STATE OF NEW YORK COUNTY OF ALBANY

FEBRUARY 8, 2017

7:15 PM Public Hearing Local Law # 1 of 2017

Supervisor Crosier declared the public hearing on Local Law #1 of 2017 known as the "**Town of Berne Solar Energy System Moratorium Law**" open with the following members present Councilmembers Golden, Schimmer & Jordan. Supervisor Crosier opened the floor to guests: There being no comment, Supervisor Crosier declared the hearing closed at 7:17 PM.

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 Crosier, Councilmembers Golden, Schimmer & Jordan. Also present was Town Clerk Clayton, Attorney Conboy, and several interested citizens. The Pledge of Allegiance was led by Supervisor Crosier. Supervisor Crosier called the meeting to order at 7:30 PM, and on motion of Councilmember Schimmer and seconded by Councilmember Golden, the minutes of Organizational Meeting and the minutes of 1/11/17 were approved as presented with the following members voting aye; Supervisor Crosier; Councilmembers Golden, Schimmer and Jordan.

CORRESPONDENCE

Email from Deb Harnett resigning as Shuttle Bus Driver

Letter of retirement from Mary Jo McKeon from the Berne Public Library

Letter of resignation from Wayne Emory as Councilmember

Memo from Town Clerk Clayton regarding documents with Social Security numbers

APPOINTING JAMES COOKE AS COUNCILMEMBER

After discussion, Councilmember Golden made a motion seconded by Councilmember Jordan to appoint James Cooke as Town of Berne Councilmember. Motion carried with the following members voting aye: Supervisor Crosier and Councilmembers Golden, Schimmer & Jordan. Mr. Cooke was sworn into office by Attorney Conboy.

Supervisor Crosier opened the meeting to guests.

Mike Vincent spoke regarding Wayne Emory and the passing of William Conboy, II.

Stephanie Schrader asked about wireless internet and the purchase of Switzkill Farm.

Bonnie Conklin spoke regarding the tax base and needing more business in the Town.

COMMITTEE REPORTS

<u>HIGHWAY</u>- Highway Superintendent Bashwinger reported on sanding materials and salt; discussed emergency truck fix with ASI; discussed site study of Stage Road. Superintendent Bashwinger stated he will maintain Stage Road for small snow fall amounts, but not large storms; discussed purchasing a new Badger. Mr. Golden discussed plowing individual driveways.

EMERGENCY PREPAREDNESS – Supervisor Crosier stated that Phyllis Johnson attended the Albany County Local Emergency Managers Meeting on 2/6/17; tours were conducted of the NYS DHSES Guilderland Center facilities.

<u>SENIORS</u> – Councilmember Jordan reported that a 4 drawer file cabinet is needed and future plans were discussed.

SENIOR MEAL PROGRAM –Councilmember Schimmer reported 233 meals were served between 12/19/16 and 1/27/17; by-laws are being discussed; trip to Baseball Hall of Fame scheduled for March 9, 2017. The Town will be reimbursed by CDTA for the use of the van to pick up seniors for lunch.

<u>CONSERVATION BOARD</u> – Councilmember Schimmer reported meeting in February was cancelled and they will hold a joint meeting with the Switzkill Farm Board.

<u>PLANNING & ZONING</u> – Councilmember Jordan reported the Planning Board is working on subdivisions and the solar zoning ordinance. Zoning Board will meet in March.

YOUTH COUNCIL – Councilmember Jordan reported they met with Knox Youth Council to discuss plans for the Summer Recreation Program.

SWITZKILL FARM – Councilmember Schimmer reported board met on 2/7/17; HESO reported on dark skies with possible Silver Certification from the Dark Skies Association; only 40 sites in the world classified as dark skies; a star gazing permit may be obtained from the Town Clerk; The Mountain Eagle ran an article on Switzkill Farm.

OLD BUSINESS

ADOPTING LOCAL LAW #1 OF 2017

"Town of Berne Solar Energy System Moratorium Law"

The following resolution was offered and moved by Councilmember Jordan and seconded by Councilmember Schimmer:

WHEREAS Local Law #1 of 2017 known as the "Town of Berne Solar Energy System Moratorium Law" has been introduced by the Town Board of the Town of Berne and a public hearing has been duly called and held, NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Berne hereby adopts LOCAL LAW #1 of 2017 of the Town of Berne known as "Town of Berne Solar Energy System Moratorium Law." The resolution was adopted by the following roll call vote: Supervisor Crosier & Councilmembers Golden, Schimmer, Jordan and Cooke.........Aye.

