

**TOWN OF WESTERLO  
PUBLIC HEARING REGARDING THE DRAFT COMPREHENSIVE PLAN  
&  
TOWN BOARD  
MEETING OF  
TUESDAY JULY 20, 2021**

The Town of Westerlo Town Board held a Public Hearing regarding the draft Comprehensive Plan followed by the regular Town Board meeting on Tuesday, July 20, 2021 at the Richard H. Rapp Municipal Building located at 933 County Route 401, Westerlo, NY 12193. Deputy Supervisor Kryzak opened the meeting at 7:05pm with the Pledge of Allegiance to the Flag.

Attending were: Councilwoman Amie L. Burnside  
Deputy Supervisor/Councilman Matthew Kryzak  
Councilman Joseph J. Boone (arrived late)  
Councilman Richard Filkins

Also attending were: Highway Superintendent Jody Ostrander and employee Justin Case, Zoning Board of Appeals (ZBA) Chairperson Jillian Henck, Planning Board member Edwin Stevens, Westerlo Hometown Heroes Committee member Lisa DeGroff, Library Director Amy Powarzynski, Comprehensive Plan Committee member Bill Scrafford, Town Clerk Karla Weaver and approximately nine interested residents.

**PUBLIC HEARING**

**COMPREHENSIVE PLAN DRAFT**

Councilwoman Burnside made a motion to open the Public Hearing on the draft Comprehensive Plan at 7:08pm. Councilman Filkins seconded; motion carried by those present.

Comments/Questions were heard as follows:

- A resident would like to see Strength, Weakness, Opportunity and Threats (SWAT) data included
- A resident expressed concern that the maps in Appendix A may not accurate/up-to-date. She also suggested removing “drained and undrained and” in the \* excerpt below the Prime Ag Soils map on page 9. Comprehensive Plan Committee member Jill Henck explained that the mapping created by Capital District Regional Planning Commission (CDRPC) used census and assessment data. She advised that it’s not that the person who made the map made it incorrectly, it’s that the data that they used is out of date. This process was started two years ago. The Town received grant funding for the maps which is exhausted and therefore making changes cannot happen through this program.
- On page 7 of Appendix C, Survey Data Report, switch Figure 5 and Figure 6 text
- Planning Board member Edwin Stevens questioned action 3.4.2 on page 69 under Objective 3.4, wondering how restrictions on shipping containers and trailer bodies came to be in the plan, indicating it was becoming like an HOA or Homeowners Association. The entire section should be reviewed on this page.

- Westerlo Hometown Heroes Committee member Lisa DeGroff indicated this document seemed extremely prohibitive for landowners. She mentioned there is a good system in place already with the Planning and Zoning Boards when people want to make changes to their property; there are hearing notices and those Board's vote accordingly.
- Councilman Kryzak mentioned that the Comprehensive Plan is a guide, it is linked to zoning but not married, both can be revised down the road.
- Under Goal 3, Objective 3.2 on page 68, Councilman Kryzak suggested the sentence read, "Construct, promote, and maintain a multi-use, motorized and non-motorized trail network...". CPC member William Scrafford mentioned that if you are adding "motorized" than he strongly encourages adding language to give the landowner some consideration from the noise generated from atv's, dirt bikes and snowmobiles. Another resident mentioned if offering incentives to landowners who provide recreational access, doesn't that presuppose that these trail networks are on private land and if you are going to build on private land, you need landowners consent to do that.
- Under Goal 3, Objective 3.3 on page 68, a resident expressed concern regarding constructing a swimming pool and how that would increase taxes. Mr. Scrafford responded that this was purposefully added to attract tourism.
- Mr. Scrafford mentioned that at the CPC Public Hearing, the committee voted to make several changes to the draft that resulted in the June 3<sup>rd</sup> document. One of the changes did not get added to two sections of the document which was the need for a new fire house to replace Station 1. This item was added to page 28 however was never incorporated to the final draft in the objectives on page 81. He recommended adding an objective 9.7 to read "Support the Westerlo Volunteer Fire Companies plan to construct a replacement modern fire station in or adjacent to the hamlet of Westerlo".
- There was discussion regarding the percentages on page 6 of the Survey Summary Report section as being inaccurate however it is not and it was suggested that it should just be noted that not everyone responded to every question.
- Library Director Amy Powarzynski brought attention to page 70, objective 4.3 regarding the Library. Councilman Kryzak suggested changing Action 4.3.1 to "Investigate additional funding for the Westerlo Public Library". Mr. Scrafford indicated that puts it back on the Town's budget which was not the intent.

