

TOWN OF BERNE

TOWN BOARD RESOLUTION

Resolution 22 of 2026

Resolution introduced by Supervisor Giebelhaus

AUTHORIZING THE TOWN SUPERVISOR TO ENGAGE NEEDHAM RISK MANAGEMENT RESOURCE GROUP, LLC FOR A TOWN-WIDE SAFETY AUDIT AND DEVELOPMENT OF REQUIRED SAFETY PROGRAM

WHEREAS, the Town of Berne has a duty to provide a safe and healthy work environment for Town employees and to comply with all applicable federal and New York State workplace safety laws and regulations, including the New York State Department of Labor Workplace Violence Prevention Law enacted in 2023; and

WHEREAS, the Town Board has determined that a comprehensive, town-wide safety audit and the development of formal written safety and health programs are necessary to identify workplace hazards, reduce risk exposure, ensure regulatory compliance, and protect Town employees, officials, and the public; and

WHEREAS, Needham Risk Management Resource Group, LLC has demonstrated specialized expertise in municipal risk management and workplace safety compliance, including the preparation of programs required under New York State law; and

WHEREAS, the Town Supervisor, Joseph Giebelhaus, has presented an offer from Needham Risk Management Resource Group, LLC to perform these services utilizing pricing consistent with Warren County Contract No. **60-A-037-A**; and

WHEREAS, the proposed costs consist of a **lump sum of \$1,250** for a comprehensive town-wide safety program audit, and a **lump sum of \$3,500** for the development and/or updating of all required safety programs; and

WHEREAS, the Town Board finds that these services constitute professional services and are exempt from competitive bidding requirements pursuant to General Municipal Law §103;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Berne hereby authorizes the Town Supervisor to engage Needham Risk Management Resource Group, LLC to conduct a town-wide safety audit for a lump sum cost of **\$1,250**; and

BE IT FURTHER RESOLVED, that the Town Supervisor is further authorized to engage Needham Risk Management Resource Group, LLC for the development and/or updating of the following safety and health programs for a combined lump sum cost of **\$3,500**, consistent with Warren County Contract No. 60-A-037-A:

**TOWN OF BERNE
TOWN BOARD RESOLUTION**

Resolution No. 23 of 2026

Resolution Introduced by Councilmember Melanie laCour

**A RESOLUTION OF THE TOWN BOARD OF THE TOWN OF BERNE, NEW YORK
ADOPTING RULES OF ORDER AND PROCEDURE FOR TOWN BOARD MEETINGS**

WHEREAS, the Town Board of the Town of Berne is the governing body of the Town pursuant to New York Town Law; and

WHEREAS, the Town Board has reviewed and considered the **RULES OF ORDER AND PROCEDURE FOR TOWN BOARD MEETINGS**; and

WHEREAS, the Town Board finds that the proposed action is in the best interests of the Town of Berne and its residents;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Berne, New York, hereby **RULES OF ORDER AND PROCEDURE FOR TOWN BOARD MEETINGS**; and

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately.

Passed by the following vote of all the Town Council Members elected voting in favor thereof:

Affirmative Vote Tally: 5 Negative Vote Tally: 0 Abstain: 0

Adopted this 14th day of January 2026

I, Kristin De Oliveira, Town Clerk of the Town of Berne, do hereby certify that Resolution 22 of 2026 was passed at a meeting of the Town of Board on 1-14 of 2026.

In affirmation thereof, I hereto set my hand and affix The Seal of the Town of Berne this 15th day of Jan, 2026.



Kristin De Oliveira, Town Clerk

TOWN OF BERNE
TOWN BOARD RESOLUTION

Resolution No. 24 of 2026

Resolution Introduced by Supervisor Giebelhaus

**A RESOLUTION OF THE TOWN BOARD OF THE TOWN OF BERNE, NEW YORK
AUTHORIZATION OF ENCUMBRANCES 2026 – 68 THROUGH 86 TOTALLING
\$71,376.63**

WHEREAS, the Town Board of the Town of Berne is responsible for the fiscal oversight of Town expenditures and the authorization of encumbrances in accordance with New York State Town Law, General Municipal Law, and the policies and procedures of the Town of Berne; and

WHEREAS, requisitions numbered **2026-68 through 2026-86**, inclusive, have been duly submitted for review in connection with the **2026 fiscal year**, representing anticipated obligations of the Town requiring the reservation of appropriated funds; and

WHEREAS, said requisitions have been reviewed by the appropriate Town officials and are determined to be proper Town purposes, within adopted budgetary appropriations, and consistent with applicable procurement and fiscal controls; and

WHEREAS, the total amount of said requisitions is **Seventy-One Thousand Three Hundred Seventy Six Dollars and Sixty-three Cents (\$71,379.63)**;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Berne hereby authorizes and directs the **encumbrance of funds** in the total amount of **\$71,376.63**, as set forth in requisitions **2026-68 through 2026-86**, against the appropriate 2026 budget accounts; and

BE IT FURTHER RESOLVED, that the Town Supervisor and Town Bookkeeper are authorized and directed to take any and all actions necessary to record and effectuate said encumbrances in the Town's accounting system in accordance with Office of the State Comptroller guidance and generally accepted municipal accounting practices; and

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately.

Affirmative Vote Tally:5 Negative Vote Tally: 0 Abstain: 0

Adopted this 14th day of January, 2026

I, Kristin De Oliveria, Town Clerk of the Town of Berne, do hereby certify that Resolution 22 of 2026 was passed at a meeting of the Town of Board on 1-14 of 2026. In affirmation thereof, I hereto set my hand and affix The Seal of the Town of Berne this 14th day of Jan., 2026.

