

TOWN OF WESTERLO
SPECIAL TOWN BOARD MEETING
TUESDAY, FEBRUARY 2, 2021

The Town of Westerlo Town Board held a Special Town Board on Tuesday, February 2, 2021 via Zoom #91571318179. Supervisor Bichteman opened the meeting at 7 PM with the Pledge of Allegiance to the Flag.

ATTENDING WERE: Supervisor William F. Bichteman Jr.
Councilman Matthew Kryzak
Councilman Joseph J. Boone
Councilwoman Amie L. Burnside
Councilman Richard Filkins

Also attending via Zoom were: Planning Board Chairwoman Dorothy Verch and member Edwin Stevens, Town Clerk Karla Weaver and approximately three residents.

SUPERVISOR, INVESTMENT, TOWN CLERK REPORTS FOR DECEMBER 2020 & CODE ENFORCEMENT ANNUAL REPORT

Councilman Kryzak made a motion to approve the Supervisor, Investment and Town Clerk reports for December 2020 and the annual report for the Code Enforcement Officer for 2020. Councilwoman Burnside seconded, all in favor motion carried.

EXECUTIVE SESSION FOR THE PURPOSE OF INTERVIEWING

Councilman Kryzak made a motion to enter into executive session at 7:04pm for the purpose of interviewing applicants for the vacant Planning Board member position. Councilwoman Burnside seconded, all in favor motion carried.

Councilwoman Burnside made a motion to return from the executive session at 8:21pm. Councilman Kryzak seconded, all in favor motion carried.

SPECIAL TOWN BOARD MEETING CONTINUED

Supervisor Bichteman made a motion to continue the Special Town Board meeting at 8:21pm. Councilman Boone seconded, all in favor motion carried.

PLANNING BOARD MEMBER APPOINTMENT

Councilman Kryzak made a motion to adopt the following resolution:

WHEREAS: There is a vacancy on the Planning Board due to the resignation of member Doyle Shaver, be it hereby

RESOLVED: the Town Board appoints Beau Loendorf to a full term beginning January 1st 2021 which is set to expire 12/31/2025.

Seconded by Councilman Filkins, a vote resulted as follows.

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

ABSTAIN: Councilwoman Burnside

NAYS: None

RESOLUTION # 28-2021 was thereby duly adopted.

OLD BUSINESS

TOWN PARK SECURITY OPTIONS

Supervisor Bichteman advised he had no new information to report.

COMPREHENSIVE RENEWABLE ENERGY CODE

Mr. Bichteman anticipates having the draft Comprehensive Renewable Energy Code before the next Town Board meeting and will share the draft with the Planning Board as well. He also mentioned that the Town has spent enough on consultants that the Town will now qualify for the full greenway grant amount of \$10,000.00. Currently the Town has spent a total of \$16,231.51 on the Comprehensive Plan.

NEW BUSINESS

ALBANY COUNTY CONTRACT

Councilman Boone made a motion to adopt the following resolution:

WHEREAS: The Albany County ALS & EMT Contract has been received by the Supervisor, be it hereby

RESOLVED: The Town Board authorizes the Supervisor to enter into contract with Albany Co. for the ALS & EMT 2021 services at \$219,670.98 (\$121,161.78 for ALS & \$98,509.20 for EMT) as included in the budget.

Seconded by Councilman Kryzak, a vote resulted as follows:

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

NAYS: None

RESOLUTION # 29-2021 was thereby duly adopted.

RESTRUCTURING HERITAGE MUSEUM

Supervisor Bichteman mentioned he has asked the Town Clerk to research and find the original resolutions for the Heritage Museum. If the origin can't be found, the Town Board can go forward with restructuring the Museum. He did however find paperwork that someone had applied for a tax-exempt status several years ago which preexisted the 501-3c applications however he did not see it was ever granted.

Mr. Bichteman advised that candidates for the Historian Position and Museum staff were discussed and he would like to see the Town take a more active role in selecting a curator who will work in conjunction with the trustees.

TOWN ATTORNEY

Supervisor Bichteman advised that he has received the letter of engagement from Harris Beach which is the Town Attorney's new firm. There are two changes over last year's contract; first the rate has gone from \$190/hr to \$200/hr and the second has to do with escrow for entities before the town which allows the firm's normal rate to be charged. Mr. Afzali's rate is normally \$450/hr and the contract mentions the applicant will be billed at \$350 unless it's another principal within his firm and then the rate schedule is stated in the contract. Councilman Kryzak asked for clarification. Mr. Bichteman explained that money comes out of the escrow for the applicant and is not paid by the town. Councilwoman Burnside made a motion to adopt the following resolution:

WHEREAS: The Supervisor has received the Letter of Engagement from Harris Beach which is the Town Attorney's new firm, be it hereby

RESOLVED: The Town Board authorizes the Supervisor to enter into contract with Harris Beach for legal services as stated in the contract.

Seconded by Councilman Kryzak, a vote resulted as follows:

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

NAYS: None

RESOLUTION # 30-2021 was thereby duly adopted.

FUND BALANCE

Mr. Bichteman indicated that there are currently two open fund balances within the town. He advised that the Town Board set aside \$10,000 in the budget for equipment for the highway account which has to be confirmed into a special fund for the purchase and maintenance of equipment. Attorney Afzali is working on the language. Mr. Bichteman would like to do the same with the water district money, which would then be subject to permissive referendum. The Comptroller's office indicated the Town is not allowed to have a fund balance that just accumulates, it needs to be reappropriated. The water district needs to build a fund with reserve money in case of a catastrophic repair in the water district such as the bromomethane issue. As for the highway department, the Town found out last year that \$450,000.00 in equipment was needed and there was no money. Creating a fund from \$10,000 of budgeted money and a percentage of fund balance money would be protected.

PUBLIC COMMENT

Broadband Research Committee (BRC) Chairman Verch advised that she spoke with Senator Henchy's office who indicated they will be getting involved with the expansion of service here in Westerlo. She will be providing them with an expansion list for Mid-Hudson Cable and Mid-Tel for the area that can evaluate and possibly assist with. Councilman Kryzak believed there needs to be some sort of incentive from the state for these companies to serve rural areas. Supervisor Bichteman suggested a more global approach to include the school district and other hilltowns. Mrs. Verch advised that the BRC will need to move their meetings to the third Monday of the month as one of her members has a conflict.

With there being no further business to discuss, Councilman Kryzak made a motion to adjourn the meeting. Councilman Boone seconded, all in favor motion carried. Meeting adjourned at 8:52 pm.

Respectfully submitted,

Karla Weaver
Town Clerk