A resident expressed concern that the Comprehensive Plan Consultant would not release the document to the Town for editing and suggested editing in a PDF writer to avoid paying anything further to the Consultant.

Councilman Kryzak mentioned potentially holding another Public Hearing at the Town Park on a Saturday however will need to check the park reservation schedule.

Councilwoman Burnside made a motion to adjourn the Public Hearing on the draft Comprehensive Plan at 8:41pm. Councilman Filkins seconded; all in favor motion carried.

### **TOWN BOARD MEETING**

Councilman Filkins made a motion to open the Town Board meeting at 8:42pm. Councilwoman Burnside seconded; all in favor motion carried.

### **MINUTES**

Not all Town Board members had time to review the Town Board meeting minutes of June 15, 2021 and June 22, 2021 so these items were tabled for now.

### **TOWN CLERK'S REPORT FOR JUNE 2021**

Councilwoman Burnside made a motion to accept the Town Clerk's report for June 2021. Councilman Filkins seconded; all in favor motion carried.

### **INVESTMENT REPORT**

The Town earned \$229.59 in interest with the Bank of Greene Co. and had no gains with NYCLASS. Councilman Boone made a motion to accept the investment report. Councilman Filkins seconded; all in favor motion carried.

### **SUPERVISOR'S REPORT FOR JUNE 2021**

Councilwoman Burnside made a motion to accept the Supervisor's report for June 2021. Councilman Filkins seconded; all in favor motion carried.

### **OLD BUSINESS**

#### **AMERICAN RESCUE PLAN**

Councilman Kryzak mentioned that the Town will receive \$334,633 over two years. Half of the money will come in the summer of 2021 and the other half in the summer of 2022.

#### **RENEWABLE ENERGY MORATORIUM**

Councilman Kryzak indicated he spoke to the Town Attorney who advised him the Town should probably do a 90-day extension on the Renewable Energy Moratorium since it will be a Local Law. The moratorium expires August 28<sup>th</sup> and this would push it out until November.

#### **CAPITAL IMPROVEMENTS**

Councilman Kryzak mentioned he liked the drawings for the entranceway stairs that Highway Superintendent Ostrander designed. Mr. Ostrander already spoke to Code Enforcement Officer (CEO) Jeff Pine who was comfortable with the design. It was mentioned that Richard Rupeka would be coming back as a maintenance employee. Mr. Kryzak advised there are plans to do improvements to the other entrances down the road. A temporary railing was discussed. Mr. Ostrander indicated all three doorways will be renovated the same way.

#### **PLANNING BOARD APPOINTMENT UPDATE**

Councilman Kryzak indicated a few applications have come in this week for the vacant Planning Board position. Applications need to be in by July 30<sup>th</sup>.

### **MARIJUANA LEGALIZATION**

Councilman Kryzak reminded that marijuana was recently legalized and advised there will be more discussion and a Public Hearing on this.

