

**TOWN OF WESTERLO  
TOWN BOARD MEETING  
MONDAY, NOVEMBER. 5, 2018**

The Town of Westerlo Town Board held a meeting on Monday, Nov. 5, 2018 at Westerlo Town Hall, 933 County Route 401, Westerlo, NY. Supervisor Rapp opened the meeting at 7:00 PM with the Pledge of Allegiance to the Flag.

ATTENDING WERE: Supervisor Richard H. Rapp  
Councilman Anthony W. Sherman  
Councilman Joseph J. Boone  
Councilwoman Amie L. Burnside  
Councilman Richard Filkins

Also attending were: Highway Superintendent Jody Ostrander, Highway Employee's Salvatore Spinnato IV and Justin Case, Code Enforcement Officer/Deputy Supervisor Edwin Lawson, Planning Board Chairwoman Dorothy Verch, Zoning Board members John Sefcik and Jill Henck, Town Historian Dennis Fancher, Water Board Chairperson William Bichteman Jr., Grant Writer Dr. Nicole Ambrosio, Clerk to the Supervisor Patricia Boice, Clerk to the Assessor Claire Marshall, Deputy Town Clerk II Karla Weaver and approximately fourteen residents.

**MINUTES**

Supervisor Rapp made a motion to accept the Town Board Meeting minutes of 9/4/18 & 10/2/18. Councilman Sherman seconded, all in favor motion carried.

Councilman Sherman made a motion to accept the Town Board Workshop minutes of 10/16/18. Councilman Boone seconded, all in favor motion carried.

**SUPERVISOR'S REPORT**

Supervisor Rapp made a motion to accept the Supervisor's report for the month of September as submitted. Councilman Boone seconded, all in favor motion carried.

**TOWN CLERK'S REPORT**

Councilwoman Burnside made a motion to accept the Town Clerk's monthly report for October as submitted. Councilman Sherman seconded, all in favor motion 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 # 539 through Voucher # 590 in the amount of \$61,399.69

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

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

NAYS: None

**RESOLUTION # 51-2018 was thereby duly adopted.**

## **GRANT WRITER REPORT**

Dr. Nicole Ambrosio gave an update on what she has been doing in relation to the possible grants for the Water District. She reported that the Water Improvement Act grant is specifically for PFOA's. She filled out an application for the 2019 Intended Use Plan (IUP) which earmarks money. The Town may be able to get reimbursed for planning and design and eligible to apply for a low cost loan. She has applied to receive grant funding from Rural Economic Development (REDC) and is currently awaiting clearance. She spoke with someone from RCAP about potential third party income surveys for the 87 Water District residents and is waiting on more information on that.

Dr. Ambrosio and ZBA member Jill Henck attended a NYSERDA conference in Glens Falls. Dr. Ambrosio indicated that the Town may want to look into flow battery storage if Solar Farms are coming to Westerlo.

Dr. Ambrosio mentioned that some communities have an LED light bulb exchange. She explained that municipalities buy LED's from NYSERDA at a reduced cost then residents can exchange their household bulbs for an LED at no cost to them.

For the Highway Garage, Dr. Ambrosio indicated she was still looking into possible grant monies. Mrs. Henck advised that the Town has completed three of the four items for the \$35,000 proposed CDRPC Clean Energy grant however the fourth can't be completed until February when more energy usage information will be available.

Councilman Boone made a motion to accept the Grant Writer's report, Councilwoman Burnside seconded, motion carried by those in attendance.

Councilman Sherman made a motion to adopt the following resolution:

WHEREAS: CDRPC will be conducting a training session, be it hereby

RESOLVED: the Town Board approves the reimbursement for the Grant Writer, Planning & Zoning Board's CDRPC training if any wish to attend.

