

**Town of Westerlo Town Board
Workshop Meeting
of
Tuesday, August 4, 2020**

The Town of Westerlo Town Board held a workshop meeting on August 4, 2020 at the Richard Rapp Municipal Building located at 933 County Route 401, Westerlo, NY. Supervisor Rapp opened the meeting with the Pledge of Allegiance to the Flag at 7:02 PM.

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

Also attending: Karla Weaver Acting Town Clerk/Tax Collector, David Lendrum Comprehensive Plan Committee Chairman, Jody Ostrander Highway Superintendent, Justin Case Deputy Highway Superintendent, Edwin Stevens Planning Board member, Dorothy Verch Planning Board Chairwoman/Broadband Research Committee Chairwoman, Eric Markson Broadband Research Committee member and resident Charles Benninger.

Attending via Zoom: Residents Anita Marone, Barbara Russell, Kelly Keefe, Ziminsky and John Sefcik Zoning Board of Appeals Chairman.

Comprehensive Plan Committee (CPC)

David Lendrum CPC Chairperson informed the Town Board of their progress, timeline, community feedback and invited the Planning, Zoning and Town Board members to join their SWAT meeting for the following week. He presented information provided by NYS Dept. of State (NYSDOS) from a webinar held on May 27, 2020 on how to implement a Comprehensive Plan. The CPC has also held sublevel meetings where residents were invited to discuss agriculture, development, economy, environment, Planning/Zoning, hamlets and Lake Onderdonk. From these sublevel meetings, the CPC has compiled questions/comments that were presented by residents during the process. Due to the COVID-19 pandemic the CPC meetings were stalled but they've held several meetings recently to try to catch up. Mr. Lendrum mentioned that the CPC was initially supposed to present a plan by the end of the year so the Town Board could schedule and hold a public hearing prior to the adoption of the Comprehensive Plan in March 2021. He then asked whether or not there was any flexibility for that date. Supervisor Bichteman advised there was not and explained the circumstances involved regarding extending the current moratorium. John Sefcik Zoning Board Chairman/CPC member commented that the official goals are not complete and having an end of the year goal for a draft Comprehensive Plan is extremely aggressive.

Supervisor Bichteman mentioned that the CPC has approximately \$1,700 remaining in this year's budget. Discussions followed concerning the timeline proposed and the challenges the CPC has had to face in order to complete a Comprehensive Plan in a timely manner.

2021 HEALTH CARE PLAN/OPTIONS

Councilwoman Burnside mentioned she met with Jager & Flynn, Cool Insuring and Marshall & Sterling regarding health insurance options. She advised that although the premiums appear to be similar between all three insurance companies, there is room for savings but information is still being gathered.

IMPROVING TOWN MEETING FORUMS

Supervisor Bichteman mentioned the need to update the audio system at the Town Hall as participants are unable to hear discussions via Zoom. He has reached out to two professionals for their recommendations on how the Town can integrate Zoom, audio and the projector so that headsets, individual laptops and the wired speaker system can be eliminated. It was suggested that the present audio system could be packaged to rent out for Town Park activities. He described the positioning and the capabilities a new system would be able to provide. Currently no price has been obtained, but he believed it could range from \$4,000 - \$6,000. Zoom is not currently part of FEMA reimbursement costs.

PROPOSAL OF A LAW TO COMBINE PLANNING BOARD AND ZONING BOARD OF APPEALS

Supervisor Bichteman provided the Town Board members with a draft of the proposed local law to consider. He mentioned the combination of the Planning and Zoning Boards could potentially save the town between \$12,000- \$14,000 on the high side and \$4,000 - \$8,000 on the low side depending on the compensation of a combined Board. He believed that Town of Coeymans and the Village of Ravena have a joint board. The proposed local law would abolish the Planning Board entirely and the Zoning Board would become the Planning/Zoning Board. Two alternate members would be chosen and the joint Board would meet twice a month on a predetermined schedule. Salary to range from:

\$100, \$130 or \$150 per meeting for Chairperson

\$50, \$80 or \$100 per meeting for Members

Paragraph 8 entitled, Compensation, is blank as the Town Attorney did not have this information at the time the proposed law was drafted. It was explained, if a member does not attend meeting(s), they do not get paid. If an alternate member attends a meeting they will be paid. Per the Supervisor's conversations with Planner Chuck Voss, the process proposed is more expeditious for applicants.

