

**TOWN OF WESTERLO  
TOWN BOARD MEETING OF  
TUESDAY SEPTEMBER 21, 2021**

The Town of Westerlo Town Board held a Town Board meeting on Tuesday, September 21, 2021 at the Richard H. Rapp Municipal Building located at 933 County Route 401, Westerlo, NY 12193. Deputy Supervisor Kryzak opened the meeting at 7:00pm 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 and member Edwin Stevens, Highway Superintendent Jody Ostrander and employees Justin Case and Salvatore Spinnato IV, Town Clerk Karla Weaver and approximately five interested residents.

**TOWN BOARD MEETING**

**MINUTES**

Councilman Filkins made a motion to accept the Town Board meeting minutes of August 11<sup>th</sup> and August 17<sup>th</sup>. Councilwoman Burnside seconded; all in favor motion carried. Minutes of September 7<sup>th</sup> will be approved next month.

**TOWN CLERK'S REPORT (AUGUST 2021)**

Councilwoman Burnside made a motion to accept the Town Clerk's monthly report for August as submitted. Councilman Filkins seconded; all in favor motion carried.

**INTEREST REPORT**

Councilman Kryzak indicated the Town has earned \$260.90 in interest with the Bank Of Greene County. He reported poor performance with NYCLASS. Councilman Boone made a motion to accept the interest reports. Councilwoman Burnside seconded; all in favor motion carried.

**PAYMENT OF MONTHLY BILLS (AUGUST 2021)**

Councilman Filkins made a motion to adopt the following resolution:

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

**RESOLVED:** the following August bills be paid Voucher # 404 through Voucher # 466 in the amount of \$330,203.99.

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

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

NAYS: None

**RESOLUTION # 89 -2021 was thereby duly adopted.**

### **SUPERVISOR'S REPORT (AUGUST 2021)**

Councilman Kryzak gave a brief review of the Supervisor's report for August. Councilman Boone made a motion to approve the Supervisor's report. Councilwoman Burnside seconded; all in favor motion carried.

### **BUDGET AMENDMENTS**

Councilman Kryzak provided proposed 2021 budget amendments to the Town Board. 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 Supervisor is hereby authorized to increase the following appropriation accounts from available fund balances (DA, A, M, SW) to the 2021 Budget

#### **Amendments to the 2021 Budget**

##### **General Fund**

<b><u>Amount</u></b>	<b><u>From</u></b>	<b><u>To</u></b>
\$800.00	A1320.42 Audit Town Clerk	A1320.41 Audit AUD Prep
\$600.00	A1620.55 Buildings – Verizon	A1620.59 First Aide
\$1000.00	A7110.43 Parks–repairs/Supplies	A7110.41 Toilets Rentals
\$7300.00	A1220.14 Grant writer	A8684.4 Planning & Mun. Dev.
\$100.00	A1220.41 ADP Payroll	A9055.8 Disability Ins.

##### **Highway Fund**

\$1000.00	DA8160.43 Refuse – City of Albany	DA8160.44 Electronics/JGS
\$900.00	DA8160.43 Refuse – City of Albany	DA8160.48 Refuse – Repairs

Councilman Filkins seconded the motion; a vote resulted as follows:

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

NAYS: None

**RESOLUTION # 90 - 2021 was thereby duly adopted.**

### **COMMITTEE/DEPARTMENT REPORTS**

Reports for the Planning Board, Zoning Board of Appeals, Hometown Heroes Committee, Highway, Assessor, Code Enforcement were read. Councilman Kryzak mentioned he attended the BRC meeting where they discussed making programs to help seniors.

Councilwoman Burnside made a motion to approve the reports for the Planning Board, Zoning Board of Appeals, Hometown Heroes, Highway, BRC and Code Enforcement. Councilman Kryzak seconded; all in favor motion carried.

**OLD BUSINESS**

**CAPITAL IMPROVEMENTS**

Councilman Kryzak advised that progress is being made on the entrance stairs at the Town Hall.

**REVITALIZING THE MUSEUM - RESOLUTIONS ON BY-LAWS & ESTABLISHMENT OF MUSEUM**

Councilman Kryzak reported that Mary-Jane Araldi approved the By-Laws (see attached).

