

**WESTERLO TOWN BOARD  
PUBLIC HEARING & TOWN BOARD MEETING  
OF  
TUESDAY, APRIL 21, 2020**

The Town of Westerlo Town Board held a Public Hearing & Town Board meeting on April 21, 2020 at the Richard H. Rapp Municipal Building located at 933 County Route 401, Westerlo, NY. Due to COVID-19 the meeting was available to the public via ZOOM. Supervisor Bichteman opened the meeting at 6:45 PM with the Pledge of Allegiance to the Flag.

Attending were:           Supervisor William Bichteman Jr.  
                                  Councilwoman Amie L. Burnside  
                                  Councilman Richard Filkins  
                                  Councilman Matthew Kryzak  
                                  Councilman Joseph J. Boone

Also attending: Kathleen Spinnato Town Clerk/Tax Collector

Attending during the meeting via zoom: Planning Board Chairperson Dotty Verch, Town Attorney Javid Afzali, Library Director Deb Scott, Library Board of Trustees Maureen Sikule, Laura Tenney, Bob Wilcox, Miranda Drumm and residents Betty Filkins, Andrea Locklear, Anita Marrone.

Supervisor Bichteman gave a quick review of the meeting by Zoom. The meeting had been advertised both in the Altamont Enterprise and on the Town website. The ads included details on how to gain access to the meeting via Zoom. He also informed everyone that the meeting was being recorded live via camera. Audience Q & A will be controlled from the Town Hall, everyone is currently muted. When the time is appropriate for questions and comments the mics will be opened so that participants can raise hand and then speak individually.

**PUBLIC HEARING ON PROPOSED LOCAL LAW NO. 2 OF 2020**

Councilwoman Burnside made a motion to open the Public Hearing for proposed Local Law No. 2 of 2020. Seconded by Councilman Filkins, all in favor motion carried.

Councilman Boone read aloud the proposed Local Law regarding changing the date established for Grievance Day of Real Property Assessment Review. Supervisor Bichteman indicated there was a mistake as it says "Repeal of all Previous Local Laws Regarding Solid Waste". Councilman Kryzak suggested striking "Solid Waste" and replacing it with "the establishment for Grievance Day for Real Property Assessment Review", the Board agreed.

Supervisor Bichteman asked if there were any public comment or questions. Maureen Sikule and Betty Filkins both responded having no public comment/questions. Councilman Kryzak asked for a roll call of who could hear meeting. Councilpersons Kryzak and Burnside individually contacted several residents who needed to unmute microphones. Councilman Kryzak then made a motion to close the public hearing. Seconded by Councilwoman Burnside, all in favor motion carried.

## **REGULAR TOWN BOARD MEETING**

Councilman Boone made a motion to open the regular Town Board meeting at 7:14 pm. Seconded by Councilman Kryzak, all in favor motion carried.

### **CORONA VIRUS PRECAUTIONS**

Supervisor Bichteman gave an update on the precautions the Town of Westerlo has taken in regards to the COVID-19 situation. He indicated the Town is following executive orders. The Town Board discussed the concern with having Town Park reservations and indicated the soonest potential reservation is for May 16<sup>th</sup>. Councilman Kryzak suggested making plans for when the Town offices and Library could reopen. Supervisor Bichteman believed that decision would be out of the Town's hands and would probably be county wide.

### **SUPERVISOR REPORT**

Councilwoman Burnside made a motion to accept the Supervisor's monthly report for March. Councilman Boone seconded, all in favor motion carried.

### **NYCLASS INVESTMENT, TOWN CLERK & TAX COLLECTOR'S MONTHLY REPORT**

Supervisor Bichteman gave an update on the NYCLASS accounts indicating the interest for last month was \$2,208.58 at a rate of 1.058%. He indicated that 1.6 million in the NYCLASS account has been moved to Bank of Greene County and the interest is not compounded daily like NYCLASS.

Councilman Kryzak made a motion to accept the NYCLASS Investment report, Town Clerk and Tax Collector's reports for March 2020. Councilman Filkins seconded, all in favor motion carried.

### **MINUTES**

Councilman Boone made a motion to approve the Town Board meeting minutes of March 17<sup>th</sup>. Councilman Kryzak seconded, all in favor motion carried.

