

**Town of Westerlo
Town Board Meeting
Of
Tuesday, October 4, 2016**

The Town of Westerlo Town Board held a regular Town Board meeting on Tuesday, October 4, 2016 at 7:30 PM at the Town Hall, 933 County Route 401, Westerlo, NY. Supervisor Rapp opened the meeting with the Pledge of Allegiance to the Flag.

PRESENT WERE: Supervisor Richard H. Rapp
Councilman William F. Bichteman Jr.
Councilwoman Amie L. Burnside
Councilman Anthony W. Sherman
Councilman Joseph J. Boone

Also attending were: Albany County Legislator Christopher Smith, Zoning Board Chairwoman Virginia Mangold and member John Sefcik, Planning Board Chairwoman Dorothy Verch, Highway Superintendent Keith Wright and Deputy Hwy Super. Jody Ostrander, Clerk to the Assessor Claire Marshall, Clerk to the Supervisor Patricia Boice, Board of Library Trustees President Laura Tenney, Town Clerk Kathleen Spinnato and approximately 14 residents.

Supervisor Rapp introduced Christopher Smith Albany County Legislator-39th Legislative District.

Town Board Minutes of 9/6/2016

Motion to accept the Town Board minutes of 9/6/2016 was made by Councilman Bichteman, seconded by Councilwoman Burnside, motion carried all in favor.

Special Town Board Minutes of 9/20/2016

Motion to accept the Special Town Board minutes of 9/20/2016 was made by Councilman Sherman, seconded by Councilman Bichteman, Councilwoman Burnside abstained, motion carried in favor.

Town Board Workshop minutes of 9/22/2016 The Town Clerk advised these minutes were incomplete and will be presented to the Board at a later date.

Supervisor's Report

The Town Board had received the Supervisor's Report for the month of August. Supervisor Rapp made a motion the Town Board accept the Supervisor's Report for the month of August as submitted, seconded by Councilman Sherman, motion carried, all in favor.

Town Clerk's Report

The Town Board had received the Town Clerk's report for the month of September. Councilman Sherman made a motion to accept the Town Clerk's report for the month of September, seconded by Supervisor Rapp, motion carried all in favor.

Payment of monthly bills

Supervisor Rapp 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 # 378 through Voucher # 431 in the amount of \$56,249.61

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

AYES: Supervisor Rapp, Councilman Bichteman, Councilwoman
Burnside, Councilman Sherman and Councilman Boone

NAYS: None

RESOLUTION # 38-2016 was thereby duly adopted.

2017 Tentative Budget

The 2017 Town of Westerlo Tentative Budget was presented to the Town Board by the Town Clerk for their review.

Scheduling of Budget Meetings

The Town Board advised the 2017 Tentative Budget would be reviewed by the Town Board at a regularly scheduled Workshop to be held on Tuesday, October 18th at 7:00 PM, all present were in favor.

The Town Board discussed scheduling a Public Hearing on the 2017 Preliminary Budget. Councilman Bichteman made a motion to adopt the following resolution:

WHEREAS: the Town Board will need to schedule a Public Hearing on the 2017 Preliminary Budget, be it hereby

RESOLVED: the Town Board hold the Public Hearing on the 2017 Preliminary Budget on Wednesday, November 9, 2016 at 7:00 PM

Councilwoman Burnside seconded the motion, a roll call vote resulted as follows:

AYES: Supervisor Rapp, Councilman Bichteman, Councilwoman Burnside,
Councilman Sherman and Councilman Boone.

RESOLUTION # 39-2016 was thereby duly adopted.

Zoning Board of Appeals Report

ZBA Chairwoman Virginia Mangold reported they met for the regularly scheduled meeting on 9/26/2016. There were no new applications, the board discussed solar energy systems and how other towns have placed regulations in their town laws regarding solar systems. In the Town of Westerlo, solar energy systems require building permits which are issued by the Town Code Enforcement Officer. The Town of Westerlo has no specific regulations regarding solar farms, ground mounted solar or large solar applications of businesses and how these may have an affect such as glare to vehicle traffic, air traffic, shadowing on roads, etc. Each solar application needs to be handled individually, there is no specific law or ruling currently. Solar farms could bring a loss of farm land which would bring a change to our community. The ZBA is proposing a six to nine month Moratorium. A draft law was previously presented to the Town Board. The next regularly scheduled ZBA meeting is Mon. October 24, 2016 at 7:00 PM.

Discussions followed between Councilman Bichteman, Virginia Mangold, Dorothy Verch and Claire Marshall regarding;

- Potential changes to the Zoning Law.
- Any Planning Board involvement.
- Status of any current permit applications for solar that may be affected.
- Phone calls received by the Assessor's office pertaining to questions about larger solar energy systems.

Several residents commented on the proposed solar moratorium for ground mounted solar, solar farms and "hardship" cases. The Town Board asked Chairwoman Mangold to bring the proposed ZBA's ideas and suggestions to the next Town Board Workshop to be held on October 18th to discuss the matter

further. Councilman Sherman made a motion to accept the Planning Board report as submitted, seconded by Councilman Bichteman, motion carried all in favor.