Councilman Boone made a motion to adopt the following resolution:

**WHEREAS:** By-Laws need to be established for the Town of Westerlo Museum, be it hereby

**RESOLVED:** The Town Board adopt the attached By-Laws for the Museum.

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

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

NAYS: None

**RESOLUTION # 91 - 2021 was thereby duly adopted.**

Councilman Boone made a motion to adopt the following resolution:

Town of Westerlo

RESOLUTION 2021- 92

Regarding Establishment of the Town Museum

Dated: September 21, 2021

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 \$2500.00 annually (paid after Chairing/attending monthly meeting) 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 Boone seconded the motion; a vote resulted as follows:

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

NAYS: None

**RESOLUTION # 92 - 2021 was thereby duly adopted.**

**NEW BUSINESS**

**BUDGET CALENDAR**

Councilman Kryzak provided the Town Board with the below budget calendar in preparation for the 2022 budget.

**September 30<sup>th</sup>** - the Tentative Budget will be provided to the Town Clerk

**October 5<sup>th</sup>** – Tentative Budget to the Town Board

**October 12<sup>th</sup>** – Preparing Preliminary Budget- workshops/revisions (can have as many as you want, but 1<sup>st</sup> Public Hearing must be before 11/3)

**October 13<sup>th</sup>** – Notice for Public Hearing

**October 28<sup>th</sup>** – Public Hearing/Presenting Preliminary Budget (may be adjourned, but not beyond 11/15)

**November 3<sup>rd</sup>** – Adoption of the Budget – (Spec meeting instead of workshop) (final Budget must be adopted no later than 11/20). Have to change the normal workshop from the Nov 2<sup>nd</sup> to the 3<sup>rd</sup> due to Election.

Councilman Kryzak made a motion to adopt the following resolution:

**WHEREAS:** The Town Board needs to adopt the above budget calendar, be it hereby

**RESOLVED:** The Town Board adopts the budget calendar for the 2022 budget, and further

**RESOLVED:** The Town Board authorizes the Town Clerk to advertise for a workshop meeting on Wednesday, October 13<sup>th</sup> at 7pm and two (2) Public Hearings and a Special Town Board meeting on Thursday, October 28, 2021 at 7pm for the purpose of presenting the 2022 Town of Westerlo Preliminary Budget and 2022 Town of Westerlo Vol. Fire Co. Budget and any other business before the Board.

Councilman Filkins seconded the motion; a vote resulted as follows:

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

NAYS: None

**RESOLUTION # 93 - 2021 was thereby duly adopted.**

## **COMPREHENSIVE PLAN SEQRA & ADOPTION**

Councilman Kryzak mentioned the final revisions have been made to the draft Comprehensive Plan. Spelling errors and the mapping disclosure were updated. The Town Attorney advised this is a Type 1 action under SEQRA and indicated Part 1 was already completed and then reviewed Part 2 with the Town Board. Councilman Kryzak made a motion to adopt the following resolution:

### **RESOLUTION ADOPTING SEQRA NEGATIVE DECLARATION ON COMPREHENSIVE PLAN AMENDMENT**

**WHEREAS**, the Town Board of the Town of Westerlo has considered the proposed Town of Westerlo Comprehensive Plan Amendment; and

**WHEREAS**, the Comprehensive Plan Amendment is a Type 1 action pursuant to the State Environmental Quality Review Act (SEQRA), 6 NYCRR 917.4(b)(1), and

**WHEREAS**, on February 18, 2020, the Town Board initiated the required coordinated review with involved agencies to declare and serve as lead agency under SEQRA per Resolution #8-2020; and

**WHEREAS**, no objections were received from involved agencies after 30 days for the Town Board serving as lead agency; and

**WHEREAS**, a public hearing was noticed and duly remained open from July 20, 2021 through September 7, 2021 to consider the adoption of the Comprehensive Plan Amendment and the environmental significance of the proposed action; all persons interested in the subject thereof were duly heard; and the Town Board has carefully considered and weighed the input by the public; and

**WHEREAS**, pursuant to SEQRA, Town Board has prepared and completed Parts 1 and 2 of the Full Environmental Assessment Form (FEAF); and the Board has duly reviewed the EAF and has considered the criteria contained in 6 NYCRR §617.7(c) to determine whether the proposed action will have a significant impact on the environment; and

**NOW, THEREFORE BE IT RESOLVED**, that the Town Board hereby determines that the proposed adoption of the Comprehensive Plan Amendment will NOT have a significant adverse impact on the environment; that the Town Board adopts the findings and conclusion relating to probable environmental impacts contained within the attached Full Environmental Assessment Form (EAF) and Negative Declaration and authorizes the Town Supervisor to execute the EAF and for the Town Clerk to file the Negative Declaration in accordance with the applicable provisions of law.

