

**STATE OF NEW YORK  
COUNTY OF ALBANY**

**DECEMBER 14, 2016**

**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, Emory, Schimmer & Jordan. Also present were Town Clerk Clayton; Attorney Conboy, and several interested citizens. The Pledge of Allegiance was led Michael Vincent. Supervisor Crosier called the meeting to order at 7:30 PM, and on motion of Councilmember Emory and seconded by Councilmember Schimmer, the minutes of the Budget Hearing and Regular Meeting of 11/09/16 were approved as presented with the following members voting aye; Supervisor Crosier; Councilmembers Emory, Schimmer and Jordan. Councilmember Golden abstained. Supervisor Crosier then opened the meeting to guests.

Aaron Carr, a 6<sup>th</sup> Grade student at BKW, gave a presentation regarding the ponds on Switzkill Farm to create a self- sustaining ecosystem in the waterways by stocking the waterways and ponds with certain types of fish and vegetation.

Frank Brady – spoke regarding a raise for the Highway Superintendent.

**Correspondence:** Resignation letter from Terry Adams resigning from the ZBA effective 1/31/17; resignation letter from George Christian resigning from ZBA effective 1/31/17.

**COMMITTEE REPORTS**

**HIGHWAY**- Highway Superintendent Bashwinger stated they are collecting unwrapped toys and donations for the Albany Medical Center pediatric and cancer patients. He reported the salt shed is finished and they are stocking the shed with salt; the \$2,500 storage fee for storing last year's salt was waived.

**SENIOR MEAL PROGRAM** – Phyllis Johnsons reported that over 225 meals had been served in November; the BKW students have been helping out and learning about food service and hospitality; discussed the trips in October and the holiday season party will be on 12/19/16.

**SENIORS** – Councilmember Jordan reported the seniors had their Christmas Party at the Rock Road Chapel on 12/14/16.

**CONSERVATION BOARD** – Councilmember Schimmer stated they met on 12/5 and are working with Switzkill Farm.

**PLANNING & ZONING** – Councilmember Emory reported the Planning Board is working on the solar zoning ordinance and will meet next on 1/5/17.

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**SEWER DISTRICT** – Supervisor Crosier stated there was thought to be a valve sticking at the treatment plant but it turned out to be a weep hole, which was a simple fix.

**YOUTH COUNCIL** – Councilmember Jordan stated that the yearly planning is being worked on. There will be two trips, one in February to go tubing; one in April to go roller skating. There will be a combined winterfest with the Knox Youth Council on 1/14/17 from 11-2. The Summer Recreation Program will be July 17-21, 2017.

**SWITZKILL FARM** – Councilmember Schimmer stated the board is reviewing committee work; Helen Lounsbury has been named to the grant committee; winterfest will be held on 1/28/17; a pavilion donation is in process.

**OLD BUSINESS**

**AUTHORIZING PAYMENT FOR 2017 SILVERADO TRUCK TO CAPPELLINO CHEVROLET**

After discussion, Councilmember Golden made a motion seconded by Councilmember Emory, authorizing payment for the 2017 Silverado Truck to Cappellino Chevrolet in the amount of \$33,634.25, taking \$22,422.83 from the Capital Reserve Project General Fund, and \$11,211.42 from the Sewer Capital Project Fund. Motion carried with the following members voting aye: Supervisor Crosier and Councilmembers Golden, Emory, Schimmer & Jordan.

**APPROVING ADDITIONAL EXPENDITURE FOR 2017 SILVERADO TRUCK TO CAPPELLINO CHEVROLET**

After discussion, Councilmember Jordan made a motion seconded by Councilmember Schimmer, approving the additional expenditure of \$862 to Cappellino Chevrolet for running boards, tow mirrors, OEM for the 2017 Silverado Truck; taking \$577.54 from the Capital Reserve Project General Fund and \$284.45 from the Sewer Capital Project Fund. Motion carried with the following members voting aye: Supervisor Crosier and Councilmembers Golden, Emory, Schimmer & Jordan.

**APPROVING SEQR REVIEW FOR TOWN OF BERNE COMPEREHENSIVE PLAN**

The SEQR Review was performed and after discussion, Supervisor Crosier made a motion, seconded by Councilmember Schimmer, to declare the SEQR a Type I with a negative declaration with no significant impact on the environment and no further review was necessary. Motion carried with the following members voting aye: Supervisor Crosier and Councilmembers Golden, Emory, Schimmer & Jordan. A copy of the SEQR is on file with the Town Clerk.

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**AUTHORIZING THE ADVERTISING FOR BIDS FOR SECURITY CAMERAS AT THE HIGHWAY GARAGE, TRANSFER STATION, TOWN HALL, SEWER PLANT**

After discussion, Councilmember Schimmer made a motion seconded by Councilmember Jordan directing the Town Clerk to advertise for bids for security cameras at the Highway Garage, Transfer Station, Town Hall and Sewer Plant, with the bids to be received until 10 AM on Monday, February 6, 2017 at which time said bids will be opened and read at the Berne Town Hall, 1656 Helderberg Trail, Berne, NY. Motion carried with the following members voting aye: Supervisor Crosier, Councilmembers Golden, Emory, Schimmer & Jordan.

**NEW BUSINESS**

**APPOINTING AARON CARR HONORARY AQUATIC SPECIALIST**

After discussion, Councilmember Schimmer made a motion seconded by Councilmember Jordan appointing Aaron Carr Honorary Aquatic Specialist for Switzkill Farm. Motion carried with the following members voting aye: Supervisor Crosier and Councilmembers Golden, Emory, Schimmer & Jordan.

**ACCEPTING AUDIT REPORT OF JUSTICES RECORDS**

After discussion, Councilmember Emory made a motion seconded by Councilmember Golden to accept the Audit Report for the Town Justice records. Motion carried with the following members voting aye: Supervisor Crosier and Councilmembers Golden, Emory, Schimmer & Jordan.

**AUTHORIZING TOWN CLERK TO SEND LETTER TO STATE COMPTROLLER**

After discussion, Councilmember Jordan made a motion seconded by Councilmember Schimmer authorizing the Town Clerk to send a letter to the State Comptroller requesting a 60 day extension for filing the 2016 AUD. Motion carried with the following members voting aye: Supervisor Crosier and Councilmembers Golden, Emory, Schimmer & Jordan.

**DATE FOR ORGANIZATIONAL MEETING**

The Town of Berne Organizational Meeting will be held on January 11, 2107 at 7:30 PM.

**APPOINTING EMILY VINCENT AS PLANNING BOARD MEMBER**

After discussion, Councilmember Emory made a motion seconded by Councilmember Schimmer appointing Emily Vincent as Planning Board Member. Motion carried with the following members voting aye: Supervisor Crosier and Councilmembers Golden, Emory, Schimmer & Jordan.

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**AUTHORIZING SUPERVISOR CROSIER TO SIGN CONTRACTOR’S APPLICATION FOR PAYMENT No. 3 FOR SALT SHED**

After discussion, Councilmember Golden made a motion seconded by Councilmember Emory authorizing Supervisor Crosier to sign Contractor’s Application For Payment No. 3 for salt shed in an amount not to exceed \$36,784.00, leaving retainage of \$5,000. Motion carried with the following members voting aye: Supervisor Crosier and Councilmembers Golden, Emory, Schimmer & Jordan.

**AUTHORIZING FEES FOR DISPOSING OF TELEVISIONS & COMPUTERS**

After discussion, Councilmember Golden made a motion seconded by Councilmember Emory authorizing a \$10 fee be collected for disposal of televisions and computers effective 2/1/17. Motion carried with the following members voting aye: Supervisor Crosier and Councilmembers Golden, Emory, Schimmer & Jordan.

**AUTHORIZING SUPERVISOR CROSIER TO ENTER INTO CONTRACT WITH EVOLUTION RECYCLING**

After discussion, Councilmember Jordan made a motion seconded by Councilmember Schimmer authorizing Supervisor Crosier to enter into a contract with Evolution Recycling for computer and electronics recycling. Motion carried with the following members voting aye: Supervisor Crosier and Councilmembers Golden, Emory, Schimmer & Jordan.

**AUTHORIZING FEES FOR DISPOSING OF TIRES**

After discussion, Councilmember Golden made a motion seconded by Councilmember Schimmer authorizing a \$2 fee per tire be collected for disposal of car and small truck tires effective 2/1/17. Motion carried with the following members voting aye: Supervisor Crosier and Councilmembers Golden, Emory, Schimmer & Jordan.

**APPROVING JOB DESCRIPTION FOR ZONING BOARD OF APPEALS MEMBERS**

After discussion, Councilmember Schimmer made a motion seconded by Councilmember Emory approving the job description for Zoning Board of Appeals members. Motion carried with the following members voting aye: Supervisor Crosier and Councilmembers Golden, Emory, Schimmer & Jordan.

**ACCEPTING RESIGNATION OF TERRY ADAMS**

After discussion, Councilmember Golden made a motion seconded by Councilmember Emory accepting, with regret, the resignation of Terry Adams from the Zoning Board of Appeals. Motion carried with the following members voting aye: Supervisor Crosier and Councilmembers Golden, Emory, Schimmer & Jordan.

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**ACCEPTING RESIGNATION OF GEORGE CHRISTIAN**

After discussion, Councilmember Jordan made a motion seconded by Supervisor Crosier accepting, with regret, the resignation of George Christian from the Zoning Board of Appeals. Motion carried with the following members voting aye: Supervisor Crosier and Councilmembers Golden, Emory, Schimmer & Jordan.

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

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

**AUTHORIZING THE ADVERTISING FOR BIDS FOR JUDGE'S BENCH IN JUSTICE COURT**

After discussion, Councilmember Schimmer made a motion seconded by Councilmember Jordan directing the Town Clerk to advertise for bids for Judges Bench in Justice Court with the bids to be received until 10 AM on Monday, February 6, 2017 at which time said bids will be opened and read at the Berne Town Hall, 1656 Helderberg Trail, Berne, NY. Motion carried with the following members voting aye: Supervisor Crosier, Councilmembers Golden, Emory, Schimmer & Jordan.

**RESOLUTION**

**AUTHORIZING AN AGREEMENT WITH ALBANY COUNTY FOR THE USE OF THE TOWN OF BERNE SALT SHED**

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

**WHEREAS**, The County of Albany has requested assistance from the Town of Berne to help store its road salt, and

**WHEREAS**, The Town of Berne maintains a salt shed at 1811 Helderberg Trail, Berne, NY, which could be made available for shared use by the County of Albany, and

**WHEREAS**, Such shared use of Berne's salt storage shed will eliminate the need for Albany County to construct a new salt shed, and

**WHEREAS**, The County Executive has requested legislative approval of an agreement for such shared use of the Town of Berne's salt storage shed for the period commencing January 1, 2017, now therefore be it

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**RESOLVED**, That the Town of Berne Supervisor is authorized to enter into an agreement with the County of Albany for the purpose of allowing the County to jointly use the Town of Berne’s salt shed at the Berne Highway Garage conditioned upon the County of Albany agreeing to holding the Town of Berne harmless from any liabilities arising from such use by the County, and, be it further

**RESOLVED**, That the Attorney for the Town of Berne is authorized to approve said agreement as to form and content, and, be it further

**RESOLVED**, That the Town Clerk is directed to forward certified copies of this resolution to the appropriate County Officials.

Resolution was declared duly adopted with the following roll call vote:

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

**AUTHORIZING YEAR END RESERVES**

After discussion, Councilmember Emory made a motion seconded by Supervisor Crosier authorizing increasing assigned fund balance by \$85,000; decreasing unassigned fund balance by \$85,000; depositing \$85,000 in the General Fund Capital Reserve account. Motion carried with the following members voting aye: Supervisor Crosier and Councilmembers Golden, Emory & Jordan.

**AUTHORIZING BUDGET TRANSFERS**

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

<b>General Fund From:</b>		<b>To:</b>	<b>Amount:</b>	
A1990e 44999	\$ 3237.00	A 89060	\$ 2000.00	medical insurance
		A9060e 44977	\$ 1237.00	
A1990e 44999	\$ 1035.00	A 1010e 10016	\$200.00	account clerk
		A 1010e 44020	\$ 630.00	office supplies
		A 1010e 44035	\$ 120.00	postage
		A 1010e 44042	\$ 85.00	printing
A 1010e 44039		A 1010e 44999	\$ 1100.00	town board misc
A1110e 10155	\$ 1327.00	A1110e 44039	\$ 1096.00	Town court
				conference
		A1110e 44047	\$ 200.00	consulting fees
		A1110e 44040	\$ 31.00	town court books and
				publications
A1220e 44039		A1220e 44021	\$ 200.00	supervisor computer
				supplies

