

**TOWN OF WESTERLO  
REGULAR TOWN BOARD  
MEETING OF  
TUESDAY, JANUARY 5, 2016**

The Town of Westerlo Town Board held a regular meeting on Tue., Jan. 5, 2016 at the Town Hall 933 CR 401, Westerlo, NY. The meeting was opened at 7:30 PM by Supervisor Richard H. Rapp with the Pledge of Allegiance to the Flag.

ATTENDING WERE: Supervisor Richard H. Rapp  
Councilman Anthony W. Sherman  
Councilman Theodore S. Lounsbury III  
Councilman William F. Bichteman Jr.  
Councilwoman Amie L. Burnside

Also attending were: Town Clerk Kathleen Spinnato, Justices Kenneth Mackey & Robert Carl, Highway Superintendent Keith Wright Sr., Deputy Highway Superintendent Jody Ostrander, Code Enforcement Officer/Zoning Administrator Edwin H. Lawson, Town Historian Dennis Fancher, Zoning Board of Appeals Chairwoman Virginia Mangold, ZBA member John Sefcik, Planning Board Chairwoman Dorothy Verch and Planning members Edwin (Ned) Stevens and Doyle Shaver and approximately twelve residents.

Supervisor Rapp asked for a motion to approve the Town Board meeting minutes of 12/8/2015. Councilman Sherman made motion to approve the 12/8/15 minutes, seconded by Councilman Bichteman, Councilwoman Burnside abstained, motion carried.

Supervisor Rapp asked for a motion to approve the Special Town Board meeting minutes of 12/29/2015. Councilman Lounsbury made motion to approve the 12/29/15 minutes, seconded by Councilman Bichteman, Councilwoman Burnside abstained, motion carried.

Supervisor Rapp reported the monthly bills need to be paid for the year 2015 he 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

Combined Voucher # 617 in the amount of \$162.35

Abstract 1415 Voucher # 618 through Voucher # 626 in the amount of \$3,330.00

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

AYES: Supervisor Richard H. Rapp, Councilman Bichteman, Councilman  
Lounsbury, Councilman Sherman

Councilwoman Burnside abstained

NAYS: None.

**RESOLUTION # 1-2016 was thereby duly adopted.**

Supervisor Rapp advised the monthly bills need to be paid for the year 2016 he 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

Abstract 0116 Voucher #1 through Voucher # 4 in the amount of \$2,765.00

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

AYES: Supervisor Rapp, Councilman Lounsbury, Councilman Bichteman,  
Councilman Sherman and Councilwoman Burnside

NAYS: None

**RESOLUTION #2-2016 was thereby duly adopted.**

Supervisor Rapp advised the Town Clerk had submitted the December monthly report to the Town Board and he asked for a motion to accept. Councilman Sherman made the motion to accept the December Town Clerk's monthly report as submitted, seconded by Councilman Bichteman, Councilwoman Burnside abstained, motion carried.

Supervisor Rapp advised the need to appoint a Clerk to the Justices. He reported both Justice Carl and Justice Mackey have made a recommendation to appoint applicant Patricia Thompson and he made a motion to adopt the following resolution:

WHEREAS: the Town of Westerlo needs to appoint a Clerk to the Justices due to the resignation of Sue Gruss, be it hereby

RESOLVED: the Town Board appoints Patricia Thompson to the part time position of Clerk to the Justices.

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

AYES: Supervisor Rapp, Councilman Bichtman, Councilman Sherman,  
Councilman Lounsbury and Councilwoman Burnside

NAYS: None.

**RESOLUTION # 3-2016 was thereby duly adopted.**

Supervisor Rapp asked Planning Board Chairwoman Dorothy Verch to give the Planning Board Report. She reported on 12/22/15 the Planning Board accepted application 15-005 Mr. Mario Pollan Sanchez for a Special Use Permit for 6 of 58 acres at 364 State Route 143 SBL 139.-2-4.20 to use barn and grounds for special events i.e. weddings, corp. banquets, antique sales. A negative SEQRA declaration was determined. A Public Hearing will be held on 1/26/16 at 7:30 PM. She also reported on followup to Broadband Conference. Completed forms for potential expansion of Mid-Hudson Cable services were received and will be presented to MidHudson Cable next week. Supervisor Rapp and herself will be reviewing County Route 402 for possible expansion. The Planning Board will be submitting their recommendation for revision of Local Law regarding the Planning Board at the meeting in February. She also reported on Workplace Violence training. Supervisor Rapp asked for a motion to approve the Planning Board report. Councilman Lounsbury made a motion to approve the Planning Board report as submitted, seconded by Councilman Bichteman, motion carried all in favor.

