

**TOWN OF WESTERLO
SPECIAL TOWN BOARD
&
WORKSHOP
MEETING OF
TUESDAY JULY 6, 2021**

The Town of Westerlo Town Board held a Special Town Board & Workshop meeting on Tuesday, July 6, 2021 at the Richard H. Rapp Municipal Building located at 933 County Route 401, Westerlo, NY 12193. Deputy Supervisor Kryzak opened the meeting at 7:01pm 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 Chairwoman Dorothy Verch, Hometown Heroes member Lisa DeGroff and Town Clerk Karla Weaver

OLD BUSINESS

AMERICAN RESCUE PLAN

Councilman Kryzak gave an update on the American Rescue Plan. The Town is eligible for \$334,633.00 of rescue money based on the Town's budget. The Town can expect to see \$167,316.50 this summer and another disbursement next summer.

RENEWABLE ENERGY MORATORIUM

Mr. Kryzak mentioned since the Town is in the public hearing process for the proposed Solar, Wind, Battery Storage laws and Comprehensive Plan, he is proposing doing a 60-day extension at the next Town Board meeting on the renewable energy moratorium. The moratorium expires August 28th. By doing an extension, that should give the Town time to also hear back from Albany County Planning Board. It can always be extended further if needed.

Councilman Kryzak mentioned that the next Public Hearing on the proposed Renewable Zoning is Wednesday, July 14th and the Public Hearing on the proposed Comprehensive Plan is scheduled for the 20th of July. He mentioned potentially holding additional Public Hearings on a Saturday for those unable to attend during the week. The moratorium can continue to be pushed if more public hearings are needed.

PLANNING BOARD APPOINTMENT

It was announced that the vacant planning board position has been advertised and applications need be submitted by July 30th. No applications have been received to date.

COMMUNITY PROJECTS FUNDING & NYS CDBG CARES GRANTS

Mr. Kryzak informed the Board that the Town was disapproved for the \$500,000 CDBG Cares Grant. The reason the Town was disapproved is essentially because the Town doesn't qualify for low to medium income.

The Town is still in the running for the USDA grant for \$2,250,000.00 which would potentially run fiber to town residents who currently do not have it. If awarded, the Town would need to match 25% of the grant. Mr. Kryzak indicated the Town has applied for other grants to help offset costs.

Councilman Kryzak also indicated the Town is looking into a program to help offset the cost of running wires from the road to people's homes if their home is a long distance from the road. Councilwoman Burnside wondered if Central Hudson should be called to replace poles in the town for areas with short poles.

CAPITAL IMPROVEMENTS

Mr. Kryzak advised that the Highway Superintendent provided him with drawings for the entrance stairs at the Town Hall building. Councilman Kryzak is trying to be cost effective while being esthetically pleasing and pleasing to the insurance company. He thanked Mr. Ostrander for his time in preparing the drawings.

REVITALIZING HERITAGE MUSEUM

Councilwoman Burnside and Councilman Boone read the proposed resolution for the Establishment of the Museum as follows:

Town of Westerlo

RESOLUTION 2021-07-__

Regarding Establishment of the Town Museum

Dated: July __ 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 July, 2021, there were:

<i>Supervisor (Acting) Matthew Kryzak</i>	<i>Present / Not Present</i>
<i>Councilwoman Amie L. Burnside</i>	<i>Present / Not Present</i>
<i>Councilman Richard Filkins</i>	<i>Present / Not Present</i>
<i>Councilman Joseph J. Boone</i>	<i>Present / Not Present</i>

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 reorganize the Town of Westerlo Museum Board of Trustees to allow for the orderly and proper administration of the*

Town Museum and its resources, and to provide continued participation by all currently appointed members.

NOW THEREFORE BE IT RESOLVED, that **the Town of Westerlo Museum is established, re-established and reorganized as follows:**

§ 1. Establishment.

Town Museum and Board of Trustees is established. The Town Board of Westerlo ("Town Board") does hereby establish a Town Museum and its Board of Trustees and repeals any conflicting or inconsistent provisions of all former or other ordinances and resolutions adopted by the Town Board that may pertain to the Town of Westerlo Museum. All previous findings, determinations and decisions rendered by the existing Museum Board of the Town of Westerlo shall be deemed ratified and stand.

§ 2. Definitions.

Museum - An institution devoted to the procurement, care, study and display of objects of interest or value.

Museum Board Member - An individual appointed by the Town Board to serve on the Museum Board of Trustees pursuant to the provisions of this resolution.

§ 3. Purpose and objective.

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

- A. To collect and preserve historical records and artifacts pertaining to the Town of Westerlo and to make them available to the public for historical and educational research.*
- B. To encourage community participation by supporting appropriate public events.*
- C. To uphold the purposes of this Resolution.*

§ 4. Board of Trustees - Membership.