Councilman Kryzak, although in agreement with savings for budget purposes, had his concerns. He would like feedback and recommendations from both the Planning and Zoning Boards and would like to ensure the compensation for a joint Board is fair, otherwise he believed there could be more resignations.

A resident voiced concern that the Town Board should do their research. She believed there may be a conflict to combine the present Boards.

Councilman Filkins was under the impression that the Town Board couldn't downsize and remove members from the present Planning and Zoning Boards until their terms expire. Supervisor Bichteman advised that is not true, the Town Board can disband the Planning Board and reassign their duties however, the law would not take effect until possibly January 2021.

The Town Board heard comments and opinions from the public and Planning Board members Dorothy Verch and Edwin Stevens regarding;

- Compensation for site visits.
- Mrs. Verch believed the proposed combination of the Planning and Zoning Boards was an attempt to remove her as Planning Board Chairperson. Councilman Kryzak indicated he would not be in favor of that and will do what is in the best interest of the Town.
- The village of Ravena has a joint Board. It was mentioned that the Town of Coeymans has separate Planning and Zoning Boards.
- It was believed that the proposal to combine boards would have no checks and balances
- There is no decrease in time or cost savings as they are paid a salary, not by hour.

- Educate the resident/applicant with information on the Zoning and Planning process made by making it available on the Town website.
- Many times, applicants are unprepared or cause their own delay because they don't want to spend money to hire an engineer. It's not the Planning or Zoning Boards that hold up the process.
- More training, webinars

The Town Board will schedule time to meet with both the Planning and Zoning Boards.

COSTANZA SOLAR/CYPRESS CREEK RENEWABLES (CCR)

Councilman Filkins advised that he and Mrs. Verch met with Costanza to view the project and to discuss citizen concerns which he believed started due to a letter they received regarding energy storage. A resident indicated that was not correct.

The Town Board heard comments regarding construction noise at the Costanza project site. The concerned residents believed the Town should be responsible to discuss the noise issue with Costanza, not the homeowners. The residents asked that CCR be required to take one day off a week and the days they work, they only make noise during business hours. It was mentioned that there is not currently a noise ordinance in the Town of Westerlo.

A concerned citizen indicated the solar project has a large impact on his property value. Discussion continued regarding property value.

Another citizen explained that COVID was not to blame for the project being behind. There were several Planning Board meetings that the solar company was not prepared for.

Supervisor Bichteman believed the Planning Board in this particular case did not do their due diligence. He mentioned that the concerns the residents have are reasonable and all things that should've been included in the special use permit. Planning Board Chairperson Verch responded that Costanza was the first solar company to come before the Town. There were no other projects in the area, the Planning Board had zero to go off of. She listened to everything the residents said and the Planning Board did everything possible that they could. One of the concerned residents indicated the Planning Board gave a real effort to find solutions agreeable to everyone although he did not feel CCR should've been allowed to drag their feet like they did. He advised that none of the residents opposed the project, they simply wanted their properties to be protected. They are just attempting to protect the community.

PUBLIC COMMENT

Mrs. Verch read her letter of resignation as Chairperson of the Broadband Research Committee. She indicated that for the past 5.5 years she has worked with incredible men to form a committee dedicated to solving the communication situation that exists in the Town of Westerlo. The committee worked non-stop to formulate a franchise agreement with Mid-Hudson Cable that protected residents, reduced the # of homes required from 35 to 15 and pushed for accurate payment of franchise fees. The committee has been negotiating with Mid-Tel for other connectivity and investigating Hudson Valley Wireless. She also mentioned that she was instructed by Supervisor Bichteman to bring all town files to the Town Hall which she did however, she indicated that the BRC files are now missing. She mentioned that Mr. Bichteman indicated the BRC was a committee of convenience and formed with no specific goal or charge, although it was worthwhile, it did not fall under the same class as an ad hoc board or committee.

Eric Markson also a member of the BRC, tendered his resignation for the same reasons as Mrs. Verch.

AJOURNMENT OF MEETING

Councilman Kryzak made a motion to adjourn the Town Board Workshop meeting. Councilman Boone seconded, all in favor motion carried. Meeting adjourned at 8:46pm.

Respectfully submitted,

Karla J. Weaver
Acting Town Clerk