

TOWN OF WESTERLO
PUBLIC HEARING REGARDING EXTENDING A TEMPORARY LAND USE MORATORIUM
PROHIBITING COMMERCIAL SOLAR ENERGY SYSTEMS, ENERGY STORAGE SYSTEMS, AND
WIND GENERATION SYSTEMS
&
SPECIAL TOWN BOARD
MEETING OF
WEDNESDAY AUGUST 11, 2021

The Town of Westerlo Town Board held a Public Hearing regarding extending a temporary land use moratorium prohibiting Commercial Solar Energy Systems, Energy Storage Systems, and Wind Generation Systems within the Town of Westerlo. The Public Hearing was followed by a Special Town Board meeting on Wednesday, August 11, 2021 at the Richard H. Rapp Municipal Building located at 933 County Route 401, Westerlo, NY 12193. Deputy Supervisor Kryzak opened the meeting at 7:03pm with the Pledge of Allegiance to the Flag.

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

Also attending were: Previous Planning Board Chairperson Dorothy Verch, Highway Superintendent Jody Ostrander, Altamont Enterprise Reporter Noah Zweifel, Town Clerk Karla Weaver and approximately four interested residents.

PUBLIC HEARING
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WIND GENERATION SYSTEMS

Councilwoman Burnside made a motion to open the Public Hearing at 7:04pm. Councilman Filkins seconded; all in favor motion carried.

Councilman Kryzak indicated the current moratorium is set to expire August 28, 2021. He advised that the proposed law would extend the moratorium an additional 90 days to allow time for Albany County Planning Board to review the draft Comprehensive Plan and Proposed Zoning Law changes prior to them being passed. The Town Board read the proposed Local Law as follows:

TOWN OF WESTERLO
LOCAL LAW NO. __ of 2021

**A LOCAL LAW EXTENDING A TEMPORARY LAND USE MORATORIUM PROHIBITING COMMERCIAL
SOLAR ENERGY SYSTEMS, ENERGY STORAGE SYSTEMS, AND WIND GENERATION SYSTEMS WITHIN THE
TOWN OF WESTERLO**

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF WESTERLO AS FOLLOWS:

SECTION 1. PURPOSE AND INTENT.

This local law is intended to extend a prior moratorium to prohibit the creation or siting of Commercial Solar Energy Systems installations, Commercial Energy Storage Systems, and Commercial Wind Generation Systems (as hereinafter defined) within the Town of Westerlo for a period of up to ninety (90) days, pending the anticipated development and adoption of a comprehensive plan, local laws and/or ordinances prepared to regulate and govern such installations. It is deemed necessary to enact this extension to the moratorium due to interference with prior board schedules as a result of the COVID-19 global pandemic and in order to permit the Town Board adequate time in which to draft suitable additional legislation to allow for proper siting and development of the solar industry within the Town of Westerlo. During the term of the moratorium, the Town of Westerlo shall continue work to prepare and eventually adopt revisions to the Town comprehensive plan and additional land use provisions and regulatory processes to provide for the benefit, health and general welfare of the residents of the Town of Westerlo.

The objective of this moratorium is to allow the Town of Westerlo to assess and address its Code to promote community planning values by properly regulating future commercial scale solar installations, commercial energy storage systems, and commercial wind generation systems. During the pendency of the moratorium, the Town Board will consider how best to permit such installations so as to harmoniously integrate such installations with the existing agricultural community and landscape. If the community allows such development during that time, the goals of the Town Comprehensive Plan and its related legislation favoring the successful continuity of agricultural operations could be undermined or damaged. Moratoria are useful in controlling or temporarily inhibiting development until satisfactory final regulations are adopted.

For these reasons, the Town Board finds that temporary moratorium legislation is both advisable and necessary for a reasonable and defined period of time in order to further develop and adopt necessary zoning and land use changes to the Westerlo Town Code, thus protecting and furthering the public interest, health and safety.

SECTION 2. TEMPORARY MORATORIUM.