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

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

NAYS: None

**RESOLUTION # 94 - 2021 was thereby duly adopted.**

Councilman Boone made a motion to adopt the following resolution:

### **RESOLUTION ADOPTING COMPREHENSIVE PLAN AMENDMENT**



**WHEREAS**, Section 272-a of the New York State Town Law recognizes importance of undertaking town comprehensive planning and land use regulation to facilitate the protection, enhancement, growth and development of the town and to promote the health, safety and general welfare of its citizens;

**WHEREAS**, the Town's existing January 2015 Comprehensive Plan has not been updated since its adoption; and

**WHEREAS**, in 2019 the Town Board of the Town of Westerlo initiated the process of reviewing and updating the Comprehensive Plan; and

**WHEREAS**, the Town Board recognizes that the Comprehensive Plan provides an essential foundation for guiding future development and has demonstrated a commitment to maintaining the Comprehensive Plan document to effectively guide development in the Town of Westerlo; and

**WHEREAS**, on September 3, 2019, the Town Board authorized and contracted with Barton & Loguidice, D.P.C. of Albany to serve as the Town's professional consultants to facilitate a review and targeted update of the Comprehensive Plan per resolution #54-2019; and

**WHEREAS**, the Town's planning process to update the Comprehensive Plan has included a review of past planning efforts, analysis of existing conditions and public engagement; and

**WHEREAS**, the Town has completed an analysis of existing conditions as well as policies and goals relating to various aspects of the community, and organized and appointed a Comprehensive Plan Committee of town residents, charged with advising the Town Board and consultants on issues relative to the Comprehensive Master Plan Update and to evaluate existing conditions and to identify relevant recommendations from the 2015 Comprehensive Plan; and

**WHEREAS**, the Town has considered public input throughout the planning review process, including 29 monthly committee meetings; a community survey; and several Town Board meetings; and

**WHEREAS**, in June 2021, the Town Board prepared a draft Comprehensive Plan Amendment (the "Plan"); and

**WHEREAS**, the Town referred the draft Comprehensive Plan Amendment to the Albany County Planning Board for review, as required by Section 239-m of the General Municipal Law; and

**WHEREAS**, pursuant to Town Law § 272-a(9), the Town has taken into consideration any applicable county agricultural and farmland protection plans as created under article twenty-five-AAA of the NYS Agriculture and Markets Law; and

**WHEREAS**, the Town Board held several Public Hearings to solicit public comment on the draft Comprehensive Plan Amendment as required by New York State Town Law § 272-a which remained open from July 20, 2021 through September 7, 2021; and

**WHEREAS**, the Town Board modified the draft Comprehensive Plan Amendment to reflect comments received from the public through the public hearing process.

**WHEREAS**, the has Town Board declared itself lead agency and issued a SEQR Negative Declaration per 6 NYCRR Part 617; and

**NOW, THEREFORE BE IT RESOLVED AS FOLLOWS:**

1. That the Town Board of the Town of Westerlo hereby adopts the proposed Comprehensive Plan Amendment.
2. The Town Board directs that the Plan be periodically reviewed per Town Law § 272-a(10) at least every 10 years, with any changes or amendments to be implemented not less than every 15 years.
3. The Plan shall be filed in the office of the Town Clerk and a copy thereof filed with the Albany County Planning Board as required by Town Law § 272-a(12).

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

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

NAYS: None

**RESOLUTION # 95 - 2021 was thereby duly adopted.**

### **RENEWABLE ZONING LAWS**

Councilman Kryzak advised the proposed Renewable Zoning Laws would be tabled. He suggested making the October 5<sup>th</sup> workshop also a Special Town Board meeting for the purpose of approving the draft Renewable Zoning Laws. Councilman Kryzak made a motion to adopt the following resolution:

**WHEREAS:** The Town Board needs to schedule a Special Town Board meeting for the purpose of approving the Renewable Zoning Laws, be it hereby

**RESOLVED:** The Town Board authorizes the Town Clerk to advertise for a Special Town Board meeting on October 5, 2021 for the purpose of approving the proposed Renewable Zoning Laws and any other business before the Board. The Special Town Board meeting will be followed by the regularly scheduled workshop.

