

**REGULAR MEETING**

Supervisor Lyons led the Pledge of Allegiance and called the regular meeting to order at 7:00PM with the following members present: Councilmembers Conklin, Harris & Willsey. Town Clerk Clayton and Attorney Afzali were also present. Councilmember Palow was not in attendance. The minutes of 08/26/20 were presented and on motion of Supervisor Lyons and seconded by Councilmember Conklin, the minutes were accepted with the following members voting aye; Supervisor Lyons; Councilmembers Conklin, & Harris. Councilmember Willsey abstained.

**PUBLIC COMMENT:** Ralph Miller spoke regarding the Solar Energy Ordinance. He stated that 20 years ago the Town was looking for industry that would produce income and he said solar energy could do that; it would increase tax on real estate for school and town; very few things against solar energy – produces no sound, CO2 or sewage, does not require water; is not harmful to children in school. He stated that the only factor he could see would be issues with visibility. He spoke about the issue he is having on his property and how beneficial solar would be for him. Councilmember Willsey stated that the Comprehensive Plan limits the size of solar arrays. Mr. Miller also stated that the sign in Berne showing settlement date is incorrect. Councilmember Conklin said she would have it changed to reflect correct dates.

**CORRESPONDENCE** – Letter of resignation from Todd Schwendeman from the Planning Board.

**ANNOUNCEMENTS**

- Tentative dates for budget workshop meetings will be scheduled on 10/14/20 at 6:00PM and 10/21/20 at 7:00PM
- The Berne Community & Senior Center has been inspected by the Health Department and found there were no hazards or violations thank you to the excellent work of Dennis Ryan, Shawn Duncan, Karen Stark and Alyce Gibbs.

**DEPARTMENT REPORTS**

**HIGHWAY REPORT** – Highway Superintendent Bashwinger reported that Shawn Duncan and Dave Harnett, along with Dave Willsey have been keeping the Transfer Station clean and organized and running efficiently. Plows are prepped for winter and salt has been ordered.

**PLANNING BOARD** – Mike Vincent stated that Todd Schwendeman will be missed; the board would like to receive monthly permit reports from Building & Zoning; asked about status on Grippy Mine; requested report from Lamont Engineers on the Grippy Mine; working on subdivisions, variance.

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**LIBRARY** – Kathy Stempel reported the Library is following Covid rules and regulations; would like to schedule a drive-in movie on 9/29 with a rain date of 9/30; would need a letter from the Town on letterhead saying it can be approved; asked about water testing for the well; electric in shed. The library received a wildlife certification for the gardens, thank you to Ann Hein. Hike scheduled on 9/20/20 at 1:00PM at the Switzkill Farm waterfalls.

**COMMITTEE REPORTS**

Councilmember Conklin reported a celebration/parade committee is working on a program for Halloween.

**OLD BUSINESS**

**LED UPDATE** -Councilmember Harris reported that NYPA has revised the project summary list and will have a completed design soon; the original cost will be more than estimated and should have final design within two weeks.

**APPROVING REVISED SHARED SERVICE AGREEMENT**

After discussion, Supervisor Lyons made a motion seconded by Councilmember Harris approving the revised Shared Service Agreement and authorizing the Supervisor to sign said agreement. Motion carried with the following roll call vote: Supervisor Lyons, and Councilmembers Conklin & Harris voting aye, Councilmember Willsey voting nay.

**NEW BUSINESS**

**ACCEPTING RESIGNATION OF TODD SCHWENDEMAN**

After discussion, Supervisor Lyons made a motion seconded by Councilmember Conklin to accept the resignation of Todd Schwendeman. Councilmember Harris stated he did a remarkable job and will be sorely missed. Motion carried with the following roll call vote: Supervisor Lyons, and Councilmembers Conklin & Harris voting aye. Councilmember Willsey abstained.

**AUTHORIZING TOWN CLERK TO ADVERTISE FOR PLANNING BOARD MEMBERS**

After discussion, Supervisor Lyons made a motion seconded by Councilmember Harris authorizing the Town Clerk to advertise for one Planning Board member and two alternates.. Motion carried with the following roll call vote: Supervisor Lyons, and Councilmembers Conklin, Harris & Willsey voting aye.

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**AUTHORIZING INTERVIEW DATES FOR PLANNING BOARD POSITIONS**

After discussion, Supervisor Lyons made a motion seconded by Councilmember Conklin authorizing the Town Clerk to schedule interviews for Planning Board positions on 9/26/20 in 15-minute intervals beginning at 9:00AM. Motion carried with the following roll call vote: Supervisor Lyons, and Councilmembers Conklin, Harris & Willsey voting aye.

**PHONE SYSTEM** -This matter has been tabled to acquire another quote.

**APPROVING PAYMENT TO AMBIENT ENVIRONMENTAL**

After discussion, Supervisor Lyons made a motion seconded by Councilmember Conklin approving payment to Ambient Environmental, Inc. as part of the testing for the demolition at 564 Helderberg Trail, in an amount not to exceed \$578. Motion carried with the following roll call vote: Supervisor Lyons, Councilmembers Conklin, Harris & Willsey voting aye.

**INTRODUCTION OF LOCAL LAW #6 OF 2020 “Small Scale Battery Energy Storage Law”**

After discussion, Councilmember Harris introduced Local Law #6 of 2020 “**Town of Berne Small Scale Battery Energy Storage Law**” and moved to set a public hearing on proposed Local Law #6 of 2020 for October 7, 2020 at 6:00 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 Supervisor Lyons seconded the introduction of the proposed local law and the motion. Motion carried with the following members voting aye: Supervisor Lyons, and Councilmembers Conklin, Harris & Willsey.

**AUTHORIZING BUDGET TRANSFERS FOR SEPTEMBER**

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

**ACCEPTING MONTHLY REPORTS FOR AUGUST**

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

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**APPROVING PAYMENT OF MONTHLY BILLS**

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

**GENERAL FUND, HIGHWAY FUND, SEWER 2020.....\$107,382.09**  
**ABSTRACT 09022020.....\$107,382.09**

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

**PUBLIC COMMENT/OPEN AGENDA-** Councilmember Conklin asked about public comment and open agenda as discussed in the Organizational Meeting. Supervisor Lyons stated that we will follow the Governor’s pause regarding the Covid-19 pandemic.

**MOTION TO ADJOURN**

There being no further business or discussion, Supervisor Lyons made the motion seconded by Councilmember Harris to adjourn the meeting. Motion carried with the following roll call vote: Supervisor Lyons, and Councilmembers Conklin, Harris & Willsey voting aye. Meeting adjourned at 8:08PM.

Respectfully submitted,

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Anita C. Clayton, Town Clerk

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Budget Transfers Sewer Fund September 2020			To:	From:
SS8110E	44070	EQUIPMENT REPAIRS/MAINTENANCE	\$ 499.00	
SS8110E	44106	SEWER CHARGES		\$ 499.00

Budget Transfers Highway Fund September 2020			To:	From:
DA1990E	44999	MISC CONTRACTUAL EXPENSES		\$ 13,934.00
DA5110E	44022	MAINTENANCE SUPPLIES	\$ 292.00	
DA5110E	44999	MISC CONTRACTUAL EXPENSES		\$ 292.00
DA5130E	22425	VEHICLES		\$ 55,000.00
DA5130E	22999	MISCELLANEOUS EQUIPMENT	\$ 68,934.00	

Budget Transfers General Fund September 2020			To:	From:
A1620E	44035	POSTAGE	\$ 101.00	
A1620E	44036	TELEPHONE	\$ 145.00	
A1620E	44999	MISC CONTRACTUAL EXPENSES		\$ 246.00
A1990E	44999	MISC CONTRACTUAL EXPENSES		\$ 1,415.00
A3620E	44036	TELEPHONE	\$ 207.00	
A3620E	44046	FEEES FOR SERVICES	\$ 578.00	
A5010E	44021	COMPUTER SUPPLIES		\$ 99.00
A5010E	44036	TELEPHONE	\$ 99.00	
A7110E	44101	ELECTRIC	\$ 8.00	
A7110E	44999	MISC CONTRACTUAL EXPENSES		\$ 8.00
A7410E	44100	FUEL OIL	\$ 630.00	
			\$ 1,768.00	\$ 1,768.00