

**TOWN OF WESTERLO  
TOWN BOARD MEETING  
OF  
TUESDAY, APRIL 2, 2019**

The Town of Westerlo Town Board held a meeting on Tuesday, April 2, 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, Highway Employees Carl Anderson, Justin Case and Salvatore Spinnato, Town Justices Robert Carl and Kenneth Mackey, Zoning Board of Appeals Chairman John Sefcik and member Jill Henck, Museum Director Mary Jane Araldi, Town Historian Dennis Fancher, Clerk to the Supervisor Patricia Boice, Clerk to the Assessor Claire Marshall, Planning Board Chairperson Dorothy Verch, Deputy Town Clerk II Karla Weaver, Town Clerk/Tax Collector Kathleen Spinnato and approximately 22 residents.

**MINUTES**

Councilman Filkins made a motion to accept the Town Board meeting minutes of 03/05/2019 as submitted. Councilwoman Burnside seconded, motion unanimously carried.

Councilman Boone made a motion to accept the Town Board Workshop minutes of 03/19/2019 as submitted. Councilman Filkins seconded, Councilman Sherman abstained, motion unanimously carried.

**SUPERVISOR'S REPORT**

Councilman Sherman made a motion to accept the Supervisor's Report for February 2019 as submitted. Councilman Boone seconded, motion unanimously carried.

**TAX COLLECTOR'S REPORT**

Councilwoman Burnside made a motion to accept the March Tax Collector's Collection Summary Report as submitted. Councilman Filkins seconded, motion unanimously carried. Mr. Bichteman made note that the total property tax collected is currently at 91%.

**TOWN CLERK'S REPORT**

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

**PAYMENT OF MONTHLY BILLS**

**Councilman Sherman 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 # 133 through Voucher # 202 in the amount of \$62,721.01

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

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

**NAYS:** None

**RESOLUTION # 20-2019 was thereby duly adopted.**

**Councilwoman Burnside made a motion to move into executive session at 7:04pm to discuss legal matters with the Interim Town Attorney Javid Afzali. Councilman Boone seconded, motion unanimously carried.**

**Councilman Boone made a motion to reopen the Town Board meeting at 8:10pm. Councilman Filkins seconded, motion unanimously carried.**

**Councilwoman Burnside made a motion to authorize Acting Supervisor Bichteman along with Interim Attorney Javid Afzali to negotiate with a consulting engineer to review applications for solar projects currently before the town. Councilman Filkins seconded, all in favor motion carried.**

**OLD BUSINESS:**

**PROPOSED RESOLUTION ON TRANSFER STATION PERMIT & SOLID WASTE LAW**

Councilman Filkins met with Councilman Boone and Highway Superintendent Jody Ostrander to discuss the Solid Waste Law and proposed permitting and they hope to have a draft ready for the next workshop meeting. Acting Supervisor Bichteman made a suggestion for them to pair all the information down on the Solid Waste Law so it could then be provided to Attorney Afzali to be put in a draft format.

**ENGINEERING CONTRACTS FOR SHEPARD FARM**

Mr. Bichteman announced the town has been working with Hyde engineering and Ingals Associates LLP for the solar project contracts. Mr. Bichteman provided a copy of the Ingals contract to the Town Board and mentioned that the Planning Board Chair had indicated that the remaining portion of work on those projects was mainly battery storage and that Mrs. Verch believed Hyde was the better choice. Mr. Bichteman mentioned that Hyde engineering had submitted a proposal for the two remaining projects but they are not under contract which means the town doesn't have an electrical engineering firm for the Borrego East and West projects at this time. He indicated that the contract that was submitted initially by Hyde was unsatisfactory and a second was submitted but was also unacceptable. Attorney Afzali will review the contract and speak to Hyde Engineering and advised there is currently no real contract for the Town Board.

**CODE REVISION OF LOCAL LAW # 1 OF 1989, ARTICLE 18-SOLAR ENERGY SYSTEMS (DRAFT)**

Acting Supervisor Bichteman provided the Town Board with the updated draft of LL #1 of 1989, Article 18 for Solar Energy Systems provided by the Interim Town Attorney. He indicated that the changes that were made at the last meeting were highlighted for the Town Board's review and once approved, a public hearing may be scheduled. All Town Board members were satisfied with the changes. Mr. Afzali announced he will prepare a final version and requested that the Town Board schedule a public hearing. He also mentioned that the Town Board will need to conduct a SEQR review. Mr. Afzali indicated that he will review applications as they come in and will determine if a SEQR applies or not before the Town Board makes any action.

Councilman Sherman made a motion to schedule the Public Hearing on the revision to Local Law #1 of 1989, Article 18-Solar Energy Systems for May 7<sup>th</sup> at 6:45pm prior to the regularly scheduled Town Board meeting. Councilwoman Burnside seconded, motion unanimously carried.

**COMPREHENSIVE PLAN COMMITTEE/CHAIRPERSON**

Mr. Bichteman mentioned that the Town Board is seeking members to serve on the Comprehensive Plan Committee and asked the Town Board if they have any criteria or an application format that they would like to use to screen applicants. As previously discussed, he believed the Committee should consist of nine (9) members to be taken from a pool of 20 or more. Options were discussed and a resident suggested that resumes be requirement however Councilman Boone did not want to limit it to only people who submit resumes. The Town Board is looking for a bunch of different people to cover all areas of the town; a well-rounded group. Councilman Boone explained how time consuming this will be for the members of this Committee.

**Councilman Sherman made a motion to allow Acting Supervisor Bichteman to make any changes to the notice as discussed and advertise for volunteers and positions in the official newspaper, throughout the town and on the town website for the Westerlo Comprehensive Plan Committee. In regards to the ad for the Altamont Enterprise he believed it should be a block ad to be advertised for two (2) weeks. Councilwoman Burnside seconded, all in favor motion carried.**

**RESOLUTION ON TIME CLOCKS/MONTHLY REPORTING/BUDGET**

Councilman Filkins asked to table these proposed resolutions until further notice.

**NEW BUSINESS:**

**ZBA MEMBER APPOINTMENT**

The Town Board previously interviewed the sole applicant Pamela Schreiber for the ZBA member vacancy.

**Councilman Boone made a motion to adopt the following resolution:**

**WHEREAS:** There is a vacancy on the Zoning Board of Appeals, be it hereby

**RESOLVED:** the Town Board appoint Pamela Schreiber as Zoning Board Member effective immediately to fill the former ZBA member John Sefcik's term that is due to expire 12/31/20.

Councilwoman Burnside seconded the motion, a vote resulted as follows:

**AYES:** Councilwoman Burnside, Councilman Boone, Councilman Filkins, Councilman Boone

**NAYES:** None

**RESOLUTION #21-2019 was thereby duly adopted.**

**RECERTIFICATION OF HOMETOWN HEROES (WHHC) AND BROADBAND RESEARCH (BRC) COMMITTEES**

Mr. Bichteman mentioned that the WHHC was formed on June 5<sup>th</sup> 2018 and BRC was formed March 1, 2016 and requested clarification of the current membership for each committee. Since the Town has the responsibility of overseeing these Committees, the Town Board should know who the members are and how long they are going to be appointed for as there is a liability with the town. BRC Chairperson Verch confirmed that the BRC currently consists of Eric Markson, Leonard Laub, Bob Wilcox, John Sefcik and Chairwoman Dorothy Verch. It was determined that these members will be appointed for a one year term.

**Councilwoman Burnside made a motion to adopt the following resolution:**

**WHEREAS:** the Town Board requires recertification of the Broadband Research Committee, be it hereby

**RESOLVED:** the Town Board appoints Dorothy Verch as Chairwoman, Eric Markson, Leonard Laub, Bob Wilcox and John Sefcik as members of the BRC for a one year term.

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

**AYES:** Councilwoman Burnside, Councilman Boone, Councilman Filkins,  
Councilman Boone

**NAYES:** None

**RESOLUTION #22-2019 was thereby duly adopted.**

Members of the WHHC consist of Lisa DeGross, Dorothy Verch, Rick Haley, Palma Schloer, Betty Filkins, and Amie Burnside as Chairwoman.

**Councilman Filkins made a motion to adopt the following resolution:**

**WHEREAS:** the Town Board requires recertification of the Westerlo Hometown Heroes Committee, be it hereby

**RESOLVED:** the Town Board appoints Amie Burnside as Chairwoman, Lisa DeGross, Dorothy Verch, Rick Haley, Palma Schloer and Betty Filkins as members of the WHHC for a one year term.

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

**AYES:** Councilwoman Burnside, Councilman Boone, Councilman Filkins, Councilman Boone

**NAYES:** None

**RESOLUTION #23-2019 was thereby duly adopted.**

All committees will be required to take the annual workplace violence and sexual harassment training. Discussion followed regarding if outside training would be allowed in the future from other employers as well as possible online training.

**SUPERVISOR'S OFFICE EMAIL AND PROCEDURES**

There have been a few issues with emails in the Supervisor's office; therefore the email has been changed. Discussion followed regarding procedure for emails. Mr. Bichteman reminded the Town Board that town business will not be conducted via email as it does not comply with open meetings law.

**SUPERVISOR COORDINATION AND HOUSEKEEPING**

Mr. Bichteman expressed concern that someone had reached out to the town's insurance company requesting information without his knowledge. He also mentioned that the town is in the process of renegotiating some details with the liability company and asked them to change the policy renewal date to renew in September instead of December. Knowing the actual cost for renewing the policy earlier will help with the budget.

Mr. Bichteman announced a free service provided by Albany Medical Center called "Stop the Bleed" on how to stop bleeding in an emergency situation in case there was interest in attending. The presentation sponsored by the Westerlo Rescue Squad will be held at the Westerlo Town Hall on May 14<sup>th</sup> from 7-9 pm.

Acting Supervisor Bichteman mentioned that the phone system in the Town Hall is in need of being upgraded and in poor condition. His intention is to purchase a phone system for the Town Hall and has received five (5) proposals and quotes from vendors ranging from \$4,252-\$6,900 for IP based phones. Currently the phone system in the Town Hall is hard wired copper lined phones with service through Verizon who has been difficult to work with. Current cost for phones for the Town Hall building are estimated at \$500/month. He confirmed that fiber through Mid-Hudson Cable is available at 100x100 service and there would be an installation fee but is currently being negotiated.

Mr. Bichteman mentioned there is currently no computer in the Supervisor's office, an unserviceable computer in the Assessor's office and a need for a second computer for the Clerk to the Supervisor. He requests that the Town Board allow him to purchase new computers and monitors at state contract price or less. He also mentioned if the units were purchased at a retail store the configuration would cost an additional \$750 for the IT work.

An additional recommendation Mr. Bichteman suggested was purchasing a projector and screen to be used for meetings, training, etc and would cost about \$1,600, which includes cable and installation.

He estimated the total costs for a new phone system, new computers and monitors, projector and screen to not exceed \$13,000 and suggested using some of the money under the building code which was put aside for the roof at the highway garage. He confirmed with the Highway Superintendent that the roof will still be able to get fixed with the remaining money. He requested that the Town Board allow him to purchase the units discussed at state contracting price or less. Discussion continued between the Town Board and residents regarding the cost and specifics.

**Councilwoman Burnside made a motion to adopt the following resolution:**

**WHEREAS:** The Town Hall is in need of a new phone system, computers and monitors and a projector and screen, be it hereby

**RESOLVED:** The Town Board authorize the Acting Supervisor to spend up to and including \$13,000 on the proposed upgrades for a telephone system, computers, monitors, projector and screen for the town hall.

Seconded by Councilman Filkins, a vote resulted as follows:

**AYES:** Councilwoman Burnside, Councilman Boone, Councilman Filkins, Councilman Boone

**NAYES:** None

**RESOLUTION #24-2019 was thereby duly adopted.**

When asked, Acting Supervisor Bichteman announced that on the 5<sup>th</sup> of March he appointed Richard Rapp as his Deputy Supervisor and Joseph Boone as the second Deputy Supervisor. He mentioned he will be having surgery in May and although he will be around, Mr. Rapp would be available to sign bills if needed.

**TOWN HALL DEDICATION COMMITTEE**

Mr. Bichteman mentioned that he had contacted Mr. Afzali regarding dedicating the Town Hall to Mr. Rapp. Mr. Afzali responded he found no prohibitions barring the Town Board from naming the building by resolution. He did however indicate that while the Town Board may have money in a fund for a naming ceremony, it was recommended that private funds be obtained. He suggested a committee be formed to raise the funds and make a recommendation to the Town Board regarding the name. Funds raised by the committee should be held by the Town Clerk and earmarked for that purpose only. The

Town Board would then pass a resolution naming the building. The committee would be disbanded after the dedication.

**Councilman Boone made a motion to establish a Town Hall Dedication Committee made up of Chairwoman Mary-Jane Araldi and members Debbie Theiss Mackey, Aline Galgay, Kelley Keefe, Palma Schloer and Laura Tenney. The Town Board will provide a scope of responsibilities and they should be held to the same rules and regulations of other committees and after completion of that task and dedication, the committee will be dissolved and disbanded. The date for the ceremony is to be determined but June 29<sup>th</sup> is being held for the Town Park. Councilman Sherman seconded, all in favor motion carried.**

#### **HIGHWAY TRUCK REPLACEMENTS**

Highway Superintendent Jody Ostrander advised the Town Board the highway department has a 1994 10 wheeler, a 2003 pickup with over 200,000 miles and a one ton, all vehicles have cracked frames, are uninspectable, undriveable and unsafe. These vehicles need to be replaced and he requested authorization to receive quotes for new vehicles. He will be auctioning off these vehicles along with a grader. He hoped to have the two small trucks replaced by winter.

#### **Councilman Boone made a motion to adopt the following resolution:**

**WHEREAS:** the Town of Westerlo Highway Department needs to replace three (3) vehicles, be it hereby

**RESOLVED:** Highway Superintendent is authorized to obtain quotes for three replacement vehicles

Seconded by Councilman Filkins, a vote resulted as follows:

**AYES:** Councilwoman Burnside, Councilman Boone, Councilman Filkins, Councilman Boone

**NAYES:** None

**RESOLUTION #25-2019 was thereby duly adopted.**

#### **TOWN OF WESTERLO BAND WAGON**

The town has been asked by the Altamont fair to borrow the band wagon but it has a broken wheel. The fair organization has proposed that if they are allowed to borrow the wagon they will hire an Amish Wheelwright to repair the broken wheel. Mr. Bichteman believed that if the town was willing to allow the fair to use the wagon the fair should be required to insure it and trailer it to and from the fair. The museum director mentioned that the Museum has paperwork for loaning items and she will provide it to the Acting Supervisor.

**Councilwoman Burnside made a motion to allow Acting Supervisor Bichteman to speak to the Altamont Fairgrounds in regards to borrowing the band wagon and discussing all pertinent liability and insurance information as deemed necessary. Seconded by Councilman Boone, all in favor motion carried.**

#### **GRANT WRITER REPORT**

Councilwoman Burnside read aloud the following report submitted by Dr. Ambrosio:

*Grant Writer Westerlo Board notes March 2019*

We did it! The final submission to NYSERDA was done which means that we should have \$35,000 coming to us after the final approval from NYSERDA. We have fulfilled the 4 items out of 10 that were the criterion for the award.

The energy savings due to the new boiler you installed last year was 1,741 gallons of oil which translates to \$1.67gallon X 1,741 = \$2,907.47! The 2017 greenhouse gas emissions were 98 metric tons, and the boiler reduced that amount by 18% (now 79 metric tons) using the oil usage numbers from the Town Hall and Highway Garage.

An interesting fact for you to think about – the Highway Garage oil usage increased 3% from 2017 to 2019, and it increased the electric usage by 17,871 Kilowatt hours.

We should start thinking about a plan to use the \$35,000. It needs to be used for an energy efficient project.

**Water-** WIIA grant still not open for applications: see below

### *Water Infrastructure Improvement Act- Apply*

[Home](#) / [Grant Programs](#) / [Water Infrastructure Improvement Act](#) / Water Infrastructure Improvement Act- Apply  
Announcements

#### **Application Period Closed**

I did send Bill Bichteman an application for the 2018 WIIA so that he has the questions that need to be answered. I am fairly sure that EFC will not change the grant format for the most part. A question or two might be changed, but they don't have the time to change the whole application.

Clean Water State Revolving Fund is a low interest loan from NYS. The WIIA grant will cover 60%, I believe, if we get it. Perhaps the rest could come from the CWSRF.

Comprehensive Plan- I need to have a definitive resolution if you want to proceed with the Hudson River Valley Greenway grant that encompasses comprehensive plan monies. A comprehensive plan that includes what you would like to see in the future for the town and includes the points I made before will help secure other grants from NYS.

**ARCHIVES** - Karla and I went to the workshop for the archives grant that we submitted. We learned about the MU-1 schedule and how to use it. Karla is actively pursuing all webinars that relate to record keeping from the State.

Jill Henck who works for CDRPC commented on the NYSERDA grant. She confirmed that the town is eligible for the \$35,000 and mentioned that the clean energy upgrades were submitted and needs to be formally approved by NYSERDA. Once approved, the town will be notified of the designation at which point the town has 3 months to apply for the grant. She explained that the town will not receive a check for \$35,000, instead will have to decide as a group what project will be most valuable for the town, reduce energy use, with a payback period of less than 20 years. She indicated that towns often use the money for building upgrades and confirmed the money can be used toward multiple projects but cannot be made retroactive.

Mr. Bichteman hoped that the Town Board would consider making a resolution to apply for the Hudson River Valley Greenway (HRVG) grant.

#### **Councilman Boone made a motion to adopt the following resolution:**

**WHEREAS:** the grant writer needs direction from the Town Board on how to proceed with the grant application, be it hereby

**RESOLVED:** The Town Board authorizes the grant writer to proceed with the Hudson

Valley River Greenway Grant application  
Seconded by Councilwoman Burnside, a vote resulted as follows:

**AYES:** Councilwoman Burnside, Councilman Boone, Councilman Filkins, Councilman Boone

**NAYES:** None

**RESOLUTION #26-2019 was thereby duly adopted.**

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

ZBA Chairman John Sefcik submitted and read aloud the following report:

*ZBA Report .... March 25<sup>th</sup> 2019 ZBA Meeting*

*The ZBA met on March 25<sup>th</sup>. There was no old or new business. Jeff Pine attended to meet the ZBA, review his new draft ZBA variance form, and discuss general process things. We anticipate receiving several variance requests for our April meeting.*

*Regards,  
John Sefcik, ZBA Chairman*

### **PLANNING BOARD REPORT**

Planning Board Chairwoman Dorothy Verch submitted and read aloud the following report:

APRIL 2, 2019  
REPORT OF PLANNING BOARD  
TO THE  
TOWN BOARD

*The Planning Board met on March 26<sup>th</sup> at 7PM. The meeting was opened with introductions of our new Code enforcement officer, Jeff Pine, the consultant to the Planning Board, Mr. Tripp Hyde of Hyde engineering and Mr. Michael Conway, Director of business development, energy storage of Borrego Solar Systems. Both bios are attached to this report for your review.*

*The new site plan for Costanza project by Cypress Creek had not been received by the start date of this meeting. Once it is received, a copy will be left at the Town Hall for review by residents. We anticipate discussion of this at the April 23rd meeting.*

*Mr. Conway of Borrego Solar discussed their intention of using a lithium ion battery storage on their sites.*

*Mr. Hyde, Mr. Conway, Mr. Shanahan (of Clean Energy Collectives) and members of the Planning Board engaged in an energetic question and answer period discussing various points of the safety and purpose of the storage systems. Attached also to this report is a bar graph identifying the various types of battery storage systems that have been used in energy storage. The type of lithium storage battery that Borrego and CEC intend to use is the NMC lithium battery. LITHIUM NICKEL, COBALT, ALUMINUM OXIDE. The battery fires that occurred in Hawaii and Japan were LITHIUM COBALT OXIDE -LCO. Not the batteries that are being suggested for use here in Westerlo.*

*Mr. Hyde's knowledge of the energy storage system was incredible. He spoke extemporaneously on all facets of the market. His handle on the various and different battery storage systems was on full display.*

*We resumed the public hearing for the Medusa and WesterloNY01. In the review process that is performed prior to the meetings, it was found that the setbacks for both projects were not in line with our Solar Law and Mr.*

*Shanahan was asked to adjust the array to conform to the setbacks. We adjourned the Public hearing until April 23<sup>rd</sup> meeting.*

*The Supervisor's office has requested response to the escrow accounts and the invoice of Hyde Engineering.*

*Interim Town Attorney, Mr. Azfali drew up an escrow agreement for each project so that we can gain a handle on the collection and disbursement of funds. These agreements were sent – priority mail to each respective applicants on March 18th.*

*The current state of the accounts are as follows:*

*Cypress Creek Renewables – Costanza Solar- escrow account is OVERFUNDED.*

*Extra funds existed that were **never refunded** to Cypress from their initial application approval. Amount in the Escrow account is \$5142.95*

*Borrego (Shepard East and West) escrow account is OVERFUNDED. Extra funds existed that were **never refunded** to Borrego from their initial application.*

*Amount in escrow for Shepard West is \$5,517.05.*

*Escrow amount in Shepard East is \$5,000.00.*

*Clean Energy Collectives – Medusa and WesterloNY01 is UNDERFUNDED.*

*WesterloNY01 has \$0.*

*Medusa has \$2500.00. This amount represents the escrow that was deposited for their initial application dated 11/27/17!! When the application was approved, this was **never refunded**.*

*The documents have only been in their respective hands for 8 business days (4/1/19).*

*All of these companies are multifaceted and the agreements must make their way through the process – similar to how we process here.*

*Mr. Lawn of Cypress Creek is stationed at a different location than the headquarters where the document was sent (and received). He is having it forwarded to his office for signature.*

*Ms. Emilie Flanagan of Borrego has received the agreement and is sending it through channels for approval.*

*Mr. Shanahan has received the agreement and it is also in the process of approval.*

*I would request that the Supervisor's office provide the Town Board with copies of each of the escrow accounts for their review.*

*Hyde Engineering Invoice # INV-0385*

*There seems to be questions about this invoice.*

*The amount is \$3,750.00.*

*(as previously requested) Breakdown in the description of the invoice:*

*Westerlo NY Planning Board battery storage educational report preparation -3- \$1250.00*

*Westerlo Planning Support Proposal 12/12/2018*

*Appendix B-1 thru 3 state:*

*Under ITEMS*

*Preparation of educational material for planning board (including fire dept) \$1250.00*

Hyde reviewed EACH project and supplied evaluations and material regarding the various projects.  
The invoice as submitted is accurate and should (once the 2 CEC projects are fully funded) be satisfied.

The escrow funds that should supply funding for this invoice are as follows:

**Clean Energy Collectives**

Medusa \$1250.00

WesterloNY01 \$1250.00

**Cypress Creek Renewables**

Costanza \$1250.00

In other business, the new SEQRA law was distributed to all of the members of the Planning Board.  
PB Clerk, Jen Bungay, made extra copies for both the ZBA and the TB (copy to Kathy). The board was asked to review and understand the new facets of this law.

Respectfully submitted,  
Dotty Verch

**BROADBAND RESEARCH COMMITTEE (BRC) REPORT**

BRC Chairwoman Dorothy Verch submitted and read aloud the following report:

APRIL 2, 2019  
BRC REPORT  
TO  
TOWN BOARD

On March 28<sup>th</sup> the BRC met with the following members present:  
Leonard Laub, Bob Wilcox, John Sefcik.

Residents:

Wayne Thompson of CR 412

Bill Parker of Hunt rd

Mr. John Velonis and his wife Bessy of SR 32.

All were looking for availability of cable/internet to their home.

Mr. Parker of Hunt Rd is on MHC's plan for connection.

I may have written down Mr. Thompson's address, because MHC stated that this number is not a good number.

State Rt 32 is another issue.

There is no cable/internet access near their home.

Discussion regarding the closest to their house is probably be Town line Auto.

Town Line Auto and Town Line MotorSports commissioned MHC to provide cable/internet access to their locations.

Mr. and Mrs. Velonis took MHC line extension forms and have agreed to poll their neighbors. If we can identify enough definite customers, we can submit to MHC for their evaluation.

MHC has to have ALL of Phase 3 connections completed by Dec 2019.

Tan Hollow, Dunbar Hollow, Hunt Rd. 312.

According to Mr. Fingar, they won't be able to address other expansions until this is complete.

The members discussed identifying the number of houses on Rt. 32 from AC 405 north to Town Line and from Town line north to SR 143 to see if there are enough houses to qualify for some line extensions.

*We still have not received a compilation of the houses that represent the new data base for Westerlo. We may have to request legal intervention to receive this information.*

*We also discussed how the Town might help the residents defray some of the cost of their connections.*

*Respectfully submitted,  
Dotty Verch*

### **MUSEUM REPORT**

Museum Director Mary-Jane Araldi submitted and read aloud the following report:

*Westerlo Heritage Museum  
Report to Town Board  
April 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, March 9 from 9am – 12noon to coincide with the Firemens' breakfast.  
We had 2 people come in. The display was on the Belgian friendship.*

*The museum will be open on Saturday, April again during the Firemens' breakfast.*

*We are planning a dedication ceremony for the newly erected WWII Wall of Honor on Saturday, May 18<sup>th</sup> at 2pm.*

Mrs. Araldi also mentioned the second Saturday in June is being held for the Museum's town wide garage sale.

Councilman Boone asked Mrs. Araldi about the WWII ceremony and if the Museum would be open to a small addition to that event. He provided a template to the Supervisor's office of a congratulations letter for an Eagle Scout that would be presented from the town and wondered if the reading and rewarding of his accomplishment could be part of the WWII ceremony. Mrs. Araldi was in favor of this.

### **HISTORIAN REPORT**

Town Historian Dennis Fancher submitted and read aloud the following report:

*HISTORIAN'S REPORT  
TOWN BOARD MEETING APRIL 2, 2019*

*Recently, I received a call from Dick Storm and Dennis LeBuis, nephews of Peg Filkins who recently passed away. They wanted to know if the Historian's office would want any military information relating to her husband, Clyde Filkins' a WW2 veteran who passed away in 2007.*

*What I received was of the most valuable and moving information ever received on a veteran.  
I will give a brief history.*

- *Clyde was inducted on March 2, 1943*
- *At the battle on Dec 10, 1944 at Schlausenbach, Germany, his unit was surrounded by German soldiers. Clyde was captured on Dec 19, 1944.*

- On Dec 23, 1944 the allies bombed the area and 11 prisoners were killed and 15 wounded.
- On Jan 12, 1945 His mother was notified he was missing in action

*Clyde kept a diary while captured*

- He marched to Stalag 12A and then traveled in a box car first to Stalag 4B and then to Stalag 8 Gorlitz Germany
- On Feb 2, 1944 he entered in his diary that he was very weak  
Then on Feb 14, 1945, in a forced march he walked 40 miles  
The Germans gave prisoners a small tin cup in which they ate primarily grass soup. He noted he was sick with stomach problems.  
Clyde escaped 3 times. Captured twice and liberated on 4/12/1945  
His last entry: We traveled over 1000 miles from Feb 14 to April 12, 1945 on foot.  
"Sure saw a lot of Germany **THE HARD WAY**"

*The packet included copies of:*

- Clyde's diary
- Induction and discharge papers
- 2 Western Union telegrams to his mom, Nettie, informing her of Clyde's capture and his liberation
- Prisoner of War medal application
- Copies of the battles Clyde was in
- Photo of medals received
- Copy of his Prisoner of War tags

*I cannot thank Clyde's family enough for giving us these documents.*

*I also want to thank Reverend Allen for securing Clyde's Army overcoat and giving it to us. I have it here and giving it to Mary Jane.*

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

WHHC member Lisa DeGroff supplied the report to WHHC Chairwoman Burnside. Mrs. Burnside submitted and read the following report:

Hometown Heroes Committee met on Tuesday March 26<sup>th</sup>.

Committee identified an additional 49 poles. The total number of utility poles now identified is 99.

This means there can be a complete circuitous route to view all banners. Utility poles identified begin on SR 85 by Cass Hill to Route 143. Route 143 into town, all the way down CR 401, left on 405, left on SR 32 and left on 143 thru Dormansville and ending up back in Town. We hope to have the banners placed along this route, so visitors, residents, families and friends can take a tour through Westerlo.

The applications for the utility companies have been completed and submitted.

Every year a complete set of identified utility poles has to be submitted to Central Hudson for inspection. Once the inspection is complete, a License Agreement will be forwarded to the Town for signature and must be returned back to Central Hudson along with the required Certificates of Insurance.

Verizon only requires an application when new utility poles are identified. Once they are inspected a new License Agreement will be sent to the Town for signature and must be returned back to Verizon with the required Certificates of Insurance.

The committee has 18 applications for new Veteran banners and knows of two additional applications that will be coming.

The committee has sponsorships for 9 banners and we are expecting more sponsorships coming. The committee was reminded of the deadline for sponsorship applications for banners is April 15<sup>th</sup> and for Veteran response forms April 30<sup>th</sup>. Any sponsorships for specifically for banners after the deadline will be for the 2020 season and any other sponsorship money not specifically identified for a banner will be applied to the costs of the closing ceremony.

An application for use of the Westerlo Baptist Church facilities for the closing ceremony was submitted and approved. The church has a larger facility and can accommodate a larger crowd than the Town Hall.

**Councilman Filkins made a motion to accept all reports submitted and read tonight. Seconded by Councilman Sherman, all in favor motion carried.**

#### **OPEN TO PUBLIC**

A resident mentioned an incident that happened at the transfer station. He explained that he uses a business vehicle from Walden, NY to bring his trash to the transfer station and mentioned that pictures had been taken of the vehicle. He is a Westerlo resident and has a Transfer Station permit and believed there were more important things the town should be dealing with such as patching SR 143 and making some homeowners clean up some of their properties as it deters people who may be interested in moving to Westerlo. Acting Supervisor Bichteman couldn't comment on the incident at the Transfer Station as it was the first he was hearing about it but mentioned that the Solid Waste Law is currently being revised.

Another resident thanked Mrs. Verch and the BRC for getting broadband on Tan Hollow Rd and explained her experience with Mid-Hudson Cable to hopefully help others.

A resident questioned the Budget vs Actual for 2018 that he downloaded from the town website. Mr. Bichteman addressed his questions.

WHHC member Lisa DeGross announced she recently learned that Acting Supervisor Bichteman was remaining on as the Chairman of the Water Board. She believed it raised some questions on ethics and read aloud sections of the Code of Ethics and standards for conduct. She also referenced information from the NYS website on conflict of interest. She believed that as Acting Supervisor, Mr. Bichteman should not also remain the Water District Chairperson.

BRC member Leonard Laub commended Mr. Bichteman for bringing life back to the Water Board and for

putting in an enormous and effective amount of effort. He expressed Mr. Bichteman has consistently done what the Water District needs for operation and did not believe there has been any evidence that he has done so with any prejudice associated with the fact that he owns property there. Mr. Laub indicated everything Mr. Bichteman does has always been for the benefit of all Water District property owners, benefit of the town and for protecting the town from accepting any form of responsibility for any debt the Water District incurs. He did not believe there was any possibility that Mr. Bichteman is in conflict and is certain that if Mr. Bichteman were to step down from the Water Board there would be a vacuum that would not be filled.

Mr. Bichteman mentioned that if someone has been thought to have created an ethics violation, it is referred to the county. A resident commented that the county does not have an ethics committee; therefore there is no recourse with ethical issues. Mr. Bichteman asked Attorney Afzali to comment regarding if he would need to resign as Chairman of the Water Board. Mr. Afzali expressed that because Mr. Bichteman does not have a vote on the Town Board, there is no conflict or objections for him to remain the Chairman of the Water Board.

Another resident commented that Mr. Bichteman has done an excellent job with the Water District. She suggested that if there was ever a conflict that he could just recuse himself. Mr. Bichteman believed that would be an option.

Planning Board Chairwoman Verch commented on the income line on the budget for franchise fees which generally goes to the general fund. She mentioned that the BRC has strived to bring cable internet service to the Town of Westerlo and as a result many residents now have cable. She indicated that the BRC is now working with Mid-Tel to service a part of Westerlo. The town does not currently have a franchise agreement with Mid-Tel but Mid-Tel is happy to consider an agreement with Westerlo. Westerlo is awarded 3% of certain aspects of the cable bill annually as homes are added to the MHC network; this is otherwise known as the franchise money received by the town annually. Mrs. Verch believed that the franchise fees should be put into a special account to be used exclusively to assist the residents that want cable and internet to help defray the connection costs.

Councilwoman Burnside announced that Little Shop of Horrors will be playing at BKW Thursday-Saturday and is expected to be a good show.

Councilwoman Burnside made a motion to adjourn the meeting, seconded by Councilman Filkins. All in favor motion carried. Meeting adjourned at approximately 11:00 pm.

Respectfully submitted,

Kathleen Spinnato

Town Clerk