

**TOWN OF WESTERLO  
TOWN BOARD MEETING  
OF TUESDAY MAY 17, 2022**

The Town of Westerlo Town Board held a Regular Town Board Meeting on Tuesday, May 17, 2022 at the Richard H. Rapp Municipal Building located at 933 County Route 401, Westerlo, NY 12193. Supervisor Kryzak opened the meeting at 6:00pm with the Pledge of Allegiance to the Flag.

Attending were: Supervisor Matthew Kryzak  
Councilman Josh Beers  
Councilwoman Lorraine Pecylak  
Councilwoman Amie L. Burnside (left early at 6:25pm)

Absent were: Councilman Peter Mahan

Also attending were: Highway Superintendent Jody Ostrander, Planning Board Chairperson Beau Loendorf and Members Gerry Boone and William Hall, Judge Robert Carl, Library Trustee Miranda Drumm, Town Clerk Karla Weaver and approximately four (4) interested residents.

Councilwoman Burnside made a motion to open the Town Board Meeting. Councilman Beers seconded; all in favor motion carried.

**TOWN BOARD MINUTES**

Councilwoman Burnside asked to have the minutes of May 3<sup>rd</sup> revised; she left at 6:25pm not 6:20pm. Councilwoman Burnside made a motion to approve the meeting minutes of March 31, 2022, April 19, 2022 and May 3, 2022 with the correction. Councilwoman Pecylak seconded; motion carried by those present.

**TOWN CLERK (APRIL 2022)**

Town Clerk Weaver reviewed the Town Clerk report for April 2022. Councilwoman Burnside made a motion to accept the Town Clerk reports for April 2022 as submitted. Councilman Beers seconded; motion carried by those present.

**BUDGET AMENDMENTS (MAY 2022)**

Supervisor Kryzak read and Councilman Beers made a motion to adopt the following resolution:

**2022 Budget Amendments / May**

**WHEREAS**, the Chief Fiscal Officer has determined that in order to maintain proper balances within various accounts the following transfers are necessary for the Budget Year 2022.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Westerlo does hereby authorize Supervisor Matthew Kryzak to make the following changes to the Town of Westerlo 2022 Budget:

## General Fund

<u>Amount</u>	<u>From</u>	<u>To</u>
\$255.00	A1990.4 Contingency	A5010.43 Association Dues

Councilwoman Pecylak seconded; a vote resulted as follows:

AYES: Councilwoman Pecylak, Councilwoman Burnside, Councilman Beers, Supervisor Kryzak

NAYS: None

**RESOLUTION # 80 - 2022 was thereby duly adopted.**

### **PAYMENT OF MONTHLY BILLS (MAY 2022)**

Councilwoman Burnside requested that the Town Clerk be issued a Town credit card so she doesn't have to be reimbursed later for items she is asked to purchase for events.

Councilman Beers made a motion to adopt the following resolution:

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

**RESOLVED:** the following May 2022 bills be paid Voucher #200 through Voucher # 248 in the amount of \$60,058.57.

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

AYES: Councilman Beers, Councilwoman Pecylak, Supervisor Kryzak, Councilwoman Burnside

NAYS: None

**RESOLUTION # 81 - 2022 was thereby duly adopted.**

### **INVESTMENT REPORT (APRIL 2022) & SUPERVISOR REPORT (APRIL 2022)**

Supervisor Kryzak advised that the Town earned \$313.77 in interest for the month of April with the Bank of Greene County. No interest was earned with NYCLASS.

Supervisor Kryzak reviewed the Supervisor's report for April 2022.

Councilwoman Burnside made a motion to approve the April 2022 Investment and April 2022 Supervisor report. Councilman Beers seconded; all in favor motion carried.

### **COMMITTEE REPORT'S**

#### **HOMETOWN HEROES**

Hometown Heroes Chairperson Burnside reported that the committee sorted the banners that needed to be rehung at the April meeting. The Highway Department with the assistance of the County DOT will hang the banners this year. New banners have arrived and have been delivered to Mr. Ostrander. The 5th annual closing ceremony is slated for November 5th. Donations are appreciated. A Veterans Day celebration and dedication ceremony is also being planned for November.

#### **PLANNING BOARD**

Planning Board Chairperson Loendorf reported that they held a Public Hearing on the Carkner application on the 10th which was adjourned until they hear back from the Engineer. They received their first application for travel trailers and are expecting more.