Councilman Filkins seconded the motion, vote results follow:

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

NAYS: None

**RESOLUTION # 52-2018 was thereby duly adopted.**

## **WATER BOARD REPORT**

The Water Board met on Oct. 25<sup>th</sup> 2018 to review the Water District current operating budget and suggested making the following adjustments to be effective January 1<sup>st</sup> 2019. The annual water bond repayment needs to increase from \$310.34 to \$315.00 to reflect the 1.5% increase. The budget deficit will be \$15,126 which is a result of the unanticipated expenses attributed to the emergency standby generator repairs, bromomethane and replacement of the heater in the treatment building. This will be paid out of the cash reserve fund. For the usage fee, the Water Board recommends that the budget be increased to \$75,270, an increase of \$2,270 from the previous year and is comprised of the mandatory \$1,000 bond repayment increase and \$1,270

in operating expenses. The increase in operating expense will raise usage rates from \$17.45 per thousand gallons to \$17.51. He mentioned that Water District No. 1 rates are extremely high and remain an impediment to property sales and economic growth. Therefore the Water Board needs to explore any potential ways to save to help reduce these rates since the rates are already above the national average. The Water Board has estimated a potential saving to the Water District if the Highway Department takes over operation but warrants further investigation.

Mr. Bichteman reported that Albany County Health Department has confirmed bromomethane levels represent no immediate health hazard. The Town has made a remediation plan. The Water Board recommends that a timeline be negotiated with the County Health Department. He has requested that the engineers (Stantec) provide pricing to bid the project and develop a design for remediation. Preliminary water treatment analysis has been conducted by Stantec and funded by the Water District however there are not enough funds for total remediation. The Water Board received an approximate estimation of \$200,000 for the bromomethane remediation. The Town is seeking potential grant funding to help with the cost. He mentioned there would be an increased hardship to the Water District customers if grant funding is not received for the remediation.

Mr. Bichteman mentioned that four properties in the Water District need to have their water terminated pursuant to Albany County Resolution No. 465a 2013. He explained what the resolution was and that the bond on the four properties would be eliminated and redistributed to the remaining Water District residents, which is unfair. He has asked the Town Attorney to draft resolutions regarding terminating services and for revisions to the Water Law for a potential future public hearing. He was suggesting that Local Law # 1 of 2005, also known as the Water Use Law, be amended to add two provisions:

- impose a reconnection fee to be applied to the properties where the services have been terminated
- property owners would be notified by certified mail a minimum of 30 days but not to exceed 45 days in advance of the termination

He explained that a fee of \$667 per annum which represents the minimum usage plus the bond money would be applied at the termination of service. He also indicated the fee would accumulate until service was restored.

Lastly, Mr. Bichteman asked that the Town Board reappoint George Hadden and Bill Slaver as members of the Water Board as their terms have expired. Both are two year terms.

Mr. Bichteman fielded questions and concerns from the Town Board and residents. He advised of the potential additional cost to make the secondary well operable as a backup and asked the Town Board to consider implementing a plan for the Highway Department to operate the Water System in the future.

Councilwoman Burnside made a motion to adopt the following resolution:

WHEREAS: The Westerlo Water Board needs to make reappointments for two members, their terms expired in January 2018, be it

hereby,

RESOLVED: the Town Board reappoints George Hadden and Bill Slaver both for two year terms effective 1/1/2018 through 12/31/2020.

Councilman Filkins seconded the motion, vote results follow:

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

NAYS: None

**RESOLUTION # 53-2018 was thereby duly adopted.**

Councilman Sherman mentioned there was an error on the Water District fee schedule under Water District usage fees for annual system maintenance. He indicated it should be \$50.00. See fee schedule attached.

Councilman Sherman made a motion to adopt the following resolution:

WHEREAS: The Water Board requests the Westerlo Water District No. 1 fee schedule be updated, be it hereby

RESOLVED: the Town Board approves the Water District No. 1 fee schedule as submitted and to include the \$50.00 correction as stated above by Councilman Sherman.

