

**STATE OF NEW YORK  
COUNTY OF ALBANY**

**OCTOBER 11, 2017**

**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 & Cooke. Also present was Town Clerk Clayton, Attorney Conboy, and several interested citizens. The Pledge of Allegiance was led by Supervisor Crosier who then called the meeting to order at 7:30 PM, and on motion of Councilmember Cooke and seconded by Councilmember Golden, the minutes of 9/13/17 were approved as presented with the following members voting aye; Supervisor Crosier; Councilmembers Golden, Schimmer, Jordan & Cooke. Supervisor Crosier opened the meeting to guests:

Roger Chrysler – stated how much fun the Harvest Fest at Switzkill Farm was and that there was a very good turnout.

Tim Lippert – discussed the Zoning Law being revised to match the Comprehensive Plan and the matter of commercial zoning in the Town.

John Wright – Knox – asked about the zoning on the property he purchased at 555 Helderberg Trail and if it could be a business. He was referred to the Planning Board.

**CORRESPONDENCE**

Letter was received from DASNY stating that the payment for the salt shed in the amount of \$300,000 will be reimbursed on 10/16/17.

**COMMITTEE REPORTS**

**HIGHWAY**- Highway Superintendent Bashwinger stated paving has been finished and will begin chip seal, sanding material will arrive after that. Hydro seeding was done around the salt shed and where 3 miles of ditching was done and will do 8 more miles along Gulf Hill Road, Bradt Hollow Road and High Point Road.

**SENIORS** - Councilmember Jordan stated they will meet on 11/11/17.

**SENIOR MEAL PROGRAM** – Councilmember Schimmer reported the meal program is moving along with very dedicated volunteers; however more volunteers are needed.

**CONSERVATION BOARD** – Councilmember Schimmer reported that the board met on 9/18/17 and documented 200 species at the Bio Blitz from June and they will provide a list that will go on the website.

**OCTOBER 11, 2017**

**PLANNING & ZONING** – Councilmember Schimmer reported the board worked with residents at the meeting and will be working on definitions for minor and major subdivisions. Councilmember Jordan reported that the Zoning Board will meet November 15, 2017.

**SEWER DISTRICT** – Supervisor Crosier reported that the annual pumping and cleaning was completed with the help of Dave Clark, Maver Becker, Jason Priesner, Chance Townsend and himself.

**YOUTH COUNCIL** – Councilmember Jordan reported that the Youth Council will meet on 11/6/17 at 6PM at the Library and will hold their annual Christmas Party on 12/3/17 at 2 PM at the Masonic Lodge.

**SWITZKILL FARM** – Councilmember Schimmer reported the Harvest Fest was very successful and thanked Roger Chrysler for all the hay rides and commentary he provided; thanks to Kevin Crosier and Chance Townsend for the pig roast (pig was donated by Chance Townsend); Ted Kunker also cooked 60-75 hot dogs; there was a slide made from culverts which was fun for all the children; a dedication of the great room at the lodge was made honoring William Conboy, II who was an avid supporter of Switzkill Farm; Karol Harlow is hosting a coffee on 10/14/17 from 9-11am to organize a Friends of Switzkill Farm group.

**OLD BUSINESS**

**Phase II – Town Park Playground** – Councilmember Schimmer reported on the overview of the multiphase and restructuring of the development of the Town Park playground. Mr. Hohengasser was a playground safety inspector and has been instrumental in putting together the phases of the project making it a more natural playground to fit our community. Councilmember Schimmer stated there was an ADA transfer platform at the playground now.

**NEW BUSINESS**

**ADOPTION OF PRELIMINARY BUDGET**

After a discussion regarding the tentative budget, Councilmember Schimmer offered and moved the following resolution seconded by Councilmember Cooke:

**BE IT RESOLVED**, that the Town Board of the Town of Berne does hereby accept and approve the preliminary budget of the Town of Berne for the fiscal year of 2018 filed by the Supervisor; the itemized statement of expenditures and revenues is hereto attached and made part of this resolution and; **BE IT FURTHER, RESOLVED**, that this board shall meet at 7:15 PM on the 8th day of November, 2017 at the Berne Town Hall for the purpose of holding a public hearing in the manner provided in section 108 of Town Law, and, further, that the Town Clerk shall publish notice of such meeting. Resolution was declared duly adopted by the following roll call vote:

Supervisor Crosier.....Aye	Councilmember Golden.....Aye
Councilmember Schimmer.....Aye	Councilmember Jordan.....Aye
Councilmember Cooke.....Aye	

**OCTOBER 11, 2017**

**RESOLUTION HONORING THE LIFE AND WORK OF WILLIAM J. CONBOY,II**

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

**APPOINTING SWITZKILL FARM BOARD MEMBERS**

After discussion, Supervisor Crosier made a motion seconded by Councilmember Schimmer appointing Terry Schwendeman and Chance Townsend to the Switzkill Farm Board. Motion carried with the following members voting aye: Supervisor Crosier and Councilmembers Golden, Schimmer, Jordan & Cooke.

**ACCEPTING QUOTE FROM HOOPS; HOME OF PRO DUNK BASKETBALL GOALS**

After discussion, Councilmember Jordan made a motion seconded by Councilmember Schimmer accepting the quote from HOOPS for two 72” glass adjustable backboards and poles in an amount not to exceed \$3,998. Motion carried with the following members voting aye: Supervisor Crosier and Councilmembers Golden, Schimmer, Jordan & Cooke.

**AUTHORIZING EXPENDITURE TO BLUE DIAMOND SEPTIC, LLC**

After discussion, Councilmember Schimmer made a motion seconded by Councilmember Golden authorizing the expenditure to Blue Diamond Septic, LLC for \$999 to pump three holding tanks from the Sewer Plant. Motion carried with the following members voting aye: Supervisor Crosier, Councilmembers Golden, Schimmer, Jordan & Cooke.

**AUTHORIZING SUPERVISOR CROSIER TO ENTER INTO AGREEMENT WITH ACCESS TRANSIT AUTHORITY FOR 2018**

After discussion, Councilmember Schimmer made a motion seconded by Councilmember Jordan authorizing Supervisor Crosier to enter into an agreement with Access Transit Authority for 2018, (provides the service for the Senior Shuttle shopping trips) with reimbursement to the Town at \$337.50 per month. Motion carried with the following members voting aye: Supervisor Crosier, Councilmembers Golden, Schimmer, Jordan & Cooke.

**RIBBON CUTTING FOR ACCESS HILLTOWN OFFICE**

There will be a ribbon cutting for the Access Office at the Town of Berne Community and Senior Services Center on Tuesday, October 24, 2017 from 12:30 to 3PM.

**OCTOBER 11, 2017**

**AUTHORIZING BIDDING ON OGS WEBSITE**

After discussion, Councilmember Golden made a motion seconded by Councilmember Jordan authorizing a mini bid to be advertised on the OGS website for a 2017 or 2018 2500 HD with fisher extreme plow, in an amount not to exceed \$42,000. Motion carried with the following members voting aye: Supervisor Crosier, Councilmembers Golden, Schimmer, Jordan & Cooke.

**APPROVING WAIVER FOR HARDSHIP FOR RANDALL GRIPPIN AND PUBLIC HEARING**

After discussion, Councilmember Schimmer made a motion seconded by Councilmember Cooke approving the waiver for hardship for Randall Grippin from LL#3 for 2017 known as the “Town of Berne Solar Energy System Moratorium Law” and that a public hearing will be scheduled on November 8, 2017 at 6:30 PM at the Berne Town Hall, 1656 Helderberg Trail, Berne, NY. Motion carried with the following members voting aye: Supervisor Crosier, Councilmembers Golden, Schimmer, Jordan & Cooke.

**APPROVING YOUTH COUNCIL EXPENDITURES FOR CHRISTMAS PARTY**

After discussion, Supervisor Crosier made a motion seconded by Councilmember Schimmer approving the Youth Council to spend up to \$300 on the Christmas Party. Motion carried with the following members voting aye: Supervisor Crosier, Councilmembers Golden, Schimmer, Jordan & Cooke.

**DRAFT SOLAR ORDINANCE** – The draft solar ordinance was received from the Planning Board on 10/4/17.

**AUTHORIZING BUDGET TRANSFERS**

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

**General Fund.**

<b>From:</b>	<b>To:</b>	<b>Amount:</b>
A1620e 17230 (buildings laborer)	A1620e 11165 (buildings custodian)	\$ 500.00
A1620e 44999 (Buildings misc) \$450.00	A1620e 44022 (buildings maintenance)	\$ 150.00
	A1620e 44036 (Buildings phones)	\$ 200.00
	A1620e 44253 (buildings supplies)	\$ 100.00
A3620e 44047 (Building Insp Consulting) \$210.00	A3620e 44035 (Buildings Insp postage)	\$ 50.00
	A3620e 44038 (Building Insp travel)	\$ 25.00
	A3620e 44039 (Building Insp Conf )	\$ 100.00
	A3620e 44999 (Building Insp Misc)	\$ 35.00

A1990e 44999(contingency) \$ 1000.00	A7110e 44022 (parks maintenance) \$ 500.00
	A7110e 44106 (parks sewer charges) \$ 500.00
A8020e 44047 (Planning consulting)	A8020e 44039 (Planning Conference) \$ 100.00
A8160e 17360 (Transfer Station Sub)	A8160e 44072 (Transfer Station Vehicle) \$ 950.00
A1220r 3089 Revenue Increase \$300,000.00	A9730e 66000 (ban principal salt shed payoff) \$260,000
	A9760e 77000 (ban interest salt shed) \$ 2266.29

**This is an increase from the state aid application dated 09/18/17 and approved for the salt shed.**

A2001r SF revenue increase \$ 3700.00	A7111e 44022 (SF Maintenance supplies) \$ 1500.00
	A7111e 44106 (SF sewer charges) \$ 310.00
	A7111e 44999 (SF misc) \$ 700.00

**This is an increase from the revenue collected for Switzkill Farm.**

**Highway fund:**

<b>From</b>	<b>To</b>	<b>Amount</b>
Da5112r 3501 increase chips revenue \$ 26,065.75	Da5112e 44075 (chips improve)	\$ 26,065.75
Da5110r 2770 increase fuel reimb	Da5110e 44102 (fuel)	\$ 1430.19
	DA5142e 44102 (fuel)	\$ 1430.19
Da1990e 44999 (highway contingency) \$ 245.00	Da513022 44070 (truck 22 repair)	\$ 25.00
	Da513029 44070 (truck 29 repair)	\$ 35.00
	Da513037 44070 (truck 37 repair)	\$ 85.00
	Da5130e 44999 (mach equip repair)	\$ 100.00

**Sewer fund:**

<b>From:</b>	<b>To:</b>	<b>Amount:</b>
SS8110e 44100 \$ 2714.00 (Sewer fuel oil)	SS8110e 44046 (sewer fees for services)	\$ 364.00
	SS8110e 44070 (sewer equipment repair)	\$ 295.00
	SS8110e 44101 (sewer electric)	\$ 1726.00
	SS8110e 44106 (sewer charges)	\$ 499.00

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

**OCTOBER 11, 2017**

**BILLS AND REPORTS**

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

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

**GENERAL FUND, HIGHWAY FUND & SEWER 2017.....\$365,110.36**  
**ABSTRACT#101117.....\$ 76,444.07**  
**ABSTRACT#101117a.....\$288,666.29**

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

**MOTION TO ADJOURN**

There being no further business, Councilmember Schimmer made the motion seconded by Councilmember Cooke to adjourn the meeting. Motion carried with the following members voting aye: Supervisor Crosier and Councilmembers Golden, Schimmer, Jordan and Cooke. Meeting adjourned at 8:40 PM.

Respectfully submitted,

\_\_\_\_\_  
Anita C. Clayton, Town Clerk

PROCLAMATION

Honoring the Life and Work of

**WILLIAM J. CONBOY II**

By the Town Board of the Town of Berne:

**WHEREAS**, for 34 years, **WILLIAM J. CONBOY II** served as counsel to the Town Board of the Town of Berne with great wisdom, integrity, fairness and professionalism, and

**WHEREAS**, during his 34 years as town counsel, **WILLIAM J. CONBOY II** undertook his responsibilities with considerable skill and dedication to the benefit of all of the citizens of the Town of Berne and

**WHEREAS**, for over three decades , **WILLIAM J. CONBOY II** was known as a devoted public servant who worked with five supervisors who also considered him a friend and mentor, and

**WHEREAS**, **WILLIAM J. CONBOY II**, was an efficient lawyer who, in addition to counseling the town board, worked with the Planning Board and Zoning Board of Appeals, helped the town through the difficult period of its first town-wide property revaluation and did pro-bono work for the town when it was creating its sewer district, and

**WHEREAS**, the long career of dedicated service of **WILLIAM J. CONBOY II** to the Town Board of the Town of Berne and its residents would not have been possible without the constant support of his wife Carole and their children, William, Christine, Kimberly, Tracy, and Stephanie, and

**WHEREAS**, **WILLIAM J. CONBOY II** wholehearted supported the Town’s acquisition of the property to be known as SWITZILL FARM, a place where he truly appreciated and enjoyed its natural beauty and potential, and

**WHEREAS**, **WILLIAM J. CONBOY II**’s incredible 34 year commitment to the Town of Berne and its residents and community in general, clearly warrants heartfelt appreciation, gratitude and recognition,

**NOW, THEREFORE, BE IT RESOLVED** that in honor of his 34 years of loyal and dedicated service as Town Counsel to the Town of Berne, the Great Room at Switzkill Farm shall be, heretofore, known as the

**WILLIAM J. CONBOY II GREAT ROOM**

In witness thereof, we have hereunto set our hands and caused the seal of the Town of Berne to be affixed this 7<sup>th</sup> day of October, 2017.

Kevin G. Crosier  
Town Supervisor

Joseph A. Golden  
Town Council

Karen Schimmer  
Town Council

Anita Clayton  
Town Clerk

Patricia M. Favreau  
Town Clerk – Retired

Dawn Jordan  
Town Council

James Cooke  
Town Council