- A. *There is hereby adopted in the Town of Westerlo a ninety (90) day moratorium on the consideration, receipt or granting of land use applications, site plan approval, and zoning changes or amendments to permit the siting or creation of "Commercial Solar Energy Systems," "Commercial Energy Storage Systems," and "Commercial Wind Generation Systems."*

"Commercial Solar Energy Systems" are defined, for the purpose of this local law, consistent with the definition set forth in Article 6 of Local Law 1 of 1989 (as amended) and used in section 18.50 of the same. Any installations by, or undertaken on behalf of

individual landowners, householders, businesses or farmers, primarily for the purpose of off-setting their own electric energy use as set forth in section 18.40 of Local Law 1 of 1989 (as amended) shall not be considered a Commercial Solar Energy System and shall be specifically exempted from this moratorium.

“Commercial Energy Storage Systems” are defined, for the purpose of this local law, as any rechargeable energy storage system consisting of electrochemical storage batteries, battery chargers, controls, power conditioning systems, and associated electrical equipment designed to store and provide electrical power primarily off site or for commercial purposes. Any installations by, or undertaken on behalf of individual landowners, householders, businesses or farmers, primarily for personal, residential and onsite use shall not be considered a Commercial Energy Storage System and shall be specifically exempted from this moratorium.

“Commercial Wind Generation Systems” are defined, for the purpose of this local law, as any individual or collection of wind turbine generators designed to convert the kinetic energy in wind into a usable form of electricity, and any and all related infrastructure, electrical lines, substations, access roads and accessory structures, which are designed and intended to produce electricity to be consumed primarily off site or for commercial purposes. Any installations by, or undertaken on behalf of individual landowners, householders, businesses or farmers, primarily for the purpose of off-setting their own electric energy use shall not be considered a Commercial Wind Generation System and shall be specifically exempted from this moratorium.

- B. During the term of the moratorium the Town Board intends to develop, consider and adopt changes to comprehensive land use plan and local laws so as to regulate Commercial Solar Energy Systems, Commercial Energy Storage Systems, and Commercial Wind Generation Systems. Said moratorium shall be effective as of the date set forth herein below.*
- C. While the moratorium is in effect, no applications shall be accepted, and no permits issued or approvals given by any Board, agency or official of the Town of Westerlo for the siting or creation of Commercial Solar Energy Systems, Commercial Energy Storage Systems, or Commercial Wind Generation Systems.*

SECTION 3. APPLICABILITY.

The provisions of this local law shall apply to all real property within the Town of Westerlo, and all land use applications for the siting or creation of Commercial Solar Energy Systems, Commercial Energy Storage Systems, and Commercial Wind Generation Systems within the Town of Westerlo.

SECTION 4. RELIEF FROM APPLICABILITY OF MORATORIUM.

Applications for land use otherwise subject to this moratorium may be exempted from the provisions of this local law following a noticed public hearing before the Town Board, at which hearing the Town Board shall consider:

- 1. The proximity of applicant's premises or the subject of applicant's request for relief to natural resources, including but not limited to prime agricultural soils, wetland areas, conservation districts and other environmental concerns.*
- 2. The impact of the proposed application on the applicant's premises and upon the surrounding area.*
- 3. Compatibility of the proposed application with the existing land use and character of the area in general proximity to the subject of the application, and its effect upon aesthetic resources of the community.*
- 4. Compatibility of the proposed application with the recommendations of any administrative body charged with such review by the Town of Westerlo.*
- 5. The written opinion of the Town of Westerlo Planning Board and the Town of Westerlo ~~Code Enforcement Officer~~ **Building Department** that such application may be jeopardized or made impractical by waiting until the moratorium is expired.*
- 6. Such other reasonable considerations and issues as may be raised by the Town Board.*

In making a determination concerning a proposed exemption or grant of relief from application of the moratorium, the Town Board may obtain and consider reports and information from any source it deems to be consistent with review of said application. A grant of relief from application of the moratorium shall include a determination of unreasonable hardship upon the property owner which is unique to the property owner, and a finding that the grant of an exemption will be in harmony with, and will be consistent with the recommendations of the Comprehensive Plan.

