

**TOWN OF WESTERLO  
REGULAR TOWN BOARD  
MEETING OF  
TUESDAY, OCTOBER 20, 2020**

The Town of Westerlo Town Board held a regular Town Board meeting on Tuesday, Oct. 20, 2020 at the Richard H. Rapp Municipal Building located at 933 County Route 401, Westerlo, NY via ZOOM # 93051000713. 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 Historian Dennis Fancher, Planning Board Chairperson Verch and member Gerry Boone, Highway Superintendent Jody Ostrander and Highway Employees Justin Case and Salvatore Spinnato, Deputy Town Clerk Kathleen Spinnato, Acting Town Clerk Karla Weaver and approximately four interested residents.

ZOOM attendees: ZBA Chairman Sefcik, previous BRC member Eric Markson, Attorney Javid Afzali, Library Trustees Laura Tenney & Miranda Drumm, Comprehensive Plan Committee members Dave Lendrum, Barbara Russell and Kelley Keefe and approximately four interested residents.

Councilman Boone made a motion to open the regular Town Board meeting. Councilman Kryzak seconded, all in favor motion carried.

**SUPERVISOR'S MONTHLY REPORT (SEPTEMBER)**

Councilwoman Burnside made a motion to approve the Supervisor's monthly report for September. Councilman Kryzak seconded, all in favor motion carried.

**INVESTMENT REPORT (SEPTEMBER)**

Councilwoman Burnside made a motion to approve the Investment report for September. Councilman Kryzak seconded, all in favor motion carried.

**TOWN CLERK MONTHLY REPORT (SEPTEMBER)**

Councilman Kryzak made a motion to approve the Town Clerk's monthly report for September. Councilman Boone seconded, all in favor motion carried.

**TOWN BOARD MINUTES**

Councilwoman Burnside made a motion to approve the Town Board minutes of 9/15/20, Special Town Board minutes of 10/6/20 and Town Board workshop minutes of 10/13/20. Councilman Kryzak seconded, all in favor motion carried.

## **PAYMENT OF MONTHLY BILLS (OCTOBER)**

Supervisor Bichteman 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 October 2020 invoices be paid Voucher # 455 through Voucher # 505 in the amount of \$.105,237.53

Councilman Kryzak seconded the motion, a vote resulted as follows:

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

NAYS: None

**RESOLUTION # 57-2020 was duly adopted.**

## **OLD BUSINESS**

### **PROPOSED TRANSFER STATION FEE SCHEDULE**

Councilman Boone made a motion to adopt the following resolution:

**WHEREAS:** The Town Board wishes to offset the rising cost of recycling by establishing transfer and recycling station tipping fees and

**WHEREAS:** The Town Board having held a public hearing on the efficacies enacting Resident Transfer and Recycling Station fees now therefore be it hereby,

**RESOLVED:** That the Town establishes Tipping Fees in the amount of:

Residential \* \$25.00 per household (2 persons/permit)

\$25.00 per Apartment (multiple family dwelling)

Commercial\*\* \$400.00 per Commercial carrier

\*Residential permit fees are valid Jan. 1-Dec. 31 and are renewable  
Annually

\*\*Commercial permits are renewable annually from the date of purchase

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

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

NAYS: None

**RESOLUTION # 58-2020 was duly adopted.**

## **OLD BUSINESS**

### **BUDGET REVIEW**

Supervisor Bichteman advised that Councilman Filkins emailed him some budget comments/questions which he reviewed aloud:

- Recommended purchasing an electronic message board to be placed in front of the Town Hall to notify residents of meetings and special events. Supervisor Bichteman advised that according to the current zoning an electronic board is illegal and would need to be addressed by local law.
- Youth program budget and salaries were discussed. Supervisor Bichteman explained that the salary for the director also covers some of the cost for crafts. Mr. Filkins suggested budgeting \$3,000 to split between other successful youth programs that the town may be able to join. He recommended providing \$1,000 to the Berne Youth Program to include children from Westerlo, \$1,000 to the Westerlo Baptist Church who

runs a summer program and \$1,000 to So. Westerlo Congregational church which runs a summer program which would result in a budget savings.

- Mr. Filkins suggested hiring an uber for the few seniors who use the senior bus service to save the town money.
- Mr. Filkins indicated that less than 20 members of the Hilltown Seniors are from Westerlo. Mr. Bichteman advised that monies that are unspent at the end of the year end up in the fund balance to fund the subsequent years expenses. The Hilltown Seniors had no use for the money this year so it will end up in the fund balance. Mr. Bichteman also mentioned that the fund balance is listed in the AUD every year.
- Mr. Bichteman also advised that any unused housekeeping money, grant money and part of the salary which the Historian returned to the town will also end up in the fund balance at the end of the year.