A. The Museum Board of Trustees shall consist of five members who shall be appointed by the Town Board. 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. One member shall be designated by the Town Board to serve as the Chairperson, who shall serve at the pleasure of the Town Board and may be removed as Chairperson at the sole discretion of the Town Board. A Trustee removed as Chairperson shall retain his or her position as Trustee, unless removed for cause. Vacancies shall be filled in the same manner as the original appointment, except that a vacancy occurring other than by the expiration of term of

office shall be filled only for the remainder of the unexpired term. All regular and alternate members of the current Board of Trustees, serving at the adoption and effective date of this local law shall serve the balance of their unexpired terms. Thereafter, all appointments or reappointments shall be made as above. The Board of Trustees may make an advisory recommendation for each position to the Town Board.

B. The Town Board may remove, after public hearing, any member of the Board of Trustees for cause, including non-compliance with minimum requirements relating to meeting attendance and/or training as applicable, established by the Town Board.

§ 5. Officers and Committees.

Officers of the Board of Trustees shall consist of a Chairperson and a Vice Chairperson to be appointed by the Town Board. The Town Board shall also appoint a Museum Director and a Museum Curator. The Museum Director's responsibilities shall include raising funds to cover the cost of museum and collection maintenance, museum promotion, charity event management, securing grants, administration, research and general, day-to-day museum duties. The Museum Curator's responsibilities shall include implementing and managing art exhibitions and collections, collecting, organizing, evaluating and cataloging arts, collectibles and historical items, participate in conceptualizing exhibitions, researching artwork, and doing outreach for organizations by providing instructional activities, educational and public service programs. Each year, at the first meeting of the Board of Trustees, committees shall be established or confirmed, and members those committees shall be appointed with the consensus of the majority of the Board of Trustees.

§ 6. Powers and Duties.

The Board of Trustees shall set policy for the museum including but not limited to accessions/deaccessions to the museum collection, oversight of museum property and staff and fiscal management, including:

A. Strategic planning, including but not limited to the following:

- 1. Update a comprehensive development and program plan for the Town Museum.*
- 2. Consider and recommend ideas and present proposals for capital improvements to the Town Board.*
- 3. Foster strategic partnerships, working cooperatively with those partners to enhance programming and usage.*
- 4. Recommend policies and regulations to the Town Board that enhance the use of the Museum while promoting safety and security.*

B. Guide the development, growth of the Museum, including but not limited to the following:

1. *Establish committees such as education, program, land and publicity committees to structure events and activities.*
 2. *Refine, develop, and implement quality programs designed to engage the public.*
 3. *Monitor strengths, weaknesses and the contributions of programs.*
 4. *Suggest and implement options for strengthening programs and services.*
 5. *Identify and write grants that support and enhance programs and services provided by the Museum.*
 6. *Submit grants requiring matching funds to the Town Board for approval prior to application.*
 7. *Identify and help solve day-to-day problems.*
- C. *Serve as an advocate for historical preservation and education, including but not limited to the following:*
1. *Inform the public of available facilities and programs.*
 2. *Advertise relevant information of upcoming events to the public through various media outlets, ads, and online resources.*
 3. *Enlist residents to join in projects and scheduled activities.*
 4. *Seek to engage and elicit input from the public.*
 5. *Provide the Town Board with feedback from the public.*
- D. *Fiscal Limitations. The Board of Trustees shall obtain Town Board approval for any material change to landscape, buildings, and rules or regulations that pertain to Town property, capital improvements, or expenditures in excess of the Museum's annual budget.*

§ 7. Meetings.

- A. *The Board of Trustees shall meet monthly, at a regularly scheduled time and place, with additional meetings scheduled as needed. Emergency meetings should be conducted with a forty-eight-hour notice when possible, but with never less than two hours' notification. The Town Clerk must be notified of 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 three members, for the purposes stated in the call for the meeting.*
- B. *Meeting agendas and notices shall indicate the time, date, and place of the meeting, and indicate all subject matters intended for discussion. A period of public comment may be*

made available to attendees at the discretion of the Chairperson. Accurate records of Board of Trustee meetings, including Board 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.

- C. A quorum for the Board of Trustees will be a majority of the total members of the Board. Motions passed by the Board shall require an affirmative vote of at least three members regardless of vacancies.*

§ 8. Finances.

- A. Yearly appropriations will be determined by the Town Board.*
- B. The Board of Trustees may conduct fundraising with Town Board approval.*
- C. The Board of Trustees may accept donations. All monetary funds must be turned in to the Town Clerk for deposit in the Town's General Fund.*
- D. The Board of Trustees Chairperson must sign and approve all grant requests, submitting any requiring matching funds to the Town Board for approval before applications are submitted.*

§ 9. Reports.

The Chairperson shall submit quarterly and annual reports to the Town Board, outlining the activities, programs, and work of the Museum throughout the year. It shall include any recommendations that will foster the development and growth of the Museum. Other reports and recommendations the Board of Trustees deems necessary or advisable, or are requested by the Town Board, shall be submitted by the Chairperson.

§ 10. Compensation and expenses.

The Director / Chairperson of the Board of Trustees shall receive compensation for their services. Other members of the Board of Trustees shall receive no compensation for their services as members thereof.

§ 11. Governance.

The Museum, its Board of Trustees and its officers, shall be governed by this authorizing resolution and the Museum Bylaws, as adopted by the Town Board. Any inconsistencies between this resolution and the bylaws shall be resolved in favor of this resolution.

Councilman Kryzak advised that the Chair and the Director of the museum would be the same person.

Councilwoman Burnside questioned why this was being done; Councilman Kryzak responded it was to create some organization. Mrs. Burnside indicated this seems a bit like micromanaging. Mr. Kryzak was unsure if this has been discussed yet with the current Museum Board. Councilman Boone suggested the Town Board attend the next Museum meeting on Thursday, July 8th to show support. In regard to Mrs. Burnside's comment of micromanaging, he indicated there is no structure now and the Town needs to start somewhere.

NEW BUSINESS

LIBRARY BOARD OF TRUSTEES APPOINTMENTS

Councilman Kryzak read aloud a letter from the Westerlo Library regarding three Library Board Trustees whose terms expire on August 23rd. The Library provided recommendations for two reappointments and also a new appointment to fill a vacancy. Library Trustee Maureen Sikule informed the Town Board that in addition to the three appointments, a separate resolution should be made to appoint Maryanne Witt to fill the unexpired term of office formerly held by Roberta Nunn from July 13th through August 23rd.

Councilman Kryzak made a motion to adopt the following resolution:

WHEREAS: Library Board Trustee Roberta Nunn has vacated her position, be it hereby

RESOLVED: that the Town Board appoint Maryanne Witt to fill Ms. Nunn's unexpired term from July 13, 2021 through August 23, 2021.

Seconded by Councilwoman Burnside a vote resulted as follows:

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

NAYS: None

RESOLUTION # 69 of 2021 was duly adopted.

In addition, Councilwoman Burnside made a motion to adopt the following resolution:

WHEREAS: The Westerlo Town Library held a meeting on June 14, 2021 recommending Library Board of Trustees re-appointments for members Laura Tenney and Robert Wilcox and also the appointment of Maryanne Witt to a five (5) yr. term of office to expire on August 23, 2026, be it hereby

RESOLVED: the Town Board reappoints Laura Tenney and Robert Wilcox and appoints Maryanne Witt, who replaced Roberta Nunn, each to a five (5) yr. term of office on the Library Board of Trustees with terms starting on August 23, 2021 and to expire on August 23, 2026.

Seconded by Councilman Filkins a roll call vote resulted as follows:

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

NAYS: None.

RESOLUTION # 70 of 2021 was duly adopted.

WEBSITE UPDATES

Councilman Kryzak advised that the Town's webmaster Eric Markson brought a few small issues with the website to his attention. Certain areas of the website aren't functioning properly and for approximately two hours of work Mr. Markson could make upgrades to provide better loading capabilities that will function more efficiently. Councilman Kryzak will check on Mr. Markson's current rates. He also indicated the Hometown Heroes Committee would like information regarding banners and application forms added to the Town's website. The Town Historian, Museum and potentially Broadband Research Committee (BRC) pages to be reviewed and either added and /or updated with pictures. He asked that the Town Clerk reach out to Mr. Markson to provide quotes for these services so the Town Board can review at a later date.

Councilman Boone advised that the next BRC meeting is scheduled for July 19, 2021 at the Town Hall.

ASSESSOR APPOINTMENTS

Councilman Kryzak briefly reported on the current situation before the Town Board regarding the Assessor's office which Councilman Boone elaborated on. Councilman Boone reported that due to the resignation of former Assessor Garth Slocum, both Christine Valchovic and Melanie Bunzey agreed to assist the Town of Westerlo through the process of the 2021 Tentative and Final Assessment rolls remaining in their positions through July 1, 2021, based upon a fixed hourly rate. Due to her current work obligations, Mrs. Valchovic is only interested in assisting on an as needed basis should Mrs. Bunzey apply for the position of Assessor from July 1, 2021 through December 31, 2021. Mrs. Valchovic has agreed to come on as indicated above knowing full well that it would be on a very limited hourly basis for the Town of Westerlo and understands the situation the Town is in. Councilman Boone indicated this is a temporary fix but would also allow Mrs. Bunzey the opportunity to decide whether or not she chooses to remain Assessor in the Town of Westerlo after the initial six-month period. Councilman Kryzak suggested this may be the only way to stay within the budget for this year and hopes to return to a salary position for the Assessor next year. Councilmen Kryzak made a motion to adopt the following resolution:

WHEREAS: the Town Board needs to appoint an Assessor in the Town of Westerlo, be it hereby

RESOLVED: the Town Board reappoints Melanie Bunzey, being the primary Assessor, and Christine Valchovic on an as needed support emphasis basis to assist Ms. Bunzey, both hired on an hourly rate predetermined by the Town Board from July 6, 2021 through December 31, 2021.