An application for relief of application of the moratorium shall be accompanied by a fee of \$500, together with the applicant's written undertaking, in a form to be approved by the Town Attorney, to pay all of the expenses of the Town Board and any agent or consultant retained by the Town Board to evaluate and consider the merits of such application.

SECTION 5. STATUTORY AUTHORITY; SUPERSESSION.

This local law is promulgated and adopted pursuant to Municipal Home Rule Law and the State Environmental Quality Review Act, and its implementing regulations. It expressly supersedes any provisions of the Town Code of the Town of Westerlo, and sections 267, 267-a, 267-b, 267-c, 274-a, 274-b and 276 of the Town Law of the State of New York.

This local law shall supersede and suspend those provisions of the Town Code and New York state law which require the Planning Board and the Town Code Enforcement officer to accept, process, and approve land use applications within certain statutory time periods.

SECTION 6. SEQRA DETERMINATION

The Town Board hereby determines that the adoption of this local law is a Type II action under 6 NYCRR 617.5(c)(36) and that environmental review under the NYS Environmental Quality Review Act (SEQRA) is not required.

SECTION 7. CONFLICTS.

For and during the stated term of this legislation, unless the stated term thereof shall be modified or abridged by the Town Board, this moratorium shall take precedence over and shall control over any contradictory local law, ordinance, regulation or Code provision.

SECTION 8. SEVERABILITY.

The invalidity of any word, section, clause, sentence, paragraph, part or provision of this local law shall not affect the validity of any other part of the law which can be given effect without such invalid part or parts.

SECTION 9. EFFECTIVE DATE.

The effective date of this local law shall be immediate upon its filing with the Secretary of State, or upon actual submission of a copy of the adopted local law to any individual, person or applicant.

Councilman Boone suggested that “Code Enforcement Officer” in Section 4, #5 of the proposed law be changed to “Building Department” to be consistent with the other proposed laws.

Councilwoman Burnside made a motion to close the Public Hearing at 7:28pm. Councilman Filkins seconded; all in favor motion carried.

SPECIAL TOWN BOARD MEETING

Councilman Boone made a motion to open the Special Town Board meeting at 7:29pm. Councilman Filkins seconded; all in favor motion carried.

ADOPTION OF LOCAL LAW NO. 1 OF 2021 – EXTENDING A TEMPORARY LAND USE MORATORIUM PROHIBITING COMMERCIAL SOLAR ENERGY SYSTEMS, ENERGY STORAGE SYSTEMS, AND WIND GENERATION SYSTEMS

Councilwoman Burnside made a motion to adopt the following resolution:

WHEREAS: The Town of Westerlo has held a Public Hearing on the proposed extension of the moratorium, be it hereby

RESOLVED: The Town Board adopts Local Law No. 1 of 2021 extending a temporary land use moratorium prohibiting Commercial Solar Energy Systems, Energy Storage Systems and Wind Generation Systems within the Town of Westerlo (see above) for an additional 90 days with the correction as stated above.

Seconded by Councilman Kryzak; a vote resulted as follows:

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

NAYS: None

RESOLUTION # 78 – 2021 was thereby duly adopted.

OLD BUSINESS

REVITALIZATION OF THE HERITAGE MUSEUM

BYLAWS OF WESTERLO MUSEUM

ARTICLE I: *Name and Structure*

Section 1.

The Westerlo Heritage Museum (the “Museum”) is an organization established within the Town of Westerlo (hereinafter referred to as the “Town”), funded by the town, and operated through a Board of Trustees appointed by the Town Board as authorized in Town Resolution 2021-07-__ (the “Museum Authorizing Resolution”). Any inconsistencies between these bylaws and the Museum Authorizing Resolution shall be resolved in favor of the resolution.

Section 2.

