

January 12,2022

**State of New York  
County of Albany**

6:00PM Public Hearing Local Law #4, 2022 Reserve Fund Resolutions

Supervisor Palow declared the public hearing open, and present was:

- Councilmember Leo Vane
- Councilwoman Anita C. Clayton
- Councilmember Albert Thiem
- Councilmember Thomas
- Highway Superintendent Randy Bashwinger
- Town Clerk Kristin De Oliveira
- Attorney Javid Afzali

A few residents spoke up on some minor technicalities to be changed. The board members discussed and agreed that the law needs some cleaning up, it would be sent to Attorney Afzali and it would be addressed in the next meeting. It was agreed that throughout it would be called the ACO, animal control officer. Supervisor Palow made a motion to close the public hearing on Local Law #4 Amendment to 75, seconded by Councilmember Vane, motion carried with roll call vote, Councilmembers Clayton, Thiem, Vane , Doolin voting aye.

**Authorizing Resolutions to Repair Reserve Funds for Town of Berne 2022**

Supervisor Palow opened the Public Hearing section for the establishment of reserve funds for the following, Parks and Recreation, General Health Equipment, and Highway Equipment funds. Supervisor Palow established the set amounts for the following Reserves, \$118,399.00 for Parks and Recreation, \$25,000.00 and \$182,084.57 to the Highway Reserve fund.

Councilmember Clayton questioned about the amount needed for a new Roll Off Truck for the highway and if more money should be allocated toward that amount. Supervisor Palow pointed out that the Highway fund was still waiting to receive CHIPS money and other reserves would also soon be available.

At 6:26pm Supervisor Palow made the motion to close the public hearing and take a short recess and resume for the regular Town Board meeting at 7PM. Supervisor Palow was seconded by Councilmember Clayton, roll call vote Vane, Thiem , Doolin and Clayton voting aye.

## 7PM REGULAR MEETING

Supervisor Palow calls meeting to order by asking everyone to stand for the Pledge of Allegiance, roll call attendance was taken Councilmembers Clayton, Doolin, Thiem and Vane all present, Town Clerk Kristin De Oliveira and Attorney Afzali were also in attendance.

### Approving Minutes

Supervisor Palow opened the floor if there were any comments on the minutes from 12-22-2021 or from the Organizational Meeting 1-1-2022, Supervisor Palow made a motion to accept and approve both sets of minutes, he was seconded by Councilmember Clayton role call vote taken Doolin, Thiem, Vane and Clayton voting aye.

### Correspondence

- Department of Public Service Letter on Rising Energy Costs
- Knox Bicentennial Invitation
- Department of Transportation Speed Limit Knox Cave Study

### Public Comment

Mike Vincent wanted to remind the Town Board about the senior citizen community in our town and the appreciate for at home test kits and mask that have been handed out. He also questioned about the Sewer grinder pumps and repairs which Supervisor Palow pointed out would be discussed shortly as it was on the agenda.

Tammi Bloom was present on before of the Helderberg Lake Community Board and read a statement from their attorney working on the Tax District Proposal. The statement said that soon the responses to all the comments received would be put online so they can be shared electronically and also added that any off lake property owner would be able to give up their lake rights

## DEPARTMENT REPORTS

### Assessor's Office

Brian Crawford was in to report and discussed an option that started last year due to COVID allowing seniors and persons with disabilities to renew their property taxes without having to complete a renewal form limiting contact. Supervisor Palow made a motion to opt in to allowing this again for the calendar year 2022, seconded by Councilmember Thiem, Councilmembers Vane, Clayton, Doolin and Thiem voted aye.

### **Highway**

Highway Superintendent Bashwinger commented on the cold weather causing a few minor issues at the transfer station including trouble with switches and extra charge of \$150 when garbage is frozen during drop offs. This week the transfer station broke down and Knox and Westerlo each ran two loads for us, the Guilderland Highway Department helped repair the radiator for just the cost of parts saving the Town hundreds of dollars.

The highway department used 350 tons of Salt. He is very happy with the Deputy Highway Supervisor James Dietz and says the team is very happy, they also hired a new full time employee which is a huge help.

### **Planning Board**

Mr. Martin, Planning board chairman was present and informed the Board of the agenda for their meeting Thursday 1-13-2022 would be include a lot line adjustment and adjusting a property with solar panels to make sure they are up to code. They also talked of changing the way they handle a lot line adjustment to stream line the process.

