

**WESTERLO TOWN BOARD  
PUBLIC HEARING & SPECIAL TOWN BOARD MEETING  
REGARDING  
EXTENSION OF THE GAS DRILLING MORATORIUM  
THURSDAY, JULY 25, 2013**

The Westerlo Town Board held a Public Hearing regarding potential Local Law No. 1 of 2013 Extension of the Gas Drilling Moratorium at the Westerlo Town Hall located at 933 County Route 401 on July 25, 2013 at 7:02 PM. The Public Hearing & Special Town Board meeting was advertised by the Town Clerk. A proposed draft of the local law was available to the public for review on the Town of Westerlo website, at the Public Hearing, and the Town Clerk's Office. Supervisor Richard H. Rapp led the Pledge of Allegiance to the Flag.

**PRESENT WERE:** Supervisor Richard H. Rapp  
Councilman Alfred L. Field  
Councilman William F. Bichteman Jr.  
Councilman Theodore S. Lounsbury III  
Councilman Anthony W. Sherman

Also present were Town Attorney Aline D. Galgay, Deputy Supervisor Edwin H. Lawson Planning Board Chairwoman Dorothy Verch, Town Clerk Kathleen Spinnato, and approximately twenty-two interested persons.

Councilman Sherman made a motion to open the Public Hearing, motion was seconded by Councilman Field and carried all in favor. The Town Board heard concerns, comments and/or received letters from residents: Leonard Laub, Diane & John Sefcik, Anita Marrone, Helena Kosorek, and nonresidents Ron & Dawn Jordan, William & Jeanette Rice, regarding language not included in the draft, corrections, impact to Westerlo and surrounding towns residents, Albany County Local Law C, products on roadways, etc. All persons wanting to speak had the opportunity. All who spoke seemed to favor the extension of the moratorium. The Town Board and the Town Attorney listened and answered questions, noted corrections and/or made revisions to the draft. Councilman Sherman made a motion to close the public hearing, seconded by Councilman Lounsbury, motion carried all in favor. Public Hearing closed at 7:39 PM

Supervisor Rapp asked for a motion to open the Special Town Board meeting at 7:39 PM. Councilman Sherman made the motion to open the Special Town Board meeting regarding the adoption of Local Law No. 1 of 2013 Extension of the Gas Drilling Moratorium, seconded by Councilman Bichteman, and carried all in favor.

Councilman Sherman then made a motion to adopt the following resolution:

WHEREAS: the Westerlo Town Board has held a Public Hearing regarding the adoption of Local Law No. 1 of 2013 be it hereby

RESOLVED: the Town Board adopts Local Law No. 1 of 2013 Extension of the Moratorium on Hydrofracking with the following revisions to be made by the Town Attorney, as discussed in the prior public hearing:

- Section 2. Purpose and Intent, paragraph 3, third sentence insert the words: **land use with respect to**

- Section 2, Purpose and Intent, paragraph 5, the fifth sentence change the date to read: August 29, **2013**
- Section 5, Moratorium Imposed, insert second paragraph: This moratorium also applies to any activities with the Town, whether directly or indirectly associated with, that helps to and/or support, exploration, drilling for or extraction of natural gas and its associated support activities.
- Section 7, Violations, add a correction: civil penalties in the amount of **\$50,000.00 per day plus actual damages** etc.

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

**AYES:** Supervisor Rapp  
Councilman Sherman  
Councilman Bichteman  
Councilman Lounsbury  
Councilman Field

**NAYS:** None.

**RESOLUTION #46-2013 was thereby duly adopted.**

There being no further business Councilman Bichteman made a motion to adjourn the Special Town Board meeting, seconded by Councilman Field and carried all in favor. The meeting adjourned at 7:40 PM.

Respectfully Submitted,

Kathleen Spinnato