

**TOWN OF WESTERLO
TOWN BOARD
MEETING OF
TUESDAY, JULY 3, 2018**

The Town of Westerlo Town Board met on Tuesday, July 3, 2018 at Town Hall 933 County Route 401, Westerlo NY. Supervisor Rapp opened the meeting at 7 PM with the Pledge of Allegiance to the Flag.

Attending were: Supervisor Richard H. Rapp
Councilwoman Amie L. Burnside
Councilman Richard Filkins

Absent were: Councilman Anthony W. Sherman
Councilman Joseph J. Boone

Also attending were: Edwin H. Lawson Deputy Supervisor/Zoning Administrator/Code Enforcement Officer, Dorothy Verch Planning Board & BRC Chairwoman, Dennis Fancher Town Historian, John Sefcik Zoning Board member, Mary Jane Snyder-Araldi Museum Director, Edwin Stevens Planning Board member, Claire Marshall Clerk to the Assessor, several town highway employees, Kathleen Spinnato Town Clerk/Tax Collector and nine residents

MINUTES:

The town board minutes of 6/5/2018 and the Town board workshop minutes of 6/19/2018 were tabled for a vote until the next regular monthly meeting. This was a unanimous decision.

SUPERVISOR'S REPORT

Councilwoman Burnside made a motion to accept the Supervisor's Report for the month of May as submitted, Councilman Filkins seconded, motion unanimously carried.

TOWN CLERK'S REPORT

Councilwoman Burnside made a motion to accept the Town Clerk's report for the month of June as submitted, Councilman Filkins seconded, motion unanimously carried.

PAYMENT OF MONTHLY BILLS

Supervisor Rapp 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 # 304 through V #359 in the amount of \$57,292.64

Councilman Filkins seconded, the vote result follows:

AYES: Supervisor Rapp, Councilwoman Burnside, and Councilman Filkins

NAYS: None

RESOLUTION #36-2018 was thereby duly adopted.

GRANT WRITER REPORT

Grant Writer Nicole Ambrosio was not in attendance. No report was available.

ZONING BOARD OF APPEALS REPORT

Virginia Mangold Chairperson submitted the following report read by the Town Clerk.

TO: *Town Board of Westerlo, New York*

FROM: Virginia Mangold, ZBA Chairperson

RE: ZBA Report of June 25, 2018

DATE: July 2, 2018

Explanation: The Board, in this report, refers to the ZBA Board

The Town of Westerlo Zoning Board met on June 25, 2018 for their regularly scheduled meeting at 7 p.m.

Chairperson Mangold opened the mtg with the Pledge of Allegiance and then re-opened the Public Hearing for the previously tabled applicant, Main Care Bros. The original rep from Main Care, Mr. Dave Nasner, was unable to present his case again due to recent surgery. Rather, two other gentlemen from Main Care were present to explain once again the situation. The Board asked for any requested letters from the DEC and EPA explaining they (DEC & EPA) had exercised their due diligence in reference to codes and regs for this particular request. No such letters were received by Main Care nor The Board. The same abutters were present and once again voiced their concerns of this 30,000 gallon LP tank being so close to all their homes. The Board was not certain if the other three abutters received their letters to attend this mtg. Main Care reps did not know of the letters were sent out.

With this said, The Board denied the request to place the new 30,000 gallon LP tank next to the already four large storage oil tanks.

With no new business, the Board adjourned the meeting.

The ZBA's next monthly meeting is scheduled for July 25, 2018 at 7 p.m.

With no further business to discuss, the meeting was adjourned.

**Respectfully Submitted,
Virginia A. Mangold, Chairperson**

Councilman Filkins made a motion to accept the ZBA report, seconded by Councilwoman Burnside, motion unanimously carried.

BROADBAND RESEARCH COMMITTEE (BRC) REPORT

Dorothy Verch Chairwoman submitted and read the following report:

**BRC MEETING REPORT TO TOWN BOARD
JULY 3, 2018**

The BRC held it's monthly meeting on June 28th at 7pm. Eric Markson and I were present. Mr. Jay Kalayko, President of the Onderdonk Associates was present. He was present to request assistance in securing broadband/cable service for Beaver shores rd. The residents have all

voiced a desire for service. Supplied Mr. Kalayko with copies of the extension form for him to distribute to the residents of Beaver Shores Rd. Eric Markson has relatives that live on AC 1 and he confirmed their desire to have service as well. The number of houses between AC 1 and Beaver shores rd. total 15. Once all of the forms have been received, I will, personally, deliver to Mr. Fingar at MHC. In addition, residents of Newry Rd. AC 411 have also voiced their desire for service. I will be supplying the extension forms for completion and deliver those as well. Mr.Fingar said that he would work with us to supply connectivity if we can provide at least 15 residents per run.

