

**WESTERLO TOWN BOARD
MEETING OF
TUESDAY, MAY 19, 2020**

The Town of Westerlo Town Board held a Town Board meeting on May 19, 2020 at the Richard H. Rapp Municipal Building located at 933 County Route 401, Westerlo, NY via ZOOM. Supervisor Bichteman opened the meeting at 7:00 PM with the Pledge of Allegiance to the Flag.

Attending were: Supervisor William Bichteman Jr.
Councilwoman Amie L. Burnside
Councilman Richard Filkins
Councilman Matthew Kryzak
Councilman Joseph J. Boone

Also attending were: Town Clerk Kathleen Spinnato

ZOOM attendees: Planning Board Chairperson Verch, Zoning Board Chairman Sefcik, Grant Writer Dr Nicole Ambrosio, Highway Superintendent Jody Ostrander, Highway Employee Justin Case, Attorney Javid Afzali, Library Trustee Laura Tenney and several interested residents.

INVESTMENT REPORT AND SUPERVISOR REPORT

Supervisor Bichteman provided the Town Board with the Supervisor's report and gave an update on the NYCLASS account. Councilman Kryzak made a motion to accept the Supervisor and Investment reports for April. Councilman Filkins seconded the motion, all in favor motion carried.

TOWN CLERK MONTHLY REPORT & TOWN BOARD MINUTES

Councilman Boone made a motion to accept both the Town Clerk report for April and the Town Board meeting minutes of 4/21/20. Councilman Kryzak seconded, all in favor motion carried.

PAYMENT OF MONTHLY BILLS FOR MAY 2020

Councilwoman Burnside made a motion to adopt the following resolution:

WHEREAS: the monthly bills have been audited by the town board, be it hereby
RESOLVED: that the following May 2020 invoices be paid Voucher # 204 through Voucher # 250 in the amount of \$56,415.34.

Councilman Filkins seconded the motion, a vote resulted as follow:

AYES: Councilwoman Burnside, Councilman Filkins, Councilman Boone,
Councilman Kryzak, Supervisor Bichteman
NAYES: None

RESOLUTION # 32 -2020 was duly adopted.

OLD BUSINESS:

TOWN WEBSITE & EMPLOYEE HANDBOOK

Supervisor Bichteman indicated the new site is coming along well and a temporary website could be viewed at <https://townofwesterlo.us>. He also mentioned that the revised employee handbooks were being handed out.

NEW BUSINESS

TENTATIVE ASSESSMENT ROLL/GRIEVANCE DAY

Supervisor Bichteman mentioned that the 2020 Tentative Assessment Roll is complete. Grievance Day will be June 8th from 4pm-8pm and will be accessible remotely with Zoom through a link on the website.

STATE COMPTROLLER AUDIT

Mr. Bichteman indicated the report for the preliminary examination from the Comptroller's office was previously provided to the Town Board members. A lack of an IT policy, access and not having a disaster recovery plan in place were a few of the issues the auditors found. He advised that the current IT company estimated it would cost about \$4,000/year to correct.

CREATION OF PARK IMPROVEMENT FUND

Supervisor Bichteman advised that the Town of Westerlo has currently collected \$75,000 for the Community Host Agreements from the solar farms which is dedicated for improvements at the town parks. He recommended creating a new fund for the money which would require Town Board approval and would be subject to permissive referendum for any spending. He also believed a park committee should be formed. Some ideas he had were developing a functioning restroom at the South Westerlo Park and constructing a rope tow to draw residents toward winter park activities. Councilman Boone read and made a motion to adopt the following resolution:

WHEREAS, the Town Board of the Town of Westerlo (Town Board) is a party to certain host community agreements that provide financial benefits to the Town for improvements and repairs to Town parks and recreation facilities;

WHEREAS, the Town Board finds that it is in the best interest of the Town to set aside said monies into a capital reserve fund for the general improvement of current or future Town park and recreation facilities.

NOW THEREFORE BE IT RESOLVED, that pursuant to Section 6-c of the General Municipal Law, as amended, there is hereby established a capital reserve fund to be known as the "Parks and Recreation Reserve Fund" (hereinafter "Reserve Fund"). The purpose of this Reserve Fund is to accumulate moneys to finance the cost of a type of capital improvement. The type of capital improvement to be financed from the Reserve Fund is for the general improvement, repair, and maintenance of current and future Town park and recreation facilities.

BE IT RESOLVED, that the Town Supervisor, as chief fiscal officer, is hereby directed to deposit and secure the moneys of this Reserve Fund in the manner provided by Section 10 of the General Municipal Law. The Town Supervisor may invest the moneys in the Reserve Fund in the manner provided by Section 11 of the General Municipal Law, and consistent with the investment policy of the Town of Westerlo. Any interest earned or capital gains realized on the moneys so deposited or invested shall accrue to and become part of the Reserve Fund. The Town Supervisor shall account for the Reserve Fund in a manner which maintains the separate identity of the Reserve Fund and shows the date and amount of each sum paid into the fund, interest earned by the fund, capital gains or losses resulting from the sale of investments of the

fund, the amount and date of each withdrawal from the fund and the total assets of the fund, showing cash balance and a schedule of investments, and shall, at the end of each fiscal year, render to the Board a detailed report of the operation and condition of the Reserve Fund.

