

**STATE OF NEW YORK  
ALBANY COUNTY**

**CALL TO ORDER**

Supervisor Giebelhaus called the Regular Town Board Meeting to order at 7:02PM and led the Pledge of Allegiance.

**ROLL CALL**

Roll Call attendance was taken. Present were Supervisor Giebelhaus, Councilmember Bunzey, Councilmember Duncan, Councilmember laCour, and Councilmember Miller, constituting a quorum. Also present were Town Clerk De Oliveira, Deputy Supervisor Doolin, and Town Attorney McHugh.

**APPROVAL OF MINUTES**

A motion was made by Councilmember laCour seconded by Councilmember Miller, to accept and approve the meeting minutes of January 28, 2026 and February 11<sup>th</sup> regular town board meetings that were presented for review via email prior to the meeting, Supervisor Giebelhaus and Councilmembers Bunzey, Duncan, laCour and Miller all voted aye.

**PUBLIC COMMENT**

Ron Jordan of Gulf Hill Road signed in to discuss concerns that had previously been addressed to previous administration however were never corrected. In the hamlet of Reidsville there is a junk yard of cars which violates Town Code for no more than two unlicensed vehicles on a lot.

Lynn Kerr wanted to share and question the Town Board on a new sign she noticed in West Berne stating, "Welcome to the Town of West Berne" and was curious where the sign came home.

**SUPERVISOR'S REPORT**

Supervisor Giebelhaus discussed the executed contract with Preville for IT Services, upcoming visit with Needham Risk for the Health and Safety Plan and the Town of Park Roadway Easement in the works,

**DEPARTMENT REPORTS**

**Highway Department** Highway Superintendent Allen Stempel was unable to attend however requested Supervisor Giebelhaus to share that he had been working on a few issues with Mare Lane Extension and concerns of Town maintenance. Also on Dyer Road as a seasonal road with year-round homes causing some concerns on maintenance requirements.

**Transfer Station-** Councilmember Bunzey discussed the first opening meeting held prior to this meeting at 6PM and a lot of good ideas and concerns were discussed. Costs are projected to rise with the closing of Landfill on Rapp Road in 2028. The goal is to increase security, a new permit system and hazardous waste day.

**Planning Board** Chairman Steve Khoury things had been quiet but with Spring around the corner things will uptick.

**Planning Board** Chairman Bauer had sent an email to Town Clerk prior to the meeting stating there was a set back variance pending on Ridge Lane Extension with a public hearing scheduled for March 18, 2026.

**Parks & Recreation** Parks and Recreation Chair Mary Claire Ansbro discussed topics covered at their March 10, 2026 meeting including scheduling an earth day clean up at the Town Park, plans to do water testing and hopefully treat and have drinking water, the need for a changing table in the restrooms, recapped June 27<sup>th</sup> Independence Day Celebration events and that fees would hold off in increasing until next year.

**Library** Director Kathy Stempel discussed upcoming events- Rockets in the Park May 31<sup>st</sup> 12PM-4PM, Music in the Park Wednesdays in July into August, Friends of Library Book Sale March 28<sup>th</sup> at the Community Center.

## **OLD BUSINESS**

### **Helderberg Dam**

Supervisor Giebelhaus shared he held a meeting with the Helderberg Lake Association and discussed progress so far with grant funding with the projected \$1.3 million project. The concerns if the dam were to flood would cause issues for Towns outside of Berne downstream making this a regional issue. Outside assistance from the county would be discussed to alleviate financial burden, fiscal management, and tax district establishment.

## **NEW BUSINESS**

### **Accept Resignation HW Employee: Pastore**

Councilmember Bunzey made a motion seconded by Councilmember Bunzey to accept the resignation of full-time equipment operator for the Highway Department effective March 4, 2026, Supervisor Giebelhaus and Councilmembers Bunzey, Duncan, laCour and Miller all voting aye.

### **Full Time Status for General Fund Employee**

Supervisor Giebelhaus discussed the workload at Town Hall with recent shifts in staffing and the need for clerical assistance within his office. He discussed Alexandria Herrera who currently holds two positions with 35 hours weekly in the budget as Deputy Town Clerk and Justice Court Clerk, he proposed 5 more hours and benefits stating this would be a resource for the Town Supervisor and the Town Board. Supervisor Giebelhaus made a motion seconded by Councilmember Miller to hire Alexandria Herrera up to 40 hours weekly at \$21.50/ hr full time with benefits, Supervisor Giebelhaus and Councilmembers Bunzey, Duncan, laCour and Miller all voting aye.

**Resolution No. 30 of 2026: “A RESOLUTION OF THE TOWN BOARD APPROVING CONTRACT 2026-06: PAYCHEX PAYROLL PROCESSING AND HR SUPPORT SERVICES”**

Councilmember Miller offered the following resolution, which was seconded by Councilmember Bunzey:

**WHEREAS**, the Town of Berne requires reliable payroll processing, payroll tax administration, workforce management, and human resource support services for Town employees; and

**WHEREAS**, Paychex, Inc., located in Rochester, New York, has submitted a service agreement to provide payroll processing and human resources support through its **Paychex HR Pro** platform, including payroll processing, tax remittance services, direct deposit, reporting, employee handbook updates as required, time keeping equipment, job costing, labor compliance, employee assistance programs and related HR services; and

**WHEREAS**, the agreement includes payroll processing services, workforce management services, and related support functions necessary for the administration of Town payroll operations; and

**WHEREAS**, the agreement authorizes Paychex to provide payroll tax filing services and related reporting agent functions necessary to administer federal and state payroll tax filings on behalf of the Town;

**WHEREAS**, the fee schedule provided by Paychex includes estimated payroll processing fees of approximately **\$627.56 per bi-weekly payroll run**, monthly service fees of approximately **\$541.12**, time-clock equipment lease fees of approximately **\$176.00 per month**, and year-end processing fees estimated at **\$566.50 annually**, as detailed in the Paychex investment summary attached to the agreement;

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Berne hereby approves the agreement with **Paychex, Inc.** for payroll processing and human resource support services; and

**BE IT FURTHER RESOLVED**, that said agreement shall be designated **Contract No. 2026-06 – Paychex Payroll Processing and HR Support**; and

**BE IT FURTHER RESOLVED**, that the Town Supervisor is hereby authorized and directed to execute the Paychex Service Agreement and any associated enrollment or authorization forms necessary to implement the services described therein; and

**BE IT FURTHER RESOLVED**, that the Supervisor and Town Clerk are authorized to take all administrative actions necessary to implement this contract and establish payroll services through Paychex.

**Roll call, which resulted as follows:**

**AYES:**

Supervisor Giebelhaus  
Councilmember Bunzey  
Councilmember Duncan

Councilmember la Cour  
Councilmember Miller

**NAYS:** None

**ABSENT:** None

The resolution was thereupon declared duly adopted.

**Resolution No. 32 of 2026 “A RESOLUTION AUTHORIZING THE TOWN SUPERVISOR TO ENTER INTO A CONTRACT WITH TRACEY ROADS FOR THE PROVISION OF FREIGHTLINER TRUCKS PREVENTATIVE MAINTENANCE AND REPAIR PER BID NUMBER 2026-02”**

Supervisor Giebelhaus offered the following resolution, which was seconded by Councilmember Miller:

**WHEREAS**, the Town Board of the Town of Berne has determined that it is in the best interests of the Town to enter into a contract with TRACY ROADS for, and the provision of FRIEGHTLINER TRUCKS PARTS, PREVENTATIVE MAINTENANCE AND REPAIR PER BID NUMBER 2026-02.

**WHEREAS**, the Town Board has reviewed the proposed terms and conditions of the contract, including scope of services, compensation, and duration, and

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Berne hereby authorizes the Town Supervisor to execute and deliver a contract with TRACEY ROADS for, and the provision of, FREIGHTLINER TRUCKS PARTS, PREVENTATIVE MAINTENANCE AND REPAIR PER BID NUMBER 2026-02. in accordance with the terms presented to the Board; and

**BE IT FURTHER RESOLVED**, that the vote on the adoption of this Resolution shall be taken by **roll-call vote** and the results shall be placed in the official minutes of the Town Board.

**The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:**

**AYES:**

Supervisor Giebelhaus  
Councilmember Bunzey  
Councilmember Duncan  
Councilmember la Cour  
Councilmember Miller

**NAYS:** None

**ABSENT:** None

The resolution was thereupon declared duly adopted.

