

**WESTERLO TOWN BOARD
WORKSHOP MEETING
OF
TUESDAY, DECEMBER 18, 2018**

The Town of Westerlo Town Board held a workshop meeting on December 18, 2018 at the Town Hall located at 933 County Route 401, Westerlo, NY. Supervisor Rapp opened the workshop at 7 PM with the Pledge of Allegiance to the Flag.

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

Also attending were: Highway Superintendent Jody Ostrander, Highway Employees Salvatore Spinnato IV, Justin Case and Rick Rupeka, Town Justice Robert Carl, Planning Board Chairperson Dorothy Verch, Zoning Board member John Sefcik, Clerk to the Assessor Claire Marshall, Deputy Town Clerk II Karla Weaver and approximately eleven residents.

Supervisor Rapp announced that public comment will be reserved until the end of the meeting.

ZBA CHAIRPERSON RESIGNATION

Councilman Boone read a letter of resignation from ZBA Chairperson Virginia Mangold and announced that her last day will be December 31st. Councilman Boone also read a draft advertisement that was created by the Town Clerk. Discussion continued regarding the wording for the ad, scheduling interviews and the opportunity for a current ZBA member to interview for Chairperson. Although no decisions could be made this evening, it was suggested that applications be returned by January 21st, and interviews scheduled for January 29th-31st with a possible decision being made by the Town Board at the February meeting. Councilman Sherman indicated that in the absence of a Chairperson, the Zoning Board may appoint a temporary Chair however no official appointment will be made until the Town Board acts.

CODE ENFORCEMENT OFFICER/ZONING ADMINISTRATOR VACANCY

Councilman Boone announced that Edwin Lawson will be retiring as CEO/ZA. The Town Clerk has provided information for an ad that the Town Of Rennelearville used recently for the same position. Discussion ensued regarding residency vs non-residency, requirements and qualifications for applicants such as civil service and if it is a competitive or non-competitive position. It was suggested that the Zoning Administrator and Code Enforcement Officer be the same person instead of hiring two people. Discussion continued.

TOWN ATTORNEY VACANCY

Councilman Filkins read aloud Attorney Galgay's letter submitted to the Supervisor on December 5th. Councilman Filkins mentioned that she did not wish to be reappointed in 2019. It was discussed that an advertisement would need to be drafted and Councilwoman Burnside suggested that the Town Attorney specialize in municipal law. Discussion continued regarding if the attorney must be a town resident. A suggestion was made by Councilman Sherman to expand where the town plans to advertise for the attorney position either online or in an additional newspaper. Councilwoman Burnside suggested hiring an interim Attorney until a new Town Attorney can be appointed.

CATHOLIC CHARITIES

Councilman Boone advised that he was invited to attend a Catholic Charities luncheon in Supervisor Rapp's absence. The organization operates out of the Reformed Church here in Westerlo. He read a flyer explaining what Catholic Charities does for the people in the community including providing food, clothing and emergency

assistance. He was asked to have the flyer posted in the Town Hall and to the website. He suggested that a representative come to a future Town Board meeting to discuss.

COUNCILMAN FILKINS PROPOSED RESOLUTION #1 –EMPLOYEE TIME CLOCKS

At the December 4th Town Board meeting Councilman Filkins made a motion to adopt a resolution regarding time clocks in the Town Hall, seconded by Councilwoman Burnside. After discussion at that meeting, it was decided the proposed resolution be tabled for further discussion.

Councilman Filkins indicated that time clocks would allow the Town to run more efficiently and read a list of reasons why he was recommending them. Attendance, fairness, overtime, labor costs and data were all discussed. He mentioned that although the Supervisor knows what his clerk does, he does not know. He indicated wanting to make this a resolution at the next Town Board meeting. He felt a time clock at the town hall could save money, prevent issues with paychecks and the discontinuation of tabulating payroll by hand.