### **PAYMENT OF MONTHLY BILLS FOR APRIL 2020**

Supervisor Bichteman made a motion to adopt the following resolution:

WHEREAS: the monthly bills have been audited by the town board, be it hereby

RESOLVED: that the following April 2020 invoices be paid Voucher # 156 through Voucher # 203 in the amount of \$ 62,310.52

Councilman Kryzak seconded the motion, a vote resulted as follow:

AYES: Councilwoman Burnside, Councilman Filkins, Councilman Boone,  
Councilman Kryzak, Supervisor Bichteman

NAYES: None

**RESOLUTION #26-2020 was duly adopted.**

## **OLD BUSINESS**

### **TOWN WEBSITE**

Supervisor Bichteman announced that Eric Markson is currently handling the postings for the Town of Westerlo website. His estimate came in slightly above the estimated \$3,000 due to the template that will be used.

### **RESOLUTION TO ADOPT CHANGES TO EMPLOYEE HANDBOOK**

In regards to adopting the Hazard Communications Program, Councilman Kryzak asked at the last meeting if PEF was the same as OSHA and Supervisor Bichteman advised tonight that is.

## **NEW BUSINESS**

### **PROPOSED LOCAL LAW NO 2 OF 2020- GRIEVANCE DAY DATE CHANGE**

Supervisor Bichteman advised that the Governor has allowed up to a 30 day extension for the filing of the tax rolls.

Councilman Kryzak made a motion to adopt the following resolution:

- WHEREAS: Due to a conflict with the date for Grievance day, be it hereby  
RESOLVED: The Town Board adopts Local Law No. 2 of 2020 to establish the Grievance Day date for Real Property Assessment Review with the suggested changes. (see attached)

Seconded by Councilwoman Burnside, a vote resulted as follows:

- AYES: Councilwoman Burnside, Councilman Filkins, Councilman Boone,  
Councilman Kryzak, Supervisor Bichteman  
NAYES: None

**RESOLUTION #27-2020 was duly adopted.**

### **EMPLOYEE HANDBOOK CHANGES**

Supervisor Bichteman made a motion to adopt the following resolution:

- WHEREAS: The employee handbook must be updated to include the Hazard Communications Program, be it hereby  
RESOLVED: The Town Board adopts section 1002, the Hazard Communications Program into the Employee Handbook.

Seconded by Councilman Kryzak, a vote resulted as follows:

- AYES: Councilwoman Burnside, Councilman Filkins, Councilman Boone,  
Councilman Kryzak, Supervisor Bichteman  
NAYES: None

**RESOLUTION #28-2020 was duly adopted.**

### **DIRECT DEPOSIT PAYCHECKS & ELIMINATING QUARTERLY PAYROLL**

Supervisor Bichteman indicated the ADP payroll company does not have the ability to process quarterly payroll, they need to force it in manually which causes glitches that ADP can't explain.

To correct this issue, he suggested eliminating quarterly payroll and paying those employees on a monthly basis instead. He also would like to see that all payroll in the town switch to direct deposit.

Non property tax revenues and budget for the town were also discussed.

Councilman Boone made a motion to adopt the following resolution:

WHEREAS: The ADP payroll company does not have the ability to process quarterly payroll easily, be it hereby,

RESOLVED: all employees currently paid quarterly will now be paid on a monthly basis.

Seconded by Councilman Kryzak. A vote resulted as follows:

AYES: Councilwoman Burnside, Councilman Filkins, Councilman Boone,  
Councilman Kryzak, Supervisor Bichteman

NAYES: None

**RESOLUTION #29-2020 was duly adopted.**

Councilman Boone made a motion to adopt the following resolution:

WHEREAS: In the interest in making the ADP payroll more effective, be it hereby

RESOLVED: all employees will get paid via direct deposit with an effective pay date of June 4<sup>th</sup>.

