

**State of New York  
Albany County**

**REGULAR MONTHLY MEETING**

Town Supervisor Palow led the pledge of allegiance and called the meeting to order at 7:02PM with the following roll call attendance: Councilmembers Martin, Doolin, Thiem and Vane were present, also in attendance Highway Superintendent Bashwinger, Town Clerk De Oliveira and Attorney Afzali.

**ACCEPT MEETING MINUTES**

Supervisor Palow made a motion seconded by Councilmember Thiem to accept the meeting minutes from December 5, 2023 special meeting and December 19, 2023 regular meeting, Supervisor Palow & Councilmembers Doolin, Martin, Thiem and Vane all voting aye.

**ANNOUNCEMENTS**

Supervisor Palow wanted to let residents know that the Town Hall would be closed January 10- 17<sup>th</sup> for Asbestos Abatement and that there would be arrangements and temporary office space set up at the Community Center to accommodate the needs of residents.

Hometown Hero banner applications for the year 2024 are now being accepted through the Town Clerk's Office and with Jennifer Lyons. Applications are available both at the Town Clerk's Office as well as on the website.

As a reminder of job opportunities within the Town of Berne, interested persons should contact the Town Clerk with resume and references and job title they are seeking to fill. Open positions include Animal Control Officer and a part-time Building Inspector.

**DEPARTMENT REPORTS**

**Parks & Recreation- Chair** Claire Ansboro discussed despite the chilly temperatures she is still checking on the park weekly. One concern from residents when they are renting the pavilion is that the water is undrinkable. The idea of having a water cooler in the kitchen area for the season has been brought up.

**Highway-** Superintendent Bashwinger said the Highway Department is doing well and the snow holding off has been helpful. Transfer Station is going smoothly and \$1140.00 was the last total for recyclables.

**Library-** Director Kathy Stempel stated they are looking for a new Trustee for the Board of Trustees. The UV filter for the water at the library was quoted and she wanted to confirm with the Board that it was okay to move forward since the filter would be

pulled from remaining grant money and that when it arrives she can submit a work order to install the unit.

**Zoning Board of Appeals-** Chairman Thomas Spargo spoke of a large proposed Solar Farm Canaday and Switzkill Road. There are many different environmental considerations as well as the DEC SEQR requirements. The process will most likely go on for months.

## **OLD BUISNESS**

### **Discuss/ Approve New Transfer Station Tags/Stickers**

Highway Superintendent Bashwinger had recently discussed concerns of non-residents using the transfer station and that the current cards are hard for the staff to see. Hang tags or new reflective stickers possibly on the back of the vehicles could be a good option. The Board discussed ideas on how to implement a new method as well as a sandwich board for the Transfer Station that could relay messages to residents.

### **Discuss Berne Memorial Town Park Sign on Route 443**

As previously discussed, BKW Students would be submitting sketches to The Town Board. The sign is wooden now and could be removed sanded and the student with the mural that is chosen will paint onto sign. Sketches will be shared for feedback.

## **NEW BUSINESS**

### **Proclamation for Anita Clayton**

Supervisor Palow read a Proclamation honoring Anita C. Clayton for her years of public service as Town Clerk and Town Councilmember. A copy of the proclamation will be attached at the end of these minutes.

### **Appoint Jonathan Heigel as Part-Time Code Enforcement Officer**

Supervisor Palow made a motion seconded by Councilmember Martin to appoint Jonathan Heigel as a part time, permanent, FSLA, nonexempt Code Enforcement Officer for The Town of Berne at \$26 an hour up to 30 hours a week, on a 6 month probationary status until July 3, 2024, Supervisor Palow and Councilmembers Doolin, Martin, Thiem and Vane all voting aye.

**Discuss/Approve Applicant for Senior Bus Driver Position**

Supervisor Palow made a motion seconded by Councilmember Thiem to hire Deborah Scholz as a part-time employee, shuttle bus driver, FLSA Non-Exempt, Classified Service, Competitive class, Probationary Employee @ \$19.95 an hour up to 4 hours weekly. The probationary period will be for six months ending on July 3, 2024, Supervisor Palow and Councilmembers Doolin, Martin, Thiem and Vane all voting aye.

**Certificate of Appreciation for Library Trustee Member John Valachovic**

Supervisor Palow read and presented a Certificate of Appreciation for Library Trustee John Valachovic and recognized him for two years of service and dedication to the Town.

**Discuss New Fuel Provider for Town based off NYS OGS**

Supervisor Palow made an announcement for the record that The Town of Berne now had new vendors providing fuel under New York State bid, Buell Fuels will be providing diesel to Highway Garage, Fuel Oil for properties will now be delivered from Global Fuel who also provides unleaded gasoline, and Propane for all the property's generators will be provided by Superior Fuel.

**Discuss/Approve Town Supervisor to Request 60 Day Extension for AUD**

Councilmember Martin made a motion seconded by Councilmember Thiem to authorize Supervisor Palow to request a 60 day extension for the AUD for the NYS Comptroller's Office, an extensive report with fiscal year totals. Supervisor Palow and Councilmembers Doolin, Martin, Thiem and Vane all voting aye.

**Discuss/ Approve Appointments to Parks & Recreation Advisory Board**

Supervisor Palow made a motion seconded by Councilmember Vane to appoint Jennifer Lyons and Anita Clayton to the Parks and Recreation advisory board for a one-year term ending 12/31/2024, Supervisor Palow and Councilmembers Doolin, Martin, Thiem and Vane all voting aye.

