

**TOWN OF WESTERLO
REGULAR TOWN BOARD MEETING
OF
TUESDAY, June 17, 2025**

The Town of Westerlo Town Board held a regular meeting on Tuesday, June 17, 2025, at the Town Hall 933 CR 401, Westerlo, NY. Supervisor Kryzak opened the meeting with the Pledge of Allegiance to the Flag at 6:04 PM.

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

Also attending were: Town Attorney George McHugh, Highway Superintendent David Pecylak and Employees Dan Rohrmiller and Pete Voisey, Town Justices Kenny Mackey and Joshua Ostrander, Planning/ZBA Chairperson Bill Hall and Board Member Barb Maughan, Museum Director Mary Jane Araldi, Library Trustees Mary Ann Witt, Kim Slingerland and Gaye McCafferty, Westerlo Volunteer Fire Co. Kelly Keefe, CEO and Assessor Clerk Claire Marshall, Deputy Town Clerk's Kathleen Spinnato and Jaimee Motschmann, Town Clerk Karla Weaver, Albany County Sheriff Deputy Bray and approximately 5 residents.

Supervisor Kryzak made a motion to open the meeting. Councilwoman Pecylak seconded; motion carried by those present.

Supervisor Kryzak made a motion to adjourn to speak with and seek legal advice under attorney client privilege regarding the Albany County Water Board assessment issue. Councilwoman Burnside seconded; motion carried by those present at 6:02pm.

Supervisor Kryzak inquired with Attorney McHugh as to whether he needed to make a motion to close the attorney client meeting. Mr. McHugh advised Mr. Kryzak that he did not need to make a motion to close the meeting but rather one to reopen the Town Board meeting.

Supervisor Kryzak made a motion to reopen the regular Town Board meeting at 6:20 pm. Councilwoman Pecylak seconded; motion carried by those present.

TOWN BOARD MINUTES

Supervisor Kryzak made a motion to approve the meeting minutes of May 20, 2025. Councilman Mahan seconded; motion carried by those present.

TOWN CLERK (MAY 2025)

Town Clerk Weaver reviewed the Town Clerk report for May 2025. Supervisor Kryzak made a motion to approve the Town Clerk report for May 2025. Councilwoman Pecylak seconded; motion carried by those present.

SUPERVISOR REPORT (MAY 2025)

Supervisor Kryzak reported that the General Fund has only expended 37% of the budget. The Highway Fund has 53% expended. All major funds are at or below and are on track and where they should be with Budget vs. Actual. Mr. Kryzak reported that the income that has been collected for the General Fund is 102%; however, some of that money needs to be transferred to the Highway Fund and sales tax revenue is still coming in. Supervisor Kryzak made a motion to approve the Supervisor's report for May 2025. Councilman Mahan seconded; motion carried by those present.

INVESTMENT REPORT (MAY 2025)

Supervisor Kryzak reported that for all the checking accounts the total reconciled balance at the start of May was \$4,190,858.69. Across all accounts the Town received \$64,988.73 in receipts and disbursed \$260,599.08 for the month of May. Total bank balance for the end of the month is \$3,995,288.34. The collateralization statement from M&T bank is \$4,056,250.43, meaning it is in excess of what is deposited and therefore are safe. In May 2025 the interest earned was \$5,433.71. Year to date interest collected is \$24,169.67 from the Bank of Greene County for January to May. NYCLASS beginning balance for May was \$468.23, \$1.45 was earned leaving the balance at the end of May at \$469.68. The YTD interest earned from January to April for NYCLASS is \$7.55. Councilwoman Pecylak seconded; motion carried by those present.

BUDGET AMENDMENTS

The Supervisor reviewed the budget amendment below. Supervisor Kryzak made a motion to adopt the following resolution:

- WHEREAS:** the Town of Westerlo has had unforeseen expense in the following accounts; 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 authorizes Town Supervisor Matthew Kryzak to make the following transfers.

General Fund and Escrow Fund 2025

| <u>Amount</u> | <u>From Account</u> | <u>To Account</u> |
|---------------|------------------------|----------------------------|
| \$7,129.73 | (A) 200.1 General Fund | (A) 3510.41 Animal Shelter |

Councilwoman Burnside seconded; a vote resulted as follows.

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

NAYS: None

RESOLUTION # 68 – 2025 was thereby duly adopted.

