

**REGULAR MEETING
OF THE
WESTERLO TOWN BOARD
JANUARY 3, 2013**

The regular meeting of the Westerlo Town Board was held on Thursday, January 3, 2013 at Town Hall located at 933 County Route 401 in Westerlo. The meeting immediately followed the 2013 Organizational Meeting and was opened at 7:55 PM by Supervisor Rapp.

PRESENT WERE: Supervisor Richard H. Rapp
Councilman Alfred L. Field
Councilman Anthony W. Sherman

Also present were Justice Kenneth Mackey, Planning Board Chairperson Dorothy Verch, Planning Board member Edwin Stevens, Zoning Board members Virginia Mangold & Wilfred Van Iderstine, Highway Superintendent Keith W. Wright Sr., Deputy Supervisor/Zoning Administrator/Code Enforcement Officer Edwin H. Lawson, Albany County Legislature Deborah Busch, Town Clerk Kathleen J. Spinnato and approximately 20 residents.

Supervisor Rapp reported two vacancies need to be filled on the Westerlo Town Board due to the resignations of R. Gregory Zeh Jr. and Edward A. Rash in November of 2012. Seven people were suggested as possible candidates for the positions that need to be filled. The Democratic Committee chose two out of the seven and made the following recommendations to the Town Board, William Bichteman Jr. and Theodore Lounsbury III. Supervisor Rapp asked for a motion to appoint, Councilman Field made the motion to adopt the following resolution:

WHEREAS: there are two vacancies on the Town Board due to resignations, be it hereby

RESOLVED: the Town Board appoint William Bichteman Jr. and Theodore Lounsbury III to the positions of Town Board members.

Supervisor Rapp seconded the motion and a roll call vote resulted as follows:

AYES: Councilman Field, Supervisor Rapp

NAY: Councilman Sherman

Supervisor Rapp advised Mr. Bichteman and Mr. Lounsbury to see the Town Clerk after the meeting to be sworn in.

RESOLUTION # 2-2013 was thereby duly adopted.

Supervisor Rapp made a motion to approve the Town Board minutes of December 4th and December 28th, 2012. Councilman Field seconded the motion and carried all in favor.

Supervisor Rapp made a motion to adopt the following resolution:

WHEREAS: some accounts have been overdrawn, be it

RESOLVED: that the Supervisor is hereby authorized to increase the following appropriation accounts from the available fund balance:

A 1620.4 \$250.00

DA 9089.8 130.00

Councilman Field seconded the motion and a roll call vote resulted as follows:

AYES: Supervisor Rapp, Councilman Field, Councilman Sherman

NAYS: None.

RESOLUTION # 3-2013 was thereby duly adopted.

Supervisor Rapp made a motion to pay the monthly bills and to adopt the following resolution:

WHEREAS: the Town Board has audited the monthly bills, be it

RESOLVED: the following bills be paid:

Voucher #553 through Voucher # 556 in the amount of \$ 601.28

Voucher #1 through Voucher # 8 in the amount of \$4,520.50

Councilman Field seconded the motion and a roll call vote resulted as follows:

AYES: Supervisor Rapp, Councilman Field, Councilman Sherman.

NAYS: None.

RESOLUTION # 4-2013 was thereby duly adopted.

Councilman Sherman reported that in order to receive FEMA reimbursement for damages caused by Hurricane Irene to Lobdell Mill Road. The Town of Westerlo must provide proof to FEMA that work has been done on Lobdell Mill Road and the job has been paid for. Councilman Sherman made a motion to adopt the following resolution:

WHEREAS: the Town of Westerlo needs to receive reimbursement for work done to date on Lobdell Mill Road for damages caused by Hurricane Irene, be it

RESOLVED: the Supervisor is hereby authorized to borrow the full amount owed \$386,000.00 to Callanan Industries for the work completed to date on Lobdell Mill Road.

Councilman Field seconded the motion and a roll call vote resulted as follows:

AYES: Councilman Sherman, Councilman Field, Supervisor Rapp

NAYS: None.

RESOLUTION # 5-2013 was thereby duly adopted.

Councilman Sherman advised the Town of Westerlo had previously submitted a speed limit reduction request to Albany County DPW on a portion of County Route 312 in the hamlet of Dormansville. He advised the Town has received a letter from the Albany County DPW indicating that the request was forwarded on to New York State for their review. He summarized briefly a report provided by Albany County pertaining to the speed and number of vehicles traveling on particular portions of County Route 312.

Supervisor then opened the meeting to the Public.

Leonard Laub asked Supervisor Rapp to repeat the names of the two individuals nominated for the Town Board vacancies. Supervisor Rapp responded. Mr. Laub asked if a date had been set for the Water District Board. Councilman Field responded that there are only two members on the Water Dist. Board thus far. Supervisor Rapp said that no date had been chosen to date. After a brief discussion with William Bichteman, Supervisor Rapp suggested the date of Tuesday February 12th at 7:30 PM for the Water District Board meeting. No motion or vote was made by the Town Board for a Water Board meeting to be held on the date suggested.

Anita Marrone asked for an explanation of how the recommendations were made for the two vacancies on the Town Board and asked if there were any other persons suggested for the positions. Supervisor Rapp responded to her question and Councilman Sherman named each of the seven persons that were considered for the two vacancies on the Town Board.

Dorothy Verch asked if the Republican Chairman had brought any nominations for the Town Board vacancies. Supervisor Rapp responded not any that he was aware of.

Jack Milner asked a question that was inaudible. William Van Iderstine asked Mr. Milner as the Republican Chairman why he didn't nominate someone for the vacancies. Mr. Milner said he had asked about it and thought it was already decided.

Ned Stevens reported that he had asked individuals if they were interested in the Town Board positions, and if they were to let the Supervisor know, he never asked what political affiliation they had. He was glad they had a lot of people step up for the opportunity.

Maureen Sikule asked since this is normally a five member board and there are currently only three Town Board members voting to fill the two open Town Board positions did the motion pass. Mr.

Rapp responded yes, I suppose we could have appointed first. Someone from the audience replied that it was a majority.

There being no further questions or comments Supervisor Rapp asked for a motion to adjourn the meeting. Councilman Field made a motion to adjourn, seconded by Councilman Sherman, motion carried all in favor. The meeting was adjourned.

Respectfully Submitted,

Kathleen J. Spinnato

DRAFT