Kristin De Oliveira, Town Clerk

TOWN OF BERNE
TOWN BOARD RESOLUTION

Resolution No. 25 of 2026

Resolution Introduced by Supervisor Giebelhaus

**A RESOLUTION AUTHORIZING ATTENDANCE AT TRAINING AND REIMBURSEMENT
OF EXPENSES**

WHEREAS, the Town of Berne recognizes the importance of ongoing education and training for elected and appointed officials and employees in order to ensure effective, lawful, and efficient municipal operations; and

WHEREAS, New York State Town Law, the General Municipal Law, the Uniform Justice Court Act, the New York State Department of State, the Office of the State Comptroller, the New York State Department of Labor, and other state agencies require or strongly encourage certain officials and employees to complete mandatory and continuing education and training related to their official duties; and

WHEREAS, such training may include, but is not limited to, mandatory instruction in ethics, Open Meetings Law, Freedom of Information Law (FOIL), workplace violence prevention, sexual harassment prevention, justice court education, code enforcement and building safety, tax collection and accounting practices, highway and public works administration, and other job-related professional development; and

WHEREAS, attendance at conferences, seminars, workshops, certification programs, and other educational programs directly related to municipal responsibilities promotes compliance with state and federal law, enhances professional competency, and improves public service delivery;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Berne hereby authorizes the following officials and employees to attend required and optional training, conferences, seminars, workshops, certification programs, and other educational programs directly related to their official duties, **subject to appropriations in the adopted Town budget**:

- Town Board Members
- Town Supervisor
- Tax Collector
- Deputy Tax Collector
- Town Clerk
- Deputy Town Clerk
- Town Justices
- Town Court Clerk
- Highway Superintendent
- Code Enforcement Officer
- Building & Zoning Inspector

TOWN OF BERNE
TOWN BOARD RESOLUTION
Resolution No. 26 of 2026

Resolution Introduced by Supervisor Giebelhaus

**Requesting the New York State Office of the Comptroller to Examine the Fiscal Year 2026
Budget and Tax Levy Process and Provide Findings and Recommendations**

WHEREAS, the Town Board of the Town of Berne is responsible for the oversight of the Town's fiscal affairs and for ensuring that the budget and tax levy are prepared and administered in accordance with applicable provisions of New York State Town Law, General Municipal Law, and generally accepted municipal accounting and budgeting practices; and

WHEREAS, during the development and consideration of the Town's **Fiscal Year 2026** budget, information presented to the Town Board and the public reflected a proposed Town tax rate increase of approximately **thirty-eight percent (38%)**; and

WHEREAS, following adoption of the **Fiscal Year 2026** budget and completion of the final tax levy and tax rate calculations, the resulting Town tax rate increase was approximately **sixty-nine percent (69%)**; and

WHEREAS, the Town Board has identified a material variance between the tax rate increase discussed during the **Fiscal Year 2026** budget process and the final tax rate as extended on the tax roll; and

WHEREAS, the Town Board seeks an independent evaluation of the Town's **Fiscal Year 2026** budget development, levy calculation, and related fiscal processes to determine the factors contributing to this variance and to assess whether existing policies, procedures, assumptions, calculations, and internal controls functioned as intended; and

WHEREAS, the New York State Office of the Comptroller ("OSC"), pursuant to Article V, §1 of the New York State Constitution and applicable provisions of the Town Law and General Municipal Law, is authorized to examine the fiscal affairs of local governments and to issue findings and recommendations to improve accountability, transparency, and fiscal management; and

WHEREAS, the Town Board believes that a review by the Office of the Comptroller will assist the Town in identifying opportunities to strengthen budgetary practices, improve the clarity of information presented during the budget process, and enhance public understanding of tax levy and tax rate determinations,

TOWN OF BERNE
TOWN BOARD RESOLUTION
Resolution No. 27 of 2026

Resolution Introduced by Supervisor Giebelhaus

**A RESOLUTION OF THE TOWN BOARD OF THE TOWN OF BERNE, NEW YORK
AUTHORIZATION OF ENCUMBRANCES 2026 – 87 THROUGH 89 TOTTALLING
\$10,486.95**

WHEREAS, the Town Board of the Town of Berne is responsible for the fiscal oversight of Town expenditures and the authorization of encumbrances in accordance with New York State Town Law, General Municipal Law, and the policies and procedures of the Town of Berne; and

WHEREAS, requisitions numbered **2026-87 through 2026-89**, inclusive, have been duly submitted for review in connection with the **2026 fiscal year**, representing anticipated obligations of the Town requiring the reservation of appropriated funds; and

WHEREAS, said requisitions have been reviewed by the appropriate Town officials and are determined to be proper Town purposes, within adopted budgetary appropriations, and consistent with applicable procurement and fiscal controls; and

WHEREAS, the total amount of said requisitions is **Ten-Thousand Four Hundred Eighty Six Dollars and Ninety-Five Cents (\$10,486.95)**;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Berne hereby authorizes and directs the **encumbrance of funds** in the total amount of **\$10,4846.95**, as set forth in requisitions **2026-87 through 2026-89**, against the appropriate 2026 budget accounts; and

BE IT FURTHER RESOLVED, that the Town Supervisor and Town Bookkeeper are authorized and directed to take any and all actions necessary to record and effectuate said encumbrances in the Town's accounting system in accordance with Office of the State Comptroller guidance and generally accepted municipal accounting practices; and

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately.

Passed by the following vote of all the Town Council Members elected voting in favor thereof:

Affirmative:

Negative:

