

**STATE OF NEW YORK  
COUNTY OF ALBANY**

**JANUARY 1, 2020**

Supervisor Lyons called the 2020 organizational meeting to order at 12:00 PM on the above date with the following officers present: Supervisor Lyons administered oaths of office to the following newly elected and reelected officials:

Town Board Members Bonnie Conklin, Mathew Harris, Assessor Brian Crawford, Assessor Christine Valachovic.

Supervisor Lyons; Councilmembers Palow, Willsey, Conklin & Harris. Also present were Town Clerk Clayton, Attorney Conboy and several interested citizens.

**RESOLUTION #1  
APPOINTMENTS**

Supervisor Lyons offered and moved the following resolution seconded by Councilmember Palow:

Deputy Supervisor	Dennis Palow
Director-Emergency Management& Sewer District Management	Sean Lyons
Registrar, Records Management	Anita Clayton
Human Resource Coordinator	Anita Clayton
Town Attorney –Town Board	William J. Conboy, III
Dog Control Officer	Jodi Jansen
Chairman of Assessors	Brian Crawford
Code Enforcement Officer	Chance Townsend
Deputy Highway Superintendent	Edward Hampton
Deputy Town Clerk, Deputy Registrar	Cathy Shultes
Assistant Human Resource	Andrea Borst
Deputy Tax Collector	Debra Flagler
Historian	Kathleen Putzig
Planning Board Member & Chairman	Tom Spargo
Planning Board Member (5 years)	Mike Vincent
Planning Board Member, Alternate (12/31/20)	Emily Vincent
Zoning Board Chairman	Ron Jordan
Zoning Board Member – (5 years)	vacant
Conservation Board Chair	Hold
Conservation Board Member (2years )	Hold
Conservation Board Member (2 years)	Hold
Library Board Trustee (5 years)	Chuck Batcher
Board of Assessment Review (5 year term)	Robert Conklin
Board of Assessment Review	vacant
Switzkill Farm Board Chair	Hold
Switzkill Farm Board Vice-Chair	Hold
Solid Waste Coordinator	Randy Bashwinger
Youth Council Member (one year term)	vacant
Youth Council Member (one year term)	Stacey Wright
Youth Council Deputy Director (one year term)	Carrie Needham

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

Supervisor Lyons.....Aye  
 Councilmember Palow...Aye  
 Councilmember Willsey.. Aye  
 Councilmember Conklin.....Aye  
 Councilmember Harris.....Aye

**RESOLUTION #2  
 SET WAGE SCHEDULE**

The following resolution was offered and moved by Supervisor Lyons seconded by Councilmember Harris:

**BE IT RESOLVED** that the wages for the following town officers and appointees be set at the amount provided in the annual budget for 2020:

<b>POSITION</b>	<b>WAGES</b>	<b>PAID</b>
Supervisor	19,226.00 (annually)	Monthly
Town Justice (2) each	9,981.00 (annually)	Monthly
Councilmen (4) each	3,635.00 (annually)	Monthly
Town Clerk	42,775.00 (annually)	Bi-weekly
Highway Superintendent	53,270.00 (annually)	Bi-weekly
Highway Deputy Superintendent	2,400.00 (annually)	Quarterly
Tax Collector	7,073.00 (annually)	Monthly
Deputy Tax Collector	2,000.00 (annually)	Quarterly
Assessor (Chairman)	13,637.00 (annually)	Monthly
Assessor (1)	12,614.00 (annually)	Monthly
Assessor (2)	7,648.00 (annually)	Monthly
Town Attorney	24,005.00 (annually)	Quarterly
Dog Control Officer	6,509.00(annually)	Monthly
Historian	300.00 (annually)	Quarterly
Senior Account Clerk G	27,432.00 (annually)	Bi-weekly
Senior Account Clerk H	27,432.00 (annually)	Bi-weekly
Registrar of Vital Statistics	4,800.00 (annually)	Quarterly
Planning Board Chairman	2,179.00 (annually)	Quarterly
Planning Board Members (4) each	1,750.00 (annually)	Quarterly
Zoning Board Chair	800.00 (annually)	Quarterly
Zoning Board Members	600.00 (annually )	Quarterly
Records Management	4,800.00 (annually)	Semi-Annually
Solid Waste Coordinator	3,952.00 (annually)	Bi-weekly

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Acct. Clerk I Highway (temp part-time)	16.63 per hr.	Bi-weekly
Deputy Town Clerk	17.00 per hr.	Bi-weekly
Account Clerk I/ Deputy Town Clerk		
Deputy Registrar (perm. part-time)	18.00 per hr.	Bi-weekly
Building Zoning Inspector	19.00 per hr.	Bi-weekly
Code Enforcement Officer	25.00 per hr.	Bi-weekly
Justice Court Clerk	21.00 per hr.	Bi-weekly
Working Foreman (Bargaining Unit)	23.10 per hr.	Bi-weekly
Highway Employees (Bargaining Unit)	21.57 per hr.	Bi-weekly
New Highway Employees	20.57 per hr.	Bi-weekly
Seasonal Highway Employees-winter	17.00 per hr.	Bi-weekly
Seasonal Highway Employees-summer	17.00 per hr.	Bi-weekly
Buildings/Laborer/Transfer Station/Alternate Wastewater Operator		
(Part time permanent)	19.00 per hr.	Bi-weekly
Buildings/Laborer (new, perm. part-time)	18.00 per hr.	Bi-weekly
Laborer - Transfer Station (pt permanent)	16.96 per hr.	Bi-weekly
Wastewater Treatment Plant Operators	21.42 per hr.	Bi-weekly
Alternate Wastewater Operator (new)	18.00 per hr.	Bi-weekly
Jurors	11.80 per hr.	Voucher
Custodian	16.63 per hr.	Bi-weekly
Senior Acct. Clerk/Sewer	28.57 per hr.	Bi-weekly
Sewer Clerk (new, part-time)	17.00 per hr.	Bi-weekly
Library Manager	17.48 per hr.	Bi-weekly
Library Assistant	15.30 per hr.	Bi-weekly
Library Clerk	13.11 per hr.	Bi-weekly
Library Page	11.80 per hr.	Bi-weekly
Cultural Personal Transportation Employee	17.00 per hr.	Bi-weekly
Youth Director	16.30 per hr.	Bi-weekly
Intern	16.30 per hr.	Bi-weekly

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

Supervisor Lyons .....Aye    Councilmember Conklin.....Aye  
 Councilmember Palow...Aye    Councilmember Harris.....Aye  
 Councilmember Willsey.....Abstain

**MOTION # 1**

Supervisor Lyons moved to designate **The Bank of Greene County** as the official depository bank and that **THE TIMES UNION** be designated as the official newspaper for the town for the year 2020.

Motion was seconded by Councilmember Palow and carried by the following vote: Supervisor Lyons, Councilmembers Palow, Conklin & Harris – Aye. Councilmember Willsey –abstain.

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**MOTION #2**

Supervisor Lyons moved to authorize the **HIGHWAY SUPERINTENDENT** to spend up to \$2,500 for purchase of tools, tires and equipment from New York State contract and/or the Albany County Purchasing Department; other County, State or Federal contracts without prior approval by the Town Board.

The motion was seconded by Councilmember Conklin and carried by the following vote: Supervisor Lyons, Councilmembers Palow, Willsey, Conklin & Harris - aye

**MOTION #3**

Supervisor Lyons moved to establish the second Wednesday of Jan, Mar, May, July, Sept, Nov month at **7:00** p.m. as the time and date for **REGULAR TOWN BOARD MEETINGS** and the second Wednesday of Feb, April, June, August, Oct, Dec at **7:00** p.m. as the time and date for **TOWN BOARD OPEN AGENDA PUBLIC MEETINGS** and further to meet on the fourth Wednesday of each month at **7:00** p.m. if, as and when necessary to conduct town business. From here forward these meetings will be held at the Berne Community and Senior Services Building located at 1360 Helderberg Trail, Berne NY.

The motion was seconded by Councilmember Harris and carried by the following vote: Supervisor Lyons, Councilmembers Palow, Willsey, Conklin & Harris – aye

**MOTION #4**

Councilmember Conklin moved that the **SUPERVISOR** be and he hereby is authorized to pay all Town expenses without prior audit.

The motion was seconded by Councilmember Harris and carried by the following vote: Supervisor Lyons, Councilmembers Palow, Conklin & Harris – aye; Councilmember Willsey- abstain.

**MOTION #5**

Supervisor Lyons made the motion seconded by Councilmember Palow that the **HIGHWAY SUPERINTENDENT** be and he hereby is authorized to purchase gas and diesel fuel through state contract.

The motion carried by the following vote: Supervisor Lyons, Councilmembers Palow, Willsey, Conklin & Harris -aye

**MOTION #6**

Councilmember Harris made the motion seconded by Councilmember Palow that the Supervisor be and he hereby is authorized to enter into an agreement with Community Caregivers for the purpose of administering the Town of Berne Shuttle Service.

The motion carried by the following roll call vote: Supervisor Lyons, Councilmembers Palow, Willsey, Conklin & Harris -aye

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**MOTION #7**

Councilmember Palow made the motion that the Supervisor be and he hereby is authorized to enter into an agreement with the **TOWN OF BERNE LIBRARY**.

The motion was seconded by Councilmember Willsey and carried by the following vote: Supervisor Lyons, Councilmembers Palow, Willsey, Conklin & Harris – aye.

**MOTION #8**

Supervisor Lyons made the motion that the **Town Board members; Town Supervisor; Tax Collector, Deputy Tax Collector, Town Clerk and Deputy Town Clerk, Town Justices and Town Court Clerk, Highway Superintendent, Code Enforcement Officer, Building & Zoning Inspector and Senior Account Clerk** be authorized to attend training and that all expenses incurred be reimbursed.

Motion was seconded by Councilmember Harris and carried with the following vote: Supervisor Lyons, Councilmembers Palow, Willsey, Conklin & Harris –aye.

**MOTION #9**

Supervisor Lyons made the motion seconded by Councilmember Palow that the Highway Superintendent be and he hereby is authorized to renew the **MEMORANDUM OF UNDERSTANDING** regarding the Stream Protection Law between NYSDEC and the Town of Berne.

Motion carried with the following vote: Supervisor Lyons, Councilmembers Palow, Willsey, Conklin & Harris –aye.

**MOTION #10**

Councilmember Conklin made the motion seconded by Councilmember Willsey that the Supervisor be authorized to enter into an agreement between the Town of Berne and the County of Albany for participation in the **ALS (Paramedic Fly Car)** for the year 2020 at a cost not to exceed \$99,322.56; and an agreement with **EMT (BLS Ambulance)** for the year 2020 at a cost not to exceed \$61,556.99.

The motion was carried by the following vote: Supervisor Lyons, Councilmembers Palow, Willsey, Conklin & Harris –aye.

**MOTION #11**

Councilmember Palow made the motion, seconded by Councilmember Harris that the Supervisor be and he hereby is authorized to enter into an agreement with the **HELDERBERG AMBULANCE** for the year 2020 at a cost of \$55,000.

Motion carried with the following vote: Supervisor Lyons, Councilmembers Palow, Willsey, Conklin & Harris –aye.

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**MOTION #12**

Supervisor Lyons made the motion, seconded by Councilmember Harris to rescind the policy that establishes the role of liaison to be used for communication between the Town Board and the boards and committees, departments and councils within the town adopted in February 2019. Motion carried with the following vote: Supervisor Lyons, Councilmembers Palow, Conklin & Harris – aye; Councilmember Willsey – nay.

**MOTION #13**

Councilmember Palow made the motion, seconded by Supervisor Lyons that the resolution restricting the possession of weapons in town buildings during town board meetings adopted in September 2019 be rescinded and the MOA regarding metal detector between the Town of Berne and ASCO be terminated.

Motion carried with the following vote: Supervisor Lyons, Councilmembers Palow, Conklin & Harris – aye; Councilmember Willsey – nay.

**MOTION #14**

Councilmember Palow made the motion, seconded by Councilmember Conklin that the Town Board establish the following committees for advisory and planning purposes 2020; Municipal Complex, Municipal Water, Summerfest, Parades & Celebrations, Newsletter and Safety.

Motion carried with the following vote: Supervisor Lyons, Councilmembers Palow, Willsey, Conklin & Harris – aye.

**MOTION #15**

Councilmember Palow made the motion, seconded by Supervisor Lyons that topics and discussions in Executive Session are not to be discussed outside of session except in open meetings as prescribed by law.

Motion carried with the following vote: Supervisor Lyons, Councilmembers Palow, Conklin & Harris – aye; Councilmember Willsey – abstain.

**MOTION #16**

Councilmember Conklin made the motion, seconded by Councilmember Harris that emails and discussions not covered by open meetings law between Council members shall remain confidential and property of the Town of Berne and not subject to FOIL.

Motion carried with the following vote: Supervisor Lyons, Councilmembers Palow, Conklin & Harris – aye; Councilmember Willsey – abstain.

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**MOTION #17**

Councilmember Palow made the motion, seconded by Supervisor Lyons that no Council Member shall engage in the practice of sharing Town of Berne business in print or social media without the express written consent of the board majority

Motion carried with the following vote: Supervisor Lyons, Councilmembers Palow, Conklin & Harris – aye; Councilmember Willsey – nay.

**MOTION #18**

Councilmember Conklin made the motion, seconded by Councilmember Harris that the Switzkill Farm Advisory Board and the Conservation Board activities, meetings and appointments cease pending outcome of audit to determine past effectiveness in prescribed duties as well as future roles, appointments and charter

Motion carried with the following vote: Supervisor Lyons, Councilmembers Palow, Conklin & Harris – aye; Councilmember Willsey – nay.

**MOTION #19**

Councilmember Palow made the motion, seconded by Councilmember Harris that an MOA be established between the Town of Berne and the managing body for the Senior Meals Program

Motion carried with the following vote: Supervisor Lyons, Councilmembers Palow, Willsey, Conklin & Harris – aye.

**MOTION #20**

Councilmember Conklin made the motion, seconded by Councilmember Palow that the MOA's negotiated and signed by Supervisor Lyons and the UPSEC in regards to sections 2.1.2; 7.1.3; 9.2.4; 9.3.5 & 9.4.5 of the Collective Bargaining Agreement are valid as the Supervisor did not act outside of his responsibilities regarding negotiations.

Motion carried with the following vote: Supervisor Lyons, Councilmembers Palow, Conklin & Harris –aye; Councilmember Willsey – abstain.

**MOTION #21**

Supervisor Lyons made the motion seconded by Councilmember Palow to introduce on January 8, 2020, LL#1 for 2020 "Second Amendment Sanctuary Ordinance" and set the public hearing for March 11, 2020 at 6:30pm. Motion carried with the following vote: Supervisor Lyons, Councilmembers Palow, Conklin & Harris –aye; Councilmember Willsey – abstain.

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**LIAISON APPOINTEES**

Supervisor Lyons designated as liaison personnel between various departments of town government the following officers:

**LIBRARY – SUPERVISOR LYONS**

**PLANNING BOARD & ZBA – COUNCILMAN HARRIS**

**SENIOR MEAL PROGRAM – LYONS/HARRIS**

**BKW SUPERINTENDENT – COUNCILWOMAN CONKLIN**

Councilmember Palow wished everyone a Happy New York thanked them for all their hard work, and congratulated all the newly elected officials. He thanked the Town volunteers and everyone who's been appointed including Mr. Spargo and Mr. Townsend for his return to the Town. Councilmember Palow expressed his excitement to work with everyone and stated this will be a great two years.

**ADJOURN**

There being no further business, Supervisor Lyons made the motion seconded by Councilmember Palow to adjourn the meeting. Motion carried with the following vote: Supervisor Lyons, Councilmembers Palow, Willsey, Conklin & Harris –aye. Meeting adjourned at 12:30PM.

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Anita C. Clayton, Berne Town Clerk