The Museum shall be devoted to the purposes for which it was organized by the Town. All artifacts possessed by the Museum are the property of the Town, unless designated as “on loan”, and shall be duly catalogued and insured.

ARTICLE II: *Purpose*

Section 1.

The purpose of The Museum is to:

- 1. Promote research, preservation, and education relevant to the history and historical artifacts in the Town;*
- 2. Educate others about and preserve the local heritage of the Town; and*
- 3. All other purposes set forth in the Town Board’s authorizing Resolution.*

ARTICLE III: *Board of Trustees/Officers*

Section 1.

- a. The Board of Trustees (the “Trustees”) shall consist of a minimum of 5 appointed by the Town. The Trustees shall have responsibility for the management, control and direction of the*

Museum, its collections, property, and other assets, subject to approval from the Town Board of the Town.

- b. The Town Historian shall act as an advisor to the Trustees.*
- c. Two Trustees shall be appointed for an initial term of 1 year, two Trustees shall be appointed for an initial term of 2 years, and one Trustee shall be appointed for a term of 3 years. After expiration of such terms, all appointments or reappointments to the Museum Board of Trustees shall be for a term of 5 years.*
- d. Trustees shall be appointed at the annual meeting of the Town Board of the Town as necessary or upon expiration of the term. The Trustees, prior to said meeting, may offer to the Town Board for consideration the names of person or persons to serve as a Trustee.*
- e. Vacancies shall be filled by the Town Board of the Town, who may accept, but not be bound by the recommendations of the Trustees.*
- f. If any Trustee fails to attend three (3) consecutive meetings of the Trustees, the Trustees shall forward the name of said Trustee to the Town Board for review and evaluation for removal.*
- g. If the Trustees otherwise recommend the removal of a Trustee, the same shall be presented to the town Board of the Town upon a 2/3 vote of the Trustees, for evaluation and action.*

Section 2. Meetings

- a. The Trustees shall regularly meet on a monthly basis in accordance with the requirements established in Museum Authorizing Resolution.*
- b. Special meetings shall be held at the call of the chairperson, or upon a written request to the Chairperson by three (3) Trustees.*

Section 3. Agenda

The agenda or order of business for each meeting shall include, but not be limited to:

- a. Call to Order*
- b. Roll Call*
- c. Review and approval*
- d. Financial Report*
- e. Reports of Committees*
- f. Report of the Museum Director*
- g. Old Business*
- h. New Business*

Section 4. Quorum

A majority of the entire Board of Trustees shall constitute a quorum at any meeting of said body.

Section 5. Role of Officers

- a. *The Chairperson, as designated by the Town Board, shall be the presiding officer of the Trustees with power and duty to exercise general supervision over the affairs and operations of the Museum. He or she shall act as Chairman of and preside at all meetings of the Trustees and of the Executive Committee. He or she may serve on any committee other than the Nominating Committee. The Chairperson shall have such other power and duties as may be designated by the Town Board, including but not limited to calling the annual, monthly and special meetings, as well as handling the day to day ministerial issues related to the operation of the Museum.*
- b. *The Vice-Chairperson, in the absence or at the request of the Chairperson, shall perform the duties and exercise the functions of the Chairperson. The Vice-Chairperson shall have such other powers and duties as may be designated by the Town Board or the Chairperson.*
- c. *The Secretary shall be responsible for taking minutes for all meetings of the Trustees, and providing a written copy to the Trustees prior to the next scheduled meeting. The secretary shall also be responsible for handling all communication, reporting, recommendations and referrals between the Trustees and the Town, including the Town Board. The Secretary shall ensure that all notices are duly given in accordance with the provisions of these bylaws or as otherwise required by law. The Secretary shall be responsible for the custody of the records and of the seal or seals of the Museum. The Secretary shall have such other powers and duties as may be designated by the Trustees or the Chairperson.*

Section 6. Committees

- a. *At its annual meeting, the Trustees shall establish a Nominating committee, which shall consist of at least one Trustee. The Nominating Committee shall be responsible for coordinating with the Town the advertisement of open Trustee positions, collecting applications for said positions, and making recommendations to the Trustees for the nomination of persons for election to the Board of Trustees in the event of the expiration of a Trustee's term or removal of a Trustee.*
- b. *All other committees shall be established by the Trustees on an "as needed" basis at the annual, regular or special meeting of the Trustees, and shall consist of a minimum of three (3) Trustees. Committees may also include persons other than Trustees, who shall be appointed to the Committee by a 2/3 vote of the Trustees.*

ARTICLE IV: Museum Director

Section 1. Director

The Trustees may recommend to the Town Board for appointment a Director of the Museum, who shall not be a Trustee. The Director shall serve on the Board of Trustees as a non-voting member, and shall not be counted toward the minimum or maximum numbers of Trustees.

Section 2. Duties of Director

The Trustees may delegate to the Director the responsibility and authority for carrying out the policies and purposes that have been adopted and approved by the Trustee. The Director shall be the chief officer and supervisor of the staff of the Museum, and, upon a 2/3 vote of the Trustees, shall recommend to the Town Board, persons to be appointed and when necessary, discharged from staff positions. The Director shall also be required to report to the Town Board regarding the activities of the Museum on a quarterly basis. The Director shall have such other powers and duties designated by the Trustees.

ARTICLE V: Museum Curator

Section 1. Curator

The Trustees may recommend to the Town Board of appointment a Curator of the Museum, who shall not be a Trustee. The Curator may also be the Museum Director.

Section 2. Duties of the Curator

The Curator shall be responsible for the evaluation, collection, preservation and display of objects of Westerlo historic, cultural and artistic value for the Museum. The Curator shall analyze, catalog and create written descriptions of the historical and artistic objects accepted by the Museum, research topics related to their collections, interpret the heritage material and oversee educational programs about them. The Curator shall have such other duties as designated by the Trustees.

ARTICLE VI: Amendments and Other Provisions

Section 1. Amendments

These by-laws may be adopted, amended or repealed in whole or in part by the affirmative vote of a majority of the Town Board, with written notice of the proposed amendment shall be mailed to each member of the Trustees, together with a concise statement of the changes proposed to be made.

Section 2. Conduct of Meetings

Except as otherwise provided in these by-laws, by applicable law or by resolution of the Trustees, all meetings of the Trustees or any Committee designated by the Trustees shall be conducted in conformity with Robert's Rules of Order, as revised from time to time.

Section 3. Financial Reporting

The financial reporting purposes the Museum shall report from November 1 to October 31 of each year.

Section 4. Indemnification

Unless such action against a Trustee, Officer, Director or staff person of the Museum results from an act of negligence or malice, then and in that event the Town shall defend and indemnify any person made or threatened to be made, a party to any action or proceeding by reason of the fact that such a person, his/her heirs, successors and/or assigned, is or was a Trustee, Officer, Director or staff person of the Museum.

Westerlo Heritage Museum

MISSION STATEMENT

The Westerlo Heritage Museum ("Museum") is dedicated to the collection, management and preservation of artifacts and other items pertaining to the history of the Town of Westerlo. By accepting donations and purchasing artifacts, maintaining a catalog and inventory of the collected artifacts, and offering these artifacts for the enjoyment of the public, the Museum is committed to ensuring that the history of the Town of Westerlo is preserved for generations to come and is offered for experience to the general public. In collaboration with the Town, the Town Historian and the Westerlo Historical Society, the Museum further serves to promote research, preservation and education relevant to the history, historical artifacts and local heritage of the Town of Westerlo.