Planning Board Report

Planning Board Chairwoman Dorothy Verch reported a meeting was held on 9/27/2016. There were no new applications and no old business. New business, four members of the Planning Board will attend the Capital District Regional Planning Commission (CDRPC) fall Planning & Zoning workshop to be held October 5th. Certifications received will be credited toward their NYS requirements. The Planning Board members will have enough accreditations through 2018 and 2019 with the completion of this seminar. Councilman Sherman made a motion to accept the Planning Board report as submitted, seconded by Councilman Boone, motion carried all in favor.

Museum Report

Catherine Latham reported on behalf of Museum Director Alicia Malanga. Kate advised the Town Board of the Museum hours which are the first Saturday of each month April–November only from 9am-11am or by appointment. This was approved by the Museum Board of Trustees and explained the reasons why they decided upon those hours. The Museum has been open since the Bicentennial Celebration held in 2015. Known by some as the Percy house, it was actually the Myer house and is one of the original houses in the town. The Trustees are: Ron Bryan, Alicia Malanga, Mary Jane Araldi, Elaine Nevins, Donald Britton, Jerald & Diane Figel, herself and formerly Margaret Hannay & David Hannay, all are volunteers. She explained the restoration and renovations completed on the building to date and invited the public to visit. The Director/Curator Alicia Malanga is also on the Board of Trustees she currently volunteers since the line was cut from the budget several years ago. The Director is in charge of tracking, documenting inventory, maintenance of artifacts, outreach to outside sources when restoration is needed on artifacts, any building that cannot be done by Director or the Trustees, cleaning museum, response to inquiries, continued work on documents to start the Chartering process. All duties were done with the guidance and approval of the Trustees. The museum is currently finalizing documents, for legal purposes, for the loan/intake of artifacts according to the Museum's collections policy. Going forward the Museum would like to put in place the following:

- Paved path & paved parking area with handicapped accessible parking by entrance.
- Driveway with parking that can be maintained during winter months so Museum can be open in winter.
- Inventory - Need to continue checking with original handwritten catalogue books and to enter digitally into a cataloging system for small Museums.
- Archival materials, runners, ropes, blocking systems, bookshelves, and a cataloging system need to be purchased.
- Continue work on documents needed for a temporary Charter.
- Continue talk of expansion to house current collection properly (items they currently have exceeds the display space).
- Internet is needed and should be there soon.
- Telephone.
- Would like to reinstate Alicia so she gets paid for some of the work that she does.
- Would like to organize another fundraiser

Catherine felt the Budget for the Museum is small and they try to be economically friendly in what they do. The Townwide Garage Sale she has been in charge of coordinating for 11 yrs. makes approx. \$1000+/year to help fund the museum. Propane is the only source of heat as it was the least expensive option at the time it was installed. She estimated the cost of propane to about \$3,200.00, electricity about \$1,300.00 and general maintenance of \$3,000.00 for office supplies, cleaning supplies, a vacuum cleaner, etc.

Councilman Bichteman inquired about the Museum Trustees, meetings held, expiration of terms, status of a Charter and By Laws. Kate Latham responded to his questions and she indicated if the Town doesn't have a copy of the By Laws she could provide one. The Charter requires a lot of paperwork they all need to sign it, list the artifacts in museum and the policy on donated items. In case the museum were to fail, they are discussing having families loan artifacts so that those loaned items can be returned from where they came. Discussion followed between Councilman Bichteman and Mrs. Latham pertaining to their future Budget submissions and the format it should follow.

Mrs. Latham responded to residents questions, comments or suggestions concerning; the Museum's proposed internet, the relationship between the Museum and the Historical Society and a possibility to work together, providing a monthly report to the Town Board to track spending costs, they have done an excellent job on the museum and should consider switching to another propane company to save on heating costs.

Supervisor Rapp asked Highway Superintendent Keith Wright or Deputy Jody Ostrander to check with Nolan Propane. Councilman Bichteman suggested the Town Board reach out to the Town Attorney concerning any implications there may be on the proposed Museum's Charter, their policies, and any relationship between the Museum and the Historical Society.

Library Report

Laura Tenney President of the Library Board reported on behalf of the Library. The Library felt it would be good to make periodic reports to the Town and the community and to promote open communication. During the past 5 years the Library has worked to secure 3 grants from NYS Education Dept.-Division of Library Development. The matching grants are specifically for construction projects at public libraries. In all, they have received from NYS approximately \$130,000, which has allowed them to make vast improvements to the building's exterior including a new roof, a new stone entryway, new windows, an outdoor patio, an ADA compliant sidewalk, lead mitigation, and new paint. They thanked the Town Highway Dept. crew and Highway Superintendent Keith Wright for recently providing the Library with landscaping boulders which provide extra outdoor seating and keeps those who are seated safe from autos pulling into their parking lot. They encourage all members of the community to use the patio and to make use of the Library's 24/7 free WIFI.

