

**STATE OF NEW YORK  
ALBANY COUNTY**

**SECOND MONTHLY MEETING**

Supervisor Palow led the pledge of allegiance and called the meeting to order at 7:00PM with the following members present Councilmembers Clayton, Doolin, Thiem and Vane present. Town Clerk Kristin De Oliveira, Highway Superintendent Randy Bashwinger and Attorney Afzali were also in attendance.

**NEW BUSINESS**

**Switzkill Farm Plowing/ Haying Contract**

Mr. Chrysler was present to discuss continuing haying agreement and plowing at Switzkill farm.

**Discussion of Hazardous Waste Day July 23, 2022**

Supervisor Palow announced the Town of Knox has reached out regarding collaborating on a Hazardous Waste Day. Residents will can obtain a permit from the Town Clerk's office and a representative from the Town will be present the day of keep record.

**OLD BUISNESS**

**RESOLUTION FOR HCLA TAX DISTRICT**

Supervisor Palow offered and moved the following resolution :

WHEREAS, a petition dated June 2021, has been duly presented to the Town Board of the Town of Berne, according to law, requesting that a Park District under Town Law Article 12, as described therein, be established in the Town of Berne, and

WHEREAS, the boundaries of the proposed park district and the parcels were identified in the petition;

WHEREAS, notice of hearing was published and posted as required by law and is otherwise sufficient;

WHEREAS, after a ten-month review, the public hearing on the petition closed on April 13, 2022; and

WHEREAS, the Town Board has considered the evidence presented at the hearing concerning the proposed establishment.

**NOW THEREFORE BE IT RESOLVED**, that pursuant to Town Law Article 12, the Town Board makes the following findings:

1. the petition of the property owners is signed, and acknowledged or proved, or authenticated, as required by law and is otherwise sufficient;
2. That all property and property owners within the proposed district are benefited by the district;
3. That all the property and property owners that are benefited by the proposed district or extension are included within the limits of the district or extension; and
4. That property owners not benefited from the proposed district are excluded from the proposed district boundaries.

**BE IT FURTHER RESOLVED**, that based on the evidence presented at the hearing concerning the proposed district, the Town Board finds that the establishment is not in the public interest for the following reasons:

1. Establishment of the proposed district would create legal liability on the Town that does not currently exist;
2. Establishment of the proposed district would create environmental liability on the Town that does not currently exist;
3. Establishment of the proposed district is not necessary because other viable alternatives exist, such as removal of the dam or acquiring funding for dam repairs through other private or public sources;
4. Establishment of the proposed district would increase the administrative burdens on the Town that do not currently exist;
5. Establishment of the proposed district would create a public solution for what is otherwise private property owned by a private entity; and
6. Establishment of the proposed district would increase insurance costs.

**NOW THEREFORE BE IT FURTHER RESOLVED**, that based on the above finding that establishment of the proposed special district is not in the public interest, the petition is hereby denied.

On a motion by Councilmember Clayton, seconded by Councilmember Vane, the resolution was adopted on a roll call vote, the results which follow:

Supervisor Dennis Palow	Aye
Councilmember Anita Clayton	Aye
Councilmember Leo Vane	Aye
Councilmember Thomas Doolin	Aye
Councilmember Albert Thiem	Aye

Motion carries and resolution passes.

**Discuss and Approve Eagle Scout WWII Memorial Price Increase**

Supervisor Palow made a motion seconded by Councilmember Clayton to approve the increase in price by \$1000 due to inflation for the Eagle Scout Project at Town Park, Supervisor Palow and Councilmembers Clayton, Doolin, Thiem and Vane all voting aye.

**Roger Chrysler Switzkill Farm Contract**

Supervisor made a motion seconded by Councilmember Vane for Mr.Chrysler to continue to hay the fields at Switzkill farm and to revisit the subject in the fall, Supervisor Palow & Councilmembers Clayton, Doolin, Thiem and Vane voted aye.

**EXECUTIVE SESSION - 7:40 PM**

Supervisor Palow made a motion to go into Executive Session seconded by Councilmember Clayton to discuss an employee's personal history, Supervisor Palow and Councilmembers Clayton, Doolin, Thiem and Vane voting aye.

**7:58 PM**

Supervisor Palow reconvened the meeting and stated that action was taken during the executive session.

**Motion to Adjourn**

Supervisor Palow made a motion to adjourn the meeting at 8:12PM seconded by Councilmember Clayton, Supervisor Palow and Councilmembers Clayton, Doolin, Thiem, and Vane all voting aye.

Respectfully Submitted,

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Kristin De Oliveira, Town Clerk