Councilwoman Burnside had some budget questions/comments as well:

- She mentioned she was still in agreement to increase the Town Clerk's salary, but also noted that the Highway Department is doing more with less and would like to see the highway employees get a \$0.75/hr. raise and also raise the Highway Superintendent to \$62,000. She also indicated the \$1.76/hr. raise for the Supervisor's confidential secretary is too high, she should be the same at \$0.75/hr. Mr. Bichteman advised that the Town of Westerlo has recognized the Highway Employees Bargaining Unit and Negotiations. He believed it was premature to consider raises since negotiations begin the Thursday following election day and it should be discussed during executive session. He also mentioned that the Confidential Clerk started at a lower rate advising that the position pays the amount that is budgeted and he believed the current Administrative Assistant is equal to or better than anyone who served in that position before and believe she is entitled to that full salary.
- Mrs. Burnside pointed out that the amount budgeted for the Transfer Station can now be found under the Highway Fund, not the General Fund like in previous years. Keep in mind that the highway department's budget is still down; it's just that the Transfer Station was moved to the Highway fund this year.

Councilman Filkins indicated he took part in a webinar through Associations of Town's for Town Boards and Highway Superintendent, he will provide the slides to the Town Board and Supervisor.

Councilman Boone commented on the Westerlo Youth Program. It was quite a challenge to find people with qualifications to run the program. The cost may seem high but goes far beyond the actual program time. He will look into other programs to see if they can support the Town of Westerlo or come up with another program that will benefit the kids but he is hoping to offer a free program for the children in the future. The Town Board discussed the importance of advertising.

The Broadband Research Committee (BRC) was briefly discussed. Residents are still contacting the Town Clerk's office requesting the need for internet service. Those people have been

referred to the BRC even though they are not meeting to try to offer those people some answers. The internet is necessary especially with kids attending school from home.

Supervisor Bichteman explained the process for going over the tax cap and mentioned a resolution has been drafted for overriding the tax cap.

#### **MOVE BUDGET FROM TENTATIVE TO PRELIMINARY**

Councilman Boone made a motion to adopt the following resolution:

**WHEREAS:** The Town Board needs to present a Preliminary Budget, be it hereby

**RESOLVED:** The Town Board move the 2021 Tentative Budget to the 2021 Preliminary Budget.

Seconded by Councilman Kryzak, a vote resulted as follows:

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

NAYS: None

**RESOLUTION # 59-2020 was thereby duly adopted.**

#### **HEALTH INSURANCE PLAN FOR 2021**

Supervisor Bichteman reviewed the health insurance options for the town's employees including a potential opt-out package. The employees who want to receive the opt-out must have insurance through a spouse or elsewhere in order to partake. He mentioned that the current insurance company has served the town well for three years. Councilman Kryzak and Councilwoman Burnside were comfortable switching to Cool Insuring, located in Latham. A separate agreement will be created to give \$3,000 as an incentive to employees who wish to opt-out. Councilman Boone expressed hesitation making sure that the town did their due diligence. The Supervisor will need to sign an agreement to switch brokers. Councilman Kryzak made a motion to adopt the following resolution:

**WHEREAS:** The Town of Westerlo formed a committee to investigate health insurance companies for town employees, be it hereby

**RESOLVED:** the Town Board authorizes the Supervisor to enter into agreement with Cool Insuring to represent the Town of Westerlo's health insurance and be it further

**RESOLVED:** to continue with the town's gold plan for the town employees as is and continue with the same dental plan, and further

**RESOLVED:** to adopt the \$3,000 buyout with the caveat that the employee must maintain insurance if they accept the buyout.

Seconded by Councilwoman Burnside, a vote resulted as follows:

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

NAYS: None

**RESOLUTION # 60-2020 was duly adopted.**

## **TRANSFER STATION PERMIT DISCUSSION**

Supervisor Bichteman believed with the new process for permitting, it appears the Town has done as much damage to the residents as good to the town. It's not popular and created a tremendous amount of work for the staff and he would like the Board to rethink the plan. He believed the transfer station staff knows most everyone that comes in regardless of the vehicle they drive. The proper rules and regulations have been provided in the solid waste law.

Some residents expressed concern for having to provide a copy of their driver's license and having to pay a fee when they already pay taxes. There were concerns for the seniors in town. The transfer station is one of the few benefits the residents get.

Councilwoman Burnside mentioned that if the town can't afford the transfer station and it closes, everyone will have to pay for garbage service.