### **Motion to Amend Lot Line Adjustment Local Law**

A proposal to change a lot line adjustment versus the merging of parcels with different SBL numbers to not need new numbers or deed was questioned and Supervisor Palow made a motion to amend the sub-division law February 9<sup>th</sup> at 6:30pm . Motion to introduce a new Local Law seconded by Councilmember Clayton, roll call voted Doolin, Thiem, Vane and Clayton voting aye.

### **Conservation Board**

A statement was made that they are still working on the solarized campaign for clean energy.

### **Library**

Library Director Stempel was in to announce the 7<sup>th</sup> annual Photo Competition for the categories Vroom, Garden Delights or Playball. 8x10 photos, Adult submission \$5, Junior Submissions free. February 5<sup>th</sup> is bring your child to the library and 1-13-2022 would hold the first Library Trustee meeting of the year.

### **Tax Collector**

Debra Flagler reported that the bills had been mailed and the payments were starting to come in. She will be at the Town Hall every Saturday during the month of January from 9-12.

**Sewer**

Marc Shultes had a meeting with Supervisor Palow earlier in the week he works everyday to test the water from 7AM-9AM, holidays, weekends no exceptions and is on call 24 hours. He requested to have holiday pay for anytime outside of his regular hours and for a 2 hour minimum payment. Supervisor Palow said it will be discussed at the next meeting after reviewing minutes from last year to confirm this motion was not previously made.

**Committee Reports**

**Parks & Recreation**

First meeting will be held January 27, 2022 with the existing board from last year. Sean Lyons requested from Supervisor Palow that they could go and repurpose signage and equipment that is sitting at Switzkill farm unused.

**Celebration Committee**

Jennifer Lyons commented that she is working on getting everything ready to do the Veteran Banners again and will soon have applications available and she will not be limiting the number of applications this year. Last year there were 16 banners.

**Senior Meals**

Mr. Harris was in and commented that sadly due to COVID numbers all the senior luncheons had been canceled, they were originally just limited to grab and go but found the members were more interested in the socialization aspect. Sadly he expects this trend to extend into the next month due to the continued rising cases. Mat commented on the kitchen floor in the senior center needed repair and just requests permission to shop around for an option that can be laid on top of the existing floor that is waterproof, easy to sanitize and slip resistant.

**Old Business**

**Readvertise for new Wells for Transfer Station, Highway Department & Libray**

During discussion concerning the need for water at the transfer station since currently there is no well it creates a huge safety hazard concerning fire and the option to have water available for cleaning would be very helpful. Supervisor Palow made a motion to readvertise for new wells for the Highway Department and Transfer Station, seconded by Councilmember Palow a roll call vote was taken, Councilmembers Doolin, Clayton, Thiem and Vane voting aye.

**Appoint Cathy Shultes for Planning Board**

Supervisor Palow made a motion to appoint Cathy Shultes to a 5 year term on the planning board as this was not completed at the organizational meeting. Palow was seconded by Councilmember Vane, roll call vote Councilmembers Clayton, Doolin, Thiem and Vane voting aye.

**Discuss Purchase of Kennels for DCO**

Councilmember Vane discussed the need for our own Town Kennels to hold animals and suggested the purchase of an Amish made metal garage that could host 3 separate kennels and an area for supply storage or office area. The place to keep this is still to be determined, the board agreed a unit would need to be heated/cooled depending on the season.

Councilmember Vane made a motion requestion to continue the pursuit of shopping for a kennel, seconded by Councilmember Thiem, roll call vote taken Clayton, Doolin, Vane and Thiem voting aye.

**New Business**

**Approving 60 extra days AUD with NYS Comptroller**

A request for the Town Supervisor to have 60 extra days to file the AUD with the NYS Comptroller was seconded by Councilmember Clayton and voted aye by Councilmember Thiem, Doolin, Vane and Clayton.

**Amendment to Town Procurement Policy**

Supervisor Palow announced the changes to the procurement policy for 2022 regarding purchase amounts that do not require prior board approval, from \$500 to \$1000 for all purchases and for public work from \$1500 to \$3000. Also the procurement policy now included the Deputy Town Supervisor. This motion was seconded by Councilmember Thiem a roll call vote was taken Councilmembers Clayton, Doolin, Vane and Thiem voting aye.