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A1355e 44020	\$ 196.00	A1355e 44035	\$ 144.00	Assessors postage
		A1355e 44039	\$ 52.00	Assessors conference
A1410e 44042	\$ 587.00	A1410e 10110	\$ 500.00	deputy clerk
		A1410e 44035	\$ 87.00	postage
A1430e 44999	\$ 500.00	A1430e 44021	\$ 655.00	Senior Account clerk
				computer
A1430e 44030	\$ 155.00			
A1430e 44039	\$ 36.00	A1430e 44020	\$ 36.00	office supplies
Reserve General		A 1620e 22999	\$ 22,422.83	buildings equipment
				maintenance
A1620e 44100	\$1519.00	A1620e 44024	\$ 88.00	Buildings supply
		A1620e 44028	\$ 671.00	Buildings safety
				supplies
		A1620e 44036	\$ 449.00	Buildings phone
		A1620e 44041	\$ 311.00	Buildings computer
				fees
A3620e 44040		A3620e 44036	\$ 20.00	building inspector
				phone
A5010e 44047	\$ 1017.00	A5010e 44020	\$ 244.00	highway office
				supplies
		A5010e 44036	\$ 364.00	highway phones
		A5010e 89060	\$ 409.00	medical insurance
A5132e 44100		A5132e 44036	\$ 43.00	highway
				buildings phones
A7410e 44100	\$ 2400.00	A7410e 11180	\$ 2200.00	library personal
				services
		A7410e 44101	\$ 200.00	library electric
A7510e 44999		A7510e 44039	\$ 141.00	historian conferences
A7989e 44100		A7989e 44999	\$ 883.00	senior center misc.
				contribution
A8020e 11185		A8020e 11190	\$200.00	planning board
				personal service
A8020e 44020		A8020e 44042	\$ 33.00	planning printing
A8160e 44020		A8160e 44071	\$ 33.00	transfer station
				property equip
A8160e 17350		A8160e 17355	\$ 1000.00	transfer station
				personal

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**Highway fund:**

<b>From</b>		<b>To</b>	<b>Amount</b>	
Da 89010	\$ 2927.00	Da 89060	\$ 410.00	medical insurance
		Da5142e 89060	\$ 334.00	
		Da 9060e 44976	\$ 1935.00	
		Da5110e 89060	\$ 248.00	
Da5110e 19990	\$ 7713.00	Da5110e 17200	\$ 1513.00	Maintenance supplies
		Da5110e 17220	\$ 6200.00	Brdg / Road Repair
Da 5112e 44077			\$ 60,000.00	Road Materials repairs
Chips projects including carry over, winter monies, and this year projects				
Da 5120e 44046	\$1885.00	Da 513010 44070	\$ 103.00	Truck # 10
		Da 513019 44070	\$ 1782.00	Truck # 19

**Sewer fund:**

<b>From:</b>		<b>To:</b>	<b>Amount:</b>	
Ss8110e 17340	\$ 1836.00	SS8110e 44036	\$ 208.00	Phone
		SS8110e 44070	\$ 192.00	Equipment repair
		SS8110e 44101	\$ 686.00	Electric
		SS8110e 44106	\$ 750.00	Sewer Charges
Sewer Reserve		Ss8110e 22080	\$ 11,211.42	truck for sewer/gr

**BILLS AND REPORTS**

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

Councilmember Emory made the motion seconded by Councilmember Schimmer to approve payment of the following bills:

<b>GENERAL FUND, HIGHWAY FUND &amp; SEWER 2016.....</b>	<b>\$61,732.11</b>
<b>ABSTRACT#121516.....</b>	<b>\$61,732.11</b>
<b>CAPITAL PROJECT SALT SHED.....</b>	<b>\$48,265.50</b>
<b>ABSTRACT#121416.....</b>	<b>\$48,265.50</b>

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



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**MOTION TO ADJOURN**

There being no further business, Councilmember Jordan made the motion seconded by Councilmember Schimmer to adjourn the meeting. Motion carried with the following members voting aye: Supervisor Crosier and Councilmembers Emory, Schimmer & Jordan. Meeting adjourned at 8:37 PM.

Respectfully submitted,

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Anita C. Clayton, Town Clerk