PAYMENT OF MONTHLY BILLS (MAY 2025)

Supervisor Kryzak inquired with the Town Board if anyone had any questions regarding the Monthly Bills. Councilwoman Burnside pointed out that voucher #'s 317, 320 and 322 were paying milage for the months of February, March and April. Mrs. Burnside informed the Town Board that mileage was to be paid no more than 30 days out. Mr. Kryzak indicated that a notice would go out to all employees that they will have to have mileage submitted every 30 days. Supervisor Kryzak made a motion to adopt the following resolution:

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

RESOLVED: the following June 2025 bills be paid Voucher # 288 through Voucher # 343 in the amount of \$117,132.54, and further

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

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

NAYS: None

RESOLUTION # 69 – 2025 was thereby duly adopted.

COMMITTEE REPORTS

Supervisor Kryzak advised that the Town received a written report from the Justice Court, Assessor and CEO. Mr. Kryzak reviewed the Justice Court report, mentioning they received a total of \$3,355.00 for the month of May.

MUSEUM

Museum Director Mary Jane Araldi reported the following:

- In spite of the rain, they had a successful Garage Sale Day with having over 34 sales listed.
- Mrs. Araldi was able to get assistance with moving the horse-drawn sleigh and is in the Town Hall shed temporarily.
- Mrs. Araldi asked the Board to approve advertising for another Museum Board member in order to have an odd number of members.

LIBRARY

Library Trustee Gaye McCafferty reported the following for the library:

- Summer program is July 8, 2025 to August 14, 2025, on Tuesdays from 2 pm-4 pm for all ages.

- Coffee Connect is every Tuesday from 3 pm-4 pm for caregivers.
- Tuesdays from 6 pm-7 pm there is a Steam Presentation and featured activities each week.
- July 8th & July 15th they will focus on 4H.
- July 22nd Reptile Adventure will be there.
- Story Time is Wednesdays from 10:30 am-11:30 am.
- Thursdays from 5 pm-6 pm drop-in Steam Makers Space Program - each week there will be a different focus on the activities.
- There are Financial Literacy Games available in both boards and electronics appropriate for ages 5 and above. Visit your Library to save money.
- There will be a Story Walk in the Town Park TBD.
- Library of Things – fishing poles, bicycles – balance bikes, bikes with training wheels, pickle ball
- Adult Programs include the Spice of the Month.
- Coffee with Neighbors begins with the first on the first Tuesday of the month from 2 pm-4 pm and each week following it continues on Wednesdays.
- Book Club July 9th, August 13th, September 10th is when the book club will meet to discuss the book of the month.
- June 24th Blood Drive at the Town Hall.
- Available at the Library is an art gallery, Westerlo Community Room, a huge digital collection, staff can assist with IT issues, Wi-Fi is available outside 24 hours a day.
- The Library is looking for a Trustee. Meetings are the second Wednesday of the month at 7 pm.
- All programs are available on their website, or people can stop by the library and can speak with the Library Director.

Mrs. McCafferty on behalf of the Board of Trustees thanked Maureen Sikule for her years of service as a member of the Library's Board of Trustees.

PLANNING/ZONING BOARD

Planning/Zoning Board Chairman William Hall informed the Town Board they approved a minor subdivision at the May meeting. Mr. Hall indicated that there would be a few public hearings at the June meeting along with a couple variances and another subdivision. Mr. Hall indicated that he would have a few training certificates for the Town Board that he needs to collect from members.

LOCAL LAW REVIEW COMMITTEE (LLRC)

Mr. Hall indicated they were looking into the battery energy storage systems since there has been some talk that there may be one going to the Planning/Zoning Board at some point. There are a couple issues that will need to be addressed and collaborated with the Westerlo Volunteer Fire Company. An audience member asked Mr. Hall as to when the next meeting would be. Mr.

Hall indicated it is the 3rd Monday of every month. Supervisor Kryzak informed Mr. Hall that he had received emails regarding potential projects from a private consulting company for rural areas.

JUSTICE COURT

Town Justice Joshua Ostrander requested on behalf of him and Town Justice Mackey an RFP for mini splits that they obtained the CAP Grant for in order to secure the court office and to make the court room more comfortable during hot summer days. Supervisor Kryzak asked Judge Ostrander to get him some more information so he could then advertise for bids on the installation of the mini splits.