Supervisor Rapp asked Zoning Board of Appeals (ZBA) Chairwoman Virginia Mangold to give the ZBA report. She reported the ZBA did not meet on Dec. 28, 2015 there were no new applications or old business before the Board. She reported the ZBA has not wasted time or sat idle for the past several months they have reviewed current Town Laws as additional continuing education. The next meeting is Monday, Jan. 25<sup>th</sup> at 7:00 PM.

Councilman Bichteman indicated the need to interview applicants for a previously advertised ZBA member position vacated & previously held by Amie Burnside. Councilman Bichteman and the Town Board heard public comment regarding the interview process and whether or not the ZBA Chairwoman should participate in the interview. It was suggested by Councilman Sherman that Virginia Mangold either be present or provide a list of any questions she may have for the applicants. Discussion followed regarding interviews. Councilman Sherman made a motion to schedule and perform ZBA applicants interviews volunteering himself along with Councilwoman Amie Burnside on Jan 19<sup>th</sup> at 6:30 PM and they will make their recommendations to the Town Board for the February meeting. Supervisor Rapp seconded the motion and motion carried. Patricia Boice will notify applicants of interview date & time.

Councilman Bichteman made the motion to accept the ZBA report as submitted, Councilman Sherman seconded the motion, carried all in favor.

Supervisor Rapp asked Councilman Bichtman to give a Water Board report. He reported the water district is functioning normally. An application for a grant has been made for the Westerlo Water District No. 1 for the repairs and upgrades to the system pumping facilities and tank monitoring

equipment. He hopes to hear something by April. Supervisor Rapp asked for a motion to accept the Water Board report. Councilman Sherman made the motion to accept the Water Board report, seconded by Councilman Lounsbury, motion carried all in favor.

Supervisor Rapp advised the next topic is the Traffic Study on County Route 312. Councilman Bichteman reviewed the topic for the public. He indicated the Town Had received a letter from Albany County DPW Commissioner Darrell Duncan they are suggesting a request for an extension of a 45 mph speed limit reduction on CR 312 from where it currently ends to 2/10 mile north of the intersection of Tan Hollow Rd. The County's request was prompted by a letter from a resident. The Town Board had asked the County to provide a Traffic Study which they have not supplied, they did provide a crash history which he read the dates and types of crashes: 3 were deer related, 2 property damage, and 1 rear end collision. He advised of his concerns and the current speed limit which seems to not be enforced as indicated in a letter to the County from a resident discussing speeds of 65-70 mph in this extension request area. The Town Board discussed the need for more information i.e. a Traffic Study from the County, and a possible proposal of a public hearing. Councilman Sherman made a motion to contact Albany County James Merkle & Darrell Duncan requesting a Traffic Study for CR 312 from the intersection of State Route 143 to 2/10 mile North of Tan Hollow Rd., if non existing for those parameters, then the most recent study for County Route 312. Councilman Lounsbury seconded the motion, motion carried all in favor.

Councilman Bichteman reviewed the following meeting dates for the public's information. The Organization meeting is scheduled for Tuesday, January 12<sup>th</sup> at 7:30 PM. Councilman Bichteman then made a motion to make the following change the Workshop meeting scheduled for January 19<sup>th</sup> be changed. The Town Board will instead hold a Building Committee meeting on Tuesday January 19<sup>th</sup> at 7:00 pm and the Town Clerk readvertise to reflect the change of meeting type and time. Councilman Sherman seconded the motion, motion carried all in favor.

Supervisor Rapp announced he would like to raise the Highway employee's salaries 75 cents per hour. He would like this to happen before the Organization meeting and wanted to include this for the next payroll to be effective Monday, January 4<sup>th</sup>. He made a motion to adopt the following resolution:

WHEREAS: the Highway department employees receive a pay increase of  
75 cents per hour, be it hereby

RESOLVED: the Town Board raise the Highway employee's salaries 75 cents per hour effective Jan. 4<sup>th</sup> and the Superintendent of Highways Keith Wright Sr. receive a pay increase of an additional \$1,560 per year upon his current salary.

Councilman Bichteman seconded and a vote resulted as follows:

AYES: Supervisor Rapp, Councilman Bichteman, Councilman Lounsbury,  
Councilman Sherman and Councilwoman Burnside

NAYS: None.

**RESOLUTION # 4-2016 was thereby duly adopted.**

The public asked questions about the pay increase, budget, agenda none voicing opposition to a pay raise for Highway employees.

Supervisor Rapp announced he would like to raise the salaries of the Supervisor's Clerk and the Assessor's Clerk 75 cents per hour and made a motion to adopt the following resolution:

WHEREAS: the Clerk to the Supervisor and the Clerk to the Assessor receive a salary increase of 75 cents per hour

RESOLVED: the Town Board raise the salaries Clerk to the Supervisor Patricia Boice and the Clerk to the Assessor Claire Marshall 75 cents per hour.

Councilman Bichteman seconded the motion and a vote resulted as follows:

AYES: Supervisor Rapp, Councilman Bichteman, Councilman Lounsbury,  
Councilman Sherman and Councilwoman Amie Burnside.

NAYS: None.

**RESOLUTION # 5-2016 was thereby duly adopted**

The Supervisor asked if there was anything else. Dotty Verch inquired about the status of the Highway Garage roof. Supervisor Rapp advised it had been repaired at a cost of \$12,000 under an emergency condition, he had made a motion and the Town Board had approved it. The repair was made by Midstate Industries is guaranteed for three years. Supervisor Rapp also reported on necessary boiler repairs needed over the past weekend for the boiler in Town Hall.

Supervisor Rapp asked if there was anything else.

Town Clerk Kathleen Spinnato advised she had written the Town Board recommending pay increases for Deputy Town Clerks Gertrude Smith and Karla Weaver before the budget process. She inquired whether the Town Board would be raising those salaries as well? Councilman Sherman asked that they table any salary increase for the Deputy Clerks until the Organization meeting, he would like to review budget, the Town Board unanimously agreed.

Meeting opened to the public.

Diane Sefcik commented on earlier statement made by a member of the public about stacking the Board, ZBA or other Boards. She suggested that the Democratic Committee should not be involved in making recommendations for any Board vacancies including Town Board. Councilman Sherman disagreed. He advised only because the ZBA & Planning Boards are appointed positions. The Town Board is an elected position. If there were a vacancy on the Town Board from either a Democrat or Republican elected official then either the Democratic Committee or Republican Committee would meet and hold interviews and give their recommendations to fill the vacancy of an elected official. Ned Stevens commented on his role as a Democratic Committee member informing the audience how he selects persons based on their interest in helping their community.

Anita Marrone commented on salary raises and inquired about the repairs to the meeting room floor and if asbestos was disturbed in the process. Supervisor Rapp advised her of the cause for the damage to the wood floors and the repairs made by highway dept. employees. Code Enforcement Officer Ed Lawson advised her no asbestos was touched when floor was repaired.

The Town Clerk thanked the highway crew for repairing concrete steps by rear entrance.

Michael Sikule spoke on pay raise issue he believed was introduced at last moment. He didn't believe it was equitable and should have been better presented. He agreed the highway crew certainly deserves something if they haven't had a raise in 3-4 yrs. Supervisor Rapp advised he has tried to do everything as fair as he could. Several more persons in the audience also commented on the subject of raises and the budget.

There being no further comments.

Councilman Sherman made a motion to adjourn the meeting, Councilman Bichteman seconded, motion carried all in favor. Meeting adjourned at 8:25 PM.

Respectfully submitted,

Kathleen Spinnato