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

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

NAYS: None

**RESOLUTION # 96 - 2021 was thereby duly adopted.**

### **NEW BUSINESS**

#### **PROPOSED LOCAL LAW TO AMEND LL#1 of 1989 - DEFINITIONS MAJOR/MINOR SUBDIVISION**

Mr. Kryzak provided the Town Board with a proposed law regarding definitions for major/minor subdivisions which would amend Local Law No. 1 of 1989. The proposed new subdivision law will allow three (3) subdivisions over the period of three (3) years without having to go through a major subdivision after a certain number of cuts. Mrs. Verch suggested that the Subdivision Regulations document which was adopted in 1977 be reviewed by the Town Board. The Town Attorney advised that before passing the law, it would need to go before ACPB and a public hearing would need to be scheduled. He suggested tabling this until he's had an opportunity to review it. He advised the Board that they could declare lead agency, do a coordinated review,

set a public hearing for later on in October, submit to Albany Co. Planning Board and could potentially act on it either the last meeting in October or the 1<sup>st</sup> meeting in November.

### **PROPOSED RESOLUTION TO REMOVE \$5 RESIDENTIAL FILING FEE FOR BUILDING**

#### **DEPARTMENT**

Councilman Kryzak mentioned he spoke to CEO Jeff Pine who recommended removing the \$5 residential filing fee. Town Clerk Weaver questioned if the \$10 commercial filing fee would also be removed; Mr. Kryzak indicated they had only spoken about the residential filing fee. This was tabled until the next meeting.

#### **FALL FESTIVAL**

Councilman Kryzak reminded the public of the upcoming Fall Festival on Saturday, September 25<sup>th</sup> from 2-6pm.

#### **TRANSFER STATION COMMERCIAL HAULERS**

Mr. Kryzak mentioned that the Town of Westerlo is the only local Town that allows commercial haulers to dispose of trash at a Town Transfer Station. He explained that with the new Solid Waste Management Code (SWMC) requiring annual permits, some commercial hauler customers from other towns have tried to purchase a permit in Westerlo which were caught by the Town Clerk's office. The Town Clerk has written letters to the haulers as they are still not in compliance.

A resident mentioned many people have keys to the Transfer Station.

Highway Superintendent Ostrander advised that residents can still hire a commercial hauler who is authorized to dispose of trash at the City of Albany, eliminating the need for residents to purchase a \$25 permit.

Councilman Boone mentioned that the SWMC is clear and explains what needs to happen if the haulers are not in compliance. Discussion continued regarding how to handle the hauler who paid and the one who did not pay. Mr. Kryzak mentioned potentially sending the hauler who has not paid a letter to cease and desist. The Town Clerk will hold off processing any renewals until the Town Board meets on October 5<sup>th</sup> and the Town Attorney has an opportunity to review the SWMC Law.

#### **TRANSFER STATION 2022 APPLICATION**

The Town Clerk provided the Town Board with the new proposed 2022 Transfer Station Application. She advised that information for renters was added to the form as well as where permits should be picked up after processing. Councilman Kryzak made a motion to approve the 2022 Transfer Station Application as provided (see attached). Councilwoman Burnside seconded; all in favor motion carried.

#### **PARK APPLICATION & RULES UPDATES**

Town Clerk Weaver advised she recently refused someone who wanted to rent the Town Park within one week of the event because they wanted to pay by check. She expressed concern for if the check bounced and there was damage to the park, there wouldn't be a deposit. This was briefly discussed at a previous meeting and proposed updates to both the park application and Rules and Reservations were emailed and provided to the Town Board. This was tabled until October 5<sup>th</sup>.

#### **PLANNING & ZONING BOARD ABUTTER LETTERS**

The Town Board discussed having the Clerk to the Boards prepare and mail out letters to abutters via certified mail so the Town can prove they did their due diligence. ZBA Chairperson Henck explained that when the applicant is responsible for mailing out notification, she has to try to explain to them how to do abutter letters which is very confusing for them so she was in favor of having the Clerk send them. It was mentioned that it was acceptable to use the ad/notice from the newspaper as the letter to abutters. Councilman Boone questioned how the cost would be covered. The Town Attorney suggested raising the application fees by resolution to cover any additional costs. The Town Board tabled this until October 5<sup>th</sup>.