Supervisor Rapp mentioned how hard his clerk works. Councilman Boone agreed and indicated he has a better understanding of what the clerk to the Supervisor does because of the fair amount of time he spends at the Town Hall. He commented that he did not believe the resolution was directed at any one employee. On Sunday evening, he had posed several questions to the Town Board via email which asked about the background for the two resolutions presented to the Town Board at the last meeting. He explained that some people may pose similar questions and he read his email aloud. He asked Mr. Filkins who he believed would be affected if the time clock resolution was implemented. Councilman Filkins and Councilwoman Burnside responded it would be hourly people who work in the town hall, but they were unsure how many. Councilman Boone responded it is four (4) people. He then asked if there was an issue that prompted the time clock resolution, Councilman Filkins indicated no. Councilwoman Burnside believed there are people who are working and not getting compensated for their time and has never heard of anyone getting overtime pay. Councilman Sherman indicated only one person is full time so you would not see overtime. When Supervisor Rapp asked, Councilman Sherman indicated that approximately 160 people work at Hannay Reels and none punch a time clock. Councilman Boone mentioned that he has spoken to the handful of people in the town hall whom this resolution is going to affect if implemented. He explained that he thought about putting himself in the shoes of those employees and wondered how he would've felt being a town employee and learning of the resolutions the way they did. He wondered if he would feel safe in his job or if he would think he's not doing the work or putting in the time he's supposed to. He believes the employees have a valid point and explained that instead of the way it was brought about maybe there should have been a discussion with the people it would affect. Councilman Boone believed a conversation with the employees may have stifled some of the stress. He clarified that he is however open to entertaining all that is discussed.

Councilman Sherman asked if time clocks would apply to any clerk such as the clerk to the Planning, Zoning and Water Board's. Councilwoman Burnside responded any hourly employee. She wondered if a time clock wasn't implemented if the Town Hall, then maybe the Highway department's clock should be removed to be fair to all employees. Councilwoman Burnside mentioned that the way the resolutions were brought before the Town Board was the only way her and Councilman Filkins believed it would be discussed, as it didn't make it on the agenda in the past. She mentioned treating all hourly employees equally including dog warden and highway department. Councilman Sherman mentioned that the employee handbook states that highway employees will punch a time card and hourly employees will fill out a time sheet; if this is implemented the handbook would need to be updated.

Councilman Sherman was interested in the cost of implementing time clocks versus the savings. When Councilman Sherman inquired about cost of time clocks, Councilman Filkins indicated cost had not yet been investigated. Councilwoman Burnside indicated time clocks would solve issues with deductions. Councilman Sherman responded that any issues with deductions would be a software issue and had nothing to do with time clocks.

Councilman Filkins proposed having a more computerized system as opposed to a punch time clock. Councilman Sherman mentioned he had experience using time clocks and has found it can also be detrimental. Councilman Boone indicated more information would be necessary but at this time was not in favor of the time clocks. He

mentioned the Town Board should be sensitive to the employees in the town hall who go above and beyond, are dedicated and have a desire to do their job to the best of their ability every day. Councilman Filkins explained his long-term plan was to eventually replace the locks on the doors with swipe cards for safety which would also double as time cards. Councilman Sherman asked Councilman Filkins to obtain specs and pricing on the time clocks that he is interested in.

PROPOSED RESOLUTION #2-DEPARTMENT REPORTING

Councilman Filkins re-read the resolution he proposed at the December 4th Town Board meeting regarding department reporting.

Town Clerk Spinnato mentioned she already provides a financial report monthly to the Town Board for Town Clerk and Tax Collector during the property tax period.

Councilwoman Burnside understood that the Court only needs to provide an annual report so indicated that would be removed from the resolution.

Councilman Filkins believed the proposed resolution for department reporting would be helpful. He explained that reports should be submitted to Town Clerk Spinnato 24 hours in advance of meetings so she could provide them to the Town Board ahead of time. He believed the Town Board would then have time to review reports, formulate questions for discussion and would ultimately take up less time during meetings as they wouldn't need to be read aloud.

Town Clerk Spinnato expressed her concerns regarding financial reports for Town Clerk and Tax Collector.