### HIGHWAY

Highway Superintendent Ostrander advised they're still waiting for a loader which has been on order for about a year. Mr. Kryzak indicated he has been working with Mr. Ostrander on a grant through Albany County Soil and Water District for up to \$30,000.00 of funding for erosion control, flood attenuation and green space creation. This money could be used toward the erosion along the Basic Creek at the town park.

### LIBRARY

Library Trustee Miranda Drumm mentioned the bake sale was a huge success and thanked those who attended. She reported the community room has new art and that the spice of the month is marjorum.

### ASSESSOR

To: Westerlo Town Board  
From: Melanie Bunzey, Assessor  
Date: May 5, 2022  
Re: Monthly Report – May 2022

*I apologize for not submitting a report for the last several months. I also want to thank you for providing a Clerk to the Assessor's office. Britta has already proven to be a great asset and help to me.*

*After confirming that all assessment updates per Certificates of Occupancy/Completion; Exemption renewals and new applications; Level of Assessment\*; STAR; Agricultural; Special Franchise and Exemption values were updated, the 2022 Tentative Roll was filed with the Town Clerk and notice was placed in the local paper for publication. The roll was also submitted in pdf format for the website.*

*\*Westerlo's Level of Assessment has been calculated by the State and the RPS system has been updated to reflect the change from .81 to .75 for 2022.*

*The total number of Notices of Change (of Assessment) mailed on 5/4/22 is 96. These notices included information regarding Grievance Day which is to be held on Wednesday May 25, 2022 from 4:00-8:00 pm.*

*An exemption impact report was submitted to the BKW and Greenville School Districts.*

*The five solar farms within the Town have been assessed using the State's valuation model and are now finally on the assessment roll.*

*A Business Improvement Exemption granted to Hannay Reels was to be updated with the exempt amount declining each year by 5% until it ends but had not been updated for several years. It is designed to "not feel the hit" but the reduction in the exemption amount will be felt since it dropped from 50% to 15% with this roll year.*

*New Sales Transmittal Reports were submitted to the State (listing sales since last report) with 47 sales.*

*2022 Tax Maps have been ordered from the County.*

*Address changes are made on a regular basis as well as bank escrow information. Routine calls and emails are received and answered on nearly a daily basis.*

*The system is checked for property owners listed on death notices regularly received via email from A.J. Cunningham Funeral Home, exemptions removed if necessary and notifications of exemption change mailed.*

*STAR reports received from New York State to date have been processed. Those reports are:*

*February:       None  
March:               None  
April:           Enhanced STAR Eligibility Report*

*Respectfully submitted,  
Melanie Bunzey  
Assessor*

**CODE ENFORCEMENT**

*April 2022 Report - Building/ Zoning  
Jeffry Pine BI/CEO*

*Applications Processed*

*Special use – 2*

*Variance request- 1*

*Sub- divisions – 0*

*Building permits issued – 9*

*New houses – 2*

*Commercial buildings - 1*

*Accessory structures – 3*

*Demo - 0*

*Other – 3*

*Cell tower related - 0*

*Construction inspections- 20*

*Site visits – 7*

*Fire calls – 0*

*Fire safety inspections and follow ups - 8*

*0 - In-service Training hours (24 hours per year required to maintain certification)*

**MUSEUM**

Museum Member Karla Weaver advised that the Mother's Day Brunch went very well. The Garage Sale day is June 11th. The potential for additional fundraisers were discussed at the last Museum meeting to help raise money for the proposed new building.

**BRC**

Mr. Kryzak mentioned the BRC is still waiting to sign paperwork for the Tonko grant before

they can bid or begin negotiations with fiber providers.

### **APPROVAL OF REPORTS**

Councilman Beers made a motion to accept the Hometown Heroes, Planning Board, Highway, Library, Assessor, CEO, Museum and BRC reports as submitted/read. Councilwoman Pecylak seconded; motion carried by those present.

### **OLD BUSINESS**

#### **LOCAL LAW TO AMEND LL 1 OF 1989 DEFINITIONS MAJOR/MINOR SUBDIVISION**

Proposed local law to amend Local Law #1 of 1989 is still under review.

### **EMPLOYEE HANDBOOK CHANGES**

The second half of the Handbook will be discussed at the next workshop meeting before it is sent on to the HR professionals for another proof.

### **MPLC UMBRELLA LICENSE**

Mr. Kryzak indicated no decision has been made yet on the MPLC umbrella license to be able to show movies at the Town Hall. The license costs \$700 annually.