Regarding the approved connection of 402/410 corridor. All licenses have been approved, MHC is waiting for a piece of machinery for the final connection. Contacting responsible individual for Hughes Net has been almost impossible. The office in Greenville gave me the name and email address for the Sales Manager for the Northeast. The response I received was the 'address was not good or discontinued'. Returned to the Greenville office, supplied my email addresses and asked that this Sales Manager contact me so that we can determine what HughesNet intends to do with the lion's share that has been awarded to them in Phase 3 broadband program. As of this report, I have had no response.

I will also be involved with 102nd Assemblyman, Chris Tague in the negotiations for broadband with Mid-Tel for expansion into Albany and Schoharie Counties.

Respectfully submitted,
Dotty Verch

Discussion followed with questions posed by Councilman Filkins regarding service on 411 and Councilwoman Burnside regarding an explanation of negotiations with Mr. Tague. Dorothy responded to their questions and answered audience questions.

Councilwoman Burnside made a motion to approve the BRC Report, Councilman Filkins seconded, motion unanimously carried.

PLANNING BOARD REPORT

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

PLANNING BOARD REPORT TO TOWN BOARD

JULY 3, 2018

The Planning Board met on June 26, 2018. There was no new business.

Old business. Application 16-006 4/25/17 Jeff Beller solar farm. There has been no request for a building permit for this application. According to Local Law, the Planning Board has the right to revoke this application after a public hearing which will be scheduled for July 24th.

Ed Lawson, Building inspector, code enforcement officer, and Zoning administrator expressed a desire to enlist the aid of Kaaterskill Associates as Professional Engineers. Darrin Elsom,

principal of Kaaterskill Associates is a P.E. for determinations by his office on the approved application of Shepard Farms Solar/Borrego.

Since the Planning Board has completed it's requirements, Mr. Lawson can select and employ the firm that he desires. The cost should not be applied to Borrego – Shepard Solar. This was the unanimous decision of the Planning Board.

*Respectfully submitted,
Dotty Verch
Chairman, Planning Board*

A resident raised the question who would pay for this if not Borrego? Mrs. Verch thought it would probably be the Town.

Mr. Lawson clarified if they become the lead agency and they are meeting the mandate for DEC this needs to be done by a licensed professional or an agent of his who has had training. This is something that needs to be addressed. The Town should not be paying. The applicant should pay the licensed professional's fee. He advised if this needs to be done, and he will try to find out that answer, then the applicant would need to pay the fee for oversight during construction for a storm water management plan. The "applicant" refers generically to all applicants not just Borrego's application.

Councilwoman Burnside then questioned if the Planning Board report should be revised to indicate it should be the applicant who pays the fee before the Town Board makes a motion to approve the report. Mrs. Verch suggested she will put that in the PB report and send to the Town Clerk, that or, she will bring it up for discussion at the August meeting..

Councilwoman Burnside then made a motion to approve the Planning Board report with the revision "the applicant pays professional fees, not the Town", Councilman Filkins seconded, motion unanimously carried.

Dorothy Verch advised at the last town board workshop meeting she talked to the Town Board members who were present regarding Joe & John Dolce who want Central Hudson to bring three phase electrical service to their business Town Line Auto located on State Rt. 32. Mr. Lawson advised that he had also spoken with Mr. John Dolce as well. He gave a background of where 3 phase electric service currently exists along the State Route 32 and Creamery Rd. Mr. Dolce would like to see the service extended so he can more efficiently run equipment at a less expensive electric rate. Mr. Dolce is looking for the Town's assistance in persuading Central Hudson to do this. Currently he has a rotary converter which changes single phase into three phase electrical power. Mr. Lawson gave examples of differences between a residential structure and commercial structure and who pays those costs. He also discussed the difference in the type of poles and line separations necessary for three phase service. He explained this is

not impossible, but it is a very costly endeavor. He only got involved because he wanted a clearer understanding of what was being requested of the town.

MUSEUM REPORT

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

Westerlo Heritage Museum
Report to Town Board
July 2018

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. Shelving for the old town hall has been assembled and we are sorting to move things from the downstairs to the shelves and then we will start to move items from the library with the help from some scouts.

I have been taking pictures of the items in the archive and adding a picture of the item into the archival program.

The security system is finally in place and active!!!

The museum is open the first Sat of every month now through Nov.

Town wide garage sale days fundraiser on Saturday, June 9 was a success again this year. Thank you to all who participated. Saturday, October 6 is the next fundraiser-A Harvest Festival. We are looking for vendors.

There is a young man, Nick Collorafi who will be working on his Eagle Scout project at the museum. More details to follow.

Councilman Filkins made a motion to accept the Museum Report, Councilwoman Burnside seconded, motion carried.

