

**STATE OF NEW YORK
COUNTY OF ALBANY**

JANUARY 8, 2020

REGULAR MEETING

The regular monthly meeting of the Town Board of the Town of Berne was held on the above date with the following officers present: Supervisor Lyons, Councilmembers Palow, Conklin, Harris. Councilmember Willsey was not in attendance. Also present were Town Clerk Clayton, Attorney Conboy, and several interested citizens. The Pledge of Allegiance was led by Supervisor Lyons who then called the meeting to order at 7:00 PM. A moment of silence was called for our soldiers in Iran. The minutes of 01/01/20 were presented and on motion of Supervisor Lyons and seconded by Councilmember Palow, the minutes were accepted with the following members voting aye; Supervisor Lyons; Councilmembers Palow, Conklin, & Harris.

CORRESPONDENCE – Letter of resignation from Mark Hohengasser; Letter of resignation from Denise Marcello. Letter from Court Clerk, Stacy Loucks, stating Justice Court records and dockets are available for annual review.

PUBLIC COMMENT – Several citizens spoke regarding matters in the Town.

HIGHWAY REPORT–Superintendent Bashwinger reported that the Transfer Station is getting cleaned up and making sure the employees are helping unload cars; found a company for bottle returns; discussed the closing due to weather. The purchase of a new plow truck was discussed and quotes were received, waiting for contract number.

OLD BUSINESS

LED STREELIGHT – Councilmember Harris stated that NYPA will be submitting the engineer report shortly.

APPROVING CANCELLATION OF ROAD ENGINEER EVALUATION

Councilmember Palow made a motion seconded by Supervisor Lyons to cancel the engineer evaluation regarding the “Highway Work Zone Practices in CHIPs Overlay Projects, The Interpretation of Standards & the Identification and Evaluation of Problematic Local Rural Highway Segments in CHIPs Overlay Projects” previously submitted by Councilmember Willsey. Motion carried with the following members voting aye, Supervisor Lyons, Councilmembers Palow & Harris; Councilmember Conklin – nay.

AWARDING DEMOLITION BID FROM GREENBRIAR CONSTRUCTION SERVICES, LLC

Supervisor Lyons made a motion seconded by Councilmember Conklin to award the bid from Greenbriar Construction Services, LLC. in the amount of \$32,868 for demolition of the structure at 564 Helderberg Trail, East Berne, NY. Motion carried with the following members voting aye; Supervisor Lyons, Councilmembers Palow, Conklin & Harris.

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NEW BUSINESS

ACCEPTING RESIGNATION OF MARTIN SZINGER

After discussion, Supervisor Lyons made a motion seconded by Councilmember Palow accepting the resignation of Martin Szinger from the Switzkill Farm Board. Motion carried with the following members voting aye: Supervisor Lyons and Councilmembers Palow, Conklin & Harris.

ACCEPTING RESIGNATION OF DENISE MANNING

After discussion, Supervisor Lyons made a motion seconded by Councilmember Conklin accepting the resignation of Denise Manning from the Zoning Board of Appeals. Motion carried with the following members voting aye: Supervisor Lyons and Councilmembers Palow, Conklin & Harris.

AUTHORIZING TOWN CLERK TO ADVERTISE FOR POSITIONS IN THE TOWN

After discussion, Supervisor Lyons made a motion seconded by Councilmember Palow authorizing the Town Clerk to advertise for the following positions – Zoning Board of Appeals members; Youth Council members; Building & Maintenance and Administrative Assistant I. Motion carried with the following members voting aye: Supervisor Lyons and Councilmembers Palow, Conklin & Harris.

TOWN OF BERNE WELCOME PACKETS -Councilmember Palow distributed a template of a welcome packet for new Town residents.

FORMAT FOR TOWN BOARD MEETINGS - Supervisor Lyons discussed the new format for the meetings – one month of business with alternate month being an open forum for residents along with department reports.

NEW FLAG AND FLAG POLE AT LIBRARY – a new flag and flag pole was discussed and quotes will be obtained.

AUDITS OF SWITZKILL FARM BOARD AND CONSERVATION BOARD – Town Board members will be reviewing charters and codes for these boards and will be making recommendations on moving forward.

ANNUAL JUSTICE AUDIT – Councilmembers Palow and Harris will perform the Justice audit.

Second Amendment Sanctuary Ordinance for The Town of Berne – this policy will be reviewed for the next meeting.

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INTRODUCTION OF LOCAL LAW #1 OF 2020 “TOWN OF BERNE HYDRAULIC FRACTURING AND/OR HYDROFRACKING LAW”

After discussion, Supervisor Lyons introduced Local Law #1 of 2020 “**Town of Berne Hydraulic Fracturing and/or Hydrofracking Law**” and moved to set a public hearing on proposed Local Law #1 of 2020 for March 11, 2020 at 6:30 PM and directing the Town Clerk to give notice of such public hearing in the manner provided in Section 20 of the Municipal Home Rule Law, and Councilmember Palow seconded the introduction of the proposed local law and the motion. Motion carried with the following members voting aye: Supervisor Lyons, and Councilmembers Palow, Conklin & Harris.

APPROVING CHANGE IN TRANSFER STATION HOURS

After discussion, Supervisor Lyons made a motion seconded by Councilmember Palow approving the changes to the Transfer Station as follows – Mondays 4-8PM; Wednesdays 4-8PM and Saturdays 8AM-4PM. Motion carried with the following members voting aye: Supervisor Lyons, and Councilmembers Palow, Conklin & Harris.

AUTHORIZING TO WAIVE FEE FOR MARRIAGE LICENSES TO ACTIVE DUTY MILITARY PERSONNEL

After discussion, Supervisor Lyons made a motion seconded by Councilmember Harris authorizing the fee is waived for marriage licenses for Active Duty military personnel. Motion carried with the following members voting aye: Supervisor Lyons, and Councilmembers Palow, Conklin & Harris.

AUTHORIZING BUDGET TRANSFERS

After discussion, Supervisor Lyons made a motion seconded by Councilmember Palow that the fund transfers be authorized in the amounts and manners as attached to these minutes. Motion carried with the following members voting aye: Supervisor Lyons, and Councilmembers Palow, Conklin & Harris.

ACCEPTING MONTHLY REPORTS

After discussion, Supervisor Lyons made a motion seconded by Councilmember Palow to accept the Supervisor, Town Clerk and Building & Zoning Administrators’ monthly reports. Motion carried with the following members voting aye: Supervisor Lyons, and Councilmembers Palow, Conklin & Harris.

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APPROVING PAYMENT OF MONTHLY BILLS

After discussion, Supervisor Lyons made a motion seconded by Councilmember Palow to approve payment of the following bills:

GENERAL FUND, HIGHWAY FUND & SEWER 2020
ABSTRACT# 01082020.....\$52,499.79

Motion carried with the following members voting aye: Supervisor Lyons, and Councilmembers Palow, Conklin & Harris.

MOTION TO ADJOURN

There being no further business, Supervisor Lyons made the motion seconded by Councilmember Palow to adjourn the meeting. Motion carried with the following members voting aye: Supervisor Lyons, and Councilmembers Palow, Conklin & Harris. Meeting adjourned at 8:40PM.

Respectfully submitted,

Anita C. Clayton, Town Clerk

BUDGET TRANSFERS

A1330E	11175	TAX COLLECTOR	\$	0.04		
A1330E	22050	COMPUTER EQUIPMENT			\$	(0.04)
A1620E	11165	CUSTODIAN WORKER	\$	1.94		
A1620E	17230	LABORER			\$	(1.94)
A1620E	44036	TELEPHONE	\$	1,086.38		
A1620E	44041	COMPUTER FEES	\$	1,538.47		
A1620E	44065	PHOTOCOPIER LEASE	\$	577.29		
A1620E	44100	FUEL OIL			\$	(3,202.14)
A1620E	44100	FUEL OIL			\$	(1,056.27)
A3510E	44038	TRAVEL MILEAGE FREIGHT	\$	10.04		
A3510E	44055	VETERINARIAN FEES			\$	(10.04)
A5132E	44028	SAFETY SUPPLIES			\$	(403.10)
A5132E	44036	TELEPHONE	\$	403.10		
A7111E	44100	FUEL OIL	\$	1,056.27		
A7111E	44106	SEWER CHARGES	\$	115.00		
A7111E	22080	SPECIALTY EQUIPMENT			\$	(115.00)
A7320E	11205	YOUTH PROGRAM REC PERSONAL SER			\$	(206.99)
A7320E	44999	MISC CONTRACTUAL EXPENSES	\$	206.99		
A9060E	44976	PREMIUM PAYMENT			\$	(555.91)
A9060E	89030	SOCIAL SECURITY	\$	555.91		
			\$	5,551.43	\$	(5,551.43)

SEWER

SS8110e 89030 to SS8110e 17340 \$79.00