INTRODUCTION OF LOCAL LAW #2 OF 2017 "TOWN OF BERNE HYDRAULIC FRACTURING AND/OR HYDROFRACKING LAW"

After discussion, Supervisor Crosier introduced Local Law #2 of 2017 "Town of Berne Hydraulic Fracturing and/or Hydrofracking Law" and moved to set a public hearing on proposed Local Law #2 of 2017 for March 8, 2017 at 7:15 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 Golden seconded the introduction of the proposed local law and the motion. Motion carried with the following members voting aye: Supervisor Crosier, Councilmembers Golden, Schimmer, Jordan & Cooke.

AWARDING OF BIDS JUSTICE BENCH

The Town Board reviewed the bids received on 2/6/17 from the following:

Pocholo Martinez in the amount of \$3,900.00; Creative Finishes (Jesse Eberhard) in the amount of \$11,995.00.

After reviewing the above said bids, Supervisor Crosier made a motion which was seconded by Councilmember Cooke to award the bid to Pocholo Martinez in an amount not to exceed \$3,900. Motion carried with the following members voting aye: Supervisor Crosier and Councilmembers Golden, Schimmer, Jordan & Cooke.

AWARDING OF BIDS SECURITY CAMERAS

The Town Board reviewed the bids received on 2/6/17 from the following:

Keeplock Security Services and Tech Albany in the amount of \$19,171.00 as follows:

Highway Garage and Pole Barn - 14 IP Cameras with Monitor; one 16 Channel NVR with 12TB Hard Drive - \$7.603.39

Transfer Station – 4 IP Cameras with Monitor; one 8 Channel NVR with 6 TB Hard Drive - \$2,636.94

Sewer Plant – 2 IP Cameras with Monitor; one 4 Channel NVR with 6 TB Hard Drive - \$1,442.75

Berne Town Hall and Court System – 7 IP Cameras with Monitor; one 8 Channel NVR with 12TB Hard Drive - \$4,850.98

Berne Town Park – 4 IP Cameras with Monitor; one 8 Channel NVR with 6TB hard Drive - \$2,636,94

After reviewing the above said bids, Councilmember Cooke made a motion which was seconded by Councilmember Golden to award the bid to Keeplock Security Services and Tech Albany in an amount not to exceed \$19,171. Motion carried with the following members voting aye: Supervisor Crosier and Councilmembers Golden, Schimmer, Jordan & Cooke.

NEW BUSINESS

AUTHORIZING PAYMENT TO ASI FOR EMERGENCY TRUCK REPAIR

After discussion, Councilmember Golden made a motion seconded by Councilmember Cooke authorizing payment to ASI Truck Parks in the amount of \$2373.10 for emergency truck repair. Motion carried with the following members voting aye: Supervisor Crosier and Councilmembers Golden, Schimmer, Jordan & Cooke.

APPOINTING DAWN JORDAN AS LIAISON TO PLANNING BOARD AND ZBA

Councilmember Jordan will be appointed as Liaison to the Planning Board and Zoning Board of Appeals.

AUTHORIZING SUPERVISOR CROSIER TO SIGN CONTRACTOR'S APPLICATION FOR PAYMENT No. 4 FOR SALT SHED

After discussion, Councilmember Jordan made a motion seconded by Councilmember Schimmer authorizing Supervisor Crosier to sign Contractor's Application for Payment No. 4 for salt shed in an amount not to exceed \$3,500. Motion carried with the following members voting aye: Supervisor Crosier and Councilmembers Golden, Schimmer, Jordan & Cooke.

AUTHORIZING CONTRIBUTION TO ALBANY HILLTOWNS WEBSITE

After discussion, Councilmember Schimmer made a motion seconded by Councilmember Cooke authorizing a contribution of \$100 towards the funding for the Albany Hilltowns website. Motion carried with the following members voting aye: Supervisor Crosier and Councilmembers Golden, Schimmer, Jordan & Cooke.

AUTHORIZING SUPERVISOR CROSIER TO ENTER INTO AGREEMENT WITH ROGER CHRYLSER

After discussion, Councilmember Schimmer made a motion seconded by Councilmember Golden to enter into an agreement to have Roger Chrysler continue to hay portions of the Switzkill Farm property at Game Farm Road and plow the driveways as well as brush hog the fields on said property as the Town may deem necessary. In consideration thereof the Town will allow him to store some of his haying equipment in the storage building on the property; and conditioned on Roger Chrysler agreeing to hold harmless and indemnifying the Town from any and all claims arising from said services and naming the Town on an insurance policy satisfactory to the Town. Motion carried with the following members voting aye: Supervisor Crosier and Councilmembers Golden, Schimmer, Jordan & Cooke.

