

**TOWN OF WESTERLO
REGULAR TOWN BOARD
MEETING OF
TUESDAY, FEBRUARY 2, 2016**

The Town of Westerlo Town Board held a regular meeting on Tue., Feb. 2, 2016 at the Town Hall 933 CR 401, Westerlo, NY. The meeting was opened at 7:30 PM by Supervisor Richard H. Rapp with the Pledge of Allegiance to the Flag.

ATTENDING WERE: Supervisor Richard H. Rapp
Councilman Theodore S. Lounsbury III
Councilman William F. Bichteman Jr.
Councilwoman Amie L. Burnside

ABSENT: Councilman Anthony W. Sherman

Also attending were: Town Clerk Kathleen Spinnato, Highway Superintendent Keith Wright Sr., Deputy Highway Superintendent Jody Ostrander, Zoning Board of Appeals Chairwoman Virginia Mangold and ZBA member John Sefcik, Planning Board Chairwoman Dorothy Verch, Town Historian Dennis Fancher, Clerk to the Assessor Claire Marshall, Clerk to the Supervisor Patricia Boice, Deputy Town Clerk II Karla Weaver, Albany County Sheriff's Investigator Amy Kowalski, and approximately 16 residents.

Supervisor Rapp asked for a motion to approve the Town Board meeting minutes of 01/05/2016. Councilman Lounsbury made motion to accept the 01/05/2016 minutes, seconded by Councilwoman Burnside, motion carried by those attending.

Supervisor Rapp asked for a motion to approve the Town Board Building Committee Meeting minutes of 01/19/2016. Councilman Bichteman made the motion to accept the 01/19/2016 minutes, seconded by Councilman Lounsbury, motion carried by those attending.

Supervisor Rapp asked for a motion to approve the Town Board Organizational meeting minutes of 01/21/2016. Councilman Lounsbury made the motion to accept the 01/21/2016 Organizational minutes, seconded by Councilman Bichteman, motion carried by those attending.

Supervisor Rapp reported the monthly bills need to be paid, 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 #5 through Voucher #54 in the amount of \$73,424.14

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

AYES: Supervisor Rapp, Councilman Bichteman, Councilman Lounsbury,
Councilwoman Burnside

NAYS: None.

RESOLUTION # 6-2016 was thereby duly adopted.

Supervisor Rapp advised the Town Clerk had submitted the monthly report for January to the Town Board, he then made a motion to accept the Town Clerk's report for January. Councilman Bichteman seconded the motion to accept the Town Clerk's report, motion carried by those attending.

Supervisor Rapp asked Boy Scout Liam Hanley to speak about an Eagle Scout project he is proposing for the Town of Westerlo. Liam reported the project is a Free Little Library. It is basically a big mailbox making it easy to access books when the library is closed. It would work on the basis of take a book and leave a book process. He would plan, build and install, he was thinking of installing near Town Park or Town Hall. The Supervisor felt the Town Hall would be a better location and advised the Town has cooperated with prior scout projects and would donate the materials. Discussion followed about where donations of books could be made, books would be for all age levels, other Towns where he plans to place other Free Little Libraries and he showed his plans to the Board. Supervisor Rapp made a

motion to purchase the materials for the Free Little Library at GNH Lumber, Councilman Lounsbury seconded motion, motion carried all in favor. Liam Hanley thanked the Board.

Supervisor Rapp asked for information on the applicants for the ZBA position. Councilwoman Amie Burnside advised she and Councilman Sherman had interviewed the applicants and agreed recommending applicant Guy Weidman. Supervisor Rapp asked the Board for their input. Councilman Bichteman then made a motion to adopt the following resolution:

WHEREAS: the Town of Westerlo needs to fill a vacancy on the Zoning Board of Appeals due the resignation of Amie Burnside, be it hereby

RESOLVED: the Town Board appoints Guy Weidman to the position of Zoning Board of Appeals member to fill Amie Burnside's remaining term.

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

AYES: Supervisor Rapp, Councilman Bichteman, Councilman Lounsbury, and Councilwoman Burnside

NAYS: None.

RESOLUTION # 7-2016 was thereby duly adopted.