HIGHWAY

Highway Superintendent David Pecylak reported the following:

- Looking to make an even trade with the Town of Rensselaerville of new mower blades for a chip box to go on the back of a truck. He has a few items such as the old mower head that they also want to trade for a broom that needs a new motor. Mr. Kryzak indicated that the municipal law will be reviewed to make a resolution to make the trade.
- Hilltop Road is ready to pave after cutting some trees back and putting in pipes. Gifford Road needs more done before it is ready to pave.
- Received three quotes to put a lining in on Johnny Cake Hill Road. The pipe is 140ft long and 7ft in diameter. One quote was \$97,000.00 and is heavy rubber with **mess** in it. Another quote for \$315,000.00 to clean, put a liner in it then heat it up to shrink wrap it to the pipe. The final quote was to use concrete. Mr. Pecylak indicated that Confidential Administrator Lisa DeGroff was assisting him with getting a \$40,000.00 grant to offset some of the cost for the repairs of the road. Mr. Kryzak indicated that Mr. Pecylak would need to submit the information for the grant as soon as the grant is approved and that he would need to request new quotes. Supervisor Kryzak informed Mr. Pecylak that the whole process may end up getting pushed into next year.
- The lawnmower at the park is 7 years old; therefore, Mr. Pecylak indicated he is looking at purchasing a new lawnmower and has received a quote of \$19,000.00 with a 17% discount which would bring the cost to \$15,769.00 along with a \$4,000.00 trade in.

Supervisor Kryzak made a motion to adopt the following resolution:

- WHEREAS:** The Highway Superintendent advised the need to purchase a new lawnmower to replace an outdated one for the Town Park, be it hereby
- RESOLVED:** The Town Board authorizes the Highway Superintendent to engage in a contract to replace the outdated mower for the Town Park at a cost of \$15,769.00.

Councilwoman Burnside seconded; a vote resulted as follows:

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

NAYS: None

RESOLUTION # 70 – 2025 was thereby duly adopted.

HOMETOWN HEROES

Hometown Heroes Committee Chairperson and Town Board Member Amie Burnside mentioned that the Committee met on May 27, 2025, and reported the following:

- They received all the entries for the coloring and essay contest and each committee member reviewed them. Member Lisa DeGroff tabulated the winners. The Committee agreed to purchase Stewart's ice cream and a wrist band for all entries. Winners received a \$100 Amazon gift card for 1st place; \$50 for 2nd place; and \$25 for 3rd place.
- The Committee discussed meeting with the schools for feedback on what the Committee could do to increase entries into the contest in the future and will take a bulk of the wrist bands to the schools to be distributed to the students.
- Reviewed the Patriotic Picnic information and agreed on a time to set up. The Patriotic Picnic was completed and there were 90 people in attendance despite the rainstorm. The feedback from the vendors and those attending was positive. They gave out 15 door prizes and a free raffle. The Committee has determined that they will host another Patriotic Picnic in June of 2026.

BUILDING DEPARTMENT

Code Enforcement Officer Jeffry Pine submitted the following report for May 2025.

Report - Building/ Zoning -Jeffry Pine BI/CEO – for May 2025

Applications processed or pending before the boards

Special use – 1 / Variance request- 5 / Sub– divisions – 2

Building permits issued – 13

New houses –1 / Swimming Pools – 0 / Additions, renovations - 2

Accessory structures – 5 Solar Pv – 3/ Other – 0 Cell tower / commercial – 2

Construction inspections- 19

Site visits – 8 / Fire calls – 0 / Fire safety inspections and follow ups - 1

5 - In-service Training hours. 15 hrs. YTD (24 hours required to maintain certification for 2026)

ASSESSOR

Assessor Melanie Bunzey submitted the following report:

ASSESSOR'S MONTHLY DEPARTMENTAL REPORT

To: Westerlo Town Board

From: Melanie Bunzey, Assessor

Date: June 12, 2025

Re: Monthly Report

Board of Assessment Review (“BAR”) hearings were held on Wednesday, May 28, 2025 from 4-8 pm. There was only one appearance. The other Complaints were mailed in. There was a total of six Complaints filed: 1 for Costanza Solar Farm; 1 for Leaning Evergreen LLC; 1 for the owner of 202 Elm Lane (the only personal appearance); 3 for Albany County Water Board.) The Board voted to not decrease any of the assessment with the exception of 202 Elm Lane for excessive assessment.

