

**TOWN OF WESTERLO  
TOWN BOARD MEETING  
OF  
TUESDAY, April 20, 2021**

The Town of Westerlo Town Board held a meeting on Tuesday, April 20, 2021 via Zoom # 93051000713. Supervisor William Bichteman Jr. opened the meeting at 7:04 PM with the Pledge of Allegiance to the Flag.

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

Also attending were: Planning Board Chairperson Dorothy Verch and members Edwin Stevens and Beau Loendorf, Comprehensive Plan Committee Chairman David Lendrum and member John Sefcik, Broadband Research Committee member Leonard Laub, Library Director Amy Powarzynski, Town Clerk Karla Weaver and approximately 13 residents.

**MINUTES**

Councilman Filkins made a motion to accept the Town Board meeting minutes of 3/16/21, 3/23/21, 3/30/21, 4/1/21 & 4/6/21 as submitted. Councilman Kryzak seconded; all in favor motion carried.

**TOWN CLERK & TAX COLLECTORS REPORT (MARCH 2021)**

Councilman Kryzak made a motion to accept the Town Clerk & Tax Collector's monthly report for March as submitted. Councilman Filkins seconded; all in favor motion carried.

**PAYMENT OF MONTHLY BILLS (APRIL)**

Supervisor Bichteman made a motion to adopt the following resolution:

WHEREAS: the Town Board has audited the monthly bills, be it hereby

RESOLVED: the following April bills be paid Voucher # 129 through Voucher # 185 in the amount of \$122,660.37.

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

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

NAYS: None

**RESOLUTION # 50 -2021 was thereby duly adopted.**

**SUPERVISOR'S REPORT**

The Supervisor's report was tabled until next month.

**NYCLASS/INVESTMENT REPORT (MARCH)**

Councilman Kryzak indicated that the Town earned \$321.27 in interest. The Supervisor advised that no interest has been earned with NYCLASS. Councilman Kryzak made a motion to approve the Investment & NYCLASS reports for March 2021. Councilwoman Burnside seconded; all in favor motion carried.

## **OLD BUSINESS**

### **AMERICAN RESCUE PLAN**

In regards to the American Rescue Plan, Supervisor Bichteman indicated there were no new updates on how exactly money can be spent.

### **REVITALIZATION OF HERITAGE MUSEUM**

Mr. Bichteman mentioned that he met with the Historical Society at their annual meeting and they are eager to help the Town revitalize the Museum. He plans to meet with the Town Attorney to outline a plan to reconstitute the Museum. Charter and 501-c3 was briefly discussed but it was mentioned it may not be beneficial.

## **NEW BUSINESS**

### **PROGRESS REPORT - COMPREHENSIVE PLAN COMMITTEE (CPC)**

CPC Chairman David Lendrum gave an update on the committee. He advised that they met on March 24<sup>th</sup> and completed all the goals which were sent on to Barton and Loguidice. As of now they are waiting for the consultants and hope to have the draft back by the 23<sup>rd</sup> of April. The CPC intends to review the draft plan section by section at the meeting on April 28<sup>th</sup>. They also have meetings scheduled for May 5<sup>th</sup> and 12<sup>th</sup> and their goal is to provide a first draft to the Town Board shortly after their meeting on the 12<sup>th</sup>. The Town Board hopes to discuss the plan at the Town Board meeting on May 17<sup>th</sup>.

A resident asked if the Town Board could post the draft plan online as soon as possible so residents have time to review. Supervisor Bichteman indicated that a public hearing wouldn't be scheduled unless the public has at least a week to 10 days to review the document. He believed the Town Board should review it once before it is provided to the public. The resident asked if copies would be made available to be viewed in person at the Town Hall for those without internet; the Town Board agreed.

### **REVISING RENEWABLE ZONING LAW COMMITTEE REPORT**

Committee member Leonard Laub gave an update on creating the draft of the new zoning law which is coming together well with the assistance from the Planning Board. He advised that the new document includes everything usable from the 2019 law, wind energy and issues that have come. The draft should be in good enough shape for the Town Attorney to review after their next committee meeting on April 26<sup>th</sup>. Discussion continued.

### **MARIJUANA LEGALIZATION**

Supervisor Bichteman indicated there are two options for the Town in regards to the legalization of cannabis. The Town can either opt out or not in restricting retail dispensaries and or on-site consumption. The Board has until Dec. 2021 to make a decision. If opting out, the Town will be denied any tax revenue. The tax revenue is approximately 4% of sales; 1% goes to county and 3% to the municipality. Councilman Kryzak believes a public hearing is necessary. Discussion continued; more discussions will be held at a later date.

### **RETURN TO OPEN MEETINGS**

Mr. Bichteman indicated that some have expressed an interest in going back to normal meetings and mentioned there are three options; strictly through zoom, in person subject to social distancing with mask requirements and enough capacity to hold all that want to attend, or go back to a hybrid in person and zoom meeting. Councilman Kryzak suggested holding meetings at the Town Park. Discussion continued regarding holding meetings at the park including people bringing their own chair to eliminate cleaning. No decisions were made.

### **COMMUNITY PROJECT FUNDING & NYS CDBG CARES GRANTS**

Supervisor Bichteman indicated that the Town applied for a considerable amount of money through the proposed Community Project Funding grant for servicing the entire town with internet access. The Town also applied for the proposed CDBG grant through NYS which has a limit of \$500,000.

BRC member Leonard Laub gave an update indicating that if the Town were to get the grant through the state for \$500,000, the whole town could be supported with cellular internet. Internet delivered over fiber is another option with the proposed grant from Congressman Tonko's office. Both applications were submitted on April 8<sup>th</sup> and the granting agencies responded back relatively positively. He hopes to provide a low-income percentage statistic to the NYS grant contacts this week. The Tonko grant wants to know more regarding how many are private residences, businesses or farms along each route. The BRC had their regular monthly meeting last evening and will be reconvening on Thursday evening with hopes to consolidate percentages in order to respond to both potential grants.

Supervisor Bichteman mentioned that in addition to the above two grants, he applied today for the Capital District Transportation Committee/Capital District Regional Planning Commission grant as well to aid the Town's proposed park trail. He also advised that the Town received \$10,000 for the Greenway Grant which was doubled from the original \$5,000.

### **PUBLIC COMMENT**

A resident mentioned that a long time ago there was discussion regarding the filing of local laws and whether or not they are all reported properly to the state. She wondered if they had been looked into. It was believed that all were filed correctly.

### **EXECUTIVE SESSION**

Councilman Kryzak made a motion to enter into executive session at 8:27pm for the purpose of discussing ongoing union negotiations. Councilwoman Burnside seconded; all in favor motion carried.

Councilman Boone made a motion to close the executive session at 9:12pm. Councilwoman Burnside seconded; all in favor motion carried.

### **ADJOURNMENT OF MEETING**

With there being no further business to discuss, Councilman Filkins made a motion to close the meeting. Councilman Kryzak seconded; all in favor motion carried. Meeting adjourned at 9:13pm.

Respectfully Submitted,

Karla J. Weaver  
Town Clerk