### **CENTRAL HUDSON/NEXAMP UPDATE**

The Town Clerk advised new Central Hudson and Nexamp bills have been coming in but still need to be reviewed before they can be paid. Mr. Kryzak mentioned the Board may want to wait and see what happens with the bills before letting Nexamp go since there may be a potential for a greater cost savings now since energy costs are risings. Mr. McHugh mentioned Coeymans negotiated their Central Hudson bills down based off previous billing and that they were eager to negotiate. The Town Clerk's office will work on it and try to negotiate bills.

### **NEW BUSINESS**

#### **NYSLRS STANDARD WORKDAY RESOLUTION**

Town Clerk Weaver advised that she has completed the Standard Workday for Joshua Beers based off the Record of Activity he provided to her. She was also provided a recertification form from Town Attorney McHugh which she will submit to NYSLRS. Supervisor Kryzak made a motion to adopt the following resolution:

- WHEREAS:** NYSLRS requires a Standard Workday Record of Activities be submitted for retirement purposes and,
- WHEREAS:** Town Board Member Joshua Beers has submitted a Record of Activity (ROA) and,
- WHEREAS:** NYSLRS requires a Standard Workday Reporting resolution for Joshua Beers, be it hereby
- RESOLVED:** The Town Board establish the Standard Workday for Joshua Beers to be 6 hours and this resolution to be posted on the Town website and Town bulletin board for a period of 30 days.

Councilwoman Pecylak seconded; a vote resulted as follows:

AYES: Supervisor Kryzak, Councilman Beers, Councilwoman Pecylak

NAYS: None

**RESOLUTION # 82 - 2022 was thereby duly adopted. (See attached)**

### **ACCOUNTANT**

Supervisor Kryzak mentioned that the Town has a new accountant. He attempted to contact Marvin and Co. to help with the Annual Financial Report and the rates had gone up from what they previously agreed to. Their rates ranged from \$70/hr to \$300/hr. The new accountant, Sarah Morrison, CPA will only charge \$40/hr and will come to the office as needed. She will also do the Court and Town Clerk/Tax Collector audits. Mr. Kryzak reported Ms. Morrison would replace Marvin and Co.

Judge Carl asked if we had received back the final audit from Marvin and Co. for the Court and Clerk. He mentioned the documents he received were blank and the Comptroller still hasn't received the audit from the Town. The Supervisor will inquire.

### **FARMER'S MARKET UPDATE**

The Town is still looking for vendors for the upcoming Farmer's Market days.

### **RECYCLING CONTAINER AT TRANSFER STATION**

Councilman Beers wondered if a platform could be built to make the situation of the new recycling container a little safer. When the new container was purchased, Mr. Ostrander was concerned the opening may be difficult for people to reach from the ground although he was assured by the company it wasn't an issue. When the container was received, it was not as described. Mr. Ostrander had to purchase certified safety stairs with a rail in order for most to use the container. He also mentioned there is another available recycling container that people can use as an alternative. Operators are also willing to assist. Discussion continued.

### **ROBERTS RULES OF ORDER**

To streamline meetings, Councilman Beers would like all public comments to be made at the end of the meeting when the floor is open. Robert's rules of order are a procedure for business meetings which provides guidelines to protect the rights of individuals for equal and fair treatment of all. He would like to do the pledge, the agenda, open public comment and stay on topic. He also commented that there were roughly 50 people at the last Planning Board meeting where the Chairperson did great limiting comments. Mr. Kryzak believed they could work to streamline meetings however does want people to have the chance to talk at each topic to allow them to be heard. Mr. Ostrander advised that people come to these meetings to speak their mind and sometimes their thoughts get lost when they have to wait for the public comment period.

### **HEALTH CARE CONSORTIUM**

Mr. Kryzak provided the Town Board with a potential resolution to join the Health Care Consortium available through the County. He mentioned he is only looking to compare rates from Marshall and Sterling and the County. for an equal or better plan. He is interested in an equal or better plan and not looking to take whatever they can offer or to downgrade the Town's current plan. This will authorize him to enter into an agreement with Albany Municipal Cooperative Health Benefit Plan for NYS shared municipal programs giving him another plan to consider. Supervisor Kryzak made a motion to adopt the following resolution:

**WHEREAS:** The Town of Westerlo is investigating better rates and plans for Health Care, be it hereby

**RESOLVED:** the Town Board authorizes the Supervisor to enter into an agreement with the Albany Municipal Cooperative Health Benefit Plan for NYS Shared Services to investigate potential cost savings effective immediately.

Councilwoman Pecylak seconded; a vote resulted as follows:

AYES: Supervisor Kryzak, Councilwoman Pecylak, Councilman Beers

NAYS: None

**RESOLUTION # 83 - 2022 was thereby duly adopted.**

### **PUBLIC COMMENT**

Mr. Kryzak advised that the Kenneth's Army ride and fundraiser is June 4<sup>th</sup> and that donations can be made at the Town Hall. He will match up to \$1,000 of whatever the Town raises.

Mr. Loendorf expressed concern regarding people walking along CR 405 in South Westerlo. He mentioned the new businesses coming in on SR 32 and the increased traffic. He would like to see a sidewalk put in on the busy end of CR 405 near SR 32. Recently there was an incident where a child was almost hit. Mr. Ostrander believed the bridge is being redone next year so now is the time to contact the County. Speed limits were also discussed. Mr. Kryzak will contact the County.

Judge Carl indicated there was previous discussion regarding how Aline Galgay was initially appointed for vehicle and traffic court. Previous Supervisor Rapp approached the DA's office in 2014 to see if they would do vehicle and traffic night after Mr. Shults left and they said they would however, if they had to come out a second night, the Town would have to pay for it. Mr. Carl advised, Mrs. Galgay was the Town's attorney at the time and agreed to take over the responsibilities for no extra pay. Attorney McHugh indicated the cost to bring in a DA is normally higher than having your own attorney do it. Judge Carl advised that state law requires two judges however, Mr. McHugh mentioned you can consolidate courts with another town; Mr. Carl does not advise consolidating courts.

Planning Board Member Gerry Boone wondered why Councilwoman Burnside left. Supervisor Kryzak advised she had to work and expected her to be here for the whole meeting in June. He keeps her up-to-date after each meeting. Mr. Boone also commended the volunteers for the Mother's Day Brunch thrown by the Museum, it was very nice.

Mr. Kryzak advised the BRC is trying to get the majority of the Town internet but unfortunately won't be able to do the entire town with the grant money. It won't matter how many homes are on a road, it will go by mile. Discussion continued.

### **ADJOURNMENT OF MEETING**

With there being no further business or public comment, Councilwoman Pecylak made a motion to adjourn the meeting. Councilman Beers seconded; motion carried by those present. Meeting adjourned at 7:21 pm.

Respectfully Submitted,

Karla Weaver, Town Clerk

Received Date

**Standard Work Day and  
Reporting Resolution for  
Elected and Appointed Officials**

Employer Location Code

3 0 2 7 1

SEE INSTRUCTIONS FOR COMPLETING FORM ON REVERSE SIDE

**RS 2417-A**

(Rev. 11/19)

BE IT RESOLVED, that the Town of Westerlo / 30271 hereby established the following standard work days for these titles and will report the officials to the New York State and Local Retirement based on their record of activities:

Name	Social Security Number	NYSLRS ID	Title	Current Term Begin & End Dates	Standard Work Day	Record of Activities Result	Not Submitted	Pay Frequency	Tier 1
<b>Elected Officials:</b>									
Joshua Beers			Town Councilmember	01/01/2022-12/31/2025	6	.60	<input type="checkbox"/>	monthly	<input type="checkbox"/>
							<input type="checkbox"/>		<input type="checkbox"/>
							<input type="checkbox"/>		<input type="checkbox"/>
<b>Appointed Officials:</b>									
							<input type="checkbox"/>		<input type="checkbox"/>
							<input type="checkbox"/>		<input type="checkbox"/>
							<input type="checkbox"/>		<input type="checkbox"/>

I, Karla J. Weaver, secretary/clerk of the governing board of the Town of Westerlo, of the State of New York, do hereby certify that I have compared the foregoing with the original resolution passed by such board at a legally convened meeting held on the 17th day of May, 2022 on file as part of the minutes of such meeting, and that same is a true copy thereof and the whole of such original.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Westerlo on this 17th day of May, 2022.

Karla J. Weaver  
(Signature of Secretary or Clerk)

**Affidavit of Posting:** I, Karla J. Weaver being duly sworn, deposes and says that the posting of the Resolution began on May 18, 2022 and continued for at least 30 days. That the Resolution was available to the public on the:

- ☒ Employer's website at: townofwesterlony.com  
☒ Official sign board at: 933 CR 401, Westerlo, NY  
☐ Main entrance Secretary or Clerk's office at: \_\_\_\_\_

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