#### **STANDARD WORKDAY RESOLUTION**

The Town Clerk requested that the Town Board adopt the Standard Workday resolution as submitted for Guy Weidman and Jillian Henck for NYSLRS. Councilwoman Burnside made a motion to adopt the following resolution:

**WHEREAS:** NYSLRS requires a Standard Workday Record of Activities be submitted for retirement purposes and,

**WHEREAS:** Jillian Henck, Zoning Board of Appeals Chairperson and Guy Weidman, Zoning Board member have both submitted a record of Activities (ROA) and,

**WHEREAS:** NYSLRS requires a Standard Workday Reporting resolution for Jillian Henck and Guy Weidman, be it hereby

**RESOLVED:** The Town Board establish the Standard Workday for Jillian Henck and Guy Weidman to be 6 hours and this resolution to be posted on the Town website and Town bulletin board for a period of 30 days.

Seconded by Councilman Kryzak; a vote resulted as follows:

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

NAYS: None

**RESOLUTION # 74 of 2021 was thereby duly adopted.**

#### **TRANSFER STATION ANNUAL PERMIT TAGS**

The Town Clerk provided the Town Board with an option for Transfer Station hang tags for 2022. Discussion continued. The Board was in favor of the new hang tags.

#### **CEMETERY MEETING**

Betty Filkins contacted the Town Clerk regarding holding their cemetery meeting at the Town Hall on October 7<sup>th</sup>. There were no objections and these situations will be examined on a case-by-case basis. Mrs. Filkins advised they meet twice a year.

#### **MONTHLY BILLS**

Councilman Boone made a motion to adopt the following resolution:

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

**RESOLVED:** the following July bills be paid Voucher # 288 through Voucher # 356 in the amount of \$77,343.06.

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

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

NAYS: None

**RESOLUTION # 75 of 2021 was thereby duly adopted.**

#### **REVITALIZING THE HERITATGE MUSEUM**

Councilmen Kryzak and Boone attended the last Museum meeting and brought the draft Resolution and By-Laws to review with the Museum Board. They added their mission statement to the end of the By-Laws and Councilman Kryzak indicated he has the notes of suggested changes. There is an updated draft resolution however it will be tabled until the next Town Board meeting.

#### **ESTABLISH HOMETOWN HEROES COMMITTEE**

Councilman Kryzak provided the Town Board with a draft resolution to establish the Hometown Heroes Committee as part of the Town which would allow them to benefit from the Town's tax-exempt status. No action was taken.

#### **CANCELLATION OF WORKSHOP & SCHEDULE SPECIAL TOWN BOARD MEETING**

The Town Board cancelled the Town Board Workshop meeting on August 3<sup>rd</sup> due to Councilman Boone being out of town. The Town Board discussed scheduling a Special Town Board meeting on Wednesday, August 11<sup>th</sup> for the purpose of voting on the resolutions for the Hometown Heroes Committee and the Heritage Museum. There will also be a Public Hearing on the extension of the moratorium prior to the Special Town Board meeting. Councilman Kryzak made a motion to adopt the following resolution:

**WHEREAS:** The Town of Westerlo needs to schedule a Public Hearing and Special Town Board regarding extending the temporary land use moratorium and, be it hereby

**RESOLVED:** The Town Board authorizes the Town Clerk to schedule and advertise a Public Hearing regarding the extension of the solar energy moratorium followed by a Special Town Board meeting for the purpose of voting on resolutions for the Hometown Heroes Committee and Heritage Museum as well as any other business before the Board on Wednesday, August 11, 2021 at 7pm.

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

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

NAYS: None

**RESOLUTION # 76 of 2021 was thereby duly adopted.**

#### **LAKE ROAD SPEED LIMIT**

Councilman Kryzak mentioned that the Town would try to solicit Craig Apple to enforce the 30 mph speed limit on Lake Onderdonk Road. Councilwoman Burnside will reach out to Craig Apple.

