

**WESTERLO TOWN BOARD  
MEETING OF  
TUESDAY, JUNE 6, 2017**

The Town of Westerlo Town Board held the regular monthly meeting on Tue., June 6, 2017 at 7:00 PM at the Town Hall, 933 County Route 401, Westerlo, NY. Supervisor Richard H. Rapp opened the meeting at 7 PM with the Pledge of Allegiance to the Flag.

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

Also attending were: Edwin H. Lawson Zoning Administrator/Code Enforcement Officer, Zoning Board of Appeals members John Sefcik & Guy Weidman, Mary Jane Araldi Interim Museum Director, Dennis Fancher Town Historian, Keith Wright Sr. Highway Superintendent, Jody Ostrander Deputy Highway Superintendent, Planning Board Chairwoman Dorothy Verch, Patricia Boice Clerk to the Supervisor, Claire Marshall Clerk to the Assessor, Kathleen Spinnato Town Clerk/Tax Collector and approximately eleven residents.

**TOWN BOARD MINUTES**

Councilman Sherman made a motion to accept the Town Board minutes of 5/2/2017 as submitted. Councilman Boone seconded, motion unanimously carried.

**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 # 248 through Voucher # 290 in the amount of \$83,947.22

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

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

NAYS: None

**RESOLUTION # 23-2017 was thereby duly adopted.**

**SUPERVISOR'S REPORT**

Councilman Boone made a motion to accept the Supervisor's Report for the month of April as submitted. Councilwoman Burnside seconded, motion unanimously carried.

**TOWN CLERK'S REPORT**

Councilman Sherman made a motion to accept the Town Clerk's report for the month of May as submitted. Councilman Bichteman seconded, motion unanimously carried.

**ZONING BOARD OF APPEALS REPORT**

Chairwoman Virginia Mangold was not in attendance she had submitted the following report:

The Town of Westerlo Zoning Board entertained three new applications for sideline variances at their May 22, 2017 ZBA meeting. Site visits are complete. A public hearing is set for each on Monday, June 26, 2017 at regularly scheduled meeting at 7 p.m.

Councilman Bichteman made a motion to accept the ZBA report as submitted. Councilwoman Burnside seconded, motion unanimously carried.

### **PLANNING BOARD & BROADBAND RESEARCH COMMITTEE (BRC) REPORTS**

Planning Board Chairwoman Dorothy Verch submitted and read the following reports.

The Planning Board met on May 23, 2017 at 7PM. There were 2 public hearings.

First public hearing was for a minor subdivision requested by Mark Bonneau application #17-003. The public hearing was opened, several questions were raised by attendees, the hearing was adjourned so that the questions could be submitted to the Town Attorney. These concerns will be addressed at the next meeting on June 27<sup>th</sup> when the public hearing will be resumed.

Second public hearing was for the Tarpon Towers II application for installation of a 120' monopole tower situated at 512 CR 405. The public hearing was opened, a number of residents presented their views on the tower. Part 2 and 3 of the SEQRA was completed with a negative declaration by the entire board. The hearing was closed and, by a unanimous voice vote of the Planning Board, the application was approved. There were 23 conditions attached to this approval.

The BRC met on May 25, 2017. Attendees: Eric Markson, Mike Sikule, Bob Wilcox and Dotty Verch. The rough draft of the new franchise agreement was reviewed. Areas to be added consisted of an exhibit II which contains 5 phases to be developed and completed during the franchise agreement timeframe. Phase 1 will be the 402/410 corridor (already approved by MHC) followed by phases that include 406, 412 and Tan Hollow Rd., Hunt Rd, Creamery Rd., County Routes 408 and 405.

Eric has developed an accountability standards and procedures to be included in the new version of the agreement. Mike Sikule is producing the different phases that will be included in the Exhibit II for expansion of MHC to areas that are not currently served.

Bob Wilcox attended Phase 3 bidders' conference of the New NY Broadband Program in Albany. He was able to speak with the Outreach Coordinator who seemed sympathetic to our plight. The BRC will be reaching out to her for assistance.

