

**Town of Westerlo  
Town Board Meeting  
Tuesday, May 5, 2015**

The Westerlo Town Board held a regular meeting on Tue. May 5, 2015 at Town Hall located at 933 County Route 401, Westerlo, NY. Supervisor Rapp called the meeting to order with the Pledge of Allegiance to the Flag at 7:30 PM.

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

Also attending were: Highway Superintendent Keith Wright, Planning Board Chairwoman Dorothy Verch, Planning Board member Edwin Stevens, Town Justice Kenneth Mackey, Zoning Board member John Sefcik, Fred Grober of Delaware Engineering, Town Clerk/Tax Collector Kathleen Spinnato, and approximately twelve interested persons.

Supervisor Rapp asked for a motion to approve the Town Board minutes of 4/7/2015. Councilman Lounsbury made a motion to approve the minutes of 4/7/2015, seconded by Councilman Bichteman and unanimously carried.

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

Supervisor Rapp asked for a motion to accept the Tax Collector's report of 5/5/2015. Councilman Bichteman made the motion to accept the 5/5/2015 Tax Collector's report, seconded by Councilman Field and unanimously carried.

Supervisor Rapp advised the monthly bills need to be paid and asked for a motion. Councilman Sherman 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 # 157 through 205 in the amount of \$100,864.37

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

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

NAYS: None.

**RESOLUTION #19-2015 was thereby duly adopted.**

Supervisor Rapp asked Planning Board Chairwoman Dorothy Verch to give the Planning Board Report. She reported they met on 4/28/2015 and accepted 2 applications. Application #15-006 from John Dolce for property located at 6003 Rt. 32 (formerly Hilltown Agway). He intends to use property as a showroom for used cars, with a repair & service area. He also intends to sell and service vehicles for motor sports industry i.e. motorcycles, 4 wheelers and ATVs and other small engine repairs. Application # 15-007 from Alan Pelton, for a minor subdivision of his current two parcels to create an approx. 10 acre parcel for a family member. Negative SEQRA review was completed. Councilman Lounsbury made a motion to accept the Planning Board report, seconded by Councilman Field and unanimously carried.

Supervisor Rapp asked the Town Clerk to read the Zoning Board of Appeals Report submitted by Chairwoman Virginia Mangold. The ZBA meeting of 4/27/2015 was not held, there was no new business. The ZBA meeting for May will be held on **Wednesday**, May 27<sup>th</sup> at 7:30 PM, this is a change from the normal fourth Monday of the month due to the Memorial Day holiday. Prior to this the ZBA had met for an education class with the Town Attorney, which was approved in April by Town Board Resolution #16-

2015. Councilman Bichteman made a motion to approve the ZBA report as submitted, seconded by Councilman Lounsbury and unanimously carried.

Supervisor Rapp asked Councilman Bichteman to give a Water Board Report. Councilman Bichteman reported the Water District storage tank has a bullet hole. Aquastore Co. will be scheduling an appointment to assess the damage with an underwater camera to submit for insurance purposes and repairs. Dorothy Verch asked about the repayment of funds to the town from the water district. Supervisor Rapp and Councilman Bichteman responded to her questions. Councilman Bichteman indicated at the last Water Board meeting \$1,000 was appropriated to be paid back to the Town. As surplus funds become available, which are very few, it will be repaid to the Town. Supervisor Rapp made a motion to accept the Water Board report, seconded by Councilman Sherman and unanimously carried.

Supervisor Rapp indicated the Zoning Recommendation Committee (ZRC) Report was next on the agenda, he had not reviewed document yet. The Town Board received the report submitted by the ZRC on 4/7/2015. The Town Board did not comment or take any action on the ZRC Report.

Supervisor Rapp asked the Town Board about scheduling a Town Board Workshop meeting for May. After a discussion Councilman Lounsbury suggested May 19th, Supervisor Rapp made a motion to hold the next Town Board Workshop meeting on Tue, May 19<sup>th</sup> at 7:00 PM in Town Hall, seconded by Councilman Lounsbury and unanimously carried.

Councilman Field asked if Fred Grober from Delaware Engineering should attend the workshop for discussion about proposed replacement of Town Highway Garage and renovation of Town Hall buildings. Councilman Bichteman indicated a resolution is proposed.

Supervisor Rapp reported the resolution was received late on Monday by email from Delaware Engineering to the Town Board. Supervisor Rapp advised the proposed resolution is for a SEQR Type II Classification on the Highway Garage Replacement In-kind and Town Hall Renovation. The Town Clerk was handed a copy of the resolution, Councilman Field stated he had not seen the document. Supervisor Rapp asked for a motion to adopt the proposed resolution. Councilman Bichteman made the motion to adopt the following resolution:

**TOWN OF WESTERLO  
HIGHWAY GARAGE REPLACEMENT IN-KIND AND  
TOWN HALL RENOVATION**

**SEQR TYPE II CLASSIFICATION**

**WHEREAS**, the Town of Westerlo, Albany County, New York (hereinafter the “Town”) has established the public benefit to the Town residents of replacement of the Highway Garage, located on Tax Parcel 151.-1-7 on 671 County Route 401 in the Town of Westerlo; and,

**WHEREAS**, the project includes and the renovation of Town Hall located at Tax Parcel 139.-1-44 on 933 County Route 401 in the Town of Westerlo in order to relocate the Town Court and Police facilities from the existing Highway Garage to the Town Hall; and,

**WHEREAS**, 6 NYCRR Part 617.5(c)(2) states “replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrades to buildings to meet building or fire codes, unless such action meets or exceeds any of the thresholds in Section 617.4 of this

Part” has been determined not to have a significant impact on the environment and are precluded from environmental review under Environmental Conservation Law Article 8; and,

**WHEREAS**, the proposed project does not meet or exceed any of the thresholds in Section 617.4;

**NOW, THEREFORE, BE IT RESOLVED** in consideration of the foregoing:

1. The Town Board of the Town of Westerlo hereby finds that the Highway Garage and Town Hall project is a Type II Action and is not subject to review under SEQR (6 NYCRR Part 617.5).

2. This resolution shall take effect immediately.

Motion offered by: Councilman Bichteman,

Motion seconded by: Councilman Lounsbury the roll call vote follows:

Supervisor Rapp	Aye
Councilman Bichteman	Aye
Councilman Lounsbury	Aye
Councilman Sherman	Aye
Councilman Field	Abstained

**RESOLUTION #20-2015 was thereby duly adopted on May 5, 2015.**

The Town Clerk was asked by Councilman Bichteman to read the resolution aloud. Supervisor Rapp asked Fred Grober of Delaware Engineering to speak. He reported this is a Type II action, it is a replacement in-kind, there is no significant impact on the environment therefor there is no other requirement from a SEQR standpoint that needs to be done as part of any future bond. No change in footprint for either building.

The meeting was opened to the public.

Tom Diedrich followed up on previous street light issue. He reported most have been repaired and questioned the usefulness of a street light at corners of County Route 402 and County Route 413 as the highway has been redirected at that intersection and no longer serves a purpose. Supervisor Rapp responded they will be doing away with that light. Mr. Diedrich reported that the light by the Town Garage Highway Superintendent’s office is out.

Councilman Sherman asked about the replacement of wood chips by the playground equipment in the park. Highway Superintendent Keith Wright said they are coming.

There being no further public comment, Supervisor Rapp made a motion to adjourn the meeting, seconded by Councilman Lounsbury and unanimously carried. Meeting adjourned at 7:47 PM.

Respectfully submitted,

Kathleen Spinnato