Seconded by Councilman Kryzak. A vote resulted as follows:

AYES: Councilwoman Burnside, Councilman Filkins, Councilman Boone,  
Councilman Kryzak, Supervisor Bichteman

NAYES: None

**RESOLUTION #30-2020 was duly adopted.**

#### **LIBRARY TRUSTEE APPOINTMENTS**

Library Board Trustee member Laura Tenney indicated that trustee member Lila Smith whose term expires Aug 23, 2020, stepped down leaving a vacancy. Supervisor Bichteman indicated that the Library Trustees need to make the interim appointment and the Town Board can appoint the same person to fill the term in August. Councilwoman Burnside made a motion to adopt the following resolution:

WHEREAS: Due to Library Trustee member Lila Smith stepping down, there is a vacancy on the Library Board of Trustees, be it hereby

RESOLVED: The Town Board appoints Steve Cornell as Library Trustee effective August 23, 2020 for a term of 5 year expiring August 23, 2025.

Seconded by Councilman Filkins. A vote resulted as follows:

AYES: Councilwoman Burnside, Councilman Filkins, Councilman Boone,  
Councilman Kryzak, Supervisor Bichteman

NAYES: None

**RESOLUTION #31-2020 was duly adopted.**

**LIBRARY - PROCUREMENT AND OPERATING PROCEDURES**

Supervisor Bichteman mentioned he would share the Town’s procurement policy and operating procedures with the Library for any future projects they may have.

**AUDIT REPORT -NYS COMPTROLLER’S OFFICE**

Supervisor Bichteman provided the Town Board with a copy of the audit report from the Comptroller. He indicated the auditors focused on IT however many of the items listed have already been resolved. He will respond to their report with a letter within 30 days.

**PUBLIC COMMENT**

Councilwoman Burnside asked about shortening meeting minutes.

A resident indicated it was hard to understand some of them with zoom but thanked them for their effort in making the meeting available.

Town Clerk Spinnato asked if Steve Cornell should come in to be sworn in to fill the unexpired term of Lila Smith, the Town Board indicated yes.

Councilman Boone thanked the essential employees who continue to work.

Supervisor Bichteman shared that William Vaniderstyne who was a previous member of the Zoning Board passed away. They shared a moment of silence.

**ADJOURNMENT OF MEETING**

With there being no further comments or questions, Councilman Filkins made a motion to adjourn the Town Board meeting. Seconded by Councilwoman Burnside, all in favor motion carried. The Town Board meeting adjourned at 8:23pm.

Respectively submitted,

Kathleen Spinnato  
Town Clerk

# **TOWN OF WESTERLO**

## **LOCAL LAW NO. 2 OF 2020**

### **A Local Law Changing the Date Established for Grievance Day of Real Property Assessment Review**

**BE IT ENACTED** by the Town Board of the Town of Westerlo, County of Albany as follows:

#### **Title.**

This local law shall be known as “A Local Law Changing the Date Established for Grievance Day of Real Property Assessment Review”.

#### **Purpose and Intent.**

The Town of Westerlo in the County of Albany employs an assessor who is at the same time employed by another assessing unit. Pursuant to the authority granted by § 512, Subdivision 1-a of Real Property Tax Law, the Town of Westerlo desires to establish a date for the meeting of the Board of Assessment Review other than that provided in Subdivision 1 of § 512 of the Real Property Tax Law.

#### **Authority.**

This local law is adopted pursuant to sections 10 and 22 of the Municipal Home Rule Law and New York Real Property Tax Law § 512, which enables a town to enact a local law to change grievance day from the fourth Tuesday of May.

#### **Effective Date.**

This Local Law shall take effect immediately upon filing with the New York State Secretary of State's Office.

#### **Repeal of All Previous Local Laws Regarding the Establishment for Grievance Day for Real Property Assessment Review**

This article supersedes and is in place of the date for the hearing of complaints set forth in subsection 1 of § 512 of the Real Property Tax Law.

#### **Grievance Day Established**

The Town of Westerlo hereby adopts as and for its grievance day the Wednesday after the Fourth Tuesday of May and as many days thereafter as the Board of Assessment Review deems necessary, when such Board shall meet to hear complaints in relation to assessments pursuant to § 512 of the New York State Real Property Tax Law.

**SEQRA Determination.**

The Town Board hereby determines that the adoption of this local law is a Type II action and not subject to review under the NYS Environmental Quality Review Act (SEQRA).

**Severability.**

Each separate part of this local law or the amendments herein shall be deemed independent of all other provisions, and if any provision shall be deemed or declared invalid, all other provisions hereof shall remain valid and enforceable.

**Effective Date.**

This local law shall become effective upon its filing with the NYS Secretary of State.