Once we have agreed on the draft of the franchise agreement, it will be presented to the Town Attorney for review and any additions she feels pertinent. When we have this approved draft, we will submit to the Town Board for approval and then to Mid-Hudson. Once MHC has signed off, we will need to hold a public hearing.

Councilman Sherman made a motion to accept the Planning Board and BRC reports as submitted. Councilman Boone seconded, motion unanimously carried.

### **MUSEUM BOARD REPORT**

Mary Jane Snyder-Araldi Interim Museum Director reported:

We have been meeting once a month on the second Thurs. of the month.

Some of the museum possessions have been moved from the library to the old town hall and we have met several times to begin sorting through them. On Saturday May 27<sup>th</sup>, we had guests from Australia who think they might be direct descendants of Philip Meyers, whose house the museum is currently in. Members of the Museum Board and the Historical Society hosted a meeting of historical societies from surrounding communities. We are trying to work together. Once the meeting lunch was over, they toured the museum and were very impressed.

This Sat., June 10<sup>th</sup> is the Town Wide Garage Sale Day to benefit the Museum. Maps will be on sale at the Town Park. There will be food for sale and also a bake sale at the park. Next Saturday and Sunday,

the museum will be open as part of the NY Path through History. Sat. open from 9 am-4 pm and Sun. from 1pm-4pm. The focus is on local industry. Our theme will be Prohibition in this area because of the hops industry in the past. The Knox museum is focusing on farm equipment. We will also have some farm equipment on display. There will be food for sale on Saturday as well.

Plans are being made for the museum Grand Opening on Friday, Oct. 7, 2017. Save the date postcards are going out in the mail this week. This will coincide with the fall NY Path through History. The museum is also planning to be open Sept. 16-17<sup>th</sup> for the Farm & Barn Quilt Tour. Next year they plan on coinciding openings of the museum with the Westerlo Vol. Fire Company breakfasts. She thanked the Fire Co. for their past cooperation.

Councilman Bichteman made a motion to accept the Museum Board report as submitted. Councilwoman Burnside seconded, motion unanimously carried.

### **WATER BOARD REPORT**

Councilman Bichteman advised the Town is trying to recoup a portion of the 2017 Town Property Tax (water bond payment only) in the amount of \$278.08 on a parcel of land owned by Albany County, formerly occupied by Albany County Cooperative Extension & Hilltown Resource Center, and sold in February to William & Kristen Slaver. The Town Clerk/Tax Collector drafted a letter, which was previously approved by the Town Attorney, and submitted to the Town Board for their review. The Town Clerk seeks the Town Board's approval to send the letter to the Slaver's.

Councilman Bichteman made a motion to send the letter. Councilman Boone seconded, motion unanimously carried.

Councilman Bichteman reported no bids were received for a previously advertised roof repair project at the water district's circulation building located at the transfer station. It is a small project to replace a rubber roof. He will now solicit three individual bids from qualified contractors.

### **HIGHWAY DEPT.**

Supervisor Rapp announced Highway Superintendent Keith Wright will be retiring on June 29<sup>th</sup>. The Town Board wished him good luck. A round of applause for Keith followed.

### **OLD BUSINESS**

#### **STANDARD WORKDAY REPORTING RESOLUTION**

NYS Office of the State Comptroller Local Retirement System - Standard Workday Reporting Resolution RS 2417-A & B for the following elected and appointed individuals was submitted to the Town Board: Highway Superintendent Keith Wright Sr., Town Clerk/Tax Collector Katheen J. Spinnato, Dog Warden Jody Ostrander, Deputy Dog Warden Salvatore Spinnato IV, Assessor Peter Hotaling, Town Attorney Aline D. Galgay, Zoning Board of Appeals Member John Sefcik and Planning Board Chair Dorothy Verch. Councilman Bichteman made the following motion:

WHEREAS: NYS OSC requires a Standard Workday Reporting Resolution for the above named individuals, be it hereby

RESOLVED: the Town Board pass the resolution to establish the standard workday for the individuals listed, (redacted copy attached) to be posted on the Town website for a period of 30 days.

