolution:

WHEREAS: All Planning Board members attended training held at HVCC on 3/27/15 and Clerk to the Planning Board Jennifer Bungay attended as well, be it hereby

RESOLVED: the Planning Board Training be approved and Jennifer Bungay Clerk to Planning & Zoning Boards be reimbursed.

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

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

NAYS: None.

RESOLUTION # 15-2015 was thereby duly adopted.

Supervisor Rapp asked Zoning Board of Appeals Chairwoman Virginia Mangold to give a report. She reported on March 23, 2015 at 6:30 PM a 1 hr. continuing education class for the ZBA was officiated by Town Attorney Aline Galgay regarding the new Town of Westerlo Comprehensive Plan it was attended by: Chairwoman Virginia Mangold, ZBA Members Willie VanInderstine, John Sefcik, Bob Beck, Amie Burnside and ZBA Clerk Jennifer Bungay. The ZBA meeting immediately followed the class starting at approximately 7:40 PM with the Pledge of Allegiance. All ZBA members were in attendance. Members approved the 12/22/14 minutes with no nays. There was no old business, the ZBA members agreed to continue education classes with Chairwoman Mangold giving notice to the Zoning Board as to date, time and place. There was no new business. Meeting adjourned at 8 PM, next regularly scheduled

ZBA meeting to be held on April 27, 2015 at 7:30 PM. Councilman Bichteman made a motion to accept the ZBA report as submitted, seconded by Councilman Lounsbury, motion unanimously carried.

Councilman Bichteman made a motion to adopt the following resolution:

WHEREAS: All the ZBA members and ZBA Clerk attended training of 1 hour officiated by Town Attorney Aline Galgay on March 23, 2015 regarding the Town of Westerlo Comprhensive Plan, be it hereby

RESOLVED: the ZBA training held on 3/23/2015 is approved by the Town Board.

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

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

NAYS: None.

RESOLUTION # 16-2015 was thereby duly adopted.

Supervisor Rapp asked Councilman Bichteman to give a Water Board Report. He reported there was a Water Board meeting Held on March 26th. The purpose of the meeting was to review the Water District's current operating budget and rate schedule and the Water Board is recommending the following rate adjustments:

1. The Annual Bond Repayment be reduced from \$333.10 to \$310.34 annually. The reduction will reflect the actual amount being re-paid on loan schedule through 2017.
2. By lowering the Annual Bond Repayment the Usage Fee will require an increase of \$0.74 per 1,000 gal. The proposed increase will change the Usage Rate from \$16.71 per 1,000 gal. to \$17.45 per 1,000 gal. an increase of 4.4%.
3. With the exceptions of items 1 & 2 above the Water Board recommends the Water District Fee Schedule remain unchanged.

Councilman Bichteman asked the Town Board to consider passing a resolution to reflect the proposed two changes to the Water District Fee Schedule effective April 1, 2015. Supervisor Rapp asked the Town Board for a motion for the proposed rate changes to the Water District Fee Schedule as recommended by the Water Board. Councilman Lounsbury made a motion to adopt the following resolution:

WHEREAS: the Water Board is recommending changes to the Water District Fee Schedule, be it hereby

RESOLVED: the Town Board approves two revisions to the Water District Fee Schedule effective April 1, 2015:

1. Reduce the Annual Bond Repayment to \$310.34.
2. Increase the Water Usage Fee to \$17.45 per 1,000 gal. (Rate per 1,000 with a minimum quarterly billing of 5,000 gal.)

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

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

NAYS: None.

RESOLUTION # 17-2015 was thereby duly adopted. The Town Clerk asked if the new rate(s) would start with the upcoming April 15, 2015 Water Dist. billing period. Councilman Bichteman responded the new rate(s) would start with the July 2015 billing period.

Councilman Bichteman asked the Town Board to review old business regarding the annual budget process and a proposed resolution specifying a time table of Aug. 31st for budget requests for service contracts and the supporting documentation required to be included with such requests. Councilman Bichteman then read aloud the proposed resolution. The fire company members and the public commented and asked questions about the proposed resolution. Councilmen Bichteman,

Lounsbury and Supervisor Rapp responded to their questions. Councilman Bichteman made a motion to adopt the following resolution:

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WESTERLO, NEW YORK, SPECIFYING THE TIMETABLE FOR BUDGET REQUESTS FOR SERVICE CONTRACTS AND THE SUPPORTING DOCUMENTATION REQUIRED TO BE INCLUDED WITH SUCH REQUESTS

WHEREAS, the Town of Westerlo (the "Town") includes in its budget process the dedication of funds allocated to pay for fire protection, first responder, ambulance, rescue, emergency, library and historical/ museum services ("services") to the Town of Westerlo residents; and

WHEREAS, the Town, in order to accurately complete the budget process, solicits monetary requests from the Town of Westerlo Volunteer Fire Company, Inc., Westerlo Rescue Squad, Inc., County Ambulance service, Town of Westerlo Public Library, and the Town of Westerlo Historical Society ("providers") on an annual basis, which are evaluated to compare the level of service provided with the amount requested; and

WHEREAS, the Town enters into annual contracts for fire protection services, first responder services, and ambulance, rescue and emergency services, said contracts to run from January 1 through December 31; and

WHEREAS, the Town Board of the Town has determined that it is important to continue to provide a fiscally prudent budget, and to ensure that the amounts requested by the providers to provide the services are directly related to the cost of said services; and

WHEREAS, the Town Board has also determined that it is important that there be adequate time to review all information pertaining to the budget request;

NOW THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Westerlo hereby requires as part of the budget process that:

1. All submissions for monetary requests to provide services as defined above shall be submitted no later than August 31st of the year preceding the award (to wit for the 2016 budget, submissions must be received by August 31, 2015)
2. All funding requests shall breakdown the total amount requested into individual and specific line item categories.
3. Each line item shall show the amount of the funding requested, with corresponding columns showing the previous year's funding and actual amount of the expenditure for that line item in the previous year.
4. Funding requests should include explanations as necessary to justify changes from previous years's budget.
5. Accompanying each request shall be a Resolution by the appropriate Board of the provider, or a sworn Affidavit from the Treasurer of the provider, stating that the record information submitted is true and accurate.
6. No submissions shall be accepted for consideration or evaluation after August 31, and /or without the verified ledger.