The fees for annual permits are estimated to generate about \$20,000 in revenue. The fee may deter people who do not belong at the transfer station. The Town Clerk's office staff mentioned it is really hard to prove residency, a driver's license cannot be used for proof of residency. Discussion continued.

Town Clerk Weaver read aloud a letter from an elderly resident who expressed concern, she relies completely on her family to take her garbage for her.

Councilman Kryzak is on board for making the application simpler however believed the fee is necessary. Special circumstances will be discussed in the future.

Councilman Boone indicated the Town Board had spent a lot of time thinking about all scenarios. It was difficult but more work is needed.

Discussion continued.

Supervisor Bichteman made a motion to suspend permit applications at the transfer station until further notice, continue to take permit fees and applications as they come in and the Town Clerk's office will use their best judgement until the Town Board can resolve the issues. Councilman Kryzak seconded, all in favor motion carried.

## **SPECIAL TOWN BOARD MEETING**

The Town Board will hold a Special Town Board and workshop meeting on November 4th to discuss the transfer station permits. Councilman Boone made a motion to adopt the following resolution:

- WHEREAS:** Further discussion is needed regarding the transfer station permitting, be it hereby
- RESOLVED:** The Town Board will schedule a Special Town Board meeting on Wed. Nov 4th @ 7 PM followed by a workshop to discuss the transfer station annual permits.

Seconded by Supervisor Bichteman, a vote resulted as follows:

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

NAYS: None

**RESOLUTION # 61 of 2020 was thereby duly adopted.**

## **NEW BUSINESS**

### **PARK SECURITY**

Councilman Kryzak and Councilwoman Burnside will bring some ideas for park security to the Town Board at the next meeting. Councilwoman Burnside read a letter of support from Albany County Sheriff Dept. liaison Amy Kowalski for security cameras at the park.

Councilman Kryzak asked zoom attendee Eric Markson for his opinion. He will get back to him as he will need to think about how data would be stored.

### **VOUCHER 381**

The Supervisor advised there was a mistake with GNH voucher # 381 from the last meeting which totaled \$1,062.59. There was an overbilling from a previous credit which has since been refunded to the Town.

### **NEXAMP COMMUNITY SOLAR**

Supervisor Bichteman provided the Board with an eligibility document from NEXAMP which indicated which street lighting is ineligible and eligible. The eligible locations would result in approximately a \$2,647 savings a year. There is a 90-day contract available where the town can try it and if unhappy can discontinue. Councilman Kryzak made a motion to adopt the following resolution:

**WHEREAS:** The Town of Westerlo is seeking out an option for saving money on the electric bills, be it hereby

**RESOLVED:** The Town Board authorize the Supervisor to enter into negotiations with NEXAMP for the 12 eligible street light locations and to also investigate other town incentives on a 90-day trial basis.

Seconded by Councilwoman Burnside, a vote resulted as follows:

AYES: Councilman Boone, Councilwoman Burnside, Councilman Kryzak,  
Superviro Bichteman, Councilman Filkins

NAYS: None

**RESOLUTION # 62-2020 was thereby duly adopted.**

### **WATER BOARD UPDATE**

The Water Board met on Oct. 8th and made recommendations for the 2021 rates. Effective Jan. 2021, the annual bond repayment amount applied to property tax bills for residences located within Westerlo Water District No. 1 will be increased from \$316 to \$321.84 per member. The reason for the increase is due to the loss of a member in the district. In addition to the bond, there is also a water rate increase of approximately \$1.60 for a total of \$22.68 per

thousand units. District parcels with no connection is increasing from \$50 to \$100. All other fees stay the same. There are 87 members in the district.

Councilman Boone expressed concern that people aren't notified better of increases to taxes and fees in town.

Councilman Kryzak made a motion to adopt the following resolution:

**WHEREAS:** The fees for the members in Westerlo Water District No. 1 have been reviewed by the Water Board and presented to the Town Board, be it hereby

**RESOLVED:** The Town Board adopts the Water Dist. No 1 fee schedule ([see attached](#)) to take effect Jan 1, 2021.

Seconded by Councilman Filkins, a vote resulted as follows:

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

ABSTAIN: Councilman Boone

NAYS: None

**RESOLUTION # 63-2020 was thereby duly adopted.**

#### **UTILITY REPAIR CREW BIDS**

Supervisor Bichteman advised that a single year contract is available this year for the emergency repair crew for the Water System. Councilman Boone made a motion to adopt the following resolution:

**WHEREAS:** The Utility Repair Crew contract is expiring, be it hereby

**RESOLVED:** the Town Board authorizes the Supervisor to Bid the Utility Repair Crew contract on behalf of the Town of Westerlo for the town and Westerlo Water Dist. No 1 for the year 2021.