I will be making the single assessment change and update STAR information as instructed by the NYS Tax & Finance Department for those that are not eligible for the Basic STAR exemption and enter all sales up to the point of preparing, printing and filing the 2025 Final Roll due July 1st.

The following 2025 STAR reports have been received from New York State and processed:

*Report #1 – Enhanced STAR Eligibility Report
Report #2 – Income Greater than \$250,000 Report
Report #3 – Voluntary Exemption Removal Report – Initial
Report #4 – Tentative Roll Corrections Report*

A “New Sales Transmittal Report” was submitted to the State with 4 sales since last submittal (see attached.)

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 received, exemptions are then removed if necessary and notifications of exemption change mailed.

*Respectfully submitted,
Melanie Bunzey
Melanie Bunzey, Assessor*

MOTION TO APPROVE COMMITTEE & DEPT. REPORTS

Supervisor Kryzak made a motion to accept all committee, and department reports for May 2025. Councilwoman Pecylak seconded; motion carried by those present.

OLD BUSINESS

RIGHT TO FARM LAW

Supervisor Kryzak indicated that after further research there is already in place a New York State Right to Farm Law and an Albany County Right to Farm Act. It was then determined to

pass a resolution to support the State and County Right to Farm. Supervisor Kryzak made a motion to adopt the following resolution:

RESOLUTION IN SUPPORT OF THE RIGHT TO FARM

TOWN OF WESTERLO

- WHEREAS:** the New York State Right to Farm Act, which was enacted in 1982, provides eligible, responsible Farmers with protection from restrictive local government ordinances, as well as public and private nuisance actions, and provides increased protection to those Farmers who operate in accordance with sound agricultural practices that have been adopted by the Commissioner of the New York State Department of Agriculture and Markets; and
- WHEREAS:** the Albany County Right to Farm Law, which was enacted in 2007, recognizes that small and large farms are an integral component of the County's economic base; productive agricultural soil is an irreplaceable asset; and agriculture contributes to the economic diversity, environmental quality and overall quality of life in Albany County, and
- WHEREAS:** the Albany County Legislature declared that it is the policy of Albany County to promote effective communication between farm and non-farm neighbors resulting in a shared understanding of the value of the agricultural enterprises to Albany County and the necessary day-to-day operations involved in farming, and
- WHEREAS:** it is the general purpose of the Albany County Right to Farm Law to maintain and preserve the agricultural traditions of Albany County; to permit the continuation of sound agricultural practices necessary for the operation of farms; to encourage the initiation and expansion of farms and agribusinesses where it is compatible with existing land use regulations; and to promote effective and efficient means to resolve disputes which may arise concerning agricultural practices and farm operations, and
- WHEREAS:** this Town Board acknowledges and recognizes that Farmers, and the practice of farming, or agricultural practices, is an important and integral part of the history of the Town of Westerlo, as well as its future, and
- WHEREAS:** the Town Board hereby acknowledges and insures that Farmers, and those employed, retained, or otherwise authorized to act on behalf of Farmers, may lawfully engage in agricultural practices within this town at all times and at all such locations as are reasonable and necessary to conduct the business of agriculture, and

- WHEREAS:** for any agricultural practice, in determining the reasonableness of the time, place, and methodology of such practice, due weight and consideration shall be given to both traditional customs and procedures in the farming industry as well as to advances resulting from increased knowledge and improved technologies and whether the practice is reasonable and necessary, conducted in accordance with generally accepted agricultural practices and not a threat to public health, and
- WHEREAS:** Agricultural practices conducted on farmland shall not be found to be a public or private nuisance if such agricultural practices are 1. Reasonable and necessary to the particular farm or farm operation; 2. Conducted in a manner which is not negligent or reckless; 3. Conducted in conformity with generally accepted and sound agricultural practices; 4. Conducted in conformity with all local, state, and federal laws and regulations; 5. Conducted in a manner which does not constitute a threat to public health and safety or cause injury to health or safety of any person; and 6. Conducted in a manner which does not obstruct the free passage or use of navigable waters or public roadways, now therefore be it hereby
- RESOLVED:** that the Town Board of the Town of Westerlo does hereby acknowledge and support the New York State Right to Farm Act of 1982, and the Albany County Right to Farm Law of 2007 in their entirety, and recognizes that Farmers within our town, county and state are directly responsible for feeding and building our great nation over the last 250 years; and be it further
- RESOLVED:** that the Town Board of the Town of Westerlo does hereby wholeheartedly support and defend Farmers and the practice of farming within the Town of Westerlo, and we humbly and gratefully “Salute All Farmers” engaged in the noble practice of farming throughout the Town of Westerlo - Yesterday, Today, and Tomorrow.