Councilman Boone made the following comments on the draft Bylaws:

- Article III, Section 1a, add “Board” to the end of the first sentence. Also remove “of the Town” from the last sentence.
- Article III, Section 1d, remove “of the Town” from the first sentence, same in 1e and 1g.
- Article III, Section 1g, capitalize “t” in town Board.
- Article III, Section 3c, should read “Review and approval of minutes”
- Article III, Section 5a, replace “designated” with “appointed”
- Article III, Section 5b, the first sentence should read, “The Vice-Chairperson, as appointed by the Town Board, in the absence or at the request of the Chairperson, shall perform the duties and exercise the functions of the Chairperson.”
- Article III, Section 5c, capitalize “secretary” in beginning of second sentence.
- Article III, Section 6a, capitalize “committee” in the first sentence.
- Article IV, Section 2, make Trustee plural at the end of the first sentence and add “Board of” before Trustees. Also add “Board of” before Trustees in the second sentence.
- Article VI, Section 3, change sentence to read, “For financial reporting purposes, the Museum shall report from November 1 to October 31 of each year.”
- In the Mission Statement, change “preserver” to “preserved”

The following suggestion were heard on the draft Resolution to Establish the Town Museum:

- §10, add “annually” after \$2500.00
- With other Boards, if members do not attend a meeting or a meeting is cancelled, they do not get paid.

The Museum Revitalization was tabled for now.

HOMETOWN HEROES COMMITTEE PROPOSED RESOLUTION

Town of Westerlo

RESOLUTION 2021-07-__

Regarding Establishment of the Home Town Heroes Committee

Dated: August __ 2021

At a meeting of the Town Board of the Town of Westerlo, Albany County, New York, held at the Town Hall, 933 County Route 401, Westerlo, N.Y. 12193, on the __th day of August, 2021, there were:

*Supervisor (Acting) Matthew Kryzak
Councilwoman Amie L. Burnside
Councilman Richard Filkins
Councilman Joseph J. Boone*

*Present / Not Present
Present / Not Present
Present / Not Present
Present / Not Present*

Councilperson _____ offered the following resolution and moved for its adoption:

WHEREAS, this Board has determined that it is in the best interest of the Town to authorize and organize a Town Committee known as the Town of Westerlo Home Town Heroes to allow for the orderly and proper administration of the program and its resources, and to provide continued participation by the public and appointed members.

NOW THEREFORE BE IT RESOLVED, that the Town of Westerlo Home Town Heroes Committee is established and organized as follows:

§ 1. Establishment.

The Town Board of Westerlo ("Town Board") does hereby establish the Westerlo Home Town Heroes (**HTH**) Committee.

§ 2. Purpose and objective.

The purposes and objectives of this Committee shall be as follows:

- A. To honor past and present residents of Westerlo who are veterans or are serving in the United States Armed Forces;
- B. To initiate, continue, and oversee a Hometown Heroes banner program for Westerlo veterans;
- C. To encourage community participation by supporting appropriate public events; and
- D. To uphold the purposes of this Resolution.

§ 3. Committee Membership.

- A. The HTH Committee shall consist of [REDACTED] members who shall be appointed by the Town Board. One member shall be designated by the HTH Committee to serve as the Chairperson. The HTH Committee may make an advisory recommendation for each open position to the Town Board.
- B. Appointments shall be calendar year appointments, with renewals and or appointments occurring at the Town Board's yearly organizational meeting in January.
- C. The Town Board may remove, after public hearing, any member of the HTH Committee for cause, including non-compliance with minimum requirements relating to meeting attendance and/or training as applicable. If a committee member is absent [REDACTED] meetings in a calendar year the Town Board may remove the committee member.

§ 4. Meetings.

- A. The HTH Committee shall meet at a regularly scheduled time and place, with additional meetings scheduled as needed. Notice of meetings and agendas shall be published using usual and customary means of the Town.*
- B. The Town Clerk must be notified of all scheduled meetings or changes to the meeting, including emergency or special meetings. Special meetings may be called at the discretion of the Chairperson or may be called at the written request of [REDACTED] members, for the purposes stated in the call for the meeting.*
- C. Meeting agendas and notices shall indicate the time, date, and place of the meeting, and indicate all subject matters intended for discussion. Committee meetings shall be open to the public for observation and a period of public comment may be made available to attendees. Accurate records of HTH Committee meetings, including members present, all motions enacted and by whom, and the proceedings of the meeting, shall be kept by the recording secretary and filed with the Town Clerk within five days. In addition, the HTH Committee shall also present a report to the Town Board at every regularly scheduled monthly Town Board Meeting.*
- D. A quorum for the HTH Committee will be a majority of the total members of the Committee. Motions passed by the HTH Committee shall require an affirmative vote of at least [REDACTED] members regardless of vacancies.*
- E. Public communications using social media, traditional media, press releases, public statements, presentations, shall be authorized or issued by the Town Supervisor's office.*

§ 5. Powers.

