

**State of New York
Albany County
Regular Town Board Meeting**

Town Supervisor Palow led the pledge of allegiance and called the meeting to order at 7:00PM with the following roll call attendance: Councilmembers Doolin, laCour and Palow were present, also in attendance Town Clerk De Oliveira and Deputy Highway Superintendent James Deitz.

MOTIONG TO ACCEPT MEETING MINUTES

Supervisor Palow made a motion seconded by Councilmember Doolin to accept the draft meeting minutes from March 12, 2025, Supervisor Palow and Councilmembers laCour & Doolin voting aye.

ANNUAL LIBRARY PRESENTATION

Director Kathy Stempel presented a power point summarizing the year 2024 at the Town of Berne Library with many figures and facts. The cost per resident of the Town is \$25.12 to support the library, there was 11,464 people frequented the library in 2024 and there 18,602 items in the library for people to use including cake pans, fishing poles, steam kits and hot spot devices. Board of Trustees President Lisa Raymond was also present to thank the Town Board as well as the Friends of the Library.

CORRESPONDENCE

May Town Board Meeting Date

Supervisor Palow made an announcement that due to schedule conflicts with an annual training event the May Town Board meeting would be held on Tuesday May 6th, 2025, at 1360 Helderberg Trail.

Assessor Term Ending and Position Opening September 2025

Supervisor Palow shared the news that the Town Sole Assessor Christine Valachovic would be finishing the remainder of her county set term and that both her and her Deputy Assessor Melanie Bunzey would be resigning effective September 31, 2025. The Office of the Sole Appointed Assessor is crucial position for the Town with duties including filing of tax exemptions, filing and building the tax roll, property assessments as well as tax grievances. This vital position does require training. The Town is hoping to bring on a capable applicant who can train under the current Assessors. More information will be shared on the website and resumes can be submitted to Town Clerk De Oliveira.

Zoning Board of Appeals Chairman Resignation

Supervisor Palow stated that Thomas Spargo ZBA Chairman had resigned and wanted to thank him for all his service to The Town of Berne.

Grievance Day Tuesday May 27, 2025

Grievance Day will be held Tuesday May 27, 2025, with hearings from 3-5PM & 6-8PM. Forms to file for grievance can be found on the website under the Office of the Assessor or picked up at Town Hall.

DEPARTMENT REPORTS

Highway- Deputy Superintendent James Deitz stated that pothole season is upon us and the crew has been out filling pot holes as well as cleaning up tree debris from all of the wind storms. Soon it will be time to work on ditches and grate dirt roads. The new garbage truck is flawless and are working out very well.

Library- Director Kathy Stempel shared that the FFA would be back to have story time, and an exciting event would be held Monday March 21 where a physical therapist from Altamont would be in to talk about back pain.

Parks & Recreation- Parks and Recreation Chair Ansbro was hopeful the park would be open and ready next week for school spring break. She also said the details for the Independence Day celebration were slowly coming together.

Planning Board- Chairman Steve Khoury discussed two large solar projects that have been ongoing, including the proposed solar farm on Canaday hill from TJA which has just come back with new proposals. Ric Energy on Jansen Lane will have site visits coming up and mailers going out.

OLD BUISNESS

ACCEPT ANNUAL FISCAL AUDITS

Supervisor Palow made a motion seconded by Councilmember Doolin to accept the 2024 annul fiscal audits for Town Clerk, Tax Collector, Justices and Town Supervisor and stated the Building and Zoning Audit would be done later this month, Supervisor Palow and Councilmembers laCour and Doolin voted aye.

DISCUSS/APPROVE PLANNING BOARD ALTERNANT POSITION

Supervisor Palow that at the March meeting Casey Miller had been appointed as a Planning Board alternat but respectfully declined the position as he applied many months prior before the Town Board went without meetings for seven months. Supervisor Palow made a motion seconded by Councilmember Doolin to appoint Kirsten Mahler as Planning Board alternate with a term ending 12/31/2025, Supervisor Palow and Councilmembers laCour and Doolin voted aye.

NEW BUSINESS

SPECTRUM FRANCHISE AGREEMENT

The current Franchise Agreement with Spectrum and the Town of Berne has not been renegotiated since the original contract in 1991. Spectrum has since been honoring the 3% of gross annual sales but the Town would like to renegotiate this contract as well as work to possibly have other agreements with other companies within the Town. Supervisor Palow made a motion seconded by Councilmember Doolin to set a Public Hearing on May 6, 2025 at 6:30PM at 1360 Helderberg Trail Berne NY 12023, Supervisor Palow and Councilmembers laCour and Doolin voted aye.

INTRODUCE LOCAL LAW 1- 2025 MORATORIUM SOLAR/ BATTERY STORAGE

Councilmember Doolin offered the following resolution and moved its adoption:

WHEREAS, the Town Board of the Town of Berne has introduced proposed Local Law No. 1 of the Year 2025 to authorize the establishment of a twelve (12) month moratorium to temporarily halt the processing and issuing of any applications, permits, certificates of occupancy, approvals, denials, determinations or interpretations for any land uses relating to Solar Energy and/or Battery Energy Storage Systems (BESS), including, but not limited to solar farms, and

WHEREAS, the Town Board of the Town of Berne hereby declares itself Lead Agency pursuant the NYS Environmental Quality Review Act (SEQRA) to review for potential adverse environmental impacts that may result from adoption of such proposed local law, and

WHEREAS, the proposed adoption of the moratorium is a Type II action pursuant to SEQRA 6 N.Y.C.R.R. § 617. 5(c) (36) and therefore not subject to further review under SEQRA Part 617.

NOW, THEREFORE BE IT RESOLVED that the Town Board of the Town of Berne .does hereby authorize the Town Supervisor to forward proposed Local Law No. 1 of the Year 2025 to the Albany County Planning Board for its review; and

BE IT FURTHER RESOLVED that a public hearing upon such proposed Local Law shall be held on May 6, 2025, at 6:30 p.m. at 1360 Helderberg Trail, Berne, NY, and the Town Clerk shall publish Notice of the Public Hearing with a summary thereof in the official newspaper at least five (5) days in advance of the Public Hearing.

Seconded by Councilmember laCour offered for discussion and duly put to a roll call vote:

Supervisor Palow..... Aye
Councilmember Doolin..... aye
Councilmember laCour.... Aye

DISCUSS/APPROVE 2025 ALS/ BLS CONTRACT WITH ALBANY COUNTY

Councilmember laCour had questions pertaining to the monetary portion of the agreement per the 2025 Budget. Supervisor Palow did explain the billing cycle for the contract with Albany County Sheriff providing basic and advanced life support- having staff available to the Town of Berne ex. Paramedics, EMT and sheriffs. There was discussion and the item was tabled as there were more answers needed to enter into the contract.

ACCEPT TOWN ATTORNEYS RECORD OF ACTIVITIES FOR NYSLRS

The Town of Berne participates with New York State Local Retirement System, appointed and elected officials are required to maintain a record of activities to determine their standard work day. Supervisor Palow made a motion seconded by Councilmember Doolin to accept Town Attorney McHugh's record of activity that will be posted for 30 days before filing, Supervisor Palow and Councilmembers laCour and Doolin voted aye.

DISCUSS/APPROVE TOWN BOARD APPOINTMENT: JOSEPH GIEBELHAUS

The Town of Berne has received a handful of applicants for the vacancies, Supervisor Palow stated Councilmember Doolin and himself had met with Joseph Giebelhaus to discuss his resumes and letter of intent. After discussion, including that he would be running for Town Supervisor there was an agreement it would be an opportunity to offer a smooth transition as well as acclimation. Councilmember laCour made a motion to appoint Joseph Giebelhaus as Town Board member with a term beginning on May 6, 2025, and ending December 31, 2025, Supervisor Palow and Councilmembers laCour and Doolin voted aye.

DISCUSSION AND APPROVAL OF MONTHLY FINANCIAL REPORTS

Supervisor Palow made a motion to accept the Supervisor's Financial Reports from March 2025 seconded by Councilmember Doolin 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 March • Packet D - Cash balance report and Balance sheet Report motion carried with the following roll call vote: Supervisor Palow and Councilmembers Doolin and laCour all voting aye.

Supervisor Palow made a motion to accept the Town Clerk's Financial Report from March 2025 seconded by Councilmember laCour, motion carried with the following roll call vote: Supervisor Palow and Councilmembers Doolin and Councilmember laCour voting aye.

April 9, 2025

Supervisor Palow made a motion to accept the Building and Zoning's Financial Report from March 2025 seconded by Councilmember Doolin, motion carried with the following roll call vote: Supervisor Palow and Councilmembers Doolin and laCour voting aye.

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 #6 2025 \$17,182.81 (Vouchers 92-117) Regular Abstract
Abstract #7 2025 \$31,744.17 (Vouchers 118-132 Regular Abstract
Abstract #8 2025 \$11,468.64 (Vouchers 133-139) Prepaid Utilities
Abstract #9 2025 \$29,472.10 (Vouchers 140-159) Prepaid Utilities
Total Abstracts: **\$78,399.08**

Motion carried with the following roll call vote: Supervisor Palow and Councilmember Doolin and Councilmember laCour voting aye.

GENERAL FUND, HIGHWAY FUND, SEWER, UTILITIES WITHHOLDINGS FOR 2025

Supervisor Palow a motion seconded by Councilmember Doolin to authorize payment of bills -motion carried with the following roll call vote: Supervisor Palow and Councilmembers Doolin and laCour all voting aye.

MOTION TO ADJOURN

Town Supervisor Palow thanked the Town Board and Town Clerk for their hard work and made the motion seconded by Councilmember Doolin to adjourn the meeting. Motion carried with the following roll call vote: Supervisor Palow and Councilmembers Doolin and laCour all voting aye. The meeting adjourned at **7:43 PM**.

Respectfully submitted,

Kristin De Oliveira, Town Clerk