

**TOWN OF WESTERLO
TOWN BOARD MEETING
OF
TUESDAY, JUNE 3, 2014**

The Westerlo Town Board held a meeting on Tue., June 3, 2014 in the Town Hall located at 933 County Route 401, Westerlo, NY. Supervisor Rapp opened the meeting at 7:30 PM with the Pledge of Allegiance to the Flag.

ATTENDING WERE: Supervisor Richard H. Rapp
Councilman Alfred L. Field
Councilman Theodore S. Lounsbury III
Councilman Anthony W. Sherman

ABSENT: Councilman William F. Bichteman Jr.

Also attending were: Edwin H. Lawson Deputy Supervisor, Keith Wright Sr. Highway Superintendent, Dorothy Verch Planning Board Chair, Edwin Stevens Planning Board member, John Sefcik Zoning Board of Appeals member, Claire Marshall Clerk to the Assessor, Kathleen Spinnato Town Clerk, several Highway Dept. employees, and nine interested persons.

Supervisor Rapp asked for a motion to accept the Special Town Board minutes of 5/6/2014. Councilman Field made a motion to accept the Special Town Board minutes. Two residents felt the Special Town Board minutes were inadequate and requested the minutes be revised to include a summary. A brief discussion followed. Councilman Lounsbury seconded the motion to accept the minutes as submitted, Supervisor Rapp voted Aye, Councilman Sherman voted NAY. Motion carried by the Town Board members present.

Supervisor Rapp asked for a motion to accept the Town Board minutes of 5/6/2014. Councilman Field made a motion to accept the Town Board minutes of 5/6/2014, seconded by Councilman Sherman, motion carried by the Town Board members present.

Supervisor Rapp reported the Town Clerk's May Monthly Report had been submitted and asked for a motion to accept. Councilman Sherman made a motion to accept the Town Clerk's May Monthly Report, seconded by Councilman Lounsbury, motion carried by the Town Board members present.

Supervisor Rapp reported the Supervisor's Trial Balance for December 2013 had been submitted and he asked for a motion. Councilman Sherman made a motion to accept the Supervisor's Trial Balance for December 2013, seconded by Councilman Field, motion carried by the Town Board members present.

Supervisor Rapp advised the Town Board that the financing of the purchase of a truck and plow is needed. Councilman Sherman made a motion to adopt the following resolution:

WHEREAS: The Town of Westerlo needs to finance the purchase of a 2015-F250 extended cab pickup truck and plow, be it hereby

RESOLVED: that Supervisor Rapp is hereby authorized to enter into a One Year BAN with the Bank of Greene County in the amount of \$35,700.00 at the interest rate of .90% per annum.

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

AYES: Supervisor Rapp, Councilman Sherman, Councilman Lounsbury and Councilman Field.

NAYS: None.

RESOLUTION # 29-2014 was thereby duly adopted.

Supervisor Rapp announced that the Town had received two applications for the position of Clerk to the Planning, Zoning & Water Boards. The Town Board will hold interviews on June 17th at 7:00 PM a Town Board Workshop will immediately follow the interviews.

Supervisor Rapp advised the monthly bills need to be paid and made a motion to adopt the following resolution:

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

RESOLVED: that the following bills be paid:

Voucher # 212 through # 256 in the amount of \$75,138.31

Councilman Lounsbury seconded the motion and a roll call vote follows:

AYES: Supervisor Rapp, Councilman Lounsbury, Councilman Field, and Councilman Sherman.

NAYS: None.

RESOLUTION # 30-2014 was thereby duly adopted.

Supervisor Rapp asked Ed Lawson to report on any information regarding computers as discussed at a previous meeting. Ed advised that Claire Marshall had solicited other vendors but they had not responded. Councilman Field informed Ed he had left information on Mr. Lawson's desk regarding a computer company in Coxsackie. Councilman Sherman reported the company is called ITS-Innovative Technical Solutions, they are a very good company and he has had both personal and professional business experiences with them. Ed advised the purchase of computers would be based on state contract price, on vendor services currently just seeking competitive comparison rates. Tony will email contact information to Ed. A brief discussion followed.

The Town Board discussed holding a Town Board Workshop on June 17th. Councilman Lounsbury asked Councilman Field if he will be contacting Kaaterskill in Oneonta, NY regarding health insurance to see if they can attend the workshop.

