

TOWN OF BERNE
TOWN BOARD RESOLUTION

Resolution No. 28 of 2026

Resolution Introduced by Supervisor Giebelhaus

A RESOLUTION OF THE TOWN BOARD AUTHORIZING THE ADOPTION OF DAY-TO-DAY ADMINISTRATION AND HUMAN RESOURCES AUTHORITY POLICY

WHEREAS, the Town Board of the Town of Berne is the legal employer of Town personnel pursuant to New York Town Law; and

WHEREAS, the Town Board recognizes the need to clearly define the allocation of authority for daily administration, personnel administration, recruitment procedures, supervision, and operational management; and

WHEREAS, the Town Board has developed a comprehensive **DAY-TO-DAY ADMINISTRATION AND HUMAN RESOURCES AUTHORITY POLICY** establishing the respective roles of the Town Board, Town Supervisor, and department leadership; and

WHEREAS, said policy incorporates the Town Board's delegation of day-to-day administrative and personnel oversight authority to the Town Supervisor while preserving the Town Board's statutory employer authority; and

WHEREAS, the Town Board finds that adoption of this policy promotes lawful governance, operational efficiency, accountability, and compliance with Civil Service Law, the Taylor Law, and applicable collective bargaining agreements;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Berne hereby adopts the **DAY-TO-DAY ADMINISTRATION AND HUMAN RESOURCES AUTHORITY POLICY**, including **Appendix A – Governance & Administrative Authority Structure**, to take effect immediately; and

BE IT FURTHER RESOLVED, that the Town Supervisor is authorized and directed to implement the administrative provisions of the policy consistent with Town Board oversight and all applicable laws and agreements; and

BE IT FURTHER RESOLVED, that this policy shall supersede any prior resolutions or informal practices inconsistent with its provisions; and

BE IT FURTHER RESOLVED, that the Town Clerk is directed to maintain the adopted policy in the official policy manual of the Town and to make it available to department heads and employees.

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

Affirmative:

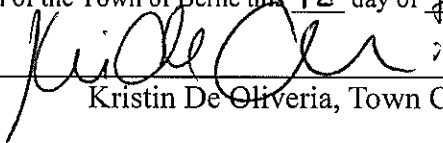
Negative:

Affirmative Vote Tally: 5 Negative Vote Tally: _____ Abstain: _____

Adopted this 11th day of February, 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 2-11 of 2026.

In affirmation thereof, I hereto set my hand and affix The Seal of the Town of Berne this 12th day of Feb, 2026.



Kristin De Oliveria, Town Clerk

TOWN OF BERNE
TOWN BOARD RESOLUTION

Resolution No. 29 of 2026

Resolution Introduced by Supervisor Giebelhaus

A RESOLUTION OF THE TOWN BOARD ADOPTING TOWN OF BERN DRUG AND ALCOHOL POLICY 17 OF 2026

WHEREAS, the Town of Berne employs individuals who perform safety-sensitive functions as defined under federal law; and

WHEREAS, the **Omnibus Transportation Employee Testing Act of 1991** and implementing regulations at **49 CFR Parts 40 and 382** require the adoption of a compliant drug and alcohol testing policy; and

WHEREAS, the Town Board desires to ensure public safety, employee safety, and full legal compliance while preserving employee rights under collective bargaining agreements, civil service law, and the Town of Berne Employee Handbook; and

WHEREAS, the proposed Drug & Alcohol Testing Policy includes Appendices A, B, C, D, E, F G, H & I safety sensitive functions, alcohol prohibitions, and supervisor reasonable suspicion, post-accident requirements, post-accident flow chart, federal grant compliance, cannabis law, supervisor cannabis law guide, and cannabis reasonable suspicion check list;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Berne hereby adopts the Drug & Alcohol Testing Policy for DOT / CDL-covered employees, including all appendices thereto, effective 2-11-2026; and

BE IT FURTHER RESOLVED, that the Town Supervisor is authorized to administer the Policy, designate testing providers, and ensure required supervisor training; and

BE IT FURTHER RESOLVED, that this Policy shall be administered consistent with collective bargaining agreements, the Town of Berne Employee Handbook, and applicable law, with federal law controlling in the event of conflict.

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

Affirmative:

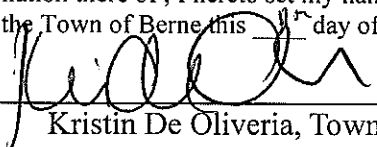
Negative:

Affirmative Vote Tally: 5 Negative Vote Tally: _____ Abstain: _____

Adopted this 11th day of February, 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 2-11 of 2026.

In affirmation thereof, I hereto set my hand and affix The Seal of the Town of Berne this 11th day of Feb, 2026.



Kristin De Oliveria, Town Clerk