Councilman Sherman seconded motion, roll call vote follows:

DATED: April 7, 2015

Kathleen Spinnato Town Clerk

Vote:

Richard H. Rapp	<input checked="" type="checkbox"/> _X_aye	<input type="checkbox"/> __nay
William F. Bichteman Jr.	<input checked="" type="checkbox"/> _X_aye	<input type="checkbox"/> __nay
Alfred L. Field	<input checked="" type="checkbox"/> _X_aye	<input type="checkbox"/> __nay
Theodore S. Lounsbury III	<input checked="" type="checkbox"/> _X_aye	<input type="checkbox"/> __nay
Anthony W. Sherman	<input checked="" type="checkbox"/> _X_aye	<input type="checkbox"/> __nay

RESOLUTION # 18 -2015 was thereby duly adopted.

Supervisor Rapp asked Edwin H. Lawson to inform the Town Board about the Zoning Recommendation Committee's (ZRC) Report of April 4, 2015 compiled to address the concerns from the impacts of potential high volume horizontal hydraulic fracturing (HVHF) for Shale Gas Development (SGD). Mr. Lawson reviewed how and why the volunteer ZRC was formed, the charge the ZRC was tasked with, and advised the ZRC meetings held were advertised and open to the public. The ZRC Chairman Edwin Lawson & Members; Kathleen Bobb, Patricia Britton, Pamela Schreiber and Diane Sefcik presented a packet to the Town Board containing a memo with the ZRC's findings, a Report on Shale Gas Development Impacts and Local Zoning Options (full and summary), and two draft/sample resolutions. Proposed Draft Resolution No. 1. Creation of a Carefully Customized Zoning Amendment and Proposed Draft Resolution No. 2. Create an Economic Development Team. The documents presented were for the Town Board's review, consideration/determination, and potential implementation. Councilman Bichteman thanked the ZRC for their efforts. The public applauded and thanked the ZRC for their efforts as well.

The Town Board discussed and made a unanimous decision to not hold an April Workshop meeting.

Supervisor Rapp opened the meeting to the Public.

Tom Diedrich spoke regarding the street lighting outages which had been previously reported several times to Central Hudson by the Town Supervisor. He advised he had spoken with a representative from Central Hudson and was assured action to fix or repair the lights will be corrected in the next few weeks. Mr. Diedrich also reported on the 5yr old New York State Dept. of Environmental Conservation Burn Ban Law which restricts outdoor burning of brush between March 15 and May 15. He also reported for those who were unaware it is always illegal to have a burn barrel and to burn leaves. During the allowable dates to burn brush residents should call the Albany County Dispatch Center non-emergency phone number 765-2351 prior to their intent to burn brush, so the fire company is not dispatched erroneously.

Rick Stark representing the Westerlo Rural Cemetery advised they are in need of volunteers to keep the cemetery running or they will have to close the corporation. Volunteers are needed to fill the positions of President, Vice Pres., Treasurer, and two Trustees positions to keep the corporation open. On Saturday, April 25, 2015 volunteers are needed to pick up branches from winter storms. There is one annual meeting a year for corporation requirements, burial paperwork needs to be filed and laid out for the contractor hired to do the digging. Anyone interested in volunteering can contact Rick Stark by phone: 797-3752.

Claire Ansbro-Ingalls from the Town of Berne reported on the 1st Annual Kenneth's Ride a Motorcycle Run to be held on June 6 in memory of Kenneth White. The ride will start at Thacher State Park and run through the Hilltowns and end at Thacher Park. Proceeds from the event benefit a Scholarship Fund for a Berne Knox Westerlo Central School student furthering their education in the field of Social Services. She advised of the registration, fees, activities and she handed out flyers and asked for posting in Town Hall for the event.

Investigator and Community Liaison Tracy Mance of the Albany County Sheriff's Office (ACSO) Office asked anyone planning community events to contact her. She also promoted the ACSO's "Heroin Bus" used for mobile educational purposes to teach students about the path of gateway drugs leading to use of hard core drugs, overdose, and jail. The ACSO is also starting a Civilian Police Academy. For information contact: Investigator Mance, or go on the website: albanycounty.com/sheriff., click on Law Enforcement and then click on Community Relations.

Betty Filkins spoke about Cancer Fund raiser for her sister Ruth Savino to be held on April 18th at the Westerlo Reformed Church 4-8 PM. There will be a Spaghetti Supper, and Raffles, tax deductible donations can be made to Westerlo Reformed Church.

Ed Lawson announced Albany County Rural Housing Alliance has Grant monies available for low income individuals who want to make upgrades to their home. If you know of someone in need he has information.

There being no further discussion, Supervisor Rapp asked for a motion to adjourn the meeting. Councilman Field motioned to adjourn, seconded by Councilman Lounsbury and unanimously carried. Meeting adjourned at 8:45 PM.

Respectfully submitted,

Kathleen Spinnato