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

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

NAYS: None

RESOLUTION # 71 – 2025 was thereby duly adopted.

TENNIS & PICKLEBALL COURT

Supervisor Kryzak indicated pressure washing had been completed, sleeves for the new nets have been installed. Next, they need fill cracks, seal coating which is weather dependent and then finally can paint.

NEW BUSINESS

PAVING OF PARKING LOTS - RFPS

Supervisor Kryzak read the proposed ad to be placed in the newspaper for the bid proposals for the paving of the Highway Garage parking lot - project 1, the Town Court parking lot - project 2 and the Town Hall parking lot - project 3 as follows:

NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Westerlo hereby invites sealed bids for THREE separate paving projects.

Project 1: Highway Garage Parking Lot

Project 2: Town Court Parking Lot

Project 3: Town Hall Parking Lot

*Bids will be received up to 5:00 pm on the 31st day of July 2025. Bids received on time will be publicly opened and read aloud at that time at the Richard Rapp Town Hall Building, 933 Country Route 401, Westerlo, New York. **Bids shall be addressed to Karla Weaver, Town Clerk, Town of Westerlo, 933 County Route 401, Westerlo, N.Y. 12193. Bids shall be in sealed envelopes which shall bear, on the face thereof, the name and address of the bidder and the subject of the bid. ORIGINAL AND ONE COPY (two copies) of each shall be submitted.** The Town Board reserves the right to waive any informalities in or to reject any or all bids.*

Bid documents may be obtained at the Westerlo Town Clerk's Office, 933 County Route 401, Westerlo, N.Y. 12193 or requested by E-Mail @ Townclerk@Townofwesterlony.com.

Supervisor Kryzak made a motion to adopt the following resolution:

WHEREAS: The Town Board is interested in accepting bids for three separate paving projects at the Highway Garage, Town Court and Town Hall, be it hereby

RESOLVED: The Town Board approves advertising the above ad in the newspaper for two weeks.

Councilwoman Burnside seconded; a vote resulted as follows:

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

NAYS: None

Resolution # 72 – 2025 was thereby duly adopted.

Resident Bobby Sherman asked if the Town Board should redo the ramp before paving the Town Hall parking lot. Mr. Kryzak responded it's in the works. He also mentioned that the Town

will be utilizing the 1.2 million that was set aside for improvements for the building of which \$56,000 was already spent on the roofs. He indicated the 1.2 million is growing due to interest in the bank. There are some projects coming up that will deplete this however the Supervisor advised that Town made the amount back that was already spent in interest.

DEPUTY DOG CONTROL OFFICER VACANCY

Supervisor Kryzak advised Deputy Dog Control Officer Konrad May has resigned. Highway Employee Clay Zehr is interested in the position. Supervisor Kryzak made a motion to adopt the following resolution:

- WHEREAS:** The Deputy Dog Control Officer, Konrad May has tendered his resignation effective June 30, 2025, and,
- WHEREAS:** There is now a vacancy in the position as the Deputy Dog Control Officer and,
- WHEREAS:** Clay Zehr has expressed an interest in assuming the position of Deputy Dog Control Officer, now therefore be it
- RESOLVED:** that the Town Board of the Town of Westerlo does hereby appoint Clay Zehr as the Deputy Dog Control Officer at the approved annual salary of \$3,821.00, (\$318.12 monthly) effective July 1, 2025.

Councilwoman Pecylak seconded; a vote resulted as follows:

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

NAYS: None

RESOLUTION # 73 – 2025 was thereby duly adopted.

Supervisor Kryzak thanked Clay for stepping up.

FARMERS MARKET

Supervisor Kryzak announced that the Farmers Market this year has been cancelled because there weren't enough vendors interested. With the monthly payment of bills, there were refunds given to the vendors that signed up for their deposit. Supervisor Kryzak made a motion to adopt the following resolution:

- WHEREAS:** The Town of Westerlo Farmers Market has been cancelled this year, be it hereby
- RESOLVED:** The Town Board authorized refunding the fees to the vendors that previously paid.

Councilwoman Pecylak seconded; a vote resulted as follows:

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

NAYS: None

RESOLUTION # 74 – 2025 was thereby duly adopted.

APPROVAL FOR APPLYING FOR GRANTS

Supervisor Kryzak indicated there is an available Albany County Parks Grant. The Albany County Legislature in partnership with the Albany County Parks and Recreation Department and the Albany County Executive's Office announced the availability of \$150,000 through the Albany County Improvement Initiative which is for the enhancement of development of city, town and village owned parks, playgrounds, and recreational facilities throughout Albany County. Individual grants will be awarded up to \$15,000 depending on the scope and quality of the proposal submitted. The Park Committee indicated that these funds will be used for the development of an all-inclusive and accessible playground here at Town Hall. Mr. Kryzak is looking for approval from the Town Board to go ahead and apply for that grant. Supervisor Kryzak made a motion to adopt the following resolution:

- WHEREAS:** The grant writer would like to apply for a grant with the Albany County Municipal Park Improvement Initiative, now therefore be it
- RESOLVED:** that the Town Board of the Town of Westerlo does hereby approve and authorize the grant writer to apply for grant funding with the Albany County Municipal Park Improvement Initiative.

Councilwoman Pecylak seconded; a vote resulted as follows:

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

NAYS: None

RESOLUTION # 75 – 2025 was thereby duly adopted.

RESOLUTION FOR MVP FITNESS COURT GRANT

The Supervisor mentioned that the Town Board received a handout for a potential MVP fitness court. The Town has previously discussed putting in some outdoor fitness equipment for people to use. There is an available grant that may provide funding for installing an outdoor fitness court. It's an initiative to get people active and to exercise. It would also have a place for commissioned artwork to be hung on the backside which would allow the park to be more pleasing to the eye. MVP is making available between \$30,000-\$50,000 of funding. MVP would also help the Town get sponsor support. The goal is that the Town would only have to spend a limited amount of taxpayer money, if any, to be able to put this park improvement in. There is money set aside for park improvements and interest is being made on that money. The great thing about this potential grant is once you get the grant awarded and say you change your mind; you don't have to go through with it. It is not until you get your site plan approval that you are stuck with it. There is space behind the playground and pavilion as potential locations

for this. Trying to keep it out of the way with a potentially small parking lot near it so it would not interfere with any of the things that are already going on in the park. This is the preliminary phase to see if the Town is eligible.

A resident asked if there was a roof to protect the fitness court from inclement weather and heat. Mr. Kryzak responded there is no roof, it is weather dependent. Another resident asked if there is an age restriction, expressing they do not want to see kids get hurt. Councilwoman Burnside responded, that has not been figured out yet, it's brand new. There is no design for a fence, but that can be discussed later. Supervisor Kryzak made a motion to adopt the following resolution:

WHEREAS: The grant writer would like to apply for a grant with MVP for a fitness court, be it hereby

RESOLVED: that the Town Board of the Town of Westerlo does hereby approve and authorize the grant writer to apply for grant funding with MVP for a fitness court.

Councilwoman Burnside seconded; a vote resulted as follows:

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

NAYS: None

RESOLUTION # 76 – 2025 was thereby duly adopted.

ADOPTION OF STRAY/CONFISCATED DOG

Supervisor Kryzak announced that the dog that was hit by a car and needed medical care has been adopted and is no longer a Town issue. The Supervisor thanked Town Clerk Weaver for caring for her, providing health care and adopting her, which saved the Town money. He also thanked the DCO.

APPROVAL TO WAIVE ZONING PERMIT/VARIANCE FOR TOWN ORGANIZATIONS

Supervisor Kryzak mentioned there was discussion regarding potentially exempting Town organizations from the building permit process and from the Towns zoning. He advised, after legal research, the best advice received is to have all Town organizations go through the permitting process. The reason being is that if the Town exempts certain organizations from the Town's zoning it sets a precedent. If the Town does it for one, it must be done for all. The problem with exempting all the organizations from zoning is if something is done not as intended, there is no legal recourse for the Town to basically say that it wasn't part of the agreement. When a project is approved through the Planning/Zoning Board, there are rules that must be followed. There is then recourse if someone does not follow what was agreed upon. For the shed, the library will need to apply for the permit.

LETTER OF ENGAGEMENT FROM TABNER, RYAN & KENIRY LLP

Mr. Kryzak indicated the Town Board has a letter of engagement from Tabner, Ryan & Keniry LLP for moving forward with them to get advice on how to operate moving forward with investigations and on the current ones. The letter is only for retaining them for those purposes moving forward for things that can be put in place, making the operations of the Town better and more straight forward and try to take more control for what the Town should and should not be doing on their own versus having a legal team as a third party. Supervisor Kryzak made a motion to adopt the following resolution:

WHEREAS: The Town Board discussed engaging with Tabner, Ryan & Keniry LLP for providing advice for the Town of Westerlo in its process moving forward for Town events be it hereby

RESOLVED: The Town Board approves engaging with Tabner, Ryan & Keniry LLP for this purpose.

Councilwoman Pecylak seconded; a vote resulted as follows:

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

NAYS: None

RESOLUTION # 77 – 2025 was thereby duly adopted.

STOP THE BLEED

On Saturday, June 21st at the Town Hall, the Town is hosting a Stop the Bleed event. People are encouraged to sign up. Sponsored by Albany County Sheriff's Emergency Response Unit and the Town of Westerlo.

TOWN BOARD COMMENTS

Councilwoman Burnside requested that going forward with the newsletter, to cut out the repetitiveness as it is still thirty pages and limit it to Westerlo information and events. She mentioned there are items from Albany and other areas in there. Town Clerk Weaver responded that she just received a glowing review from someone who didn't know who created the newsletter and unfortunately it is not in front of her because consistently the Town Board throws things at her without knowing. Comments are received about how informative it is; there are things that people don't realize are around here that are available to the public. Things that may be going on in Albany are things that these residents didn't know about, and it gives them something to look forward to. Greenville Library is one that our Town uses often, especially for South Westerlo residents. There are things in there about veteran services and those things don't change. Ms. Weaver mentioned that Councilwoman Burnside is a big veteran supporter but to make comments about the newsletter that has a lot of that seems unfair.

Councilwoman Burnside mentioned there is a lot of repetitiveness. Town Clerk Weaver asked Mrs. Burnside why she doesn't come to her and speak to her about those things instead of her commenting publicly to hash it out. Town Clerk Weaver advised that Councilwoman Burnside never came to her about it. Mr. Kryzak suggested taking this offline to keep things civil. Town Clerk Weaver responded to Mr. Kryzak that she does not start anything but will finish it and that is how it will go if it's continued. Ms. Weaver indicated it's constantly an attack on her and Mr. Kryzak knows it. Councilwoman Burnside indicated she never said a name. Ms. Weaver responded that she doesn't have to, everyone knows. Resident Mr. Witt asked the Supervisor to be civil. Mr. Kryzak indicated he doesn't need anything from him tonight. Town Clerk Weaver also mentioned that she gets complaints about lots of things, and yet she doesn't bring them up to air out the dirty laundry. Mr. Kryzak indicated it will be taken offline. Town Clerk Weaver mentioned she appreciated that very much.

Councilwoman Pecylak suggested advertising toward Greenville for a new maintenance guy. Mr. Kryzak indicated there is a potential new candidate and suggested if that doesn't work out that would be an option.

Councilman Mahan commented regarding the Mrs. Burnside's comment of not paying employees mileage. He indicated employees should be paid. Whether it is 60 days or 30 days they still earn it. It was mentioned that the policy states to report timely.

PUBLIC COMMENT

Resident Barbara Russell concurred on the newsletter. Half the town pays Greenville school taxes, and the other half pays BKW taxes. The newsletter should cover both equally to include South Westerlo. Supervisor Kryzak agreed.

Supervisor Kryzak mentioned he will accept 15 minutes of public comment and then will adjourn the meeting if everyone is civil. If decorum isn't followed, public comment won't be heard.

Resident Barbara Russell thanked the Town Board for the resolution on Right to Farm. She asked if they would be notifying people on the signs for the Town of Westerlo that Westerlo is now a Right to Farm Community. Mr. Kryzak believed that it was a good idea just need to figure out if it's allowed or if an additional sign needs to be added. Most towns just put a little sign underneath it that this is a Right to Farm Community. Mr. Kryzak also advised they are trying to update the historical markers as well.

Bill Hall requested to post the Albany County Right to Farm Law on the Town's website and to let people know that the Town adopted it.

Deputy Town Clerk/Justice Court Clerk Jaimee Motschmann asked how many vendors were being refunded for the farmer's market. Mr. Kryzak believed it was roughly five. She thought the reason why the market was cancelled had to do with insurance. Mr. Kryzak responded that the reason it wasn't done on Rt 32 was because they wanted to be exempt from liability. The Town's insurance does inspections on Town property, but they couldn't write that. Mrs. Motschmann indicated she had to turn away people that tried to apply. It was mentioned that all money collected for the fees is done through the Clerk's Office.

Westerlo Fire Co. Member Betty Filkins mentioned that the Confidential Administrator alerted her about a grant with Bank of Greene County. She thanked her for bringing services for veterans to the Town. Mrs. Filkins' dad was awarded a congressional medal this week. She read what the certificate said. He was awarded a high school diploma from Voorheesville, the first ever veteran to get one. She mentioned that her father quit school at 16 yrs old because his mother was killed and his father's barn burned down. His father ran to the barn to let out the cows, but in the process broke his leg. Her father quit school to help as he was the oldest boy. When Pearl Harbor happened, he figured he could get money to send home, lied about his age, and went into the service. She also mentioned that her husband was honored as a living veteran this week and there were a lot of dignitaries there. She thanked the Supervisors office, the Town and the Town Board for bringing these services here or she would never have found out about the awards. Her dad received five other ribbons they knew nothing about. Unless you apply for these ribbons after the fact, you don't get them. She commented that Tom Mullens with Albany County Veterans who visits here had wanted to go into the service and couldn't because he had a seizure and always felt bad he didn't go to Vietnam. Now his goal in life as a retired teacher is to help veterans get these awards. She indicated he helps you complete the paperwork as well.

Deputy Town Clerk Kathleen Spinnato mentioned that the Town already adopted the Albany County Right to Farm Law. She wondered if this is amending that one. Mr. Kryzak indicated this is to basically sign on to that. Adding layers of protection, now adding the state. Memorializing that you are adopting the County and States.

Ms. Russell commented that the County and State have years associated with their laws on Right to Farm. Mr. Kryzak indicated if the County or State laws get updated, the Town will go along with that. She questioned what happens if the County says you can no longer put solar on farmland. The Supervisor mentioned that the State has already said that and there are also new things coming out. He believes the Town could find itself in another legal battle with someone

trying to put another commercial solar or battery storage in. They are doing it to a lot of small towns. NYC thinks small towns just exist to provide electricity and services to those living in the city. If the Town needs to create a law to protect Westerlo it will.

Resident Gaye McCafferty asked if there was any discussion to put in a statement in the Right to Farm resolution that the Town does not support a herd cap because NYC is trying to do a herd cap of 700. There is nothing in there about it now per the Supervisor but if the County and State do something silly, the Town can make a law to protect Westerlo. The Town sent out over thirty surveys to people who get an Ag exemption and have been asking for feedback for six months, however, he didn't receive much back.

Bill Hall commented about the 700 herd cap limit and indicated that would be done by Ag and Market and wouldn't be affected by anything the Town did here. Zoning doesn't have a herd cap. Right to Farm basically protects farmers from nuisance complaints from neighbors.

Mrs. Spinnato asked if the Supervisor could provide contact information for the new Deputy DCO to be able to administer the Oath of Office and to post his contact information on the website.

Ms. Russell asked if she could get the DCO on the agenda. There are going to be a lot more dog issues especially now with the ADU, which could double the density of this town. More dogs, more people. She suggested that maybe the Town can look for a grant for a dog park so people have somewhere to take them for exercise. Supervisor Kryzak indicated as far as the DCO is concerned, it's a work in progress. There are a small number of people who cause trouble in town and the rest of the folks are generally law abiding. He is trying to avoid a homeowner's association. Mrs. McCafferty indicated dog bites are required to be reported by health care workers to the state.

ADJOURN THE MEETING

With there being no further comments or questions, Supervisor Kryzak made a motion to close the meeting. Councilman Mahan seconded; motion carried by those present. Meeting adjourned at 7:36 PM.

Respectfully submitted,

Karla Weaver
Town Clerk
Page 17 of 17