Councilwoman Burnside seconded the motion, vote results follow:

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

NAYS: None

**RESOLUTION # 54-2018 was thereby duly adopted.**

Councilman Sherman made a motion to accept the Water Board report. Councilman Filkins seconded, all in favor motion carried.

#### **ZONING BOARD OF APPEALS REPORT**

Virginia Mangold Chairwoman was absent. October meeting was cancelled, no report was submitted.

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

Dorothy Verch Chairwoman submitted and read both reports:

**PLANNING BOARD REPORT  
TO THE  
TOWN BOARD  
NOVEMBER 5, 2018**

*THE PLANNING BOARD MET ON OCTOBER 30TH.*

*THERE WERE 4 PUBLIC HEARING SCHEDULED.*

*CYPRESS CREEK, COSTANZA PROJECT 17-005, BORREGO, SHEPARD FARMS SOLAR 17-008, MEDUSA SOLAR 17-009, WESTERLONY01 17-010.*

*CYPRESS CREEK PRESENTED AN AMENDED SITE PLAN REDUCING THE ARRAY SIZE. THEY ARE ALSO ADDING AN ENERGY STORAGE SYSTEM TO COLLECT THE ELECTRICITY GENERATED DURING THE DAY SO THAT IT CAN BE DELIVERED TO C/H IN THE EVENING HOURS. SEQRA NEEDS TO BE AMENDED.*

*SEVERAL QUESTIONS WERE ASKED AND INFORMATION WAS REQUESTED – PH WAS ADJOURNED UNTIL NOVEMBER 27TH BORREGO WAS A NO SHOW. PH HEARING WAS ADJOURNED UNTIL NOVEMBER 27TH.*

*MEDUSA SOLAR AND WESTERLONY01 HAVE ALSO SUBMITTED AN AMENDED SITE PLAN SHOWING THE PLACEMENT OF AN ENERGY STORAGE SYSTEM ON EACH OF THEIR FARMS.*

*THE AMENDED SEQRA AND SITE PLAN FOR EACH PROJECT, ONCE COMPLETED, WILL BE SUBMITTED TO DEC, ARMY CORP OF ENGINEERS AND ALBANY COUNTY PLANNING BOARD.*

*ALL PUBLIC HEARINGS WERE ADJOURNED UNTIL NOVEMBER 27TH.*

*MR. SHANAHAN OF CLEAN ENERGY COLLECTIVES AND MR. WEIGHTMAN OF CYPRESS CREEK BOTH AGREED THAT THEY WILL PAY FOR AN ENGINEERING FIRM THAT IS PROFICIENT AND KNOWLEDGEABLE ON THE ENERGY STORAGE SYSTEMS TO REVIEW THE SYSTEMS.*

*CONTACTED LABERGE GROUP AND THEY HAVE LITTLE TO NO EXPERIENCE WITH THIS NEW TECHNOLOGY. CONTACTED KAATERSKILL ASSOCIATES WHO NEVER RESPONDED.*

*CONTACTED HOUTAN MOAVANI OF NYSERDA FOR A LIST OF ENGINEERING FIRMS WITH KNOWLEDGE OF THESE NEW SYSTEMS. AWAITING HIS RESPONSE.*

*COUNCILMAN FILKINS AND I ATTENDED A WEBINAR ON NOV 1. ON STORAGE PROJECT MODIFICATION- ENERGY STORAGE SYSTEMS.*

*INCENTIVES ARE BEING GIVEN TO BOTH THE SOLAR COMPANIES AND THE ELECTRIC COMPANY TO INSTALL THESE SYSTEMS ON ALL OF THE SITES.*

*THE PURPOSE OF THE STORAGE UNITS, IT SEEMS, IS TO EVEN OUT THE DELIVERY AND DISTRIBUTION OF THE ELECTRICITY TO THE GRID .*