TOWN HISTORIAN

Dennis Fancher Historian reported on the history of the names of roads within the town that have changed over the years.

Coeymans Turnpike /Now: State Route (SR) 143 east & west through hamlet of Westerlo continuing west onto CR 1 until Van Leuvens Corners.

Rensselaerville State Road / Now: State Route 85 which runs along the northern portion of the town.

North Rd. / Now: North Street in the hamlet of Westerlo the northern portion of State Rt. 143.

Delaware Turnpike / Now: is at points an abandoned road which ran through Van Leuven's Corners easterly joining now SR 85. Westerly it ran to Rensselaerville using the now Albany Hill Rd. which was formerly known as Still Hill. A man named Asa Colvard ran a still there producing 11,00 gal of spirits in 1820. Between 1834 to 1871 the number of liquor licenses went from 4 to 20.

Crawford Rd. is still partially used and partially abandoned but still the same name.

Chesterville, South Westerlo hwy. is County Route 401.

Chesterville, Westerlo -Medusa Rd. is County Route 402.

Chapel Rd., Stewart Rd., Clickman Rd., Flood Rd. Lobdell Mill Rd. are unchanged.

Atkins Rd. is now Goodfellow Rd.

Moore Turnpike or Rensselaerville-Medusa Rd. is now County Route 361 or Town Line Rd.

Bramans Corners remains same intersection of Flood Rd & State Route 85,

Martin Rd. is Slade Hill Rd. it runs from State Route 143 north of Westerlo hamlet easterly into Dunbar & Tan Hollow.

Slaughter House Rd. is a portion of County Rt. 412 running north from State Rt. 143 in the eastern portion of the hamlet of Westerlo across from Hannay Hose Reels. A slaughter house existed here in early days just north of the hamlet.

Van Leuven's Corners to South Berne Road is County Rt. 1.

Fancher Road is County Route 408.

Councilman Filkins made a motion to accept the Historian's report. Councilwoman Burnside seconded, motion carried.

OLD BUSINESS & NEW BUSINESS

Supervisor Rapp announced since two members were unable to attend tonight's meeting would Councilwoman Burnside and Councilman Filkins be agreeable to tabling any old or new business to be discussed until the workshop on Tue., August 17th. All three agreed to table business.

OPEN TO PUBLIC

Claire Marshall Clerk to the Assessor announced that the Summer Youth Recreation Program is coming up. Applications are available at Town Hall and on the Town's website.

Mrs. Sefcik expressed her disappointment that old & new business was tabled.

Councilman Filkins questioned why the Westerlo Vol. Fire Co. used buildings in the Westerlo Town Park to practice spraying water with a fire hose approximately two weeks ago. Fire Co. President Kelly Keefe was unaware of this event but said she would ask. Supervisor Rapp advised he was also unaware of this.

Mary Jane Araldi thanked the Town for hanging items on the Town Hall walls from the Town's relationship with Westerlo Belgium. She will be traveling to Westerlo Belgium for the celebration of the upcoming 30 Year Anniversary of friendship between the two towns.

Councilwoman Burnside thanked the Fire Co. for holding a recent Comedy Night.

Edwin Stevens announced that there is a book written about Dr. Perkins by Gerard Finnan it is on sale at Kelley's Pharmacy in Greenville.

Dorothy Verch asked questions regarding the Employee Handbook. Her comments were followed by audience discussion of the subject. Mr. Lawson advised the handbook addresses; the accrual system of time earned by employees, health care benefits, the difference between part-time or a full-time employee, etc.

Mrs. Sefcik discussed with Mr. Lawson her opinion that the town should have a Board of Ethics. Mr. Lawson reminded her that this had been already been decided and the Town Board had opted to have a County Board of Ethics review any matters involving ethics. The county has never implemented a Board of Ethics. Discussion followed on the subject.

Betty Filkins current President of the Westerlo Rural Cemetery advised that the cemetery is under new management. She currently has Burial Transit Permit records for the cemetery that have not been fully completed that she would like to review with the Town Clerk's office. She is meeting with NYS Cemetery Assoc. for guidance on other matters. She then introduced Walt Galicki who would like the town supervisor/board consider posting information on the town's website about the cemetery and also mentioned a link for their fundraising.

Betty Filkins suggested the Town Board provide a podium for speakers so they can hear soft spoken individuals.

Kelley Keefe announced she did not have an answer to Councilman Filkins question about the Fire Co. using Town Park buildings for practice. She asked that if in the future they see something like this to report it to her or another officer immediately.

There being no further public comment Councilwoman Burnside made a motion to adjourn the meeting, Councilman Filkins seconded, motion carried. Meeting adjourned at 8:08 PM

Respectfully submitted,

Kathleen Spinnato Town Clerk