#### **NEW BUSINESS**

##### **BUDGET AMMENDMENT**

Mr. Kryzak indicated that he needed to do a budget amendment regarding the RPS bill recently received for 2020 and 2021. RPS never billed us for in the amount of \$800 for 2020. So, in addition to the 2021 bill for \$800 we also owe the outstanding 2020 balance of \$800. Mr. Kryzak advised he needs to do a budget transfer of \$800 from line A-1355.43 to A-1355.44 to

cover the 2020 expense in this year's budget. Councilwoman Burnside made a motion to adopt the following resolution:

**WHEREAS:** An amendment needs to be made to the 2021 budget, be it hereby

**RESOLVED:** The Supervisor is hereby authorized to transfer funds from the following lines

**Interfund Transfer**

<u>From Line</u>	<u>Amount</u>	<u>To Line</u>
<b>A1355.43</b> Tel Ascent Printing	\$800.00	<b>A1355.44</b> Real Property Licensing

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

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

NAYS: None

**RESOLUTION # 77 of 2021 was thereby duly adopted.**

**LIBRARY SUMMER PROGRAM**

Library Director Amy Powarzynski advised that the summer programs through the library have gotten off to a good start. They had two 4H programs at the park of which 19 kids and 25 adults attended. They had a "Dog Gone Read-A-Thon" where they had a few therapy dogs with 10 attendees. There will be two craft programs in the park in August. Program information is available on the library website and facebook page and there are flyers posted around town.

Councilman Boone mentioned that despite the success with the previous Summer Rec Program and spending the budgeted money on a week-long program, they decided to join the library, focusing on family events spread out over a season. They are also scheduling an end of season event by bringing back some of the old community events such as tree lighting.

Ms. Powarzynski also advised that the community room at the library was now available.

**HEALTH INSURANCE-SWITCH BACK TO MARSHALL & STERLING**

Councilman Kryzak indicated that the Town switched from Marshall & Sterling to Cool Insuring however Cool sold to another company right after the Town signed up. They never notified the Town of the sale and the Town is very dissatisfied with the new company's customer service. Mr. Kryzak advised that the goal is to switch back to Marshall & Sterling and he asked the Board to make a motion to authorize him to solicit a quote from Marshall & Sterling before year end. Councilman Boone suggested opening it up to other insurance providers. Councilwoman Burnside made a motion to allow the Town to solicit health insurance provider quotes. Councilman Filkins seconded; all in favor motion carried.

**PUBLIC COMMENT**

A resident wondered if the Town was in as bad a situation financially as previously believed. Councilman Kryzak advised the Town is in very good financial standing because the Town took some drastic measures based off county wide predictions. The fourth quarter of last year rallied between the sales tax and extreme budget cuts. Mr. Kryzak indicated the Town is back to

business as usual. The resident wondered if the entire Board could work on the budget instead of just the Supervisor. Mr. Kryzak advised that he will create the initial budget and give to the Town Board in September to work on.

Betty Filkins advised the Westerlo Volunteer Fire Co. is having their annual BBQ on August 1<sup>st</sup> at the So. Westerlo Fire House but dinners sell out fast. She also mentioned that the Wheels of Time car show is on August 1<sup>st</sup> at the Town Park as well.

Jody Ostrander mentioned he provided the Board with a road preservation law taken from the Town of Wright and he believed they should start working on it. It is a policy that should be in place.

Mr. Ostrander also wanted to auction some equipment off with Auctions International and wanted to make sure the Board was in favor. Councilman Kryzak indicated he trusts him to run his department.

A resident suggested consulting with the Supervisor's Confidential Administrator Amber Bleau-Green on the near poverty level senior citizen law that was done in the Town of Wright as she was the previous Supervisor there. It is based on income and would reduce taxes a little bit for seniors.

#### **EXECUTIVE SESSION**

Councilwoman Burnside made a motion to enter into executive session at 10pm to discuss a personnel issue. Councilman Boone seconded; all in favor motion carried.

Councilman Filkins made a motion to return from executive session at 10:34pm. Councilman Boone seconded; all in favor motion carried.

#### **ADJOURNMENT OF MEETING**

With there being no further business, Councilman Filkins made a motion to adjourn the Public Hearing and Town Board meeting. Councilwoman Burnside seconded; all in favor motion carried. Meeting adjourned at 10:34pm.

Respectfully Submitted,

Karla J. Weaver