

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. Supervisor Crosier called the meeting to order at 7:30 PM, and on motion of Councilmember Golden and seconded by Councilmember Emory, the minutes of the meeting of 1/13/16 were approved as presented with all members voting aye; and on motion of Councilmember Schimmer and seconded by Councilmember Jordan, the minutes of the meeting of 1/27/16 were approved as presented with all members voting aye. Supervisor Crosier then opened the meeting to guests.

County Legislators, Chris Smith and Travis Stevens were present.

Sheriff Apple discussed the communication tower and broadband wireless and stated it truly was a necessity for keeping people safe. A public informational meeting will be held on 3/17/16 at 7PM at the Berne Town Hall.

Liam Hanley discussed his Eagle Scout project for a free little library to set up in the Hilltowns and was requesting a donation for materials and suggestions for placing the free library.

Correspondence:

Letter from Ronald Pease, along with petition signed by 27 residents, requested speed limit reduction on Rt. 443 between East Berne heading west.

Letter from Mark Kennedy, Regional Traffic Engineer from NYSDOT, stating the speed limit on Ravine Road (CR 6) between CR 1 and the Berne/Rensselaerville town line has been reduced to 45 MPH.

Letter from Mike Vincent requesting information in regard to using the senior van.

COMMITTEE REPORTS

HIGHWAY- Highway Superintendent Bashwinger submitted letters he received back from Dr. Timothy Mundell, Superintendent of the BKW School District; Ronald Sprung, Board of Commissioners of the Berne Fire District; Tom McQuade, President, Helderberg Ambulance Squad, stating support of Stage Road being a seasonal use road. Highway Superintendent Bashwinger submitted quotes for concrete, materials and windows for the highway garage addition. The Bobcat equipment was discussed.

EMERGENCY MANAGEMENT – did not meet.

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SENIORS – Councilmember Schimmer stated the dishwasher is waiting to be installed; average number of meals served last month as 15.5; Senior Services of Albany is the new meal provider; Bingo party on 2/19 will be held; computer classes will begin; emergency alert advocate will speak; basket making class will be held in April. Councilmember Jordan reported that Brittany Sargeant of Legal Aid Society will be present every 2nd Wednesday of the month at Knox Town Hall at 10:30 and 11:15 AM.

CONSERVATION BOARD – Councilmember Schimmer reported Joanna Nadeau of Audubon International was a guest speaker; cooperative ventures with Knox Conservation Advisory Council were discussed.

PLANNING & ZONING – Councilmember Emory reported there was a public hearing on 2/4/16; the results from the balloon test will be presented on 3/4/16 and an informational meeting on the communications tower is scheduled for 3/17/16 at 7PM.

SEWER DISTRICT – Supervisor Crosier reported that DEC reviewed the facility and passed review; Marc Shultes is doing an excellent job.

LIBRARY - Judy Petrosillo reported that story time is growing, 22 children present last time; there is a photo display of 52 entries and you can stop in and vote, there will be a reception and winner announced on 2/27; Book sale is being held on 3/19 & 3/20; donations of books, jewelry and scarves may be dropped off on 3/12 from 9 AM to noon at the Senior Center.

YOUTH COUNCIL – Councilmember Jordan reported that Mary Ellen Gillis, Knox Youth Director, attended meeting; planning on a joint youth council meeting in October/November. Knox is working on a calendar to post all youth activities from all organizations; Knox Winterfest was cancelled; two trips planned; tubing trip to Maple Ridge and roller skating at Rollerama; youth council will participate in Memorial Day Parade.

GAME FARM ROAD – Councilmember Schimmer reported a Winter Festival is being planned for 2/27/16 with snow shoe race; ice skating; snow sculpture; wildlife exhibit; bonfire; toboggan/sledding run; possible food truck and bake sale. Log donations for lean-tos are being looked into and suggested locations for campsites; interim report is being prepared for the Town Board; a wedding is scheduled for 5/28/16; the first Tuesday of each month at 7PM will be designated for meetings.

OLD BUSINESS

ACCEPTING REVISED COMPREHENSIVE PLAN

After discussion, Councilmember Schimmer made a motion seconded by Supervisor Crosier to accept the revised Comprehensive Plan and schedule a public hearing for 3/23/16 at 7PM. Motion carried with the following members voting aye: Supervisor Crosier and Councilmembers Golden, Emory, Schimmer & Jordan.

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AUTHORIZING TOWN CLERK TO ADVERTISE FOR PUBLIC HEARING ON THE REVISED COMPREHENSIVE PLAN

After discussion, Councilmember Jordan made a motion seconded by Councilmember Schimmer authorizing the Town Clerk to advertise for a public hearing on the revised Comprehensive Plan for March 23, 2106 at 7 PM at the Berne Town Hall. Motion carried with the following members voting aye: Supervisor Crosier and Councilmembers Golden, Emory, Schimmer & Jordan.

NEW BUSINESS

AUTHORIZING DONATION FOR MATERIALS TO LIAM HANLEY FOR EAGLE SCOUT PROJECT

After discussion, Councilmember Golden made a motion seconded by Councilmember Schimmer to donate \$50 for materials to Liam Hanley for an Eagle Scout project to build a free little library. Motion carried with the following members voting aye: Supervisor Crosier and Councilmembers Golden, Emory, Schimmer & Jordan.