BE IT RESOLVED, that except as otherwise provided by law, expenditures from this Reserve Fund shall be made only for the purpose for which the Reserve Fund is established. No expenditure shall be made from this Reserve Fund without the approval of the Town Board and such additional actions or proceedings as may be required by Section 6-c of the General Municipal Law or any other law, including a permissive referendum if required by subdivision 4 of Section 6-c.

Seconded by Councilman Kryzak. A vote resulted as follows:

AYES: Councilman Boone, Councilman Filkins, Councilwoman Burnside,
Councilman Kryzak, Supervisor Bichteman.

NAYES: None

RESOLUTION # 33 -2020 was thereby duly adopted.

COMPREHENSIVE PLAN PROGRESS

NYS has withdrawn the Hudson River Valley Greenway Grant however, the state indicated that the Town of Westerlo is still in line to receive it if the money becomes available at a later time. Mr. Bichteman mentioned that the \$5,000 grant was appropriated in the 2020 budget for the Comprehensive Plan committee and now there is a \$5,000 hole.

Mr. Bichteman advised that the Comprehensive Plan Committee has agreed to meet once a week during the month of June to speed up progress, however announced that committee member Susan Fancher will be leaving and will need to be replaced. He provided two residents names as possible replacements; Guy Weidman from the Zoning Board and Barb Russell an interested resident who has been regularly attending Comprehensive Plan Committee meetings. He also reminded the Board and public that the solar moratorium will be expiring in August but could be renewed for another year.

FINANCIAL PLANNING-PANDEMIC COVID -19

CONSOLIDATED HIGHWAY IMPROVEMENT PROGRAM (CHIPS)

Supervisor Bichteman and Highway Superintendent Ostrander met recently to discuss how the town normally receives funding from CHIPS for road improvements. They are concerned there will be a potential decrease in future funding due to the COVID-19 crisis. Mr. Bichteman indicated the Supervisor's office reached out to a representative for CHIPS, however were told that future funding is currently unknown. As a result, both Supervisor Bichteman and Mr. Ostrander have decided not to spend any money that the town may not be reimbursed for.

SALES TAX REVENUE

Mr. Bichteman took part in a conference call where he learned that the current sales tax for Albany County is down three million dollars. The County is under the impression that unless the federal government provides more money, the Town of Westerlo will only receive a portion of the available sales tax money. He did not believe the State was in a position to provide any additional assistance to municipalities and mentioned that other municipalities have begun

discussing layoffs. He provided his estimated projections based on a potential decline of sales tax revenue compared to last year due to the current crisis.

BUDGET OPTIONS

Supervisor Bichteman presented potential budget cuts for the remainder of this year. He suggested making employee and non-employee cuts to the General, Highway and Library funds providing in detail which areas would be cut or decreased. He projects an estimated savings of \$338,000 for the remainder of the 2020 year. He also indicated that on the highway vehicles purchased last year, the Town will need to pay the interest on the BAN this year and starting next year having to pay \$90,000.

Supervisor Bichteman further discussed a potential increase of 10-15% on property tax which was based on raw figures. He advised of a meeting he held today with the Highway Superintendent Jody Ostrander, Town Clerk Kathleen Spinnato and his Confidential Secretary Amber Bleau to discuss potential staffing cuts. Councilman Kryzak responded, he has never made a decision based on speculative data and suggested making all non-personnel cuts first and to wait for data before making personnel cuts. Supervisor Bichteman would like to give the staff enough notice to take advantage of the increased unemployment benefit currently being offered. Mr. Bichteman advised that the next sales tax check will not arrive until mid to late July. The Town Board heard from several concerned residents and continued discussion regarding borrowing money, furloughs vs layoffs, which staff would be affected, Fire Co. budget, increasing revenues and shared services. Supervisor Bichteman made the following recommendation regarding staffing cuts: Cut four full time highway employees, cut Clerk to the Assessor, reduce full time Deputy Town Clerk to part time, cut 2nd Deputy Town Clerk, cut part time clerk in Supervisor's office. Both Councilmen Boone and Kryzak offered up their salaries to try to keep employees. Attorney Afzali advised that there are laws in NYS authorizing municipalities to layoff employees due to budget constraints. Supervisor Bichteman advised he would run some numbers to try to find solutions and asked the Town Board for their feedback on a potential tax increase. He hoped all would be further discussed at a Special Town Board meeting next week.

SPECIAL TOWN BOARD MEETING

The Town Board agreed to schedule a Special Town Board meeting on Thursday, May 28th at 7pm to discuss the replacement of a Comprehensive Plan Committee member and the financial issues before the town. Councilman Boone made a motion to hold a Special Town Board meeting on Thursday, May 28, 2020 at 7pm for the purpose of discussing the 2020 & 2021 budgets and investigating financial planning. Councilman Kryzak seconded, all in favor motion carried.

TRANSFER STATION

Councilman Filkins asked to have signs displayed at the transfer station, offering to pay himself to have them made. Supervisor Bichteman believed they should have the town logo on them. Discussion continued regarding transfer station permits and enforcement, no decisions were made.

ADJOURNMENT OF TOWN BOARD MEETING

Councilman Filkins made a motion to adjourn the Town Board meeting. Seconded by Councilman Kryzak, all in favor motion carried. The Town Board meeting adjourned at 9:20pm.

Respectively submitted,

Kathleen Spinnato
Town Clerk