AUTHORIZING PURCHASE OF CHAIRS FOR MEETING ROOM/JUSTICE COURT

After discussion, Councilmember Cooke made a motion seconded by Supervisor Crosier authorizing the purchase of 36 interlocking, stackable chairs from WB Mason off of NYS Contract #PC66275 for the Town Hall meeting room and Justice Court in an amount not to exceed \$1,864.40. Motion carried with the following members voting aye: Supervisor Crosier and Councilmembers Golden, Schimmer, Jordan & Cooke.

AUTHORIZING SENIOR ACCOUNT CLERK TO ATTEND PERMA CONFERENCE

After discussion, Councilmember Golden made a motion seconded by Councilmember Schimmer authorizing the Sr. Account Clerk to attend the PERMA conference in May, 2017 in an amount not to exceed \$350. Motion carried with the following members voting aye: Supervisor Crosier and Councilmembers Golden, Schimmer, Jordan & Cooke.

REQUEST FROM BUILDING & ZONING ADMINSTRATOR TO ATTEND TRAINING

A request was made by Mr. Lippert to attend training in Lake Placid for an approximate amount of \$753 (conference fee, hotel stay, mileage). Due to the cost exceeding \$350 and local and online training is available, the request was denied.

AUTHORIZING ATTORNEY CONBOY TO DRAFT RESOLUTION FOR EMMA DETLEFSEN DAY

After discussion, Councilmember Jordan made a motion seconded by Councilmember Schimmer authorizing Attorney Conboy to draft a resolution for Emma Detlefsen Day on March 6, 2017. Motion carried with the following members voting aye: Supervisor Crosier and Councilmembers Golden, Schimmer, Jordan & Cooke.

ACCEPTING SWITZKILL FARM FEE SCHEDULE

After discussion, Councilmember Golden made a motion seconded by Supervisor Crosier to accept the fee schedule for Switzkill Farm as a functioning draft. Motion carried with the following members voting aye: Supervisor Crosier and Councilmembers Golden, Schimmer, Jordan & Cooke.

AUTHORIZING USE OF SENIOR SHUTTLE BUS

After discussion, Supervisor Crosier made a motion seconded by Councilmember Cooke authorizing the use of the Senior Shuttle Bus for a trip to the NYS Museum on 2/16/17. Motion carried with the following members voting aye: Supervisor Crosier and Councilmembers Golden, Schimmer, Jordan & Cooke.

AUTHORIZING REPAIR OF LIGHT OVER BOOK RETURN FOR THE LIBRARY

After discussion, Councilmember Jordan made a motion seconded by Councilmember Schimmer authorizing Haytham Bajouwa, The Handy Guy, to repair the light over the book return at the Berne Public Library, in an amount not to exceed \$425.01. Motion carried with the following members voting aye: Supervisor Crosier and Councilmembers Golden, Schimmer, Jordan & Cooke.

AUTHORIZING BUDGET TRANSFERS

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

General Fund

From:	To:	Amount:	
A1355e 44301	A1355e 44042	\$ 400.00	Tax collector printing
	A1355e 44999	\$ 100.00	Tax collector miscellaneous
A1990e 44999	A7111e 44042	\$ 1300.00	Switzkill fuel oil
	A7111e 44253	\$ 100.00	Switzkill even supplies
	A7111e 44999	\$ 110.00	Switzkill miscellaneous
A8160e 44072	A8160e 44020	\$ 100.00	Transfer station office supplies
	A8160e 44999	\$ 100.00	Transfer Station miscellaneous

Highway Department

From:	То:	Amount:	
Da5130e 44070	Da513010 44070	\$ 557.00	truck repairs 10
	Da513019 44070	\$ 2374.00	truck repairs 19
	Da513026 44070	\$ 31.00	truck repairs 26
	Da513030 44070	\$ 244.00	truck repairs 30
	Da513037 44070	\$ 81.00	truck repairs 37

Motion carried with the following members voting aye: Supervisor Crosier and Councilmembers Golden, Schimmer, Jordan & Cooke

BILLS AND REPORTS

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

Councilmember Golden made the motion seconded by Councilmember Jordan to approve payment of the following bills:

GENERAL FUND, HIGHWAY FUND & SEWER 2017	\$125,528.81
ABSTRACT#020817	
CAPITAL PROJECT SALT SHED	\$ 3.529.41
ABSTRACT#020917hs.	. ,

Motion carried with the following members voting aye: Supervisor Crosier and Councilmembers Golden, Schimmer, Jordan & Cooke.

MOTION TO ADJOURN

There being no further business, Councilmember Cooke made the motion seconded by Councilmember Schimmer to adjourn the meeting. Motion carried with the following members voting aye: Supervisor Crosier and Councilmembers Golden, Schimmer, Jordan & Cooke. Meeting adjourned at 9:00 PM.

Respectfully submitted,

Anita C. Clayton, Town Clerk