AUTHORIZING LETTER TO BE FORWARDED TO NYSDOT.

After discussion, Councilmember Jordan made a motion seconded by Councilmember Schimmer authorizing the Town Clerk to forward a letter and petition submitted by Mr. Ronald Pease for a speed limit reduction to the NYSDOT. Motion carried with the following members voting aye: Supervisor Crosier and Councilmembers Golden, Emory, Schimmer & Jordan.

AUTHORIZING PAYMENT FOR BUILDING MATERIALS FOR HIGHWAY GARAGE ADDITION

After discussion, Councilmember Jordan made a motion seconded by Councilmember Schimmer authorizing payment for the highway garage addition as follows: \$639.18 to Home Depot for windows; \$5098.46 to Bellevue Builders for building materials; \$1,688 to Grandview Concrete for concrete. Motion carried with the following members voting aye: Supervisor Crosier and Councilmembers Golden, Emory, Schimmer & Jordan.

NEW BUSINESS

**INTRODUCTION OF LOCAL LAW #1 OF 2016
“TOWN OF BERNE HYDRAULIC FRACTURING AND/OR HYDROFRACKING
LAW”**

After discussion, Councilmember Emory introduced Local Law #1 of 2016 “**Town of Berne Hydraulic Fracturing and/or Hydrofracking Law**” and moved to set a public hearing on proposed Local Law #1 of 2016 for March 9, 2016 at 7:30 PM and directing the Town Clerk to

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give notice of such public hearing in the manner provided in Section 20 of the Municipal Home Rule Law, and Councilmember Schimmer seconded the introduction of the proposed local law and the motion. Motion carried with the following members voting aye: Supervisor Crosier, Councilmembers Golden, Emory, Schimmer & Jordan.

AUTHORIZING PAYMENT TO KIWANIS TO OFFSET COST OF PARADE

After discussion, Councilmember Jordan made a motion seconded by Councilmember Emory authorizing payment of \$150 to Kiwanis Club of the Helderbergs to offset cost for the Memorial Day Parade. Motion carried with the following members voting aye: Supervisor Crosier, Councilmembers Golden, Emory, Schimmer & Jordan.

RESOLUTION AUTHORIZING THE TOWN BOARD OF THE TOWN OF BERNE TO SET THE STANDARD WORKDAY FOR ELECTED AND APPOINTED OFFICIALS AND AUTHORIZE POSTING

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

AUTHORIZING TOWN CLERK TO ADVERTISE COMBINED FOR BIDS

After discussion, Councilmember Golden made a motion seconded by Councilmember Schimmer authorizing the Town Clerk to advertise for combined bids for 40kw diesel generator for the highway garage; propane generator for the Senior Center; standby generator for the main lodge at Game Farm Road Property; 20kw propane generator for the Library. Motion carried with the following members voting aye: Supervisor Crosier and Councilmembers Golden, Emory, Schimmer & Jordan.

APPROVING SEQR EAF FOR SALT SHED

The SEQR EAF Part I was completed and reviewed. Councilmember Emory moved to declare the Town as lead agency and declare the SEQR a Type II action with no adverse environmental impacts; seconded by Councilmember Schimmer and the motion carried with the following members voting aye: Supervisor Crosier and Councilmembers Golden, Emory, Schimmer & Jordan.

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AUTHORIZING TOWN CLERK TO ADVERTISE FOR BIDS FOR TRANSFER STATION CONTAINERS

After discussion, Councilmember Jordan made a motion seconded by Councilmember Emory authorizing the Town Clerk to advertise for two roll off containers at the Transfer Station. Motion carried with the following members voting aye: Supervisor Crosier and Councilmembers Golden, Emory, Schimmer & Jordan.

AUTHORIZING SUPERVISOR TO ENTER INTO AGREEMENT WITH EVOLUTION RECYCLING

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

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:

GENERAL FUND, HIGHWAY FUND & SEWER 2016.....	\$83,926.82
ABSTRACT#011416.....	\$82,391.15
ABSTRACT#011416b.....	\$ 1,535.67

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

EXECUTIVE SESSION – 8:57PM

Councilmember Golden made the motion seconded by Councilmember Schimmer to enter into executive session for the purpose of discussing a contract negotiation. Motion carried with all members voting aye.

9:40 PM

Supervisor Crosier reconvened the meeting and reported that no action had taken place.

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MOTION TO ADJOURN

There being no further business, Councilmember Schimmer made the motion seconded by Councilmember Jordan to adjourn the meeting. Motion carried with the following members voting aye: Supervisor Crosier and Councilmembers Golden, Emory & Jordan. Meeting adjourned at 9:42 PM.

Respectfully submitted,

Anita C. Clayton, Town Clerk

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

ELECTED OFFICIALS:

Assessor Brian Crawford	6 hrs.	01/01/16-12/31/19	Y	4.45
Assessor Christine Valachovic	6 hrs.	01/01/19-12/31-19	Y	4.62

APPOINTED OFFICIALS

Deputy Town Attorney William Conboy, III	6 hrs	1/1/16 – 12/31/16	Y	2.77
Acct. Clerk – Kathy Stempel sheets	6 hrs	1/1/16-12/31/16	Y	Dependent on time
Building & Zoning Adm. Tim Lippert	6 hrs	1/1/16-12/31/16	Y	10

02/10/16