- A. The HTH Committee may conduct fundraising with Town Board approval.*
- B. The HTH Committee may accept donations. All monetary funds must be turned in to the Supervisor's Office for deposit.*
- C. The HTH Committee Chairperson must sign and approve all grant requests, submitting any requiring matching funds to the Town Board for approval before applications are submitted.*
- D. The HTH Committee shall not spend or obligate any funds without Town Board approval.*
- E. The HTH Committee shall have no authority direct actions of Town staff or otherwise replace or supplant any authority reserved for the Town Board or Town Supervisor.*

§ 6. Compensation and expenses.

HTH Committee members shall receive no compensation for their services as members thereof.

Councilman Kryzak advised that the purpose of this proposed resolution is for the Hometown Heroes to be able to take advantage of the Town's tax-exempt status. The resolution from 2018 does not have enough detail in it to bring the committee, as it currently stands, under the umbrella of the Town in order to take advantage of the tax-exempt status. Mr. Kryzak would like to see the resolution specifically mention they are eligible for tax exemption.

The following comments were heard regarding the proposed resolution establishing the Hometown Heroes Committee:

- Councilman Kryzak discussed §3, and the number of members the Committee shall consist of. Discussion continued and it was determined that the Committee should consist of five (5) members.
- The Town Board discussed absences from meetings and suggested that members need to make 50% of the meetings each year.
- In §4B, it was suggested that meetings could be called at the written request of two (2) members.
- In §4D, it was decided that at least three (3) members need to be present regardless of vacancies for a quorum.
- Add "to" before "direct" in §5E.
- §5D was discussed, Hometown Heroes Committee is funded by donations, not by the Town.

The proposed resolution for establishing the Hometown Heroes Committee was tabled.

SWITCH BACK TO MARSHALL AND STERLING INSURANCE

Councilman Kryzak mentioned that the Town previously switched to Cool Insuring and after the town signed a contract with them, they sold to AJ Gallagher. The Town has been trying to contact them for a week and a half to add a person to the insurance and they have been unresponsive; the customer service is terrible. Mr. Kryzak, along with Highway Superintendent Ostrander would like to switch back to Marshall and Sterling. Councilwoman Burnside will make a call to MVP. The change would not take place until September 1st so she will add the baby first and then make the switch back to Marshall and Sterling. Councilwoman Burnside indicated that the Town should start negotiations to switch back, the baby should be added in the next 48 hours. Councilman Kryzak made a motion to adopt the following resolution:

- WHEREAS:** The Town currently uses AJ Gallagher as the broker from MVP insurance, and
- WHEREAS:** AJ Gallagher has been unresponsive, be it hereby
- RESOLVED:** The Town Board authorizes the Supervisor's office to engage in negotiations and switch back to Marshall & Sterling effective September 1st as long as cost is comparable and pending the new child is added prior to making the switch.

Seconded by Councilman Boone; a vote resulted as follows:

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

NAYS: None

RESOLVUITON # 79 - 2021 was thereby duly adopted.

NEW BUSINESS

SCHEDULE PUBLIC HEARINGS AND SPECIAL TOWN BOARD MEETING

Councilman Kryzak would like to schedule four (4) Public Hearings regarding the proposed draft Comprehensive Plan and the three proposed laws on renewable energy and a Special Town Board meeting on September 7th; the workshop would be cancelled. Councilman Kryzak made a motion to adopt the following resolution:

WHEREAS: Four (4) Public Hearings and a Special Town Board meeting need to be scheduled, be it hereby

RESOLVED: The Town Board schedules four (4) Public Hearings regarding the draft Comprehensive plan and proposed Local Laws regarding Commercial Solar Energy Systems, Wind Generation Systems, and Battery Energy Storage Systems at 6pm on Tuesday, September 7th. The Public Hearings will be followed by a Special Town Board meeting for the purpose of discussing any other business before the Town Board.

