

**TOWN OF WESTERLO  
TOWN BOARD WORKSHOP MEETING  
OF  
TUESDAY, FEBRUARY 6, 2024**

The Town of Westerlo Town Board held a workshop meeting on Tuesday, February 6, 2024, at 6 PM at the Town Hall 933 CR 401, Westerlo, NY. Supervisor Kryzak opened the meeting with the Pledge of Allegiance to the Flag at 6:00 PM.

ATTENDING WERE:     Supervisor Matthew Kryzak  
                          Councilman Peter Mahan  
                          Councilman Joshua Beers  
                          Councilwoman Lorraine Pecylak  
                          Councilwoman Amie Burnside

Also attending were: Highway Superintendent Jody Ostrander and employees Salvatore Spinnato & David Pecylak, Planning Board Member Bill Hall, Library Trustee Mary Ann Witt, Town Clerk Karla Weaver, Deputy Town Clerk's Kathleen Spinnato & Marta Pongo and approximately three residents.

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

**OLD BUSINESS**

**FRESE HOUSE – PROPOSED DEMOLITION**

Supervisor Kryzak reported that he has all the paperwork for the demolition of the Freese house except for the original copies of the performance bond. Once that comes in, the Town can go ahead and schedule the demolition with Cristo Demolition.

**PROPOSED TRANSFER OF TOWN LAND TO WESTERLO VOL. FIRE CO.**

Mr. Kryzak mentioned he is still waiting for signature approval for the contract/Memorandum of Agreement which stipulates if the Fire Co. doesn't use the land, it reverts to the Town. The Fire Co. is looking at their by-laws to see if they need to have a different signature on the agreement as of January 1<sup>st</sup>.

**EMPLOYEE HANDBOOK REVIEW**

Mr. Kryzak indicated the agenda states this is the final employee handbook review, however, that is not the case. The Town Board can review this as many times as it takes to make it right.

Councilman Beers reviewed his suggested changes:

- Pg. 12- "Right to Representation" – He asked if the Town Board could put language in that after a Town Board investigation that outside lawyer fees be covered in certain situations if one was needed to be hired. Any legal fees incurred on behalf of false accusation charges are reimbursed by the Town of up to x amount. Mr. Krzyzak will investigate with the Town Attorney.
- Pg. 14- "Employee Access" – He suggested changing "Assistant to the Town Supervisor" to "Confidential Administrator". Change this throughout the entire document.

- Pg. 20 – 505 - “Expenses Reimbursement Policy” – He believed mileage should be established by the IRS standard rate not by the Town Board.
- While on pg. 20, Mr. Kryzak suggested changing the time sheet to “must be submitted to the Assistant to the Town Supervisor by 9 am Monday.” Town Clerk Weaver commented that the last sentence should read “In the event Monday is a designated holiday, the time sheet must be submitted by the following Tuesday by 9 am”.
- Pg. 29- 602 – “Daily Notification” – it currently indicates you must state the reason for your absence. Mr. Beers suggested changing this to read “In the event an employee is unable to report to work, the employee must notify the employee’s Department Head each day of the absence and state which type of leave they will be taking (sick, personal, vacation)”. Employees should not be required to state the reason for their absence.
- Pg. 36- “Compensatory Time Off” – Compensatory time may accrue to a maximum of 80 hours, not 75 as it is written.
- Pg. 44- “Medical Insurance for Retired Employees” – Under “Insurance Plan” add in dental and vision plans in addition to medical. Town Clerk Weaver advised it needed to be changed above under “Medical Insurance Coverage” and in the last paragraph under “Premium Payment”.
- Pg. 47- “Uniforms” – “Work Boots” needs to update to \$350 instead of \$150. Discussion ensued. Part-timers do not get anything for boots/uniforms currently, but Mr. Beers suggested that maybe they get \$500 for boots and uniforms. Mr. Ostrander indicated when the uniform contract is up, the highway department would like to go to a clothing allowance instead. It was determined that all full-time and part-time highway, park and transfer station employees will get reimbursed for up the \$350 for boots.

Supervisor Kryzak suggested the following changes:

- Pg. 42- “Personal Leave Policies” – Supervisor Kryzak indicated that the insurance co. asked if the Town wanted to provide any allowances for part-time employees. He suggested instead of calculating personal time by hours, part timers could earn time after 6 months of service or all part time employees get 32 hours to use for bereavement. No sick or vacation would be granted. Town Clerk Weaver advised; part-timers are already entitled to bereavement in the handbook. Mr. Kryzak then recommended scratching this recommendation for personal time since bereavement is already covered.
- While we were on Pg. 42 under “New Employees”, Mr. Ostrander advised that it says new employees will be prorated. So, an employee hired Oct 1<sup>st</sup> will be credited with 4 hours of paid personal leave and thereafter on Jan. 1<sup>st</sup> an employee will be credited with 32 hours of paid personal leave. Above it says 6 months of service. He argued that if an employee is hired in Oct., they wouldn’t have 6 months of service which is contradictory. Supervisor Kryzak indicated the last paragraph could be removed for new employees. Town Clerk Weaver suggested the Board follow how sick and vacation is written in the handbook so it’s done on the employee’s anniversary date and not annually which should make it easier. Mr. Kryzak advised getting rid of the new employee section and instead it will say, “An employee will be credited 32 hours after 6 months and thereon out, they will be credited with 32 hours on their anniversary date up to year 5 when they will then be credited with 40 hours”. No clear decision was made on this.

Highway Superintendent Jody Ostrander suggested the following changes:

- Pg. 41- Sick time says an employee after 6 months of service will be credited for 40 hrs and then they get another 40 hours at their anniversary date, so they get 80 hours in their first year. He suggests 20 and 20 which gives them 40 total for the year. So, it should read, 6 months 20 hours, 1 year 20 hours, 2 yrs 40 hours, 3 yrs 56 hours.

- Pg 39- Vacation leave policy - 6 months 20 hours, 1 yr additional 20 hours, 2 yrs 80 hours, 5 yrs 120, 10 yrs 160 hrs, after 10 yrs add 8 hrs more for each 4 yrs.
- On pg 40- Need to change this also under date credited. Change to 20 hours and 20 hours from 40 hours and 40 hours. This way it will equal 40 hours after your first year of service.

Town Clerk Weaver suggested the following changes:

- Pg. 40 indicates you have to submit in writing to the employees Department Head for any time off. Neither the Town Clerk nor the Highway Superintendent require a written notice for time off requests. All sections need to be updated for this. It was recommended to remove “in writing” and just keep that requests must be submitted to the employees Department Head.
- Pg. 41 Switch out 20 and 20 from 40 and 40. To eliminate a 2 and 3 yr line, you could just give 56 hours that is normally given at 3 yrs at 2 yrs. So, at 6 months of service 20 hours, 1 yr 20 hrs, 2 yrs of service 56 hours and so on. The Board agreed.
- The Town Clerk has a bunch more comments and to save time, Mr. Kryzak suggested she put them in writing for review at the next meeting. It will be tabled for tonight.
- The only other comment she wanted to make this evening was a request for a Board of Ethics. She actually believed having an outside Board of Ethics would be better, so decisions are neutral but doesn't think the county has one anymore and suggested maybe checking with a neighboring town. Everyone was agreeable.

**BUDGET AMENDMENT**

Supervisor Kryzak indicated there was a typo in one of the budget amendments from the last meeting and he provided the Town Board with a corrected one. Supervisor Kryzak made a motion to adopt the following resolution:

- WHEREAS:** The Town of Westerlo has had unforeseen expenses in the following account, and
- WHEREAS:** the Chief Fiscal Officer has determined that in order to maintain proper balances within various accounts, a budget amendment is necessary; now therefore be it
- RESOLVED:** that the Town Board of the Town of Westerlo does hereby authorize Town Supervisor Matthew Kryzak to make the following transfers.

General Fund (2023)

<u>Amount</u>	<u>From Account</u>	<u>To Account</u>
\$286,025.96	(A)2770 unclassified Revenue	(A)5110.43 Parks – Parts. Repair Equipment

Councilwoman Burnside seconded; a vote resulted as follows.

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

NAYS: None

**RESOLUTION # 35 – 2024 was thereby duly adopted.**

**NEW BUSINESS**

**WATER BOARD OPERATOR COMPENSATION**

Supervisor Kryzak indicated the Town Board accidentally did not give the water operator a raise this year. The operator requested a raise which went before the Water Board. The Water Board suggested a raise for a total salary of \$24,660. Supervisor Kryzak made a motion to adopt the following resolution:

- WHEREAS:** The Town Board accidentally did not give the water operator a raise for the 2024 year, and
- WHEREAS:** The Water Board met and agreed to request that the Town Board give Doug Story a raise for a total salary of \$24,660 for 2024, be it hereby
- RESOLVED:** The Town Board agrees to increase the Water Operator Doug Story's salary to \$24,660 for 2024.

Councilwoman Burnside seconded; a vote resulted as follows:

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

NAYS: None

**RESOLUTION # 36 – 2024 was thereby duly adopted.**

### **VISION INSURANCE RENEWAL**

Mr. Kryzak mentioned it's time for the Town to renew the vision insurance plan. There is no change with the insurance or cost, and he proposed the renewal become effective April 1<sup>st</sup>. He will try to lock the rate in until 2026. Supervisor Kryzak made a motion to adopt the following resolution:

**WHEREAS:** The Town's vision insurance is due for renewal and the Town Board discussed locking the rate in through 2026 with no change in coverage or cost, be it hereby

**RESOLVED:** The Town Board approves the Supervisor locking in the rate to renew April 1<sup>st</sup>.

Councilwoman Pecylak seconded; a vote resulted as follows:

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

NAYS: None

**RESOLUTION # 37 – 2024 was thereby duly adopted.**

### **TOWN EVENT SCHEDULE**

Mr. Kryzak indicated he received some feedback regarding the Christmas event. He suggested it be held on a Saturday instead of a Friday this year. Deputy Clerk Pongo indicated she had received complaints when it was on Saturday which is why it was switched to Friday. Town Clerk Weaver suggested booking both days for the food permit until the day is decided on. It was suggested if the event were held on a Friday, it be later in the evening. Both dates will be put on the NYSDOH permit until it's decided on.

### **POSTING FOR DEC**

Mr. Kryzak advised that DEC sent a notice to the Town as part of NYS inactive landfill initiative, NYSDEC and NYSDOH are offering to test drinking water/wells for free near the inactive landfill at the Town's transfer station for PFAS, ammonia, metals, iron, magnesium, sodium and 1-4 dioxane. If anyone is interested can spread the word. The Town Clerk suggested writing letters and mailing them certified to the abutters; the Town Board believed that was a good idea. Mr. Kryzak mentioned he will give it to his clerk to do it.

### **PUBLIC COMMENT**

Planning Board Member Bill Hall indicated the agenda mentions the next Town Board meeting is February 27<sup>th</sup>, but it should be February 20<sup>th</sup> which is an error.

Library Trustee Mary Ann Witt discussed the personnel policy, specifically the IRS mileage rates within the employee handbook. She thought Mr. Kryzak indicated claims can be submitted up to 60 days for reimbursement however, she reminded that a resolution was passed at the Organizational meeting that

claims had to be submitted within 30 days. Town Clerk Weaver requested it remain 60 days in the handbook. Discussion ensued. Questions arose as to when the 30 days would start from. It was suggested it would be 30 days from the date of travel. The Board discussed the possibility of a Town vehicle and submitting claims by the end of each month. Supervisor Kryzak made a motion to adopt the following resolution:

**WHEREAS:** The Town Board discussed mileage reimbursement, be it hereby  
**RESOLVED:** All required documentation and required receipts must be submitted to the Town Clerk for reimbursement by the end of each month and receipts over 60 days old may be ineligible as determined by the Department Head.

Councilwoman Pecylak seconded; a vote resulted as follows:

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

NAYS: None

**RESOLUTION # 38 – 2024 was thereby duly adopted.**

Mr. Kryzak clarified that the Town Board wants the mileage submitted within 30 days but can go up to 60 with Department Head approval.

A resident inquired about the general fund increasing from \$700,000 to \$2.4 million and wondered if that was just due to switching bank accounts from National Bank of Coxsackie to Bank of Greene County. Mr. Kryzak indicated the general fund balance is unused funds from the previous year's budget. He explained, it's the amount the Town saves every year which gets rolled into an account. Mr. Kryzak suggested the resident review the AUD to compare. The resident indicated there was a \$600,000 difference in February. Mr. Kryzak responded that the Town receives the bank statements which tracks expenses and deposits and is used for the AUD. Money from the fund balance doesn't go in until the year after, so 2024 is when the excess from 2023 will go in and will be shown in the AUD. The collateral statements just tell you what you are covered for and may not match bank statements depending on when they were done in comparison to the bank statements. He suggested, if the resident had concerns, he should bring those concerns forward to the State Comptroller.

#### **ADJORNMENT OF MEETING**

With there being no further discussion, Supervisor Kryzak made a motion to close the Town Board Workshop meeting. Councilwoman Pecylak seconded; all in favor motion carried. The meeting adjourned at 7:06 pm.

Respectfully submitted,

Karla Weaver