Supervisor Rapp asked Ed Lawson to read the Zoning Board report submitted by Virginia Mangold Chairperson. At the regular ZBA meeting held on May 19, 2014 reported:

- A previously presented application was re-reviewed by the board showing a new and updated map with required information. After discussion, application was approved with a site inspection to follow in June and prior to the applicants' public hearing and SEQRA review on June 23rd.
- No new business-Next meeting June 23rd @ 7:30 p.m.

Councilman Lounsbury made a motion to accept the ZBA report as submitted, seconded by Councilman Field, motion carried all present in favor.

Supervisor Rapp asked Planning Board Chairperson Dorothy Verch to report. Dorothy reported due to illness, not enough members were present for a quorum, no meeting was held. The webinar training will be held tomorrow evening from 6-9 PM, expecting 25-30 persons. The Director of the Department of State for training will be in attendance. Councilman Sherman made a motion to accept the Planning Board report, seconded by Councilman Lounsbury, motion carried by those attending.

Supervisor Rapp reported no Water Board report had been submitted from Councilman Bichteman who is also Chairperson to the Water Board.

Supervisor Rapp asked if there was any other business before opening the meeting to the Public.

Councilman Field asked about the status of stream restoration on the Basic Creek. Ed Lawson the federal government will not have the plans finalized until near the end of June. Councilman Field asked about paperwork on this project. Ed advised him that the Town has no paperwork on this project, preliminary paperwork was shared with the Town but nothing was finalized the design was not finished, the federal government is handling the design and bidding. Mr. Lawson had been asked to check with local Department of Transportation about any permits required for State Route 143, due to interruption of traffic and one lane, for maintenance and protection for contractor. Supervisor Rapp signed the contract as he was advised as a sponsor only, every other aspect of the stream restoration is being paid, designed, bid by the State and Federal governments, the Town of Westerlo has very little input into the project. Councilman Field advised he has seen no paperwork and was concerned that the Town would

have to pay the contractors, according to what he is being told from other townships. Supervisor Rapp and Deputy Supervisor Lawson reported that they are reporting what they were told the Town of Westerlo has no financial responsibilities. Discussion followed, Ed Lawson advised he will share any information he has received about the project with Town Board members through email.

Edwin (Ned) Stevens had read about the passing of former Town of Westerlo Justice Alan C. Bauder. Alan was a very dedicated member of the community, Ned appreciated all his help while he was on the board for the fire company, Alan will be sorely missed. Supervisor Rapp said Alan was a good man and is missed.

Diane Sefcik had written and read an open letter to the Town Board which she asked be part of a public record. In her opinion she stated "the Town Board has for more than two years resisted learning from open and public information shared about the problems associated with hydrofracking and it has now poised them to lead the Town into catastrophe." She stated "At the end of the work session on May 20th, Councilman Bichteman opened discussion on the May 6th Special Town Board meeting for comments on the Westerlo Hydrofracking Report, which was finally held after two cancelations. For the record, and I want this on the record, 17 comments were heard, 16 were critical of the report and of hydrofracking. The one comment in favor was based on self-interest not on why hydrofracking would be good for the Town."

Diane also commented on the May 20th workshop and read a bulleted list she had prepared regarding her concerns/opinions on the opinions and comments expressed by Councilman Bichteman at the May 20th Town Board Workshop and the comments of the other Town Board members present at the workshop as well. Diane advised, on May 29th the Albany Times Union reported that a group of health care professionals petitioned NYS Governor Andrew Cuomo for a three to five year ban on Hydrofracking in New York State and she read the first paragraph from the article she submitted. She strongly suggested they abandon the direction proposed at the May 20th workshop and she made several recommendations.

Supervisor Rapp asked if there were any other persons wishing to speak. Diane Sefcik asked if the Supervisor had heard anything from City of Albany Mayor Sheehan from an email she had sent to the Mayor. Supervisor Rapp reported he had not.

There being no further public comment, Supervisor Rapp asked for a motion to proceed into Executive Session. Councilman Field seconded the motion, motion carried. The Town Board entered into Executive Session at 8:04 PM with Highway Superintendent Keith Wright regarding a personnel matter. Councilman Sherman advised that no other business would be conducted by the Town Board upon return from Executive Session. Those attending the meeting who chose to exit did so.

The Town Board returned from Executive Session at 8:19 PM. Councilman Sherman made a motion to adjourn the meeting, seconded by Councilman Lounsbury, motion carried by those present.

Respectfully Submitted,

Kathleen Spinnato