This year they have received \$75,000 in construction grant money and are poised to begin a \$100,000 project for interior improvements. Since the Museum has moved out into their own space, the Library plans to create a 525 sq. ft. state-of-the-art multipurpose room which can be used for meetings, library programs, art exhibits, music concerts or even exercise classes. The project includes renovation of the bathroom, adding a janitor's closet, a kitchenette, and making upgrades to the existing space to make the building fully ADA compliant and more energy efficient. As they celebrate the Library's 30th Anniversary they are excited about the changes ahead, and look forward to giving updates as the project progresses. She thanked everyone for their time and advised she would be happy to try and answer any questions about the library. She responded to a question from a resident concerning parking and

indicated they welcome any suggestions about parking and would like to hear them. She also explained the Westerlo Public Library is part of the Upper Hudson Library (UHL) system a network of 29 libraries in the counties of Albany and Rensselaer. As part of that system they share each other's holdings. Requests for borrowing books, DVD's, etc. can be made online and items are delivered to Westerlo PL for pick-up. The borrowed items can be returned to any Library included in the UHL system.

Building Committee Report

Councilman Bichteman reported on the proposed Town Hall renovation project. He informed the public the Building Committee will hold a Public Tour of interior only (due to darkness) of the Town Hall on Thurs., October 6th at 7 PM followed by a Q & A and discussion period from 7:30 PM through 9 PM regarding the project. For those residents who cannot attend on 10/6/16 there will be a second Public Tour of the interior and exterior on Saturday, Oct. 15th at 1PM followed by a Q & A discussion period from 1:30 PM through 3 PM.

The Building Committee held a meeting on Oct. 3rd. Informational pamphlets on the proposed Town Hall Renovation project will be circulated to the residents. It contains highlights, pictures of floor plans, and estimate project costs. The Town will be bidding out the asbestos abatement project for the basement of the Town Hall building. A bid opening date in a document prepared by Delaware Engineering was Nov. 4th at 2 PM**. Councilman Bichteman made a motion to adopt the following resolution:

WHEREAS: the Town of Westerlo needs to advertise for bids for the Town Hall asbestos abatement project, be it hereby

RESOLVED: the Town Board authorizes the advertisement of a bid notice as prepared by Delaware Engineering for the Town Hall asbestos abatement project.

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

AYES: Supervisor Rapp, Councilman Bichteman, Councilman Sherman, Councilwoman Burnside and Councilman Boone

NAYS: None

RESOLUTION # 40-2016 was thereby duly adopted.

**The date of the bid opening as prepared by Delaware Engineering was changed after this meeting to Wed., Nov 9th at 2 PM.

Councilman Bichteman advised that the only thing lacking in the bid document packet is permission from New York State for a variance to enter the crawl space. That will be given to the bidders through an addendum as soon as Delaware Engineering receives this.

Councilman Bichteman reported due to the resignation of a Water Board member they still need one more person from the Water District to volunteer to serve on their committee.

A resident commented on the Building Committee's meeting of 10/3/16 concerning financial information and the discussion about deletion of some of the information from the pamphlet. She asked was any information left off that was originally proposed on the pamphlet. Councilman Bichteman responded no, they actually added information about industrial lands.

A resident inquired if the Town had looked into grants to offset the cost of the Town Hall renovation. Councilman Bichteman responded that they are looking into a grant from the Justice Dept. to move the Court to the Town Hall he thought the amount of that grant was approximately \$60,000. A complete set of drawings is needed to get the grant and the Town has not reached that step yet. The referendum

vote must pass first after which the Town can then authorize and bid a project. Once this is done the Town can investigate further to see what grants it may qualify for. Discussion followed concerning rumors of fees charged by Delaware Engineering.

Gene Bowden a resident in the Town of Greenville and a property owner of vacant land in the Town of Westerlo informed the Town Board he had been advised he is no longer allowed in the Westerlo Transfer Station with his household garbage. For years he had a permit. Highway Superintendent Keith Wright asked to address the Town Board. He advised the Solid Waste Law restricts disposal of refuse at the Transfer Station to residents of the Town of Westerlo, Mr. Bowden's household garbage is generated in Greenville where he resides. Councilman Bichteman advised the Town must follow the law there were no exceptions.

A resident commented on the paving of Slade Hill Road and had a concern over the increase of drivers now exceeding the speed limit of 45 mph. He asked if the Town could reduce speed limit to 35 mph. Councilman Sherman responded (very inaudible too many conversations in the audience) indicating the Town does not set the speed limits this is done by the County more likely an enforcement issue.

There being no further public comment, Supervisor Rapp asked for a motion to adjourn. Councilman Bichtmean made a motion to adjourn the meeting, seconded by Councilwoman Burnside, motion carried all in favor. Meeting adjourned at 8:57 PM.

Respectfully submitted,

Kathleen Spinnato, Town Clerk