Supervisor Rapp asked Councilman Bichteman to report on the Building Committee. Councilman Bichteman reported the Building Committee had met last week they are still in the process of reviewing various options for repairs or replacement to the Town Hall and Highway Garage. The Committee is making the recommendation to remove the asbestos from the Town Hall. This would be of prime importance to any repair or demolition that will need to happen. They also recommend the additional testing of the plaster walls for asbestos as recommended by Code Enforcement Officer Edwin H. Lawson. They would like to use Grant monies to apply towards a proposed contract to remove asbestos. A resident inquired about the walls to be sample tested. Public opinion, comments, suggestions and lengthy discussion followed regarding the testing of walls, restriction on funds, asbestos & health safety, demolition and rebuilding of a new Town Hall on Park land, the Building Committee, permissive referendum, RFP's & design/build, etc. The Town Board members heard public comments, suggestions and responded to the public inquiries relating to each topic. A resident commented design/build is not an option for the Town only certain agencies can do this the Town is not one of those agencies.

Supervisor Rapp asked Planning Board Chairwoman Dorothy Verch to give a report. She reported the Planning Board held a meeting on 1/26/16 for a Public Hearing on property SBL# 139.-2-4.20 owned by Mario Pollan Sanchez for an application for Special Use Permit to use 5 to 6 acres of 58 acre parcel for staging weddings, corporate functions, auctions and other special events. Neighboring abutters were present and asked questions. The public hearing was continued to Feb 23, 2016 as a response had not been received from the NYS Department of Transportation. She reviewed a meeting with Mid-Hudson Cable Engineer David Fingar and reviewed map of certain roads for possible service extension candidates. Request forms from residents for proposed cable line extensions were submitted to Mid-Hudson Cable. She awaits response from Mid-Hudson Cable. Extension request forms are available at the Town Clerk's office. Councilman Bichteman made a motion to accept the Planning Board Report, Councilman Lounsbury seconded, motion carried all present in favor.

Supervisor Rapp asked Zoning Board of Appeals Chairwoman Virginia Mangold to give a report. She reported ZBA held a meeting on 1/25/16 for a new application for a minimal variance, the public hearing will be held later this month. Councilman Lounsbury made a motion to accept the ZBA report, Councilwoman Burnside seconded, motion carried all present in favor.

Supervisor Rapp asked Councilman Bichteman to give a Water Board report. Councilman Bichteman advised the Water Committee has a recommendation they would like to make to the Town Board. He gave a background on the water billing and the interest rates applied after 30 day period of 1% and 60 day period of 2%, the current water billing software fails to accommodate an interest

calculation after a 60 day period on the bills and Water District customers are erroneously submitting incorrect amounts for late fees. The Town then needs to send letters and return checks to water dist. customers costing the Town more than the 1% late fee in postage. The Committee is recommending to the Town Board to change the interest rate for late fees on water bills each quarter to 2%. Councilman Bichteman then made a motion to adopt the following resolution:

WHEREAS: The Westerlo Water District No. 1 has issues with receiving correct payment from Water Dist. customers on late fees with the current billing program, be it hereby

RESOLVED: Effective the second quarter billing period of 2016 and continuing until amended the Town Board approves a late fee rate of 2% on balances owed on Westerlo Water District No. 1 invoices for each quarter.

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

AYES: Supervisor Rapp, Councilman Bichteman, Councilwoman Burnside and Councilman Lounsbury

NAYS: None

RESOLUTION # 8-2016 was thereby duly adopted.

A resident asked about a request to the County or State for monies for the Water District. Councilman Bichteman advised it is drafted and the Water Committee will meet in February to make that a recommendation and produce a resolution for what the policy will be and how to turn water off. Supervisor Rapp felt there was a good chance this will succeed.

Supervisor Rapp advised next on the agenda is Albany County's request for an extension of Speed Limit reduction on County Route 312. The person he needs to talk to is away on vacation he will report back to the Board at the next regular meeting if the Board is agreeable. The Board agreed. A brief discussion followed in regards to no submission of a traffic study from County and disregard for the current speed limit posted.

Dorothy Verch asked questions about the Mid Hudson Cablevision Franchise Agreement. Councilman Bichteman responded to her questions regarding the Franchise Agreement. She advised the Planning Board has 9 points it would like to discuss. It was suggested this may be added to the next Town Board meeting agenda.

A resident asked questions regarding the Procurement Policy and Investment Policy.

Albany County Sheriff's Investigator Amy Kowalski advised the public she is the Community Liaison Officer for the Sheriff's Office and she will be attending Town meetings. She has patrolled Westerlo and the Hilltowns and if there is anything the Sheriff's Office can do the Town has her contact information. She looks forward to meeting the community residents at the Town Board meetings.

There being no further public comment, Supervisor Rapp asked for a motion to adjourn. Councilman Bichteman made a motion to adjourn, second by Supervisor Rapp, motion carried by those present. Meeting adjourned at 8:54 PM.

Respectfully Submitted,

Kathleen Spinnato
Town Clerk