**Discuss/Approve Procurement Policy for 2024**

Supervisor Palow made a motion seconded by Councilmembers Martin to accept the Procurement Policy for the year 2024 Supervisor Palow and Councilmembers Doolin, Martin, Thiem and Vane all voting aye.

**DISCUSSION AND APPROVAL OF MONTHLY FINANCIAL REPORTS**

Supervisor Palow made a motion to accept the Supervisor’s Financial Reports from December 2023 seconded by Councilmember Vane including: • Packet A – Abstracts • Packet B- Budget to Actual Reports Supervisors’ reports for revenue per fund, Supervisor’s reports for expenditures per fund and budget transfers report if required. • Packet C – Bank Reconciliations and bank statements for December • Packet D - Cash balance report and Balance sheet Report motion carried with the following roll call vote: Supervisor Palow and Councilmembers Thiem and Vane voting aye, Councilmembers Doolin & Martin abstain.

Supervisor Palow made a motion to accept the Town Clerk’s Financial Report from December 2023 seconded by Councilmember Vane, motion carried with the following roll call vote: Supervisor Palow and Councilmembers Thiem and Vane all voting aye, Councilmembers Doolin & Martin abstain.

Supervisor Palow made a motion to accept the Building and Zoning’s Financial Report from December 2023 seconded by Councilmember Doolin, motion carried with the following roll call vote: Supervisor Palow and Councilmembers Thiem and Vane voting aye, Councilmembers Doolin & Martin abstain.

**APPROVING ABSTRACTS AND PAYMENT OF MONTHLY BILLS**

After discussion, Supervisor Palow made a motion seconded by Councilmember Doolin to approve the following abstracts and payment of bills:

- Abstract #48 2023 \$21,954.85 Regular Abstract approved by board 12/19/2023
- Abstract #49 2023 \$5,560.24 Prepaid Utilities skipped VR#1323
- Abstract #50 2023 \$19,905.91 Regular Abstract dated 12/28/2023
- Abstract # 1 2024 \$120,893.70 Regular Abstract
- Abstract #2 2024 \$9,303.62 Utilities

**Total Abstracts : \$177,618.32**

Motion carried with the following role call vote: Supervisor Palow and Councilmembers Thiem and Vane voting aye, Councilmembers Doolin & Martin abstain.

**Authorizing Budget Transfer for December 2023**

Supervisor Palow made a motion seconded by Councilmember Vane to approve the Budget transfer in packet b for the month of December, motion carried with the following role call vote: Supervisor Palow and Councilmembers Thiem and Vane voting aye, Councilmembers Doolin & Martin abstain.

**January 3, 2024**

**GENERAL FUND, HIGHWAY FUND, SEWER, UTILITIES WITHOLDINGS FOR 2023**

Supervisor Palow made a motion seconded by Councilmember Thiem to authorize payment of bills -motion carried with the following roll call vote: Supervisor Palow and Councilmembers Thiem and Vane voting aye, Councilmembers Doolin & Martin abstain.

**Motion to Move into Executive Session**

Supervisor Palow made a motion at 7:58PM seconded by Councilmember Martin to enter executive session to discuss litigation matters.

Supervisor Palow reconvened the meeting at 8:42PM and stated that no action had been taken.

**MOTION TO ADJOURN**

Town Supervisor Palow made the motion seconded by Councilmember Thiem to adjourn the meeting. Motion carried with the following roll call vote: Supervisor Palow and Councilmembers Martin, Doolin, Thiem and Vane all voting aye. The meeting adjourned at **8:43 PM**.

Respectfully submitted,

---

Kristin De Oliveira, Town Clerk

**January 3, 2024**

*We are here today to express our appreciation to Anita C. Clayton and to honor her for her distinguished twenty-five-year career with the Town of Berne; and*

**WHEREAS**, *Anita began her career as a Deputy Town Clerk in 1998 working alongside Patricia Favreau, while raising her lovely children Hali and Max Clayton with her husband Sam Clayton; and*

**WHEREAS**, *Anita continued working for The Town of Berne and expanded into varying departments including the Building and Zoning Department; and*

**WHEREAS**, *Anita was elected as Town Clerk effective January 1, 2014; and*

**WHEREAS**, *during her two elected terms as Town Clerk Anita attended hundreds of Town Board meetings ; and*

**WHEREAS**, *one of Anita's priorities as Town Clerk was to work diligently to make public information more accessible by posting documents on the Town's Website and had to work diligently to accommodate the needs of the Town throughout the COVID 19 Pandemic;*

**WHEREAS**, *Anita was elected as Town Councilmember and began her two year term January 1, 2022 where she served her colleagues with her knowledge of the Town and advocated for residents; and*

**WHEREAS**, *Anita has always been a strong supporter of Town of Berne and has served the Town residents well. She served as a member of the Parks and Recreation committee, volunteered at Oktoberfest and the Peter Becker Christmas Parade and also assisted with programs for Senior Citizens including the Lifepath Meal Program, as well as a Transportation Partnership with CDTA; and*

**WHEREAS**, *on behalf of the entire Town of Berne, I want to express my sincere appreciation to Anita Clayton for her loyalty to the Town of Berne for the last quarter century and wish her much happiness as she begins this exciting new chapter in her life.*

**NOW, THEREFORE, BE IT RESOLVED** *that as duly elected members of the Berne Town Board, we would like to congratulate and commend ANITA C. CLAYTON for her years of dedicated and successful service in and for the Town of Berne and urge all citizens and employees to join me and the Town Board in congratulating Anita on an outstanding career with the Town of Berne and expressing our sincere appreciation to her for her unwavering dedication and service to our community. We wish her many continued years of happiness and good health.*

**PROCLAIMED** *this 3rd day of January 2024.*