

**STATE OF NEW YORK
COUNTY OF ALBANY**

MAY 8, 2019

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. Also present were Town Clerk Clayton, Attorney Conboy, and several interested citizens. Councilmember Willsey was not in attendance. The Pledge of Allegiance was led by Supervisor Lyons who then called the meeting to order at 7:00 PM. The minutes of 04/10/19 and 5/7/19 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 Schimmer, Jordan, and Palow.

CORRESPONDENCE

Resignation letter from Tim Doherty from the ZBA.

PUBLIC COMMENT

Kenneth's Army – A presentation was given regarding the 5th Annual Kenneth's Ride being held Saturday, June 1, 2019 at the Berne Town Park. All proceeds benefit a scholarship offered to a Berne-Knox-Westerlo High School student who wishes to pursue a career in Social Service, adopting an underprivileged BKW student and other charitable donations to ensure Kenneth's memory is kept alive.

Concerned citizens spoke regarding matters in the Town.
Mike Vincent discussed a wishing well to be built in honor of Linda Carmen.

DEPARTMENT/LIAISON REPORTS

EMERGENCY NOTIFICATION SYSTEM

Supervisor Lyons is researching an emergency notification system from Code Red for facilitating the one-way dissemination or broadcast of messages to one or many groups of people, alerting them to a pending or existing emergency. Using CodeRED, government agencies of all types can easily deliver geo-targeted, time-sensitive information to any individual opting into the service, using voice, email, SMS IPAWS, and more. CodeRED for IPAWS enables federal, state, territorial, and local-alerting authorities to warn the public about serious emergencies via the Emergency Alert System (EAS), Wireless Emergency Alerts (WEA), the National Oceanic and Atmospheric Administration (NOAA), Collaborative Operating Groups (COG) and other public alerting systems, all from a single interface.

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HIGHWAY DEPARTMENT – Superintendent Bashwinger stated he ordered 700 ton of salt, road mowing will begin after Memorial Day; the dumpster is still at Switzkill Farm; Transfer Station truck is in the shop at Watkins Spring; Josh Gebe resigned and Superintendent Bashwinger requested an ad be placed in The Enterprise for a full time employee.

SEWER DEPARTMENT – Supervisor Lyons stated that semi-annual inspections were completed on 5/1/19.

PLANNING & ZONING – Councilmember Jordan reported the Zoning Board held a public hearing on 4/17/19 and the hearing was adjourned to 5/15/19. Planning Board met on 5/2/19 approved sign on Gulf Hill Road for Mohawk Hudson Land Conservancy Kelleher Preserve; East Berne Fire Company Board of Commissioners and building committee presented plans for a new fire house; Chair attended NYSERDA’s webinar on battery storage for residential solar facilities and the need for writing zoning regulations for this new use was discussed.

SENIORS – Councilmember Schimmer stated the seniors met on 4/13/19 at 11:00am, 55 people attended; Frank Fuss with the Knox Fire Dept. reviewed emergency exit procedures using the two side doors – Access Office and back side door- and where to gather; Laurie Benoit with Catholic Charities spoke regarding senior caregivers support and services; several trips are planned – 4/18 to Vermont; 5/16 to Hyde park; 7/25 to Mac- Haydn Theater; 8/26-30 to Cape Cod and a possible trip to Boston is being planned for June.

SENIOR MEAL PROGRAM – Councilmember Schimmer reported that a new locking cabinet was put in; programs scheduled are Tai Ci, hat making, painting. There will be a talk regarding scams on 5/14/19.

SWITZKILL FARM – Councilmember Schimmer reported that Martin Szinger would like to discuss a website for Switzkill Farm; a lighting assessment for the Dark Sky initiative was done with 26 lights to be shielded. Earth day celebration had a good turnout despite the weather.

CONSERVATION BOARD – Supervisor Lyons stated that a meeting is scheduled on 5/29/19 at 2:00PM with two representatives from NYPA along with himself, Todd Schwendeman, Councilmember Willsey to discuss the LED lighting and committees to be formed.

TRANSFER STATION – Supervisor Lyons discussed fees for computer monitors and a sliding fee schedule for televisions based on size and the need to examine the Town Code for disposal at the transfer station. Councilmember Jordan will review the Town Code.