Seconded by Councilwoman Burnside, a vote resulted as follows:

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

NAYS: None.

RESOLUTION # 71 of 2021 was duly adopted.

Councilman Kryzak added the reason why Melanie Bunzey had to be reappointed was also due in part to NYSLRS rules which dictate that she had to be off all payroll for at least one week after retirement.

BANK ACCOUNTS MANAGED BY THE SUPERVISOR'S OFFICE

Councilman Kryzak advised that there needs to be a second person assigned to co-signing duties for banking purposes for Town accounts held by the Supervisor's office. He is currently listed on the account and he suggested and made a motion to adopt the following resolution:

WHEREAS: the Town Board needs to assign a co-signer on Town bank accounts within the Supervisor's office, be it hereby

RESOLVED: the Town Board assigns Councilwoman Amie Burnside as a co-signer on Town accounts held within the Supervisor's office.

Seconded by Councilman Filkins, vote resulting as follows:

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

NAYS: None.

RESOLUTION # 72 of 2021 was duly adopted.

HOMETOWN HEROES – TAX EXEMPT STATUS

Councilman Kryzak reported that he is seeking legal advice from Town Attorney Afzali regarding the Hometown Heroes Committee using the Town of Westerlo's tax exempt status. He is awaiting Mr. Afzali's response. Currently, the Hometown Heroes pays sales tax. Councilwoman Burnside reported they had 100 Veteran's banners this year.

BUDGET AMENDMENT

Councilman Kryzak informed the Town Board he needs to move \$5,000 from the Deputy Clerk 1 position to the Deputy Clerk 3 position within the General Fund from the Town Clerk's portion of the 2021 budget. He noted there is no additional expenditure. Councilman Kryzak made a motion to adopt the following resolution

WHEREAS: Within the general fund the 2021 Town Clerk's budget needs to be adjusted, be it hereby

RESOLVED: the Town Board authorize the Supervisor's office to transfer within the General Fund from the Deputy Clerk 1 cost code A1410.13 to the Deputy Clerk 3 cost code within the Town Clerk's budget in the amount of \$5,000.00.

Seconded by Councilman Boone, vote resulted as follows:

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

NAYS: None.

RESOLUTION # 73 of 2021 was duly adopted.

TOWN-WIDE GARAGE SALE

Councilman Boone mentioned that a resident had contacted the Town Clerk's office regarding the possibility of a fall town-wide garage sale. She had reached out by email to Museum Director Mary Jane Araldi, whose response was that there were not enough staff to organize the annual town-wide garage sale. His thought is that the Town Board possibly reach out to the Historical Society to see if they would be interested in conducting the garage sale and to take on those duties with Mrs. Araldi guidance. There is a lot to coordinating this effort. Councilman Boone asked that this topic be discussed with Mary Jane at an upcoming Museum meeting on Thursday. Betty Filkins suggested that perhaps the Westerlo Fire Co. could jointly assist.

POTENTIAL FOR ADDITIONAL PUBLIC HEARING MEETINGS

Councilman Kryzak suggested the Town Board keep in mind the possibility of holding an additional

meeting for Public Hearings on the three proposed laws on renewable energy, wind and battery storage as well as on the draft Comprehensive Plan.

OPEN MEETING TO PUBLIC COMMENT

Councilman Filkins reported that he was approached by the Vice President of the Westerlo Vol. Fire Co. The Fire Co. has received permission to purchase a 4' x 12' all weather Rubbermaid container shed that they would like to place at the Town of Westerlo Transfer Station in order to collect soda cans with the proceeds to be put towards a new Fire House. The Fire Co. would like the Town Board's permission. Councilman Kryzak suggested further discussion is necessary and they need to reach out to Transfer Station staff on the subject.

Resident Barbara Russell asked what will happen with the Community Host Agreement money of \$75,000. Councilman Kryzak advised that this is something that needs to be discussed further at another Town Board meeting however mentioned it is only earmarked for the Town Parks. There are questions that still need to be answered such as if this requires a permissive referendum. Any residents that may have ideas for the Parks are welcome to make suggestions.

ADJOURNMENT OF MEETING

With there being no further business, Councilman Filkins made a motion to adjourn the Special Town Board meeting. Councilman Kryzak seconded; all in favor motion carried. Meeting adjourned at 8:38 pm.

Respectfully Submitted,

Karla J. Weaver