

**TOWN OF WESTERLO
TOWN BOARD MEETING
OF
TUESDAY, APRIL 4, 2017**

The Town of Westerlo Town Board held the regular monthly meeting on Tue., April 4, 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, Justice Robert Carl, Highway Superintendent Keith Wright Jr. & Deputy Hwy. Supt. Jody Ostrander, Planning Board Chairwoman Dorothy Verch & member Gerry Boone, Interim Museum Director MaryJane Araldi, Town Historian Dennis Fancher, Zoning Board of Appeals members John Sefcik & Guy Weidman, Clerk to the Supervisor Patricia Boice, Town Clerk Kathleen Spinnato and eight residents.

TOWN BOARD MINUTES

Supervisor Rapp made a motion to accept the accept Town Board minutes of 3/7/2017 as submitted. Councilman Boone seconded, motion unanimously carried.

Councilman Sherman made a motion to accept the Public Hearing, Special Town Board & Town Board Workshop minutes of 3/21/2017 as submitted. Councilwoman Burnside seconded, motion unanimously carried.

SUPERVISOR'S REPORT

Supervisor Rapp made a motion to accept the Supervisor's Report for the month of February as submitted. Councilman Sherman seconded, motion unanimously carried.

TOWN CLERK'S REPORT

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

MANDATORY TRAINING (Workplace Violence & Right to Know)

No discussion or action was taken by the Town Board.

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 # 126 through Voucher # 176 in the amount of \$40,606.12

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

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

NAYS: None

RESOLUTION # 18-2017 was thereby duly adopted.

ZONING BOARD OF APPEALS REPORT

Chairwoman Virginia Mangold was not in attendance. When asked, ZBA member John Sefcik reported on old business from their last meeting; an application for a variance made by Eastern Mutual Insurance.

PLANNING BOARD REPORT & BROADBAND RESEARCH COMMITTEE (BRC)

Chairwoman Dorothy Verch submitted and read the Planning Board & BRC reports (attached):

The Planning Board met on March 28, 2017. A public hearing for 17-002

Kaatskill Associates 3 lot subdivision, property located at 3781 SR 85

Tax id # 127.-2-34.3 consisting of 46.42+- acres. A resident brought forth concerns that the property would be used for other purposes. Mr. Lawson assuaged the concerns by explaining the restrictions of the land and how our zoning laws protect the land use. The subdivision application was approved.

The public hearing for Hudson Solar 17-002 was dismissed because Eastern Insurance received variance for setback at the ZBA on March 27th. The new Solar Law had not been filed yet, so the current Solar Law was still in effect.

A continuation of old business – Tarpon Towers II Cellco, d/b/a Verizon was addressed. A visual test scheduled for March 21st was delayed due to high winds. The alternate date, March 22nd, mechanical difficulties were encountered. The JLG was positioned in the field around 6:30 that day.

All of the abutters, with the assistance of our Assessor's office, were reached by phone. Kathy and Karla at the Town Hall were alerted to the delay in case residents called. The visual test was conducted on March 23rd during the hours of 10-5. A portfolio of colored pictures were produced both as actual and simulated to show the placement of the cell tower. A topographical map is also available at the Town Hall. Both the portfolio and the map are on the stage for all to view.

The visual test was the last requirement needed for the Planning Board to accept the application. There was an active discussion with questions being fielded by Josh Silver of The Murray Law Firm. A public hearing has been schedule for April 25th at 7PM. At that time a Full SEQRA will be reviewed.

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BRC REPORT

Members of the BRC met on March 30th at 7PM. Those present were Eric Markson, Bob Wilcox, Mike Sikule and Gerry Boone. 2 residents, interested in the advancement of broadband were also there. Wendy Schwenk and Audrey Kropp. Eric was able to obtain an excel format of the tax base of Westerlo. Discussion about what will be the next area to request expansion by MHC ensued.

Received confirmation from Dave Fingar that the 2 roads that we previously requested MHC expansion has BEEN APPROVED. The County routes of 402 and 410 will have cable expansion soon.

We currently have approximately 40 more residents requesting cable. Dave Fingar, MHC Chief engineer was invited and has accepted to meet with us on April 26th at 7PM.

EXECUTIVE SESSION

Councilman Bichteman made a motion that the Town Board enter into Executive Session with Dorothy Verch to discuss issues which could involve litigation, Councilman Sherman seconded the motion, motion unanimously carried. The Town Board entered into Executive Session with Dorothy Verch at 7:09 PM & they returned from Executive Session at 7:19 PM.

The regular meeting continued;

Councilman Bichteman made a motion to accept the Planning Board & the Broadband Research Committee Reports as submitted, seconded by Councilwoman Burnside, motion unanimously carried.

WATER BOARD REPORT

Councilman Bichteman reported that it is time to re-bid the water district (utility) repair contract. Attorney Galgay is in the process of preparing the contract for completion. Councilman Bichteman made a motion to adopt the following resolution:

WHEREAS: the Town Board will need to advertise for bids for the water district repair contract, be it hereby

RESOLVED: that the Town Board advertise for re-bids of the water district (utility) repair contract.

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

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

NAYS: None

RESOLUTION # 19-2017 was thereby duly adopted.

Councilman Bichteman also reported that a temporary roof repair was done on the chlorine circulation building located at the transfer station. The repair got it through the winter but he would like to advertise for bids to replace the roof which would be paid by the water district. The same in kind material/plans used previously to be provided to whoever bids the project.

Councilman Bichteman made a motion to adopt the following resolution:

WHEREAS: the Town Board needs to advertise for bids for the roof replacement on the chlorine circulation building located at the transfer station, be it hereby

RESOLVED: the Town Board advertise for bids for the roof replacement on the chlorine circulation building.

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

AYES: Supervisor Rapp, Councilman Bichteman, Councilman Boone,

Councilwoman Burnside and Councilman Sherman

NAYS: None

RESOLUTION # 20-2017 was thereby duly adopted.

Councilman Bichteman announced the 2016 Annual Water Quality Report was received, there is nothing significant to report, all tests were negative and passed. The report will be mailed to water district customers and it will also be posted at the Bank of Greene County, Post Office, Library and Town Hall.

OTHER BUSINESS

Councilman Bichteman informed the Town Board that the contract for proposed replacement of the heating system & insulation package of the Town Hall building will be re-advertised by Delaware Engineering on April 10th and re-bid on May 10th. Delaware Engineering has prepared the bid document plans. The original bids on the project were rejected.

Councilman Bichteman reported Albany County Legislature Christopher Smith was able to secure a \$3,000 grant for shared services for the Towns of Westerlo & Rensselaerville for a Summer Recreation program. The Town of Westerlo will need someone to organize. Discussions followed, no specific details were determined by the Town Board at this time.

MUSEUM BOARD

Interim Museum Director Mary Jane Araldi reported that having the Westerlo Heritage Museum open to coincide with the Firemen's Breakfast was a huge success, approximately 25 -30 people toured the Museum. She thanked the Fire Company for their cooperation and Aline Galgay & Claire Marshall for manning the Museum that day. She also thanked the Town of Westerlo Highway Dept. for their help in moving artifacts from the upstairs of the library to the former Town Hall building, plowing the driveway, installing a flagpole for their open banner and a handicapped parking sign. We have started to organize some of the articles removed from storage at the library & she continues to enter items into the Museum's computer archival program. The Museum has registered and will be open for the New York Path through History weekends scheduled for June 17-18 & Oct. 7-9 and she provided brochures of this event. The museum has joined the Museum Association of New York. She is taking an online course regarding policies, procedures for donations, etc. and she has shared this information with Town Attorney Aline Galgay as both will need to be developed into a plan for the Museum. Lastly, the Annual Town of Westerlo Garage Sale Day organized & held by the Museum is scheduled for June 10, 2017 information on registering will be posted to the website as soon as it is available.

Supervisor Rapp made a motion to accept the Museum Report, Councilman Bichteman seconded, motion unanimously carried.

OPEN TO PUBLIC

A resident commented positively on the reports submitted by the Planning Board indicating she would like to see reports from Highway & Town Justices.

Another resident inquired if there would be any further discussion concerning the potential of a Dept. of Public Works. Supervisor Rapp responded "no, right now it's a dead issue."

John Sefcik thanked the Town Board for letting the Planning & Zoning Board members attend the Planning Federation Conference, the sessions were really worthwhile.

CLOSE MEETING

There being no further public comment, Supervisor Rapp asked for a motion to adjourn the meeting. Councilman Bichteman made a motion to adjourn, seconded by Councilwoman Burnside, motion unanimously carried. Meeting adjourned at 7:40 PM.

Respectfully submitted,

Kathleen Spinnato Town Clerk