Councilman Boone mentioned some reports are already received and suggested that reports be submitted the Friday before the meeting to give the Town Clerk's office time to disseminate. He also believed the Town Board would need to be detailed in what information would be expected from each department. Councilman Filkins explained he was wondering how many tons of garbage is taken to the city or how much salt/shale the Highway Garage purchases. Councilman Sherman indicated this information is available on the vouchers and the invoice are attached.

Councilman Sherman pointed out that the Broadband Research, Hometown Heroes and Museum committees are made up of volunteers and wondered if the Town Board should task the volunteers with as much as the paid employees. He also asked about the Library and if it would be a requirement that they give a report every month. He didn't want to punish a volunteer if they are unable to make a meeting.

MEETING AGENDA'S

Councilman Filkins believed if reports can be submitted ahead of time, it will help with creating an agenda. Councilman Boone suggested having a deadline to get all suggested agenda items to the Town Clerk so it can be created and posted to the website. It was suggested that submitting a week prior to meetings should be an ample amount of time for preparation. The website was briefly discussed.

OPEN MEETING TO PUBLIC

A resident believed a time clock gives better protection for employees.

Mrs. Verch indicated if employees go to the bank and get into an accident on the clock they should be covered.

Judge Carl questioned if a new Town Attorney would be doing the vehicle and traffic or if he would need to have an ADA. He mentioned that an ADA will not prosecute town law violations however he spoke with Attorney Galgay and she is still willing to continue with Vehicle and Traffic Court. Discussion followed regarding appointing a Town Prosecuting Attorney versus an Albany County ADA.

A member of the audience agreed with Mr. Boone and thanked him for his comments on the time clock. He explained that time clocks are needed in the highway department for tracking overtime but felt that the Town would lose the rapport they have with the Town Hall employees if they were expected to conduct work off the clock. He explained that they would leave the mail and banking on the counter and punch out and the work wouldn't get done.

A resident questioned if time clocks would incorporate all hourly employees in the town and if it would include all the Boards. Councilman Sherman responded that with the exception of the clerk to the Boards, the Planning and Zoning Board members are salaried positions, have an attendance requirement of 85%, are paid quarterly and are not required to sign a time sheet.

Deputy Town Clerk Karla Weaver read aloud a letter to the Town Board regarding the time clocks on behalf of some of the hourly employees at the town hall in which this resolution on time clocks would be affecting. Some points included the manner in which the resolution was presented, the Town Board's lack of seeking knowledge on procedures currently in place within the town prior to seeking information from other towns, transparency, the targeting of only a handful of people in the town hall and punching out to do town business. Clerk to the Assessor Claire Marshall commented further on the department reporting and wondered if the department head would have to submit the report and if they would be required to attend meetings. Councilwoman Burnside responded that the report would need to be submitted ahead of the meeting. Ms. Weaver mentioned that Town Board members have always been invited to come in to review bills or ask questions prior to meetings. She commented that Councilman Boone comes to the Town Hall regularly to check in with staff and he takes an interest in learning.

ZBA member John Sefcik commented on the budget for salary increases and the organizational meeting in January.

Judge Carl asked if the Town Board would allow Attorney Galgay to continue with vehicle and traffic court every 4th Wednesday of every month. It was requested this be on the agenda for the January 2nd Town Board meeting.

A resident was curious why the Town Attorney and CEO resigned. Supervisor Rapp indicated a reason was not given however, Councilman Boone mentioned that Attorney Galgay chose not to be reappointed.

A resident commented that there have been complaints about the Town Clerk's office being closed during their scheduled hours. Town Clerk Spinnato explained that there are occasions when only one person is there and they close for banking, mail runs or a break however there is a sign up that indicates when they should return. She mentioned that usually there is double coverage to allow the office to remain open during breaks, banking or to pick up mail, however on occasion if working alone; you may have to close the office temporarily. Another resident mentioned that people should just learn to be patient and wait.

There being no further business to discuss, Supervisor Rapp made a motion to adjourn the meeting, seconded by Councilman Sherman, all in favor motion carried. Meeting adjourned at 9:50 pm.

Respectfully submitted,

Kathleen Spinnato

Town Clerk