

**TOWN OF WESTERLO  
REGULAR TOWN BOARD  
MEETING OF  
TUESDAY, JANUARY 26, 2021**

The Town of Westerlo Town Board held a Regular Town Board meeting on Tuesday, January 26, 2021 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 Matthew Kryzak  
Councilman Joseph J. Boone

Absent were: Councilman Richard Filkins

ZOOM attendees: Planning Board Chairperson Verch and member Edwin Stevens, Zoning Board of Appeals Chairman Sefcik, Highway Employee Salvatore Spinnato, Amy Powarzynski, Town Clerk Karla Weaver and approximately five interested residents.

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

**INVESTMENT & NYCLASS REPORT (DECEMBER)**

**TOWN CLERK MONTHLY REPORT (DECEMBER)**

The approval of the Supervisor, Investment & NYCLASS and Town Clerk monthly reports was postponed until the next meeting as some Town Board members were unable to review them. Councilman Boone advised that the 2<sup>nd</sup> to last page of the Supervisor's report for the Library had the wrong dates and would need to be corrected for the next meeting. Supervisor Bichteman advised that the Town has earned \$17,106.81 in interest for 2020.

**TOWN BOARD MINUTES**

Councilwoman Burnside made a motion to approve the Town Board minutes of 12/15/20, Special Town Board minutes of 12/30/20 and the Organizational minutes of 1/5/21. Councilman Kryzak seconded; motion carried by those present.

**PAYMENT OF MONTHLY BILLS (JANUARY)**

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 January 2021 invoices be paid Voucher # 1 through Voucher # 39 in the amount of \$366,639.04 contingent on Councilwoman Burnside reviewing them tomorrow.

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

AYES: Councilwoman Burnside, Councilman Boone, Supervisor Bichteman

ABSTAIN: Councilman Kryzak

NAYS: None

**RESOLUTION # 23 -2020 was duly adopted.**

## **OLD BUSINESS**

### **TOWN PARK/TOWN HALL SECURITY**

The Town Board discussed proposed security at the Town Park and Town Hall. Mr. Bichteman did not believe the Board should move forward with the security cameras for the Town Hall until the renovations could be done to the canopy and stairs. Conduit would need to be run at the park and therefore he recommended waiting to do both locations so they could be networked together as part of a system which could be done in the spring or summer. The Supervisor explained what was included in two of the proposals he received. After discussion, the Town Board decided to wait to do the camera system all at once. Tamper proof equipment and alarms were also discussed briefly.

### **PARK RESERVATIONS**

Until the Town has a clear path of recovery in regards to the pandemic, the Supervisor advised that the parks will remain closed for large gatherings. He proposed that the Town Clerk's office establish a waiting list for anyone interested in reserving a date at either park. The Board was in agreement and requested a notice be posted to the website.

### **AWARD 2021 CONTRACT FOR EMERGENCY REPAIRS**

Supervisor Bichteman advised that Trinity Construction was the low and only bidder for Emergency Utility Repairs. The contract covers the water system and the company can also be hired under the same price structure for the highway department if needed. Councilman Kryzak made a motion to adopt the following resolution:

**WHEREAS:** The Emergency Utility Repair contract needs to be awarded, be it hereby

**RESOLVED:** The Town Board award the 2021 Emergency Utility Repair contract to Trinity Construction.

Councilwoman Burnside seconded the motion, a vote resulted as follows:

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

NAYS: None

**RESOLUTION # 24 -2020 was duly adopted.**

## **NEW BUSINESS**

### **RESIGNATIONS & ZONING BOARD OF APPEALS APPOINTMENT (ZBA)**

Supervisor Bichteman mentioned that he is sad to report that he received a resignation from both ZBA Chairman John Sefcik and Board of Assessment Review (BAR) member Susan Cunningham. Mr. Bichteman mentioned that Mr. Sefcik and Ms. Cunningham have both done an excellent job over the years. Supervisor Bichteman had already reached out to ZBA member Jillian Henck who has agreed that if the Board were to appoint her, she would accept the position as Chairperson. With the Town Board having no objections, Supervisor Bichteman made a motion to adopt the following resolution:

**WHEREAS:** there is a vacancy on the Zoning Board of Appeals due to the resignation of Chairman John Sefcik, be it hereby

**RESOLVED:** the Town Board appoints ZBA member Jillian Henck to the position of ZBA Chair to complete Mr. Sefcik's unexpired term set to expire 12/31/2022.

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

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

NAYS: None

**RESOLUTION # 25 -2020 was duly adopted.**

The vacancies for the Planning & Zoning Clerk, Zoning Board member and BAR member will be advertised in the newspaper and on the website.

### **LIBRARY APPOINTMENT**

Library Board of Trustees member Maureen Sikule advised Library Director Debbie Scott resigned in November and the Library Board voted to have Amy Powarzynski as her replacement. The Town Board congratulated her.

### **WESTERLO FIRE COMPANY CONTRACT**

The Supervisor mentioned that he needs to enter into contract with the Westerlo Fire Co..

Councilman Boone made a motion to adopt the following resolution:

**WHEREAS:** The Westerlo Volunteer Fire Co. contract needs to be signed, be it hereby

**RESOLVED:** the Town Board authorizes the Supervisor to enter into contract with the Westerlo Vol. Fire Co. for the 2021 year.