**Resolution No. 33 of 2026”A RESOLUTION AUTHORIZING THE TOWN SUPERVISOR TO ENTER INTO A CONTRACT WITH TRACY ROADS FOR THE PROVISION OF WESTERN STAR TRUCKS PREVENTATIVE MAINTENANCE AND REPAIR PER BID NUMBER 2026-04”**

Supervisor Giebelhaus offered the following resolution, which was seconded by Councilmember Bunzey:

**WHEREAS**, the Town Board of the Town of Berne has determined that it is in the best interests of the Town to enter into a contract with TRACY ROADS for, and the provision of WESTERN STAR TRUCKS PARTS, PREVENTATIVE MAINTENANCE AND REPAIR PER BID NUMBER 2026-04.

**WHEREAS**, the Town Board has reviewed the proposed terms and conditions of the contract, including scope of services, compensation, and duration, and

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Berne hereby authorizes the Town Supervisor to execute and deliver a contract with TRACY ROADS for, and the provision of, WESTERN STAR TRUCKS PARTS, PREVENTATIVE MAINTENANCE AND REPAIR PER BID NUMBER 2026-04. in accordance with the terms presented to the Board; and

**BE IT FURTHER RESOLVED**, that the vote on the adoption of this Resolution shall be taken by **roll-call vote** and the results shall be placed in the official minutes of the Town Board.

**The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:**

**AYES:**

Supervisor Giebelhaus  
Councilmember Bunzey  
Councilmember Duncan  
Councilmember la Cour  
Councilmember Miller

**NAYS:** None

**ABSENT:** None

The resolution was thereupon declared duly adopted.

**Resolution No. 34 of 2026 “A RESOLUTION AUTHORIZING THE TOWN SUPERVISOR TO ENTER INTO A CONTRACT WITH CUMMINGS-WAGNER-SIEWART, LLC DBA: SIEWERT EQUIPMENT FOR THE PROVISION OF SEWER PARTS, PREVENTATIVE MAINTENANCE AND REPAIR PER BID NUMBER 2026-05”**

Supervisor Giebelhaus offered the following resolution, which was seconded by Councilmember Bunzey:

**WHEREAS**, the Town Board of the Town of Berne has determined that it is in the best interests of the Town to enter into a contract with CUMMINGS-WAGNER-SIEWART, LLC, DBA: SIEWERT EQUIPMENT for, and the provision of SEWER PUMP PARTS, PREVENTATIVE MAINTENANCE AND REPAIR PER BID NUMBER 2026-05.

**WHEREAS**, the Town Board has reviewed the proposed terms and conditions of the contract, including scope of services, compensation, and duration, and

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Berne hereby authorizes the Town Supervisor to execute and deliver a contract with CUMMINGS-WAGNER-SIEWART, LLC, DBA: SIEWERT EQUIPMENT for, and the provision of, SEWER PUMP PARTS, PREVENTATIVE MAINTENANCE AND REPAIR PER BID NUMBER 2026-05. in accordance with the terms presented to the Board; and

**BE IT FURTHER RESOLVED**, that the vote on the adoption of this Resolution shall be taken by **roll-call vote** and the results shall be placed in the official minutes of the Town Board.

**The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:**

**AYES:**

Supervisor Giebelhaus  
Councilmember Bunzey  
Councilmember Duncan  
Councilmember la Cour  
Councilmember Miller

**NAYS:** None

**ABSENT:** None

The resolution was thereupon declared duly adopted.

**Resolution No. 35 of 2026 “A RESOLUTION OF THE TOWN BOARD EXTENDING A TEMPORARY MORATORIUM WITHIH THE TOWN OF BERNE ON THE DEVELOPMENT OF SOLAR ENERGY AND BATTERY STORAGE SYSTEMS”**

Supervisor Giebelhaus offered the following resolution, which was seconded by Councilmember Miller:

**WHEREAS**, the Town Board of the Town of Berne adopted local law 1, of the year 2025, A local law affecting a Temporary Moratorium within the Town of Berne on the development and construction of Solar energy systems and Battery storage systems.