#### **CAMERA FOR ASSESSOR**

The Assessor has requested a camera for her office to help with her work. The camera she requested costs roughly \$299 on Amazon and the money would be pulled from the Buildings line of the budget. The Town Board was in agreement to allow the purchase. Councilman Boone wondered if there were Town property stickers that could be put on the camera.

#### **CHRISTMAS TREE LIGHTING**

There will be a Christmas Tree lighting in front of the Town Hall this year along with other festivities which is tentatively scheduled for Dec. 4<sup>th</sup>. Councilman Kryzak asked the Highway Department to remove the lilac shrub near the road that blocks the sign. Mr. Ostrander is also looking into doing an ice rink this year at the Town Park.

#### **PUBLIC COMMENT**

Planning Board member Edwin Stevens wondered if the Assessor was working on the values of the Solar Farms and if they go off the sold prices; Councilman Kryzak indicated that was a good question.

Mr. Stevens also mentioned that salaries for employees needs to be reviewed during budget time. Employees haven't even received cost of living raises in a while.

#### **ADJOURNMENT OF MEETING**

With there being no further business, Councilman Filkins made a motion to adjourn the Town Board meeting. Councilman Kryzak seconded; all in favor motion carried. Meeting adjourned at 9:09 pm.

Respectfully Submitted,

**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 Board. 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.*
- 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 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, 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 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 of meeting minutes*
- 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 appointed 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 today ministerial issues related to the operation of the Museum.*
- b. *The Vice-Chairperson (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. 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 Board of Trustee. The Director shall be the chief officer and supervisor of the staff of the Museum, and, upon a 2/3 vote of the Board of 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***

*For 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.*





# Town of Westerlo

## 2022 - Transfer Station Facility User Permit Application and Renewal

### Application Information

Residents Name (Last, First, MI)

Property Address City State Zip

Mailing Address (If Different) City State Zip

Telephone Numbers:

Home ( )

Cell ( )

**For renters, provide property owner's name:**

**Owner's Name:**

### Annual Residential Transfer Station Permit Information

The permit authorized by the Town of Westerlo and granted to the resident allows for the resident to dispose of household waste and trash at the Transfer Station Facility in accordance with all guidelines as stated within the Town's Solid Waste Management Code. For additional information refer to the Solid Waste Management Code.

Upon ceasing to reside within the Town of Westerlo, the Residential User's Permit shall be surrendered to the Town Clerk or a Transfer Station employee.

It will be required by the Resident to renew the permit application each year between the period of October 1st and November 30th. Permits are good from January 1st through December 31st of the following year. Permits are non-transferrable and expire at the end of the year. There is a limit of 1 Vehicle tag per household. Application forms can be picked up at Transfer Station, Town Clerk Office or on our website. [www.townofwesterlo.ny.com](http://www.townofwesterlo.ny.com)

### How to submit your Application

In person at the Transfer Station / Town Clerk office or Mail in

- **Transfer Station** - Drop off during operating hours. Must be a check or money order

- **Town Clerks office:** Drop off during operating Hours. Can pay cash, check, money order or credit/debit card (fee applies)

- **Mail in:** Town of Westerlo  
Attn: Town Clerk  
933 CR 401, Westerlo, NY 12193

### How to get your permit

- **PERMITS CAN BE PICKED UP AT THE TRANSFER STATION. PLEASE ALLOW 2-4 WKS PROCESSING TIME.**

### Application must include

- ☐ Permit Fee in the amount of \$25.00 (payable to the Town of Westerlo) **\*If Lost or Stolen, Replacement Tag Fee is \$5.00\***
- ☐ Completed and Signed Application
- ☐ Proof of Residence (Copy if mailed) Utility, Tax or Mortgage Bill, rental agreement (if applicable)
- ☐ **Proof of Identification - Drivers License #** \_\_\_\_\_ (Copy if Mailed)  
- Other (passport, Military ID, ect.) # \_\_\_\_\_ (Copy if Mailed)

Applicant's Signature

Date

### OFFICE USE ONLY

Date Rec'd Accepted by Permit #

Proof of Residency Receipt #

☐ CASH ☐ CHECK/M.O. # ☐ CREDIT/DEBIT CARD (fee will apply)

☐ Mail ☐ Transfer Station ☐ Counter

Date Replacement Tag Issued: Initials: Replacement Tag # Receipt #: