

**TOWN OF WESTERLO
TOWN BOARD MEETING
OF
TUESDAY, MARCH 5, 2019**

The Town of Westerlo Town Board held a meeting on Tuesday, March 5, 2019 at the Town Hall located at 933 County Route 401, Westerlo, NY. Acting Supervisor William Bichteman Jr. opened the meeting at 7 PM with the Pledge of Allegiance to the Flag.

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

Also attending were: Interim Town Attorney Javid Afzali, Highway Superintendent Jody Ostrander, Town Justice Robert Carl, Zoning Board of Appeals Chairman John Sefcik, Town Historian Dennis Fancher, Clerk to the Supervisor Patricia Boice, Clerk to the Assessor Claire Marshall, Grant Writer Dr. Nicole Ambrosio, Planning Board Chairperson Dorothy Verch and member Edwin Stevens, Clerk to the Supervisor Patricia Boice, Clerk to the Assessor Claire Marshall, Deputy Town Clerk II Karla Weaver, Town Clerk/Tax Collector Kathleen Spinnato and approximately 18 residents.

MINUTES

Councilman Filkins made a motion to accept the Town Board meeting minutes of 2/5/2019 as submitted. Councilwoman Burnside seconded, motion unanimously carried.

Councilman Boone made a motion to accept the Town Board Workshop minutes of 2/19/2019 as submitted. Councilman Sherman seconded, Councilwoman Burnside abstained, motion unanimously carried.

SUPERVISOR'S REPORT

Councilman Sherman made a motion to accept the Supervisor's Report of December 2018 as submitted. Councilman Boone seconded, motion unanimously carried.

TAX COLLECTOR'S REPORT

Councilwoman Burnside made a motion to accept the February Tax Collector's Collection Summary Report of 3/1/2019 as submitted. Councilman Filkins seconded, motion unanimously carried.

TOWN CLERK'S REPORT

Councilman Boone made a motion to accept the Town Clerk's monthly report for February 2019 as submitted. Councilwoman Burnside seconded, motion unanimously carried.

PAYMENT OF MONTHLY BILLS

Councilman Boone 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 # 72 through Voucher # 132 in the amount of \$107,106.85

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

AYES: Councilman Boone, Councilman Sherman, Councilwoman Burnside and
Councilman Filkins

NAYS: None

RESOLUTION #13-2019 was thereby duly adopted.

OLD BUSINESS:

SUPERVISOR'S OFFICE VACANCY

Deputy Supervisor Bichteman asked the Interim Town Attorney Javid Afzali to review procedure to appoint a Town Supervisor due to the recent Supervisor vacancy.

Mr. Afzali advised the Town Board members that the resignation/retirement of former Supervisor Richard Rapp became effective at noon on 3/5/2019. The Town Board has the authority and power by Town Law Section 64 to appoint a candidate to fill the office of Town Supervisor, however the Town Board is not mandated to do so at this point. The Town Board has the option to take time to consider candidates before making a decision. He explained that the executive session is authorized under open meetings law as long as discussion is related to a particular person's qualifications.

Councilman Boone believed it would benefit the Town Board to enter into executive session to discuss and field questions with the attorney on the matter.

Councilman Boone made a motion to suspend the Town Board meeting at 7:05 PM to enter into executive session along with Interim Town Attorney Javid Afzali and upon completion of executive session return to the regular meeting. Councilwoman Burnside seconded, motion carried by all Councilpersons.

The Town Board returned from executive session and Councilman Boone made a motion to close the executive session and reopen the regular Town Board meeting at 7:52 PM. Councilman Filkins seconded the motion, motion carried by all Councilpersons. Councilman Sherman advised all present that upon discussion of the legal parameters of filling the vacancy, at this time the Town Board will not take a vote to fill the vacancy.

MOHAWK & HUDSON HUMANE SOCIETY CONTRACT-2019

Acting Supervisor Bichteman asked the Town Board for a motion authorizing him to sign the proposed 2019 contract and for the Town Board to adjust the dog redemption fees.

Councilwoman Burnside made a motion to adopt the following resolution;

Whereas: the Town of Westerlo has received the proposed 2019 Mohawk & Hudson Humane Society Contract, be it hereby

Resolved: the Town Board authorizes Acting Supervisor Bichteman to execute the Mohawk & Hudson Humane Society 2019 Contract

Councilman Filkins seconded the motion a vote resulted as follows:

AYES: Councilwoman Burnside, Councilman Filkins, Councilman Sherman and
Councilman Boone

NAYS: None

RESOLUTION # 14-2019 was thereby duly adopted.

PROPOSED RESOLUTION TO REVISE THE FEE SCHEDULE

Acting Supervisor Bichteman advised he drafted a resolution to revise and modify the Town of Westerlo Fee Schedule. The matter had been previously brought before the Town Board at a workshop meeting because of the recent Mohawk & Hudson Humane Society Contract. He asked the Town Board for a motion to revise the fee schedule proposing the dog redemption fee for dogs seized by the Town and taken to the shelter.

Councilman Boone made a motion to accept and adopt the resolution as presented:

WHEREAS: The Mohawk & Hudson Humane Society 2019 Shelter Agreement with the Town of Westerlo reflects a change; and

WHEREAS: The Town of Westerlo wishes to incorporate those costs identified as part of the Town of Westerlo Fee Schedule, be it hereby

RESOLVED: The fee for dog redemption be changed from the current \$400.00 to \$50.00 plus \$70 per dog per day plus veterinarian costs as applicable.

Councilwoman Burnside seconded, a vote resulted as follows:

AYES: Councilman Boone, Councilwoman Burnside, Councilman Sherman and Councilman Filkins

NAYS: None

RESOLUTION #15-2019 was thereby duly adopted.

PROPOSED RESOLUTION –TOWN HALL TIME CLOCK

Acting Supervisor Bichteman asked Councilman Filkins to clarify the email that he sent to him and wondered if it was his intention to table or withdraw the proposed resolution he had introduced in December 2018. Councilman Filkins indicated that he wanted to continue discussion regarding the proposed resolution at the next Town Board Workshop meeting scheduled for Tue., March 19th.

PROPOSED RESOLUTION-MONTHLY DEPARTMENT REPORTING

Councilman Filkins introduced the proposed resolution in Dec. 2018. He reported he would like for the Town Board to receive department reports by the Friday or even the Monday before each regular Town Board meeting so the Town Board can review them should there be any questions. Councilman Boone indicated the Town Board had already received several reports from departments which had provided reports 24 hours or more in advance to the Town Board. Councilman Filkins indicated he was not prepared to answer the following questions asked by Councilman Boone; were there any further reports he is requesting? What was the deadline for receipt of reports? What is the scope for each report being requested? Councilman Filkins wanted to speak with the Dog Warden and requested tabling discussion until the next Town Board Workshop. The Town Board members agreed.

PROPOSED RESOLUTION-BUDGET VS. ACTUAL

Councilman Filkins reported the resolution he had proposed. He explained that he would like to see budget vs. actual figures for the highway department. Acting Supervisor Bichteman asked Councilman Filkins to turn his attention the Supervisor’s report which the Town Board and he had approved tonight for the month of December. The figures in this report correspond to the budget and every item on the budget is listed in the Supervisor’s report. Mr. Bichteman continued to discuss and further explain the Supervisor’s report, in particular the way bills and figures were reported in January to Councilman Filkins. Councilman Filkins and Councilwoman Burnside asked to table further discussion of this topic to the next Town Board Workshop. The Town Board members agreed.

PROPOSED RESOLUTION-TRANSFER STATION PERMITS FOR TOWN RESIDENTS

Councilman Filkins spoke regarding his ideas for the Transfer Station permits. He would like to see a permit process up and going and is now suggesting no fee for the first year and continuing efforts to reduce and prohibit non-residents from using the facility. He also mentioned revisions are necessary on Local Law No. 2 of 1992. Supervisor Bichteman mentioned there are necessary procedures the Town Board must follow to revise a local law and mentioned that this should first be discussed at a workshop. Councilmen Boone & Filkins will meet with Highway Superintendent Jody Ostrander to discuss any concerns/questions regarding the Transfer Station. Councilman Filkins hoped to have something prepared to vote on at next month's meeting.

COMPREHENSIVE PLAN REVIEW & COMMITTEE

Acting Supervisor Bichteman reported he reached out to Nan Stolzenburg to talk to her about her expertise in the field and she provided some pricing information she had received. They were both in agreement that to hire an individual to do a full blown comprehensive plan could cost between \$25,000 to \$30,000. This led him to Hudson River Greenway which is a grant program for counties that border the Hudson River. He has provided this information to Grant Writer Nicole Ambrosio.

Mr. Bichteman expressed his thoughts that the parameters of appointing a Comprehensive Plan Committee (CPC) would fall upon the Town Board to choose those persons independently. Ms. Stolzenburg provided some information on this that he will be forwarding to the Town Board. She also mentioned that she could help the committee in a number of different ways by providing her proposals on a directional plan, assignments, topics, etc.

Mr. Bichteman emphasized how important the comprehensive plan is to the Town of Westerlo; it is the legal basis for supporting Zoning & Planning decisions and maps the future progress of the Town. It is very important that the Town Board provide the CPC with parameters, tasks and a budget.

Councilman Boone questioned how Ms. Stolzenburg offered to help. Councilman Bichteman advised that he had not asked her this question directly but he was under the impression that she would be willing to help, whether or not that would be by a conference call or by other methods. Councilman Sherman advised that the comprehensive plan review would be a lengthy process. Mr. Bichteman advised that the persons to be chosen to serve on the committee will need to understand the involvement and the commitment required to complete the assignment.

ZONING BOARD OF APPEALS-VACANCY

Acting Supervisor Bichteman reported that an application had been received for the ZBA member vacancy. After Town Board discussion, Councilman Boone suggested that the Town Board interview the applicant on March 19th at 6:30 PM prior to the workshop meeting and in accordance with open meetings law. The Town Board agreed they will vote on their decision to appoint at the regular April Town Board meeting.

TOWN HALL-USE POLICY

Supervisor Bichteman discussed past practice when there was a request by an organization to use the Town Hall for a function. He announced that a request was received by the Town Clerk and forwarded to him from the Hilltown Players Penny Shaw requesting a date in April to hold their play. Councilman Sherman detailed prior year activities held by the group in the Town Hall regarding the size of the crowd it would draw, the space they would need for props and past use of an office space for their dressing

room. The Town Board reviewed recent renovations at the Town Hall which may not lend itself to continued use. In the past the requests for use of the Town Hall were either approved or denied on a case by case basis.

Interim Town Attorney Javid Afzali advised the Town Board that they should establish a policy with clear guidelines whether or not to permit public use of the Town Hall facilities. The Town Board may want to avoid a situation where there could be an accusation of discrimination which may arise if one public group is approved and another is denied use of the Town Hall facilities.

The Town Board discussed setting a Town Hall Use Policy.

Councilwoman Burnside made a motion to adopt the following resolution:

WHEREAS: the Hilltown Players has requested the use of the Town Hall facilities and

WHEREAS: the Town Board has discussed setting a new policy regarding use of the Town Hall, be it hereby

RESOLVED: the Town Board denies the Hilltown Players the use of the Westerlo Town Hall and sets the policy that the Town Hall shall be used only for Town of Westerlo sponsored functions

Councilman Filkins seconded, a vote resulted as follows:

AYES: Councilman Sherman, Councilwoman Burnside, Councilman Boone and Councilman Filkins

NAYS: None

RESOLUTION #16-2019 was thereby duly adopted.

NEW BUSINESS:

HYDE ENGINEERING CONTRACTS-SHEPARD SOLAR EAST/WEST

Acting Supervisor Bichteman reported the two latest Hyde Engineering contracts that were submitted to the Town for the Shepard Solar projects were reviewed by Attorney Afzali who noted several recommendations and suggestions. The contracts have since been returned to Hyde Engineering for their revision. Supervisor Bichteman asked the Town Board for the authority to sign the contracts upon Attorney Afzali's review and approval of any revisions made to the contracts. Councilwoman Burnside made a motion to adopt the following resolution:

WHEREAS: The Town of Westerlo has returned contracts to Hyde Engineering for Shepard Solar Projects East & West with the suggestions/recommendations of the Interim Town Attorney, be it hereby

RESOLVED: the Town Board authorized Supervisor Bichteman to execute Hyde Engineering revised contracts upon Attorney Afzali's approval

Councilman Filkins seconded, a vote resulted as follows:

AYES: Councilwoman Burnside, Councilman Sherman, Councilman Filkins and Councilman Boone

NAYS: None

RESOLUTION # 17-2019 was thereby duly adopted.

ESCROW AGREEMENT-RESOLUTION

Acting Supervisor Bichteman reported he had asked Attorney Afzali to draft an Escrow Agreement for the Town of Westerlo. The agreement could be used for any project requiring an applicant to reimburse the Town for expenses including legal fees. There is currently no escrow agreement in place. He asked the Town Board to adopt the Escrow Agreement to be used by the Town of Westerlo Planning and

Zoning Board's as applicable in each case before them. Councilman Boone made a motion to adopt the following resolution:

WHEREAS: the Town of Westerlo needs to adopt an Escrow Agreement, be it hereby

RESOLVED: the Town Board adopts the Escrow Agreement drafted by Interim Attorney Afzali Councilwoman Burnside seconded, a vote resulted as follows:

AYES: Councilman Boone, Councilwoman Burnside, Councilman Sherman and Councilman Filkins

NAYS: None

RESOLUTION #18-2019 was thereby duly adopted.

ALBANY COUNTY - ELECTION CONTRACT 2019

Acting Supervisor Bichteman asked the Town Board for their approval to execute the Albany County Contract for 2019 Election to be held at the Westerlo Town Hall. Councilwoman Burnside made a motion to adopt the following resolution:

WHEREAS: The Town of Westerlo has received a contract from Albany County for 2019 Election Year, be it hereby

RESOLVED: the Town Board authorized Acting Supervisor Bichteman to execute the contract Councilman Filkins seconded, a vote resulted as follows:

AYES: Councilwoman Burnside, Councilman Filkins, Councilman Sherman and Councilman Boone

NAYS: None

RESOLUTION #19-2019 was thereby duly adopted.

PROPOSED REVISION LOCAL LAW 1 of 1989-SOLAR

Acting Supervisor Bichteman reported as part of the review process for recent and previous solar applications he had asked Interim Attorney Afzali to review previous commercial Solar project bonds. Mr. Bichteman read the list of suggestions/recommendations made by Attorney Afzali. Attorney Afzali recommended to the Town Board that he modify the bond requirements and present a draft to the Town Board for review. Acting Supervisor Bichteman indicated the projects that have been approved are all subject to the provision that the bonds have to be acceptable to the Town Attorney, to his knowledge that had not occurred. The Town can hold final approval of a solar project until the bond has been approved. Any change to Town Laws would first require a Public Hearing. Councilman Boone confirmed with Mr. Afzali that Local Law 4-2018 would also need to be revised. The Town Board will continue discussion of the proposed revision of these laws at a future meeting.

TOWN RECORDS

Supervisor Bichteman announced he is working on a plan for Town records. He provided the Town Board with record keeping tips for Zoning Administration produced by NYS. The issue is there are statutory requirements for site plan reviews, special use permits, subdivision plats, and zoning appeals and the Board's determination must be filed in the municipal clerk's office (stamped with the date received by the Town Clerk/RMO) within five business days. Currently, those records are not being kept in the Town Hall but space is available in the Assessor's office. Specifically all the Planning Board records including drawings need to be filed and brought to Town Hall. He asked the Town Board to make that suggestion or pass a resolution. He believed all the Zoning Board records are filed.

Attorney Afzali advised of the statute of limitations for challenges to planning and zoning actions is determined based on filing. A resolution is not necessary as it's covered under Town Law; the Town Board just needs to authorize the Acting Supervisor to work on a records plan.

Councilman Boone and Councilwoman Burnside were in favor.

GRANT WRITER REPORT

Dr. Nicole Ambrosio announced the NYS Archives LGRMIF grant application was submitted in January for a proposed records room at the Town Hall, she hopes to receive acknowledgment regarding potential grant funding in July. She has started the process of looking for potential funding for upgrading the comprehensive plan through the Greenway Gateway. She continues to work with Mr. Bichteman to pursue Water Grant opportunities. WIIA grant (Water Infrastructure Improvement Act) has not opened yet for applications. She is working with Stantec to receive a waiver on MWBE (Minority Women Business Enterprise) requirements for the State, she hopes to be able to receive reimbursement for engineering costs. When revising/updating the comprehensive plan Dr. Ambrosio mentioned the importance of covering specifics such as addressing sidewalks due to the potential for grant funding opportunities.

ZONING BOARD OF APPEALS REPORT

John Sefcik Chairman submitted and read the following report:

ZBA Report-March 5, 2019

Because the ZBA members spent a lot of time on education in January, and we had no old or new business, we did not meet in February. Instead, I asked the members to spend some time reviewing the Zoning Law. The ZBA will meet this month, regardless of whether we have any new business or not.

*ZBA Chairman,
John Sefcik*

PLANNING BOARD REPORT

Chairwoman Dorothy Verch submitted and read the following:

*PLANNING BOARD
REPORT
TO THE
TOWN BOARD
MARCH 5, 2019*

THE PLANNING BOARD MET ON FEBRUARY 26TH AT 7PM. THE MEETING WAS OPENED WITH THE PLEDGE. THERE WERE TWO PUBLIC HEARINGS.

THE PUBLIC HEARING FOR COSTANZA SOLAR PROJECT AND THE ADDITION OF AN ENERGY STORAGE SYSTEM WAS RESUMED.

MR. WEIGHTMAN, REPRESENTING CYPRESS CREEK ANNOUNCED THAT CCR WAS WITHDRAWING THEIR APPLICATION FOR THE ESS. THE WITHDRAWAL LETTER WAS READ INTO THE MINUTES.

MR. LOCKLEAR, A RESIDENT OF STRAWBERRY LANE, READ A LETTER FROM THE RESIDENTS OF STRAWBERRY LANE. THERE WAS SOME DISCUSSION REGARDING THE SITE PLAN SINCE THE ESS SYSTEM HAS BEEN REMOVED. THE SITE PLAN SHOULD DEMONSTRATE THE REDUCTION OF THE SOLAR ARRAY AND IDENTIFY THE SCREENINGS THAT WILL BE IN PLACE. MR. WEIGHTMAN STATED THAT CONSTRUCTION OF THE ACCESS ROAD WILL TAKE PLACE LATE SPRING OR EARLY SUMMER. A NEW SITE PLAN WILL BE SUPPLIED IN TIME FOR THE MARCH 26TH MEETING AND MUST BE SUBMITTED TO BOTH THE DEC AND ACPB AGAIN. THE PUBLIC HEARING WAS ADJOURNED UNTIL MARCH 26TH. .

A COPY OF THE LETTER WAS SENT TO THE MEMBERS OF THE PLANNING BOARD, TOWN BOARD, MR. WEIGHTMAN AND HIS REPLACEMENT, MR. PETER LAWN OF CCR, WESTERLO'S CEO, MR. JEFF PINE AND THE INTERIM TOWN ATTORNEY, JAVID AFZALI.

THE SECOND PUBLIC HEARING WAS OPENED.

IRWIN COMMERCIAL GARAGE APPLICATION 18-003.

THE SUBMITTED SITE PLAN ONLY SHOWED A 50' SET BACK FROM THE PROPERTY LINE. FOR A COMMERCIAL APPLICATION THE SET BACK IS 100' FRONT AND REAR LOT LINE.

A LETTER FROM AN ABUTTER WAS READ THAT HAD NO PROBLEM WITH THE APPLICATION .

MR. AND MRS. LOCKNER BOTH SPOKE REGARDING THE PLACEMENT OF THE BUILDING. IF IT WAS POSITIONED NORTH OF THE PLANNED LOCATION, IT WOULD OBSCURE THEIR VIEW AND THEY WOULD BE LOOKING AT THE BACK OF THE GARAGE.

MR. DOLCE AND HIS DAUGHTER, ANGELIKA OF TOWN LINE VOICED THEIR CONCERNS AS WELL.

A DISCUSSION REGARDING THE PLACEMENT OF THE GARAGE TO SATISFY THE 100' SETBACK ENSUED . MR. IRWIN DESCRIBED A HARDSHIP IF THE BUILDING WAS MOVED FORWARD 25' WHICH WOULD SATISFY THE REAR 100' SETBACK REQUIREMENTS.

THE PLANNING BOARD RECOMMENDED THAT MR. IRWIN SEEK A VARIANCE FROM THE ZBA. THE PUBLIC HEARING WAS ADJOURNED UNTIL MARCH 26TH. THE APPLICATION WAS SUBMITTED TO THE ACPB AND HAS BEEN REJECTED WITHOUT PREJUDICE.

THE SITE PLAN WAS UNACCEPTABLE.

THE PUBLIC HEARINGS FOR THE 2 SOLAR FARMS BY CLEAN ENERGY COLLECTIVES- MEDUSA AND WESTERLONY01 WILL BE RESUMED ON MARCH 26TH. CEC IS ALSO CONSIDERING THE ADDITION OF ENERGY STORAGE .

THE SHEPARD SOLAR PROJECTS EAST AND WEST ARE ALSO CONSIDERING THE ADDITION OF ENERGY STORAGE SYSTEMS TO THEIR LOCATIONS.

THE ESCROW ACCOUNTS TO SATISFY THE INVOICES FROM HYDE ENGINEERING ARE BEING FUNDED. WE HAVE RECEIVED THE NECESSARY FUNDS FROM CYPRESS CREEK AND BORREGO.

CLEAN ENERGY COLLECTIVES HAVE STATED THAT THEIR CHECKS ARE BEING PROCESSED.

BROADBAND RESEARCH COMMITTEE (BRC) REPORT

Committee Chairperson Dorothy Verch submitted and read the following:

*BRC REPORT
TO THE
TOWN BOARD
MARCH 5, 2019*

THE BRC MET ON FEBRUARY 28TH. MEMBERS PRESENT WERE:

LEONARD LAUB, ERIC MARKSON, BOB WILCOX AND MYSELF.

WE REVIEWED THE MAP SUPPLIED BY MIDHUDSON AND DISCUSSED THE INFORMATION FROM MR. FINGAR. MHC HAS RECEIVED SOME POLE ATTACHMENT LICENSES AND HAVE BEGUN CONSTRUCTION IN THE NORTHERN PART OF WESTERLO.

SLADE HILL RD, FLOOD RD., AIRPORT RD., THE OTHER ROADS THAT WERE IDENTIFIED WERE TAN HOLLOW, DUNBAR HOLLOW.

NOTHING HAS BEEN ACTIVATED YET. IT WILL BE A FEW MONTHS BEFORE IT IS ALL PUT TOGETHER.

THEY ARE ALSO WORKING ON 412. QUESTIONED POSSIBLE CONNECTION OF 296 AC 412- TOLD WAITING OTHER SECTIONS TO CONNECT.

REQUESTED A LIST OF THE NEW DATABASE THAT REPRESENTS THE ACCOUNTS CONNECTED TO MHC SO THAT WE CAN COMPARE TO OUR TAX BASE.

THE FRANCHISE AMOUNT THAT CAN BE EXPECTED IS \$7,218.06.
ASKED FOR AN ACCOUNTING OF SAME.

DISCUSSED MIDTEL'S PHASE 3.

MR. BECKER, PRESIDENT OF MIDTEL WILL BE ON THE WORKSHOP AGENDA MARCH 19TH TO BRINGUP UP TO DATE.

SPECTRUM IS ALSO MOVING INTO THE AREA. ERIC AND I WILL BE REACHING OUT TO OUR CONTACTS TO SEE IF WE CAN IDENTIFY THE CORRECT CONTACT FOR SPECTRUM.

LEONARD HAS VOLUNTEERED TO CONTACT THAT INDIVIDUAL.

SPECTRUM IS WIRING RT 32 AS FAR SOUTH AS 143/32 COEYMANS.
THEY ARE ALSO COMING IN ON THE BERNE SIDE OF FLOOD RD.

RESPECTFULLY SUBMITTED,

DOTTY VERCH

Councilman Boone inquired if the Costanza Solar project is eliminating the Energy Storage System (ESS). Chairperson Verch confirmed the ESS was eliminated and the Planning Board would not need to revisit anything pertaining to this solar project. She reviewed the change of staff for both Cypress Creek and Borrego.

MUSEUM REPORT

MaryJane Araldi was not in attendance. She submitted the following report:

*Westerlo Heritage Museum
Report to Town Board
March 2019*

We continue to meet once a month on the second Thurs of the month.

We are meeting as time allows to sort through museum items.

I continue to take pictures of the items in the archive and add the picture of the item into the archival program.

The museum was open Saturday, February 9 from 9am – 12noon to coincide with the Firemens' breakfast. We had 6 people come in. The display was antique winter sports equipment – sleds, skis and iceskates..

The museum will be open on Saturday, March 9 again during the Firemens' breakfast. The display will be the friendship with Westerlo, Belgium.

I want to thank the fire company for allowing us to display our decorative chairs for a silent auction fundraiser!

We are planning a dedication ceremony for the newly erected WWII Wall of Honor on Saturday, May 18th.

HISTORIAN REPORT

Town Historian Dennis Fancher had met with a relative of Daniel Knowles who was born in Westerlo in 1886 and died in 1967 at the age of 81. The relative gave him items some of which were given to Ravena Historical Society, what remain were some postcards dated 1906 and 1910 which he will give to the Westerlo Heritage Museum. He also found a letter from the Library of Congress to Daniel Knowles for a song he wrote titled "When the Honeybees Humming around the Comb". He then read the following:

*HISTORIAN'S REPORT
Town Board Meeting March 2019*

*I came across an Altamont Enterprise "Back In Time" article December 13, 1895
It reads: The "law" had more to do with stirring society this past week than the gospel. The suit between Rev. Cyrus M. Booth, plaintiff and the trustees of the Baptist Church, defendants, was concluded on Saturday evening after 5 days of trial. The verdict rendered was "no cause of action". It is needless to say that there was no justice or equity in the verdict.*

Many of the best citizens regard the matter as a gross outrage on right and common sense. Then, the demonstration made by a company of young men and boys, marching through the streets of the village, hooting and yelling like a company of drunken Indians, making night hideous with maniac noises and firing pistols, was a terrible commentary upon the moral and religious standing of the community. But they were put up to it by some of the leading members of the Baptist Church as an expression of "their victory in the lawsuit."

After some research on the lawsuit I found the following:

Rev Booth was hired to preach for 6 months. He felt he was not paid for his services in its entirety. Many Church members were called to testify.

It appears from the many pages I read of the trial, that the Jury based its decision on several issues but the one that stood out was:

That from Rev Booth's own evidence he was fully paid and satisfied according to his contract.

WESTERLO HOMETOWN HEROES COMMITTEE (WHHC) REPORT

Amie Burnside WHHC Chairwoman submitted and read the following:

*WESTERLO HOMETOWN HERO REPORT
2/26/2019*

The home town hero committee met on Tuesday February 26, 2019. This meeting was rather short and to the point, we have designated committee members to set out and identify utility poles to add to our already approved poles, these will be ready to submit to the supervisors office for signature and to the respective utility companies after that for approval. The second item discussed was a potential list of sponsors which was divided up among the committee members present to visit and obtain sponsorship either for a banner or any denomination to be used for the closing ceremony. The closing ceremony is tentatively scheduled for November 2, 2019 and a request has been sent to the Westerlo Baptist Church to use there facility for the ceremony.

Respectfully Submitted,

*Amie Burnside
Committee Chairperson*

She mentioned that in addition to the 23 banners from last year, they have requests for 17 additional banners.

Councilman Filkins made a motion to accept all the reports as submitted, Councilman Boone seconded, motion unanimously carried.

OPEN TO PUBLIC

Art Allen spoke regarding Transfer Station monitoring. Permits already exist. He suggested a resident sign for the permit and suggested a \$100 penalty/fine for any misuse of a permit by any individual other than the applicant. He also suggested when placing Town records at the Town Hall they be put into Fireproof file cabinets.

Barbara Russell recommended using the existing transfer station permits but adding a sticker such as ones used for plates of trailers to help identify people which could be updated yearly. Based on Councilman Filkins handout she wondered why Westerlo's cost per residence was higher. What are the other Town's doing that we are not doing? The audience responded they are charging per bag. She commended the Town Board for a good agenda and reducing the meeting time. On a negative note she is tired of the time clock issue please put it to rest. She also asked what the cost was for an automated time system for about seven employees vs. the time slips currently being submitted, and wondered if this was already in the budget for this year. She would like to see sidewalks (grants) included in the hamlet of South Westerlo.

Jack Milner a former Town Board member discussed the Town of Westerlo Transfer Station recycling vs. other Towns and mentioned he has seen an improvement since he was a Board member. Also he mentioned that when he was a Town Board member he had suggested a redesign of the Transfer Station for better traffic flow and safety. Mr. Roger Hannay would have donated the natural cliff bordering the Transfer Station.

Dianne Sefcik submitted and read to the Town Board her letter regarding Chilling Effect.

John Sefcik wanted to thank former Supervisor Rapp for allowing people to participate during the past 10 years and commented on public participation. He mentioned that tonight's meeting was different as the Town Board didn't allow public participation during the meeting. He understood why the Town Board wants to make the meetings more efficient. He was not sure why a change was initiated with a sign-up sheet and a podium, he believed some people may be intimidated to speak.

Bobby Sherman commented on the Water Board Agreement made last month and indicated that the majority of the residents in the Town are not affected by the Water District. Discussion continued between Mr. Bobby Sherman and Mr. Bichteman.

Lisa DeGroff commented on Solid Waste Law and the accuracy of this and other Town Laws. She mentioned the Town Board needs to look into this. She questioned why not put the Transfer Station permits in effect for residents and recommended a moratorium. She suggested members for a Comprehensive Plan Committee selected by the Town Board be publicized more broadly. There are many residents who do not attend meetings that may have a lot to offer. She requested Town Board please reconsider the policy for use of the Town Hall and suggested several ideas for consideration. She also would like to see an update on the website as it has been more than a year and additionally would like residents to have access to the PDF forms for the Hometown Heroes. Acting Supervisor Bichteman asked her to forward the forms to him. She also mentioned that long term costs of sidewalks needs to be factored and considered and agreed with Mr. & Mrs. Sefcik's comments concerning public comments and the podium.

Anita Marrone questioned whether the former Town Attorney or the former Code Enforcement Officer submitted their records to the Town. The Town Clerk reported Mr. Lawson had submitted five boxes and Mrs. Galgay had provided one box. Mrs. Marrone asked Attorney Afzali to supply his opinion on the legality of time clock for the Town Hall. Mr. Afzali responded he would give the Town Board recommendations if they ask him to.

Mrs. Verch wondered if all employees would get an employee handbook. Mr. Bichteman indicated that the handbook is up to date and just needed to be bound and handed out.

Planning Board member Edwin Stevens believed that if there is an opening on a Board, the Town Board should make the decision without input from the Chairman of that specific Board. Mr. Bichteman understood his concern but believed that having the Chairman there is more to familiarize the candidate because most candidates are not clear on what is expected and indicated that the Chairman does not have input on those positions. Mr. Stevens also commented that he believed the Town Board did not do their duty to the Town by not appointing a Supervisor this evening so that person could pick a deputy in case something happened. Mr. Bichteman responded that at the next Town Board meeting he will appoint a deputy as that is the prerogative of the Supervisor.

Councilman Sherman made a motion to adjourn the meeting, seconded by Councilman Filkins. All in favor motion carried. Meeting adjourned at 10:20pm.

Respectfully submitted,

Kathleen Spinnato

Town Clerk