*Authorize Purchase of New Grinder Sewer Pump*

After discussion with board members and Jason Prestige from Lamont Enterprises the decision was made to purchase two new pumps rather than repairing old broken ones. Councilmember Vane made a motion to purchase two new sewer grinder pumps and for the purchase to not exceed \$5800, seconded by Councilmember Clayton a roll call vote was taken Councilmembers Doolin, Thiem, Vane and Clayton voting aye.

**Schedule Review for Town Clerk's Record 2021**

After brief discussion Supervisor Palow made a motion to schedule review for Town Clerk Records from 2021, Councilmember Thiem volunteered to perform the scheduled review with previous Town Clerk Anita Clayton during the month of January.

**Town of Berne & Lamont Engineering Contract**

Lamont Engineering proposed a contract for the year, Councilmember Clayton made a motion to accept the contract and its terms, seconded by Councilmember Thiem a roll call vote was taken Councilmembers Clayton, Doolin, Thiem and Vane voting aye.

**Change Building Inspector/ CEO's hours**

Per the 2022 budget \$56,881 was budgeted for the Building and Zoning Department, Mr. Townsend will be stepping down from Code Enforcement and Kevin Flensted will fill the position, John Heigel will stay on as building inspector and also put in hours in the office.

Supervisor Palow made a motion for Chance as the building and planning administrator not to exceed over 12 hours a week, seconded by Councilmember Vane a roll call vote was taken Councilmembers Clayton, Doolin, Thiem and Vane voting aye.

Supervisor Palow made a motion for Kevin Flensted as Code Enforcement Officer not to exceed over 12 hours a week, seconded by Councilmember Doolin, roll call vote was taken Councilmembers Clayton, Doolin, Thiem and Vane voting aye.

Supervisor Palow made a motion for John Heigel, building inspector, not to exceed 24 hours a week, seconded by Councilmember Clayton a roll call vote was taken Councilmembers Clayton, Doolin, Thiem and Vane voting aye.

**Waive 48.52 Hours Vacation Time**

Dave Willsey, transfer station employee wished to be paid for his vacation hours that he has not used. Supervisor Palow made a motion to pay Dave Willsey for his 48.52 hours at \$19 an hour totally \$921.88, seconded by Councilmember Thiem a roll call vote was taken Councilmembers Clayton, Doolin, Vane and Thiem voting aye.

**Discussion/Approval of Highway Truck Purchases**

After discussion with Highway Superintendent Mr. Randy Bashwinger expressed the need for new equipment. Councilmember Leo Vane made a motion for the purchase of a 2023 Western Star 47X 6x4 EW4 5year/100k mile warning with Galbreath US-OR-194 60,000 Roll off hoist and Pioneer RP500SARG Tarp Installation, for a price not to exceed \$198,097 seconded by Councilmember Thiem roll call vote Supervisor Palow & Councilmembers Clayton, Doolin, Vane and Thiem voting aye.

Supervisor Palow made a motion to approve the purchase of a 2023 Freightliner 114SD 4x4 EW4 with 5yr/100k warranty including Viking Equipment Package for a price not to exceed \$255,177.50, seconded by Councilmember Clayton a roll call vote was taken Supervisor Palow & Councilmembers Clayton, Doolin, Thiem and Vane voting aye. Motions carry.

January 12,2022

**Bills and Reports**

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

Councilmember Doolin made a motion seconded by Supervisor Palow to approve payment for monthly abstracts and payment of bills.

- Abstract 01 22 \$3,181.72
- Abstract 02 22 \$ 12,901.71
- Abstract 03 22 \$126,872.55
- Abstract 01-03 22 \$142,955.98

Motion carried with the following members voting aye: Supervisor Palow and Councilmembers Clayton, Doolin, Thiem and Vane voting aye.

**Motion to Adjourn**

There being no further business, Supervisor Palow made a motion seconded by Councilmember Clayton to adjourn the meeting. Motion carried with the following members voting aye: Supervisor Palow and Councilmembers Clayton, Doolin, Thiem and Vane voting aye.  
Meeting adjourned at 9:24PM

Respectfully Submitted

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Kristin De Oliveira, Town Clerk