

**STATE OF NEW YORK
COUNTY OF ALBANY**

JULY 8, 2020

REGULAR MEETING

Supervisor Lyons led the Pledge of Allegiance and called the regular meeting to order at 7:04PM with the following members present: Councilmembers Palow, Conklin, Harris & Willsey. Town Clerk Clayton was also present.

ANNOUNCEMENTS

- September 1, 2020 is the return of the Senior Meal Program

PUBLIC COMMENT:

Mat Harris read a statement on why he voted aye on the resolution to censure Councilmember Willsey.

Roger Chrysler asked about the status of the Switzkill Farm Board and for a written report on how to fix the lodge so it can be used

Larry Zimmerman asked questions relating to the negotiations and signing of the Collective Bargaining agreement.

Patty Gilbert Wagoner, a Gold Star Sister, spoke about her brother, Glen Gilbert, who gave his life for his country, and spoke on behalf of Supervisor Lyons and his dedication to Veterans and helping her a few times in Washington, DC to wash the Vietnam Memorial.

Gerry Chartier spoke about executive sessions and the proper use of Open Meetings Law; Schedule of Uses; Grippy Lane quarry permit.

Sue Hawkes Teeter asked about how the Grippy Quarry permit was issued; status of Switzkill Farm Board and Conservation Board.

Mike Vincent spoke regarding the Grippy Quarry; chickens in different districts; business before the Planning Board and offered to be Co-chair; moving forward with Senior Citizen housing; takeout meals for seniors.

Leo Bartell asked about petitions that were signed regarding Switzkill Farm after it was purchased and donating the land to the Federal Government.

EXECUTIVE SESSION – 7:35PM

Supervisor Lyons made the motion seconded by Councilmember Palow to enter into executive session for the purpose of discussing negotiations under the Taylor Law. Motion carried with the following roll call vote; Supervisor Lyons, Councilmembers Palow, Conklin, & Harris voting aye. Councilmember Willsey – nay.

7:45 PM

Supervisor Lyons reconvened the meeting and stated no action had been taken.

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DEPARTMENT REPORTS:

Transfer Station/Highway – Highway Superintendent Bashwinger stated that compactor at the Transfer Station is working well; the highway employees are working on trucks, brush and paving. Highway Superintendent Bashwinger stated that the last resolution authorizing shared services was done in 2005 with a 5-year expiration and that there is currently no shared services agreement with New Scotland. He contacted New Scotland to use their shoulder machine.

Youth Council – Jean Guarino, Youth Council Director, stated that the Summer Recreation Program will not be offered this year due to the Covid-19 virus, but maybe can gather information on what the children may need while out of school.

Building Department:

Code Enforcement Officer Townsend gave a report for the permits issued in June; issuing a safety memo to go out with pool permits; the status of the Farmer's Market.

OLD BUSINESS

Heritage Days – the matter of fireworks has been tabled.

NEW BUSINESS

AUTHORIZING RENTAL OF SHOULDER MASTER FOR HIGHWAY DEPARTMENT

After discussion, Supervisor Lyons made a motion seconded by Councilmember Palow authorizing Highway Superintendent Bashwinger to rent a Shoulder Master from Robert H, Finke & Sons, Inc. for one month in an amount not to exceed \$3,500. Motion carried with the following roll call vote; Supervisor Lyons, Councilmembers Palow, Conklin, Harris & Willsey voting aye.

COLLECTIVE BARGAINING AGREEMENT - tabled

APPROVING PAYMENT TO LAMONT ENGINEERS

After discussion, Supervisor Lyons made a motion seconded by Councilmember Willsey Approving payment to Lamont Engineers in the amount of \$517.50 for assistance with the Grippy Quarry permits. Motion carried with the following roll call vote; Supervisor Lyons, Councilmembers Palow, Conklin, Harris & Willsey voting aye.

SCHEDULE OF USES REGARDING CHICKENS – tabled

SIGNAGE FOR PARKS – samples of signs will be obtained for further discussion.

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PUBLIC HEARING ON PROPOSED LOCAL LAW #5 “PLANNING BOARD” has been scheduled for July 22, 2020 at 6:00PM at the Berne Town Park.

RESOLUTION FOR RETIREMENT SYSTEM

Be it resolved that the Town Board hereby establishes the following standard workday for elected and appointed officials for the purpose of determining days worked reportable to the “New York State and Local Employees Retirement System”

Elected officials:

Supervisor, Town Clerk, Councilmember, Tax Collector, Assessors
6 hour day – 30 hours per week

Superintendent of Highways
8 hour day – 40 hours per week

Highway employees
8 hour day - 40 hours per week

Appointed officials

Full time - 8 hour day – 40 hours per week
Part time - 6 hour day – 30 hours per week

BE IT RESOLVED, that the Town of Berne hereby establishes the following as standard work days for elected and appointed officials; and will report the following days worked to the New York State and Local Employees Retirement System based on the record of activities maintained and submitted by the below listed officials to the clerk of this board.

Day		Standard	Term	Employee	Reported
Title	Name	Work Day	Begins – Ends	Record of	Per Month
				Time Worked	

ELECTED OFFICIALS:

Assessor Christine Valachovic 6 hrs. 1/1/20-12/31/23 Y 4.31

Councilmember Bonnie Conklin 6 hrs. 1/1/20-12/31/23 Y 4.97

Resolution was carried with the following roll call vote: Supervisor Lyons, Councilmembers Palow, Conklin, Harris & Willsey voting aye.

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APPROVING WAGE FOR KATHY STEMPEL AS CULTURAL PERSONAL TRANSPORTATION EMPLOYEE

After discussion Supervisor Lyons made a motion seconded by Councilmember Conklin approving Kathy Stempel as a part-time permanent Cultural Personal Transportation employee @ \$17 per; FLSA non-exempt employee, unclassified, civil service exempt, effective 7/8/20. Motion carried with the following roll call vote; Supervisor Lyons, Councilmembers Palow, Conklin, Harris & Willsey voting aye.

APPROVING PAYMENT TO GREENBRIAR CONSTRUCTION

After discussion, Supervisor Lyons made a motion seconded by Councilmember Palow, approving the payment to Greenbriar Construction for the demolition of 564 Helderberg Trail, in the amount of \$32,868 from A3620e 4499. Motion carried with the following roll call vote: Supervisor Lyons, and Councilmembers Palow, Conklin & Harris voting aye. Councilmember Willsey, abstained.

AUTHORIZING BUDGET TRANSFERS FOR JULY

After discussion, Supervisor Lyons made a motion seconded by Councilmember Palow that the budget transfers for July be authorized in the amounts and manners as attached to these minutes. Motion carried with the following roll call vote: Supervisor Lyons, and Councilmembers Palow, Conklin & Harris voting aye. Councilmember Willsey abstained.

ACCEPTING MONTHLY REPORTS FOR JUNE

After discussion, Supervisor Lyons made a motion seconded by Councilmember Harris to accept the Supervisor, Town Clerk and Building & Zoning Administrator's June monthly reports. Motion carried with the following roll call vote: Supervisor Lyons, and Councilmembers Palow, Conklin & Harris voting aye. Councilmember Willsey abstained,

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.....\$21,624.31
ABSTRACT 07082020.....\$21,624.31

Motion carried with the following roll call vote: Supervisor Lyons, and Councilmembers Palow, Conklin & Harris voting aye. Councilmember Willsey abstained.

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Councilmember Palow requested that the agreements for Haying and the Caretaker at Switzkill Farm be discussed on 7/22/20 along with the process for purchasing Switzkill Farm.

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 roll call vote: Supervisor Lyons, and Councilmembers Palow, Conklin & Harris voting aye. Councilmember Willsey abstained. Meeting adjourned at 8:51PM.

Respectfully submitted,

Anita C. Clayton, Town Clerk

General fund transfers July 2020

		Account	To:	From:
A1410E	44020	OFFICE SUPPLIES	\$ 1.00	
A1410E	44021	COMPUTER SUPPLIES		\$ 1.00
A1620E	22050	COMPUTER EQUIPMENT	\$ 2,300.00	
A1620E	44041	COMPUTER FEES	\$ 3,500.00	
A3620E	44046	FEES FOR SERVICES	\$ 1,650.00	
A1990E	44999	MISC CONTRACTUAL EXPENSES		\$ 7,450.00
A5010E	44028	SAFETY SUPPLIES	\$ 115.00	
A5010E	44021	COMPUTER SUPPLIES		\$ 115.00
A7320E	11205	YOUTH PROGRAM REC PERSONAL SER	\$ 406.00	
A7320E	44253	FOOD AND CONCESSIONS	\$ 49.00	
A7320E	44020	OFFICE SUPPLIES		\$ 455.00
A8160E	22080	SPECIALTY EQUIPMENT	\$ 572.00	
A8160E	44050	REFUSE CHARGES		\$ 572.00

		Highway Account	To	From
DA5110E	44022	MAINTENANCE SUPPLIES	\$ 115.00	
DA5110E	44999	MISC CONTRACTUAL EXPENSES		\$ 115.00
DA513030	44070	EQUIPMENT REPAIRS/MAINTENANCE	\$ 133.00	
DA5130E	44070	EQUIPMENT REPAIRS/MAINTENANCE		\$ 133.00