Seconded by Councilman Kryzak, a vote resulted as follows:

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

NAYS: None

**RESOLUTION # 64-2020 was thereby duly adopted.**

#### **MONTHLY REPORTS**

Supervisor Bichteman suggested moving all of the monthly reporting into the first section of the meeting with the Supervisor and Town Clerk's reports. He recommended that the reports be submitted ahead of the meeting in writing to the Board. At that time, the Board can ask questions or if no questions, can approve them eliminating the need to read them aloud at the meetings. Reports can still be posted in the minutes and available on the website. The Supervisor read the Assessors quarterly report and Planning Board report aloud. He asked questions regarding the Medusa solar project's screening. Planning Board Chairperson Verch advised trees would be planted this year and are roughly 6' tall and grow 3' a year.

### **REINSTATEMENT OF PLANNING AND ZONING BOARD SALARIES**

Councilman Kryzak made a motion to adopt the following resolution:

**WHEREAS:** The Town Board had voted earlier in the year to discontinue salaries for the Planning and Zoning Board's, be it hereby

**RESOLVED:** the Town Board reinstate the pay for the Planning and Zoning Board's effective immediately for the remainder of the 2020 year and be it further,

**RESOLVED:** the pay is reinstated retroactively.

Seconded by Councilwoman Burnside, a vote resulted as follows:

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

NAYS: None

**RESOLUTION # 65-2020 was thereby duly adopted.**

### **PLANNING BOARD MEETINGS & AD**

Mrs. Verch requested that the Planning Board meetings be moved from the 4th Tuesday to the 2nd Tuesday of each month. Supervisor Bichteman made a motion adopt the following resolution:

**WHEREAS:** the Planning Board has requested to move their monthly meetings from the 4th Tuesday to the 2nd Tuesday of every month @ 7 PM, be it hereby

**RESOLVED:** the Town Board authorized the change of date for the monthly Planning Board meetings and for the Town Clerk to advertise that change.

Seconded by Councilman Kryzak, a vote resulted as follows:

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

NAYS: None

**RESOLUTION # 66-2020 was thereby duly adopted.**

### **PLANNING BOARD MEMBER VACANCY**

Since the Town has not received any applications for the vacant Planning Board position that had previously been advertised, it was recommended that the Supervisor prepare a new ad. Councilman Boone made a motion to authorize the Supervisor to prepare an ad for the Town Clerk to re-advertise the Planning Board position for a 2-week period. All in favor, motion carried.

Mrs. Verch also requested that when the BRC is reinstated that they move those meetings from the 4th Thursday to the 2nd Thursday of the month. No action was taken by the Town Board regarding the request.

### **PUBLIC COMMENT**

Deputy Town Clerk Kathleen Spinnato advised that the Westerlo Vol. Fire Co. Budget needs to be included as part of the Preliminary Town budget before it is presented to the public.



**EXECUTIVE SESSION**

Councilman Kryzak announced the Town Board will be entering into executive session at 9:40pm to discuss a personnel matter before the town. Councilwoman Burnside seconded, all in favor motion carried.

Councilman Filkins made a motion to adjourn the executive session at 10:21pm. Seconded by Councilman Boone all in favor motion carried.

**ADJOURNMENT OF MEETING**

Councilman Boone made a motion to adjourn the Town Board meeting. Councilman Filkins seconded, all in favor motion carried. Meeting adjourned at 10:21pm.

Respectfully Submitted,

Karla J. Weaver

2021  
**TOWN OF WESTERLO**  
Water District Fee Schedule  
Effective January 01, 2021

As adopted by Town Board Resolution October 20, 2020

Water Tax (Annual Bond Repayment)	\$321.84
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**USAGE FEES**

Water Bill (Rate per 1,000, minimum quarterly billing of 5,000 gallons)	\$22.68
Annual System maintenance fee (for district parcels with no Connections)	\$100.00

**APPLICATION FEES**

Application fee (for service connection, includes water meter Assembly, initial inspection and turn on water service fee)	\$385.00
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Application fee (for water system extension)	\$1,500.00
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**SERVICE FEES**

Turn on water to residence – scheduled	\$50.00
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Shut off water service to residence – Scheduled	\$50.00
- Emergency	\$100.00

Inspection of water service	\$50.00
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Water meter testing by system operator owners request	\$50.00
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Special reading of water meter	\$50.00
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**OTHER FEES**

Replacement of meter assembly (resident negligence)	\$350.00
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