LIBRARY – Kathy Stempel reported the Friends of the Library are hosting a play at the Berne Community and Senior Center titled Empty Nesters and refreshments will be served. A decluttering workshop will be held at the Library on 5/11/19 at 4:00PM.

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ANNOUNCEMENTS

In a special meeting of the Berne Town Board on 5/7/19, the following motions were passed in regards to staffing the Building Code Administration department:

- Acceptance of the amended task sheets for Code Enforcement Officer and Building Inspector – unanimous
- The rate of pay for the Code Enforcement Officer set at \$25 per hour not to exceed 25 hours per week – unanimous
- The rate of pay for the Building Inspector set at \$19 per hour not to exceed 20 hours per week - unanimous

OLD BUSINESS

APPROVING SWITZKILL FARM RULES AND REGULATIONS

After discussion, Supervisor Lyons made a motion seconded by Councilmember Schimmer approving the Switzkill Farm Rules and Regulations. Motion carried with the following members voting aye: Supervisor Lyons, Councilmembers Schimmer, Jordan and Palow.

NEW BUSINESS

AUTHORIZING TOWN CLERK TO ADVERTISE FOR FULL TIME HIGHWAY EMPLOYEE

After discussion, Supervisor Lyons made a motion seconded by Councilmember Jordan authorizing the Town Clerk to advertise for a full time highway employee. Motion carried with the following members voting aye: Supervisor Lyons, Councilmembers Schimmer, Jordan, and Palow.

ACCEPTING RESIGNATION OF TIMOTHY DOHERTY

After discussion, Supervisor Lyons made a motion seconded by Councilmember Jordan to accept the resignation of Timothy Doherty from the Zoning Board of Appeals. Motion carried with the following members voting aye: Supervisor Lyons, Councilmembers Schimmer, Jordan, and Palow.

AUTHORIZING TOWN CLERK TO ADVERTISE FOR ZONING BOARD OF APPEALS MEMBER

After discussion, Supervisor Lyons made a motion seconded by Councilmember Schimmer authorizing the Town Clerk to advertise for a Zoning Board of Appeals member. Motion carried with the following members voting aye: Supervisor Lyons, Councilmembers Schimmer, Jordan, and Palow.

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INTERVIEW DATES

May 13 and May 20 were discussed as interview dates.

**INTRODUCTION OF LOCAL LAW #3 OF 2019
“A LOCAL LAW MODIFYING THE BERNE TOWN CODE RELATED TO THE
ZONING OF HOME OCCUPATIONS”**

After discussion, Supervisor Lyons introduced Local Law #3 of 2019 “**A Local Law Modifying The Berne Town Code Related To The Zoning Of Home Occupations**” and moved to set a public hearing on proposed Local Law #3 of 2019 for June 13, 2019 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 Palow seconded the introduction of the proposed local law and the motion. Motion carried with the following members voting aye: Supervisor Lyons, Councilmembers Schimmer, Jordan, and Palow.

AUTHORIZING BUDGET TRANSFERS

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

General Fund.

From:		To:	Amount:
A1010e 44999		A1010e 44031	\$ 370.00
A1110e 44999		A1110e 44300	\$ 5.00
A1990e 44999	\$ 740.00	A1330e 44038	\$ 640.00
		A1330e 44039	\$ 100.00
A1355e 44021		A1355e 44020	\$ 184.00
A3620e 44038		A3620e 44036	\$ 130.00
A7111e 44999	\$ 274.00	A7111e 44022	\$ 12.00
		A7111e 44100	\$ 262.00
A7410e 44101		A7410e 22999	\$ 536.00

Highway fund

From:		To:	Amount:
Da5130e 44070	\$ 418.00	Da513027 44070	\$ 333.00
		Da513030 44070	\$ 85.00

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Sewer fund:

From:		To:	Amount:
SS9901e 99960	\$ 155.00	SS8110e 44036	\$ 83.00
		SS8110e 44046	\$ 72.00

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

BILLS AND REPORTS

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

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

GENERAL FUND, HIGHWAY FUND & SEWER 2019.....	\$43,081.77
ABSTRACT# 050819.....	..\$43,081.77

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

MOTION TO ADJOURN

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

Respectfully submitted,

Anita C. Clayton, Town Clerk