Supervisor Rapp seconded the motion, a vote follows:

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

NAYS: None

**RESOLUTION # 24-2017 was thereby duly adopted.**

#### **NEW BUSINESS**

Councilman Bichteman provided the Town Board with copies of a section of the 2014 Employee Handbook; Page # 44, paragraph 806 for medical insurance plans of full time elected officials. It had been brought to his attention that this paragraph is not consistent with other paragraphs when revised in 2014. Employees hired after January 1, 2013 would pay 20% of their medical coverage and it defined the eligible employees. There is an oversight in the handbook, the Town Board hadn't changed the full time elected position portion. The Town Attorney had prepared an email of the revised language, but neither he nor Edwin Lawson had the language available with them for tonight's meeting. The proposed revised language would be the same for full time elected officials as it is for full time employees. He will have this language available for the next Town Board meeting so it can be reviewed by the Board and proceed from there.

Councilman Bichteman also advised that the Town received confirmation from the NYS Dept of State (NYSDOS) the "Solar Law" was accepted effective May 23, 2017.

#### **OPEN MEETING TO PUBLIC**

A resident provided her opinion on the first Planning Board Meeting she attended on May 23<sup>rd</sup>. She complimented the Planning Board Chair and members for being extremely objective, professional and in their decision making. She submitted to the Town Board members her concerns and questions pertaining to one of the subjects from the evening of the Planning Board meeting.

Westerlo Vol. Fire Co. Chief Flenstead advised the Town Board of NYSDOS efficiency grants for shared services with a short deadline period approaching. He was unsure of deadline date.

A resident asked the status of the heating repairs for the Town Hall. Councilman Bichteman responded, no date has been set by Delaware Engineering (DE) to rebid the contract for a new heating system. He had called DE but the engineer was not in to return his call with an update for tonight's meeting. He had also contacted PSI about the status of the asbestos abatement. An agreement to change the work order to engage PSI was signed by the Supervisor months ago. Discussion followed.

Barabara Russell reported the mail delivery issue on Otto Rd. has been resolved with the U.S. Postal Service. Mail will be delivered by the postal service at a turn-around at the end of Otto Rd. marked by a stake.

A resident thanked the Highway Dept. for keeping the roads safe with the recent incidents of weather related downed trees.

A resident inquired who would replace the Highway Superintendent upon his retirement. Supervisor Rapp advised this would be Deputy Highway Superintendent Jody Ostrander. Mr. Ostrander would need to run for Mr. Wright's unexpired term at the General Election in November. He advised the resident of the other incumbents whose positions are up for re-election this year.

A resident inquired about dates for Caucuses for both the Republican and Democratic parties. Supervisor Rapp indicated he will let them know about the Democratic Caucus when a date is set. He didn't know who they would need to contact for the Republican Caucus.

A resident inquired why the agenda was not posted on the Town website for the past two months. The Town Clerk indicated she needs input from the Board on agenda's and a definitive direction from the entire Board if they want to continue posting it on the town website. Some Board members had indicated their differing opinions on the matter, while others hadn't responded. Posting of an agenda is not a requirement. Discussions followed. The Town Board decided, unanimous in favor, to continue to post a draft agenda to the website.

Councilman Boone reported he had stopped by the Vol. Fire Co to view the new truck recently delivered. It is impressive and he was glad they were able to get the equipment they needed, and wished them good luck. Supervisor Rapp asked where it will be housed. Chief Flensted reported it may eventually be moved from Station #1 to assist with mutual aid calls as it has a second set of the jaw of life for auto accidents.

Dorothy Verch asked if the town has had any assistance from a grant writer. The Supervisor and Councilman Bichteman responded we have not. Discussion followed on grant writers. Councilman Bichteman will meet with Mr. Flensted to gather more information on the grant he had discussed earlier in the meeting.

Dennis Fancher the Town Historian read a list of historical facts pertaining to the Town from the 1820's:

Population: 1820 3,458

2014 3,371

An acre of land in 1820 cost \$10. Town Budget in 1820 was \$315.

1860 Town produced 144,000 lbs. of butter, had 972 horses, 1074 oxen.

1846 Town had 10 sawmills, 3 gristmills, 4 tanneries, 1 woolen mill and 2 taverns.

1860 Town had 3,715 sheep, Rensselaerville had 12,000 sheep.

1860 Town grew 140 lbs. of hops, Knox had 13,500 lbs., Berne had 19,000 lbs.

1864 Town grew 45,240 bushels of apples and 400 lbs. of tobacco

1883 A teacher's salary was about \$6.50 a week

1820 A man produced 11,000 gallons of whiskey

He hoped this creates more interest in the historical society and museum with these facts. Mary Jane Snyder-Araldi stated the Historical Society meets at the Westerlo Reformed Church Hall on the third Monday of the month at 7 PM, they do not meet during the summer months and will start again in September.

Councilwoman Burnside reported the next regular monthly meeting of the Town Board meeting will be held on Thursday, July 6<sup>th</sup> at 7 PM.

The next Town Board Workshop is scheduled to be held on Tuesday, June 20<sup>th</sup> at 7PM.

#### **CLOSE MEETING**

There being no further public comment, Councilman Sherman made a motion to adjourn, Councilman Boone seconded, motion unanimously carried. Meeting adjourned at 7:38 PM.

Respectfully submitted,

Kathleen Spinnato Town Clerk



Office of the New York State Comptroller  
 New York State and Local Retirement System  
 Employees' Retirement System  
 Police and Fire Retirement System  
 110 State Street, Albany, New York 12244-0001

## Standard Work Day and Reporting Resolution for Elected and Appointed Officials

**RS 2417-A**  
(Rev. 8/15)

BE IT RESOLVED, that the Town of Westerlo / 30271 (Location Code) hereby establishes the following standard work days for these titles and

will report the officials to the New York State and Local Retirement System based on their record of activities:

Title	Standard Work Day (Hrs./day) Min. 6 hrs Max. 8 hrs	Name (First and Last)	Social Security Number (Last 4 digits)	Registration Number	Tier 1 Check only if member is in Tier 1)	Current Term Begin & End Dates (mm/dd/yy-mm/dd/yy)	Record of Activities Result	Not Submitted (Check only if official did not submit their Record of Activities)
<b>Elected Officials</b>								
Town Clerk/Tax Collector	6	Kathleen J Spinato	[REDACTED]	[REDACTED]	<input type="checkbox"/>	010116-123119	30.96	<input type="checkbox"/>
Highway Superintendent	8	Keith W. Wright Sr.	[REDACTED]	[REDACTED]	<input type="checkbox"/>	010116-123119	27.19	<input type="checkbox"/>
<b>Appointed Officials</b>								
Dog Warden	6	Jody Orlander	[REDACTED]	[REDACTED]	<input type="checkbox"/>	010117-123117	1.19 per month	<input type="checkbox"/>
Deputy Dog Warden	6	Salvatore J. Spinato IV	[REDACTED]	[REDACTED]	<input type="checkbox"/>	010117-123117	.71 per month	<input type="checkbox"/>
Assessor	6	Peter Hoehling	[REDACTED]	[REDACTED]	<input type="checkbox"/>	100113-083019	12.87	<input type="checkbox"/>

**SEE INSTRUCTIONS FOR COMPLETING FORM ON REVERSE SIDE**

I, Kathleen J Spinato (Name of secretary or clerk) secretary/clerk of the governing board of the Town of Westerlo (Name of Employer) of the State of New York, do hereby certify that I have compared the foregoing with the original resolution passed by such board at a legally convened meeting held on the 6th day of June, 2017 on file as part of the minutes of such meeting, and that same is a true copy thereof and the whole of such original.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Westerlo (Name of Employer) of June, 2017, Kathleen J Spinato (Signature of the secretary or clerk) on this 6th day

Affidavit of Posting: I, Kathleen J Spinato (Name of secretary or clerk) being duly sworn, deposes and says that the posting of the Resolution began on 6/7/2017 (Date) and continued for at least 30 days. That the Resolution was available to the public on the  Employer's website at townofwesterlo.com (Date)  Official sign board at \_\_\_\_\_  Main entrance secretary or clerk's office at \_\_\_\_\_