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

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

NAYS: None

**RESOLUTION # 26 -2020 was duly adopted.**

### **SCHEDULING AND STRUCTURING VACANCY INTERVIEWS**

Supervisor Bichteman suggested having an executive session through zoom in order to conduct interviews for the Planning Board position which will allow for the entire Town Board to be present for each of the four candidates who applied. He suggested making the next workshop meeting on February 2<sup>nd</sup> a Special Town Board meeting where they could go into executive session to conduct the interviews privately. The four candidates were Dick Umholtz, Barbara Russell, Beau Loendorf and one more that would like to remain anonymous until their application is submitted. It was agreed to hold a Special Town Board & workshop meeting on 2/2/2021 at 7pm. Planning Board Chairwoman Verch will be part of the interviews but will not have a vote in who is chosen.

### **RESOLUTIONS RECOMMENDED FOR ADOPTION**

Supervisor Bichteman indicated the resolutions that he recommended for adoption all concern the Town Clerk's office and their coordination with the Supervisor's office. He mentioned that he spoke with Town Clerk Weaver this morning about the topics that he was going to be

bringing forward to the Town Board this evening and he indicated the details were being worked out and therefore would probably not need resolutions passed to cooperate on the effort so it will be tabled for now.

#### **CODE ENFORCEMENT ANNUAL REPORT-2020**

The Code Enforcement Officer submitted his annual report on time. Approval will be postponed until the next meeting so all Board members have had the opportunity to review it.

#### **NEXAMP**

Supervisor Bichteman explained that following the resolution by the Town Board, we subscribed to NEXAMP for the various accounts that qualify for the discount. This is the first billing period for these and essentially, the bill amount for the combined accounts with Central Hudson for this cycle came to approximately \$3,298.00. The approximate gross amount before NEXAMP was \$3,800.00. When it is said and done, we saved \$38.74 which will save roughly \$465/annually. The problem is, Central Hudson does not itemize the bill to show the NEXAMP credit and for each account, the Town Clerk needs to contact them. When you look at the credit, it is a considerable amount of money but then a week later we received the bills from NEXAMP and it turned out by the time we paid those bills we have saved 1%. It was his opinion that by the time the Town Clerk reviews the bills it is not saving the town any money. Town Clerk Weaver explained the process she needs to go through for each the Central Hudson and NEXAMP bills and mentioned that it is very time consuming. He did not think this is realistic for a government agency. Due to the discussion, Supervisor Bichteman made a motion to adopt the following resolution:

WHEREAS: The Town of Westerlo agreed to try solar energy provider NEXAMP per resolution # 62-2020 to try to save money on Central Hudson electric bills, be it hereby

RESOLVED: After a trial, the Town Board has decided that NEXAMP is not saving the Town any money in the end, be it further

RESOLVED: The Town Board agrees to cancel NEXAMP effective immediately.

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

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

NAYS: None

**RESOLUTION # 27 -2020 was duly adopted.**

#### **COMPREHENSIVE PLAN-EXPEDITING ZONING CHARGES**

Supervisor Bichteman indicated that the Comprehensive Plan is zeroing in on the renewable energy section of the plan. A final draft should be available in a week or two for the Town Board to review. Once reviewed, it will be given to the Town Attorney and Barton & Loguidice so they can construct the town's solar law. Mr. Bichteman is requesting input from Mrs. Verch as to what the Town needs the law to do for the town; such as mandating that when there is a change of ownership of a project, that the Town is notified and given the contact information.

### **BROADBAND RESEARCH COMMITTEE (BRC) ACTION**

Mr. Bichteman advised that he had a conversation with Senator Michelle Henchy to review a list of items she may be able to help with; the broadband internet being at the top of the list. He suggested banning with the other towns and schools as a way to build a larger front to have more influence with the government and state. Doing this through our local legislatures will hopefully put as much pressure on the government and state. We are a small voice and need help from other communities. He indicated the BRC may need some money to be able to generate letters to promote the cause with other communities.

The BRC hopes to meet on the 2<sup>nd</sup> Monday of each month with the first meeting of the year being February 8<sup>th</sup> at 7pm via zoom.

### **OPEN TO PUBLIC**

Previous ZBA Chairman Sefcik appreciated the positive comments made earlier in the meeting about him. He also mentioned the ZBA is a good team and he appreciated all of the support he has received from the Supervisor, Code Enforcement Officer and Town Clerk's office. He also believed the new Chair Jillian Henck will do a great job.

Planning Board member Edwin Stevens asked where the town stands on sales tax this year. Supervisor Bichteman responded that he isn't sure as he hasn't received the final sales tax for last quarter yet but was told that the county has collected more money than they have anticipated. He was told that due to COVID, people have made large purchases of motor homes and boats where they pay large amounts of sales tax up front. He is unsure what the towns portion will be.

### **EXECUTIVE SESSION REGARDING UNION NEGOTIATIONS, STRATEGY & PERSONNEL ISSUES**

Mr. Bichteman advised that the Board would be going into a private zoom meeting for the executive session and then would return to the main zoom meeting when they conclude. Supervisor Bichteman made a motion to enter into executive session at 8:15pm. Councilman Kryzak seconded; motion carried by those present.

Councilman Boone made a motion to end executive session at 9:17pm. Councilwoman Burnside seconded; motion carried by those present.

### **ADJOURNMENT OF MEETING**

Councilwoman Burnside made a motion to adjourn the Town Board meeting. Councilman Kryzak seconded; motion carried by those present. Meeting adjourned at 9:18pm.

Respectfully Submitted,

Karla J. Weaver