Seconded by Councilman Filkins; a vote resulted as follows:

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

NAYS: None

RESOLVUITON # 80 - 2021 was thereby duly adopted.

Councilman Kryzak mentioned that the Supervisor's office now has the ability to edit the draft Comprehensive Plan in house.

UPDATE ON GRANTS, AMERICAN RESCUE PLAN & SALES TAX

Mr. Kryzak announced that the Town has officially received the Broadband Infrastructure grant for \$1,687,500.00. New fiber should be installed toward the end of spring. This is a 25% matching grant of which Mr. Kryzak plans to purchase the materials so there is no price inflation. Mid-Tel only wants to be paid for their engineering and labor; they've expressed they don't need to make money on the material. He mentioned Mid-Hudson has no interest in expanding so this would strictly be for Mid-Tel to cover the remainder of the Town. The Town is looking into other grants as well for Broadband and Capital Construction.

Councilman Kryzak advised that the Town also received the first payment from the American Rescue Plan of roughly \$167,000.00. The second payment will come next August.

The Town received the second quarter sales tax money from the county for \$359,000 which is better than the second quarter of 2019.

BUDGET AMENDMENTS

Councilman Kryzak provided the Town Board with proposed amendments to the 2021 budget. Councilwoman Burnside made a motion to adopt the following resolution:

WHEREAS: Amendments need to be made to the 2021 Budget, be it hereby
RESOLVED: The Acting Supervisor is hereby authorized to make the following line transfer within the 2021 budget

Amendments to the 2021 Budget

General Fund

<u>Amount</u>	<u>From</u>	<u>To</u>
\$5000.00	A1320.44 Quarterly Accounting	A1220.12 Supervisor Clerk Salary

Councilman Filkins seconded; a vote resulted as follows:

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

NAYS: None

RESOLUTION # 81 - 2021 was thereby duly adopted

PUBLIC COMMENT

A resident asked if there was public access at Lake Onderdonk. Some Onderdonk residents were in attendance and one resident indicated he wasn't aware of any public access but advised that there is one resident who owns property on the dam that hasn't stopped anyone from entering the lake on her property. Discussion continued.

Councilman Kryak wondered how the speed limit issue was on Lake Onderdonk. A resident indicated people would be making signs to slow down but did not notice an increased traffic with Albany County Sheriffs.

EXECUTIVE SESSION

Councilwoman Burnside made a motion to enter into executive session at 9pm for the purpose of discussing Planning Board applications. Councilman Filkins seconded; all in favor motion carried.

Councilwoman Burnside made a motion to end executive session at 9:36pm. Councilman Kryzak seconded; all in favor motion carried.

APPOINTMENT OF INTERIM PLANNING BOARD CHAIRPERSON

Councilman Boone made a motion to adopt the following resolution:

WHEREAS: The Planning Board Chair position is currently vacant due to the resignation of Dorothy Verch, and

WHEREAS: The Town Board discussed Planning Board applicants during tonight's executive session, be it hereby

RESOLVED: The Town Board appoints Dorothy Verch as the interim Chairperson for the Planning Board effective immediately through December 31st 2021.

Seconded by Councilman Kryzak; a vote resulted as follows:

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

NAYS: None

RESOLUTION # 82 - 2021 was thereby duly adopted

ADJOURNMENT OF MEETING

With there being no further business, Councilman Filkins made a motion to adjourn the Special Town Board meeting. Councilwoman Burnside seconded; all in favor motion carried. Meeting adjourned at 9:41pm.

Respectfully Submitted,

Karla J. Weaver