

**STATE OF NEW YORK
COUNTY OF ALBANY**

JANUARY 10, 2018

7:00 PM Public Hearing Local Law #1 of 2018

Supervisor Lyons declared the public hearing on Local Law #1 of 2018 known as the “**Town of Berne Small Scale Solar Energy Law**” open with the following members present Councilmembers Schimmer, Jordan, Palow & Willsey. Supervisor Lyons opened the floor to guests:

Matt Harris – Watertrough Road, had questions regarding Kilowatt hours; small scale systems; restrictions; qualified solar installers.

Tim Lippert – Bradt Hollow Road – asked to keep the issue open till next month for residents to have more time to review the proposed local law; questions regarding setbacks and SEQR.

Supervisor Lyons stated that public comment will be left open for residents to send written questions and matter will be addressed at the February meeting.

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 Schimmer, Jordan, Palow & Willsey. Also present was 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 7:17 PM, and Councilmember Palow was sworn in to office by Supervisor Lyons; and on motion of Councilmember Schimmer and seconded by Councilmember Jordan, the minutes of 01/01/18 were approved as presented with the following members voting aye; Supervisor Lyons; Councilmembers Schimmer, Jordan & Willsey. Councilmember Palow abstained. Supervisor Lyons opened the meeting to guests:

Roger Chrysler –stated that building permit fees should be waived for residents experiencing a disaster.

Mike Vincent – discussed the need for Senior Housing; signs at the transfer station and more recycling for batteries, etc.

Emily Vincent – stated Mr. Crosier had good visions for the Town and was asked to look into green waste recycling and she would like to move forward with research into this.

Peter Becker – Berne Fire District Chief, stated the radio reception with the new tower was immaculate.

CORRESPONDENCE – none at this time

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COMMITTEE REPORTS

HIGHWAY- Highway Superintendent Bashwinger submitted his local road listing and congratulated the highway workers on the great job they do plowing; he stated that they are in good shape with plenty of sanding material; gave Town Clerk check from Weisman for \$729.14 for recycling culverts; requested approval to purchase a gradall.

SENIORS - Councilmember Jordan stated the next meeting will be on 1/13/18.

SENIOR MEAL PROGRAM – Councilmember Schimmer reported more volunteers are needed.

PLANNING & ZONING – Councilmember Jordan reported the Planning Board meeting on 1/4/18 was cancelled due to weather and next meeting will be held on 1/18/18 and the ZBA has nothing scheduled.

LIBRARY –Supervisor Lyons stated he will attend the Library meeting next month.

SWITZKILL FARM – Councilmember Schimmer reported a Winterfest will be held (with or without snow) on 2/17/18 from 11-3 with a chowder contest; a picnic area is in the planning stage with the purchase of grills and picnic tables. Councilmember Schimmer stated she will attend the a meeting of the Capital District Trail Plan, which is developing a trail system connecting Saratoga, Rensselaer, Albany & Schenectady Counties; tree tags are being placed on trees along the trails; four new members were added to the board.

OLD BUSINESS

**INTRODUCTION OF LOCAL LAW #1 OF 2018
“TOWN OF BERNE SOLAR ENERGY SYSTEM MORATORIUM LAW”**

After discussion, Supervisor Lyons introduced Local Law #1 of 2018 “**Town of Berne Solar Energy System Moratorium Law**” and moved to set a public hearing on proposed Local Law #1 of 2018 for February 14, 2018 at 6:45 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 Schimmer seconded the introduction of the proposed local law and the motion. Motion carried with the following members voting aye: Supervisor Lyons, Councilmembers Schimmer, Jordan, Palow and Willsey.

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**INTRODUCTION OF LOCAL LAW #1a OF 2018
“TOWN OF BERNE INDUSTRIAL SCALE SOLAR ENERGY SYSTEM
MORATORIUM LAW”**

After discussion, Supervisor Lyons introduced Local Law #1a of 2018 “**Town of Berne Industrial Scale Solar Energy System Moratorium Law**” and moved to set a public hearing on proposed Local Law #1a of 2018 for February 14, 2018 at 6:45 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 Jordan seconded the introduction of the proposed local law and the motion. Motion carried with the following members voting aye: Supervisor Lyons, Councilmembers Schimmer, Jordan, Palow and Willsey.

**INTRODUCTION OF LOCAL LAW #2 OF 2018
“TOWN OF BERNE HYDRAULIC FRACTURING AND/OR HYDROFRACKING
LAW”**

After discussion, Supervisor Lyons introduced Local Law #2 of 2018 “**Town of Berne Hydraulic Fracturing and/or Hydrofracking Law**” and moved to set a public hearing on proposed Local Law #2 of 2018 for February 14, 2018 at 6:45 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 Willsey seconded the introduction of the proposed local law and the motion. Motion carried with the following members voting aye: Supervisor Lyons, Councilmembers Schimmer, Jordan, Palow and Willsey.

NEW BUSINESS

**AUTHORIZING EXPENDITURE FOR PURCHASE OF GRADALL FOR HIGHWAY
DEPARTMENT**

After discussion, Supervisor Lyons made a motion seconded by Councilmember Willsey authorizing Highway Superintendent Bashwinger to purchase a Gradall in an amount not to exceed \$9,999; said authorization will expire on May 10, 2018. Motion carried with the following members voting aye: Supervisor Lyons and Councilmembers Schimmer, Jordan, Palow & Willsey.

APPOINTING CONSERVATION BOARD MEMBER

After discussion, Councilmember Schimmer made a motion seconded by Supervisor Lyons appointing Jon Kusler to the Conservation Board for a two-year term. Motion carried with the following members voting aye: Supervisor Lyons and Councilmembers Schimmer, Jordan, Palow & Willsey.

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APPROVING TOWN OF BERNE SOCIAL MEDIA POLICY

After discussion, Councilmember Schimmer made a motion seconded by Councilmember Palow approving the Town of Berne Social Media Policy. Motion carried with the following members voting aye: Supervisor Lyons and Councilmembers Schimmer, Jordan, Palow & Willsey.

AUTHORIZING EXPENDITURE FOR SIX BURNER STOVE

After discussion, Councilmember Schimmer made a motion seconded by Councilmember Jordan authorizing the expenditure for a six burner stove for the Berne Community & Senior Center from Webstaurant in an amount not to exceed \$2,789. Motion carried with the following members voting aye: Supervisor Lyons and Councilmembers Schimmer, Jordan, Palow & Willsey.

AUTHORIZING INTERVIEWS FOR PLANNING BOARD MEMBER & ALTERNATE

After discussion, Councilmember Jordan made a motion seconded by Supervisor Lyons authorizing interviews to be held on Saturday, January 20, 2018 beginning at 9AM and scheduled every 15 minutes. Motion carried with the following members voting aye: Supervisor Lyons and Councilmembers Schimmer, Jordan, Palow & Willsey.

APPROVING MARCH 6 AS PAINT THE WORLD TEAL DAY FOR LYMPHODEMA

After discussion, Councilmember Schimmer made a motion seconded by Supervisor Lyons approving March 6 as “Paint the World Teal Day” in support of Lymphodema (asking residents to light a teal or blue lightbulb). Motion carried with the following members voting aye: Supervisor Lyons and Councilmembers Schimmer, Jordan, Palow & Willsey.

AUTHORIZING BUILDING & ZONING ADMINSTRATOR THE USE OF THE TOWN TRUCK

After discussion, Councilmember Schimmer made a motion seconded by Councilmember Palow authorizing the Building & Zoning Administrator to use the Town truck for Town business from November 1 through April 1. Motion carried with the following members voting aye: Supervisor Lyons and Councilmembers Schimmer, Jordan, Palow & Willsey.

RESOLUTION HONORING 15 YEARS OF DEDICATED SERVICE OF KEVIN G. CROSIER

A complete copy of the resolution attached to these minutes was offered and moved by Councilmember Jordan and seconded by Councilmember Schimmer. Resolution was carried with the following members voting aye: Supervisor Lyons and Councilmembers Schimmer, Jordan, Palow & Willsey.

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NYSDEC MEETING ON PARTRIDGE RUN WILDLIFE MANAGEMENT AREA

Supervisor Lyons announced there will be a public presentation offered by NYSDEC on the goals of the plan and future management for Partridge Run Wildlife Area in the Town of Berne on Thursday, January 18, 2018 at 6:30PM at the Berne Community & Senior Service Center.

AUTHORIZING BUDGET TRANSFERS

After discussion, Councilmember Schimmer made a motion seconded by Councilmember Jordan that the following fund transfers be authorized in the amounts and manners as set forth:

General Fund

From:	To:	Amount:
A1010e 44035	A1010e 44031	\$ 100.00
A1220e 22050	A1220e 44020	\$ 40.00
A1355e 44301	A1355e 44021	\$ 260.00
A1620e 22851	A1620e 44020	\$ 500.00
	A1620e 44022	\$ 1700.00
A3620e 44021	A3620e 44020	\$ 100.00
A5132e 44999	A5132e 44036	\$ 700.00
A7111e 44022	A7111e 44100	\$ 300.00
A1990e 44999	A7989e 44999	\$ 450.00
A8160e 44070	A8160e 44072	\$ 500.00

Highway fund

From:	To:	Amount:
Da5130e 44070	Da513010 44070	\$ 700.00
	Da513019 44070	\$ 515.00
	Da513022 44070	\$ 10.00
	Da513024 44070	\$ 22.00
	Da513030 44070	\$ 15.00
	Da513037 44070	\$ 10.00
	Da5130e 44072	\$ 150.00

Motion carried with the following members voting aye: Supervisor Lyons and Councilmembers Schimmer, Jordan, Palow & Willsey.

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BILLS AND REPORTS

The Supervisor's, Town Clerk's and Building & Zoning Administrator's monthly reports were received and accepted.

Councilmember Schimmer made the motion seconded by Supervisor Lyons to approve payment of the following bills:

GENERAL FUND, HIGHWAY FUND & SEWER 2018.....\$160,876.58
ABSTRACT#011118.....\$160,876.58

Motion carried with the following members voting aye: Supervisor Lyons and Councilmembers Schimmer, Jordan, Palow & Willsey.

EXECUTIVE SESSION – 8:44PM

Councilmember Jordan made the motion seconded by Councilmember Schimmer to enter into executive session for the purpose of discussing a personnel matter. Motion carried with all members voting aye.

9:47 PM

Supervisor Lyons reconvened the meeting and reported that no action had taken place.

MOTION TO ADJOURN

There being no further business, Councilmember Schimmer made the motion seconded by Councilmember Palow to adjourn the meeting. Motion carried with the following members voting aye: Supervisor Lyons and Councilmembers Schimmer, Jordan, Palow & Willsey. Meeting adjourned at 9:48 PM.

Respectfully submitted,

Anita C. Clayton, Town Clerk

PROCLAMATION

Honoring 15 years of Dedicated Service

KEVIN G. CROSIER

By the Town Board of the Town of Berne:

WHEREAS, KEVIN G. CROSIER has faithfully served the Town of Berne and its residents as Town Supervisor from 2002 to 2017, giving not only of his time and energies, but also his competence, leadership and intelligence; and

WHEREAS, in his official duties, **KEVIN G. CROSIER** has enhanced the well-being and vitality of our community and has shown a long and sustained commitment to the Town of Berne and its citizens; and

WHEREAS, in his role of Town Supervisor, he built the Town's solid waste transfer station, transformed and enlarged the Berne Public Library into a modern facility with expanded hours; enhanced the Town Park with new playground equipment for our children, a kitchen and bathrooms for public use; and

WHEREAS, operating as Berne's Chief Financial Officer, **KEVIN G. CROSIER** secured over \$3 million dollars in grants for Town projects, initiated and built a Town hamlet sewer system, established the Hilltown's senior transportation and meal programs, installed the MUNIS system for greater accountability, and ensured the Town's fiscal stability; and

WHEREAS, KEVIN G. CROSIER developed and sustained cooperative relationships with County, State and nonprofit agencies to benefit the Town of Berne, installing a County Access Office in the Town; and

WHEREAS, KEVIN G. CROSIER has exhibited steadfast public service working as a New York State Emergency Medical Service Instructor; supporting and facilitating the creation of the Albany County Paramedic Program, and serving as a Paramedic with the Albany County Sheriff's Department; and

WHEREAS, throughout his 23 year career as a professional paramedic and firefighter for the City of Albany Fire Department, **KEVIN G. CROSIER** has served the greater public good, winning The Barbara Delaney Humanitarian Award, receiving numerous citations for saving lives, and earning two Professional Police and Firefighting Awards for harrowing rescues; and

WHEREAS, KEVIN G. CROSIER'S professional achievements and exemplary community service epitomize the values of citizenship, honor, responsibility, and service to the Town of Berne;

NOW, THEREFORE, BE IT RESOLVED that as duly elected members of the Berne Town Board, we would like to congratulate and commend **KEVIN G. CROSIER** for his many years of dedicated and distinguished service.

In witness thereof, we have hereunto set our hands and caused the seal of the Town of Berne to be affixed this 31st day of December, 2017.

Joseph A. Golden
Town Council

Karen Schimmer
Town Council

Anita Clayton
Town Clerk

Dawn Jordan
Town Council

James Cooke
Town Council