*I AM ASKING THAT THE TOWN BOARD APPROVE 1 ½ HRS TRAINING FOR ME.*

*NOVEMBER 8TH FROM 6-8 ANGELIKA STEWART, OUR DEC ENVIRONMENTAL ANALYST WILL BE CHAIRING A MINI-SEMINAR ON THE NEW SEQRA REGULATIONS AND THE RELATIONSHIP BETWEEN DEC AND THE ARMY CORP OF ENGINEERS IN REGARD TO THE VARIOUS WETLAND LISTS. MEMBERS OF THE PLANNING BOARD , ZBA AND TOWN BOARD ARE ATTENDING.*

*SEQRA IS PART OF THE ENVIRONMENTAL CONSERVATION LAW. NOT A GUIDE LINE- A LAW.*

*SEQRA REQUIRES THAT ALL AGENCIES DETERMINE WHETHER THE ACTIONS THEY DIRECTLY UNDERTAKE, FUND OR APPROVE MAY HAVE A SIGNIFICANT IMPACT ON THE ENVIRONMENT, AND, IF IT IS DETERMINED THAT THE ACTION MAY HAVE A SIGNIFICANT ADVERSE IMPACT, PREPARE OR REQUEST AND ENVIRONMENTAL IMPACT STATEMENT.*

*JANUARY 1 2019 SEQRA WILL BE AMENDED WITH NEW GUIDELINES FOR TYPE I AND TYPE II ACTIONS.*

*ON NOVEMBER 10TH MEMBERS OF THE PLANNING BOARD, TOWN BOARD AND ZBA WILL BE ATTENDING THE SEMINAR SPONSORED BY ASSOCIATION OF TOWNS IN SCHOHARIE NY.*

*RESPECTFULLY SUBMITTED,*

*DOTTY VERCH*

Discussion followed about flow batteries versus ion batteries. Michael Doud of Borrego indicated they use lithium ion batteries. He also indicated that most solar companies use flow batteries.

Councilman Sherman made a motion to accept the Planning Board report as read. Seconded by Councilwoman Burnside, all in favor motion carried.

**BRC REPORT  
TO THE  
TOWN BOARD  
NOVEMBER 5, 2018**

*THE BRC MET ON OCTOBER 17, 2018. THOSE IN ATTENDANCE WERE;*

*COUNCILMAN RICH FILKINS, ZBA MEMBER JOHN SEFCIK, BRC MEMBERS DOYLE SHAVER, BOB WILCOX, ERIC MARKSON, PLANNING BOARD MEMBER, RICH KURLYO.*

*MR. JIM BECKER PRESIDENT OF MIDTEL AND HIS OPERATIONS MANAGER JOE CALZONE PRESENTED AN OVERVIEW OF HOW MIDTEL IS EXPANDING INTO WESTERLO.*

*THEY RECEIVED A CENSUS BLOCK THAT COVERS THE UPPER WESTERN QUADRANT OF WESTERLO WHERE IT JUNCTIONS RENSSELAERVILLE. BOUNDARIES – AC 408 AND SR 85.*

*THEY ARE CURRENTLY PLOTTING THE AREAS AND WILL BE ABLE TO PROVIDE A MORE INDEPTH REPORT AFTER THE 1ST OF THE YEAR. THEY WOULD LIKE TO APPEAR BEFORE THE TOWN BOARD AT THE FEBRUARY MEETING TO INTRODUCE THEMSELVES AND PROVIDE MORE INFORMATION.*

*THE NEXT MEETING OF THE BRC WILL BE HELD ON NOV 21ST AT 7PM. MR. DAVE FINGAR WILL BE PROVING AN UPDATE ON THE PROGRESS OF MID-HUDSON IN OUR AREA. I HAVE ASKED THAT HE PROVIDE A CURRENT REPORT ON THE FRANCHISE FEE UPDATE AS WELL.*

*RESPECTFULLY SUBMITTED,*

*DOTTY VERCH*

Councilwoman Burnside made a motion to accept the BRC report as read. Seconded by Councilman Filkins, all in favor motion carried.

**MUSEUM REPORT**

Mary Jane Snyder-Araldi was not present. No report submitted.

**TOWN HISTORIAN REPORT**

Dennis Fancher Town Historian submitted and read the following report:

**TOWN BOARD MEETING NOV 5, 2018**

*NORMALLY, I GIVE A REPORT ON A WESTERLO HISTORICAL EVENT OR PERSON. TODAY, I AM ASKING FOR SOME HELP. I RECENTLY RECEIVED AN EMAIL REQUESTING INFORMATION ON A MAN NAMED DE LA MANO. HE WAS A WEALTHY MAGICIAN WHOSE FAMILY OWNED A CIRCUS IN AUSTRIA. HE VISITED WESTERLO IN 1882 AND AT A HOUSE PERFORMING A PARANORMAL INVESTIGATION AND DURING A THUNDERSTORM, HE DISAPPEARED INTO THIN AIR.*

*I AM CATAGORIZING THIS AS FOLKLORE AND FOR ANYONE THAT HAS LIVED HERE FOR AT LEAST 3 GENERATIONS MAYBE YOU HAD HEARD OF THIS AND I WOULD APPRECIATE ANY INFORMATION.*

*SECONDLY, I JUST PURCHASED AT AUCTION, A SIGN "WOODRUFF'S DANCE HALL" THE BUILDING WAS LOCATED IN GREENVILLE WHERE THE PIONEER BUILDING NOW STANDS. I CONTACTED GREENVILLE HISTORAIN, DON TEATOR AND HE SENT ME WONDERFUL PHPTOS OF THIS BUILDING. SINCE THE WOODRUFF NAME IS WELL ESTABLISHED IN WESTERLO FOR SEVERAL GENERATIONS I AM WONDERING IF ANYONE HAS ANY INFORMATION ON THE CONNECTION BETWEEN THIS DANCE HALL AND THE WOODRUFF FAMILY FROM WESTERLO.*

Councilman Filkins made a motion to approve the Historian’s Report as read. Councilman Boone seconded, all in favor motion carried.

**WESTERLO HOMETOWN HEROES COMMITTEE (WHHC) REPORT**

Amie Burnside WHHC Chairwoman reminded everyone that the closing ceremony is November 17<sup>th</sup> at 1 pm at the Town Hall and all are welcome.

**OLD BUSINESS:**

**HIGHWAY GARAGE STRUCTURAL ENGINEER UPDATE**

Mr. Lawson mentioned that the estimate for the structural engineer was received today totaling \$229,000 which included some insulation and siding. He indicated that the Highway Department was considering doing the work in house which may lower the cost to approximately \$29,000 for materials. He advised that the existing concrete block with some modification would support the new trusses however work would not begin until at least spring.

Councilman Boone made a motion to accept the report for the Highway Garage update as submitted by Mr. Lawson. Seconded by Councilman Filkins, all in favor motion carried.

**PROPOSED LOCAL LAW # 4-2018-COMMERCIAL SOLAR ENERGY DECOMMISSION BONDING**

Mr. Lawson explained that every five years the Town Board needs to review the bond that is in place for decommissioning solar systems.

Councilman Sherman read the following proposed Local Law No. 4-2018.

**Local Law No. 4 of 2018**

***A Local Law to amend Law #1 of 1989 (as revised and amended thereafter) by amending Article 18.50(4)[f]:  
COMMERCIAL SOLAR ENERGY SYSTEM as it pertains to decommissioning bonding***

**Section 1:**

*ARTICLE 18: SOLAR ENERGY SYSTEMS, Section 18.50: COMMERCIAL SOLAR ENERGY SYSTEM of Local Law #1 of 1989 (as revised and amended thereafter), is hereby amended to replace the language in Section 4(f) with the following language:*

- (f) The applicant shall provide the Town with a bond in the amount determined by the Town Board but in no case less than the cost estimate developed by a third party, licensed professional engineer. The engineer shall be hired by the applicant to develop the cost estimate. The estimate shall be based on the size and scope of construction of the solar farm. The cost estimate shall cover the complete removal of the solar system and all of the remediation to the landscape, In the event the bonding company must remove the facility, it must be done to the satisfaction of the Town. The bond shall be in the form acceptable to the Town attorney, which includes but not limited to the letter of credit, perpetual bond, or combinations thereof. The amount shall be reviewed every 5 years by the Town Board and shall be adjusted if deemed necessary. If the bond is deemed to be adjusted, the applicant shall have 90 days from notice to provide an adjusted bond.*

**Section 2: SEVERABILITY OF PROVISIONS**

*Should any section or provision of this Local Law be declared null, void, voidable or invalid, such finding shall not affect the validity of the remaining portions of this local law.*

**Section 3: EFFECTIVE DATE**

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

Mrs. Verch commented that the engineer described above should be a professional engineer. Mr. Lawson indicated that the solar companies have to use a third party engineer and the Town Board always reviews that information.

**SCHEDULING PUBLIC HEARINGS AND SPECIAL TOWN BOARD MEETINGS**

The Town Board discussed possible dates for the public hearings on the 3 budgets, Local Law No. 4 of 2018 and Local Law No. 5 of 2018 which would be followed by a Special Town Board meeting. It was determined that this will be held at 6:45 pm on Wed., Nov. 14<sup>th</sup>.

Councilman Sherman made a motion that the Town Board hold three Public Hearings on the Preliminary Budget, Fire Budget and Rescue Budget on Wed., Nov. 14th at 6:45 pm followed by a Public Hearing on Local Law No. 4 of 2018 for Decommissioning Bonding and finally a Public Hearing on Local Law No. 5 of 2018 for 2% Tax Cap Override if necessary. A Special Town Board meeting will follow for any actions on the Budget, Local Law No. 4 or Local Law No. 5. Seconded by Councilman Boone, all in favor motion carried.

**2019 TENTATIVE BUDGET TO 2019 PRELIMINARY BUDGET**

Councilman Boone indicated that the Town Board refused a \$1,900 increase in compensation for Town Board salaries in the 2019 budget and therefore should be the same as the 2018 budget for line 1010.1.

Councilman Filkins had a question on the income line for Minor Sales as it says the Town has only sold \$734 of the budgeted amount of \$6,500. Councilman Sherman indicated that Mr. Ostrander has items to sell next year.

Councilman Filkins asked about the income line (4089) for the general fund in the amount of \$10,000. Councilman's Boone and Sherman indicated this year \$9,000 was received which is why \$10,000 was budgeted again.

Councilman Filkins questioned why the Historian is not part of the Museum budget. The Historian responded that the Museum is not state mandated like Historians are which is why they are separate.

Mr. Filkins asked why there was not a time clock for the employees at the town hall. No comments were made.

Councilman Filkins mentioned some additional income received by the Fire Company such as the calendar drive and breakfasts and wondered why it's not part of their budget. The Fire



Company responded that the income Mr. Filkins was referring to covers other costs and is not part of the Town Budget. Councilman Filkins also questioned why the phone bill is \$1,500 a year for a land line. The Fire Company responded that since they are considered an emergency service they need to have a landline and the cost also covers their wifi. When asked why the budget doesn't include some of these items, Lisa Joslyn from the Fire Company responded that the Town has never asked and they are not contractually required to do so.

Councilman Filkins asked about the Town's insurance company and broker. Supervisor Rapp indicated the Town uses Marshall and Sterling. A question was asked to the Supervisor's clerk about the insurance and the clerk to the Assessor believed it was unfair to ask questions to employees during meetings as they are not paid to attend. Mr. Bichteman agreed that if the Town Board had questions for employees they should be asked during office hours and not to come unprepared.

A few residents expressed their concern for how the budget was being handled this year. A resident commented on the late timing of the public hearings and the Town not being in compliance. Councilman Boone agreed that the timing was not great but the Town Board was in a good place and was moving forward. He explained that he has emailed and met with a majority of the Town Board numerous times about the 2019 budget. He complimented the Town Hall staff for helping with the Town Board's questions and for working with the accountants in resolving issues.

Mrs. Verch asked if the Planning Board was receiving a raise. Supervisor Rapp indicated they were not.

When Councilman Boone inquired from the other Town Board members if they had additional questions on the most recent 2019 Preliminary budget, none were presented. He mentioned that he spoke with Kelley Keefe the President of the Fire Company about some questions Councilman Filkins had and he thought she was very informative. He explained that the Fire Company had a \$12,000 mold remediation which they had to address and due to the timing, was not part of the 2019 budget. He mentioned the Library budget was only increased due to an extension of hours.

Councilwoman Burnside asked why the town needs to budget \$9,000 for the senior bus since it was rarely used in the 2018 year. The Town of Westerlo has a contract with the Town of Rensselaerville for the senior bus service. Mr. Boone indicated that the actual figures from 2017 were very close to the \$9,000 budgeted and that the actual amount paid so far for 2019 is low due to the death of the main driver and a lack of services. Mr. Bichteman commented from experience that you have to budget an amount whether you use it or not. The Town of Rensselaerville was having a hard time finding a replacement and the low availability and use was unexpected. As a reminder, the clerk to the Supervisor mentioned that bills could still be received through the end of the year which could increase the amount spent for 2018. The Town Clerk explained how the services and billing worked. Councilwoman Burnside indicated that Medicare should cover the medical transportation service however it was explained by a resident that not everyone has Medicare. A town employee indicated the bus is also used for

group activities and would not be covered through Medicare. Discussions continued but Councilman Sherman believed this service is something the Town of Westerlo can give back to the seniors.

Mr. Bichteman mentioned that the Water Fund budget would need to be updated to reflect the \$2,270 change.

When questioned, Councilman Sherman mentioned that an economic development committee and budget committee are two separate matters. A resident believed there were people that could be utilized within the town to help with a committee. Councilman Boone questioned why it wasn't acceptable to open up the floor to everyone in the town during meetings as opposed to a five member committee.

Councilman Sherman indicated changes could still be made at the next meeting prior to adopting the final budget but in order to get this out to the public and available on the website for the hearing, they need to move it to preliminary this evening and he had no additional questions. Councilman Sherman therefore made the following resolution:

WHEREAS: The Town Board needs to present a Preliminary Budget, be it hereby,  
RESOLVED: the Town Board move the 2019 Tentative Budget to the 2019 Preliminary Budget.

Supervisor Rapp seconded the motion, a vote resulted as follow:

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

NAYES: Councilman Filkins

**RESOLUTION # 55-2018 was thereby duly adopted.**

#### **SCHEDULE MEETING TO ADOPT THE FINAL BUDGET**

Councilman Sherman made a motion to hold a Special Town Board meeting on Mon., Nov. 19<sup>th</sup> at 7 pm at the Town Hall for the purpose of adopting the 2019 Final budget followed by the Town Board Workshop which is a change of date from the originally scheduled meeting on the 20<sup>th</sup>. Seconded by Supervisor Rapp all in favor motion carried.

#### **2018 UNPAID WATER BILLS RELEVIED TO THE 2019 PROPERTY TAXES**

Councilman Sherman made a motion to adopt the following resolution:

WHEREAS: the Town Board has reviewed the Westerlo Water District No. 1 unpaid invoices/relevy report, be it hereby:

RESOLVED: the Town Board authorize the Albany County Legislature to relevy onto the 2019 Town of Westerlo Property Tax bills the unpaid water bills for the period 10/15/2017 through 7/15/2018 totaling \$12,839.78.

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

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

NAYES: none

**RESOLUTION # 56-2018 was thereby duly adopted.**

### **ESTABLISH FEES FOR SOLAR FARMS AND CELL TOWERS**

Councilman Sherman made a motion to adopt the following resolution:

WHEREAS: the Town Board needs to establish fees for solar farms and cell towers, be it hereby,

RESOLVED: the building permit fee for Commercial Solar Farms be set at \$2,500 and futher,

RESOLVED: the building permit fee for new construction Cellular Towers be set at \$500.

Seconded by Councilman Filkins, a vote resulted as follows:

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

NAYES: none

**RESOLUTION # 57-2018 was thereby duly adopted.**

### **PILOT AGREEMENT**

Councilman Sherman explained that the Town Board has been negotiating PILOT agreements for Commercial Solar Farms with the help of the Town Attorney and Assessor. Each agreement is between the school, town and solar companies and is a payment that is negotiated for the town. The Town Attorney and Assessor have been in negotiations with both Cypress Creek and Borrego solar companies to get the best possible deal for the town. Cypress Creek was negotiated at \$8,686 per mega watt with a \$15,000 community host agreement. Borrego was negotiated at \$7,500 per mega watt per year with a \$30,000 host agreement. Mr. Doud from Borrego advised that the town also gets special district taxes for the base amount. Councilman Sherman explained that the community host agreement is for the town and goes toward some sort of community energy infrastructure upgrade to help the town save money and would be available up front. It wouldn't be used toward the Water District issue as it would then only benefit a small portion of the town.

Councilman Sherman explained that the PILOT agreement had to be done separate from the Planning Board because if the Planning Board was involved when the PILOT amount was agreed upon, it could be portrayed that the Planning Board was favorable to one company over another. Councilman Sherman made a motion to approve the PILOT agreement that has been presented to the Town Board for the Cypress Creek and Borrego projects. Seconded by Supervisor Rapp, all in favor motion carried.

### **PROPOSED PURCHASE OF A GARBAGE TRUCK**

Councilman Sherman asked to table this until the December meeting.

### **OPEN MEETING TO PUBLIC**

Mr. Bichteman noted a correction to be made to the 2019 Preliminary budget. The Water District Fund money on the cover page should be \$28,000 to match the budgeted amount for principal on indebtedness for bond repayment.

A resident hoped the Town Board would make use of people within the town to help with the budget moving forward.

The Fire Companies president Kelley Keefe commented on their haunted hall being a success with 240 people going through. She mentioned that the Community Resource Center is getting ready for their holiday drive which will be open to the public for people in need and explained how donations could be made. She reminded those in attendance that the Community Resource Center is here to help people in need. If you know someone in the community in need of clothing or even help with paying bills they may be able to assist.

A resident asked who was currently in charge of reading water meters and if they are paid. Mr. Bichteman responded that the Water District pays \$28,000 a year to the water operator who reads meters, changes filters and tests chlorine once a day.

With no further business to discuss Councilman Sherman made a motion to adjourn the meeting. Councilwoman Burnside seconded, all in favor motion carried. Meeting adjourned at 10:30 PM.

Respectfully submitted,

Kathleen Spinnato  
Town Clerk

11/15/18 Town Board Mtg

2019  
**TOWN OF WESTERLO**  
Water District 1  
Fee Schedule  
Effective January 1, 2019

As adopted by Town Board Resolution, \_\_\_\_\_, 2018

**ANNUAL FEE**

Water Tax (Annual Bond Repayment) \$315.00

**USAGE FEES**

Water Bill (Rate per 1,000, minimum quarterly billing of 5,000 gallons) \$17.51

Annual System maintenance fee (for district parcels with no connections) \$ 50

**APPLICATION FEES**

Application Fee (for service connection, includes water meter assembly, inspection and turn on) \$385.00

Application Fee (for Water District Extension) \$1500.00

**WATER SERVICE MAINTENANCE FEES**

Turn on water to residence - Scheduled \$50.00

Shut off water service to residence – Scheduled \$50.00  
Emergency \$100.00

Water meter testing – owners request \$50.00

Special reading of water meter \$50.00

**OTHER FEES**

Replacement of water meter (resident negligence) \$350.00