**WHEREAS**, the expiration date of the moratorium will conclude on May 6, 2026

**WHEREAS** “ section 4. Term” of local law 1 of the year 2025 This Local Law shall be subject to renewal for a cumulative period of up to an additional Twelve (12) months, if necessary, by Resolution(s) of the Town Board.

**NOW, THEREFORE, BE IT RESOLVED** the Town Board of the Town of Berne extends the moratorium on the development and construction of Solar energy systems and Battery storage systems, “Local law 1 of 2025” adopted on May 6,2025 for an additional six (6) months and

**BE IT FURTHER RESOLVED** such extension is to commence immediately upon the expiration of the initial moratorium on May 6, 2026 and to remain in effect until November 6, 2026 unless sooner repealed by the town board.

**The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:**

**AYES:**

Supervisor Giebelhaus  
Councilmember Bunzey  
Councilmember Duncan  
Councilmember la Cour  
Councilmember Miller

**NAYS:** None

**ABSENT:** None

The resolution was thereupon declared duly adopted.

**Resolution No. 36 of 2026 “A RESOLUTION OF THE TOWN BOARD AUTHORIZING THE SUPERINTENDANT OF HIGHWAYS TO DEVELOP COST ESTIMATES FOR THE CONTRUCTION OF THE NATURE TRAIL IN THE TOWN PARK PER THE ALBANY COUNTY LEGISLATURE AND COUNTY EXECUTIVE’S OFFICE IMPROVEMENT INITITIVE”**

Councilmember Miller offered the following resolution, which was seconded by Councilmember Bunzey:

**WHEREAS**, the Town Board of the Town of Berne has been awarded two grants from Albany County Legislature dedicated for the development of the Town Park

**WHEREAS**, the scope of the projects included, but was not limited to, the construction of a nature/walking path to compliment the installation of the Fitness Court adjacent to the baseball field

**WHEREAS**, as stated in the statement of benefits, enhancement of the Town Park provides a broad range of benefits including, but not limited to, Physical Health & Well-being, Community Engagement, Environmental Conservation, Cultural and Historical Significance and Increased Tourism and Local Revenue.

**NOW, THEREFORE, BE IT RESOLVED** the Town Board of the Town of Berne authorizes the Superintendent of Highways to develop cost estimates for the construction of the nature trail in the Town Park per the Albany County Legislature & County Executive’s Office Improvement Initiative.

**The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:**

**AYES:**

Supervisor Giebelhaus  
Councilmember Bunzey  
Councilmember Duncan  
Councilmember la Cour  
Councilmember Miller

**NAYS:** None

**ABSENT:** None

The resolution was thereupon declared duly adopted.

**Schedule Internal Audits per NYS Comptroller’s Appendix**

Supervisor Giebelhaus discussed internal audits per the NYS Comptroller’s Office to analysis internal controls. Each Town Board member would need to schedule- the audits were assigned as follows:

Tax Collector: Councilmember Duncan

Town Clerk: Councilmember laCour

Supervisor: Councilmember Bunzey

Building & Zoning: Councilmember Miller

Once the audits are completed they will be reviewed and accepted by the Town Board and filed.

### **Heldercon Event at Town Park & Hilltown Senior Picnic Fees**

Supervisor Giebelhaus made a motion seconded by Councilmember Bunzey to waive the Town Park fee for the Hilltown Senior Picnic on July 12<sup>th</sup> and for Heldercon on October 10, 2026, Supervisor Giebelhaus and Councilmembers Bunzey, Duncan, laCour and Miller all voting aye.

### **Potential Grant Funding for the Town of Berne**

Supervisor Giebelhaus discussed available Federal Funding through Paul Tonkos Office, a brief description of potential projects for the Town were submitted this week with letters of support for things such as Transfer Station projects, Highway Gorges

There is 4 Million dollars in available funding, the Town hopes to receive some to be able to move forward in some much-needed capital investing. Parks and Recreation Chair also stated she had reached out requesting funding for the Park- changing tables garbage cans, etc.

### **Resolution No. 37 of 2026 “A Resolution Establishing the Town of Berne Budget Office and Adopting the Budget Office Charter”**

Supervisor Giebelhaus offered the following resolution, which was seconded by Councilmember Miller:

**WHEREAS**, the Town Board of the Town of Berne is responsible for the oversight of the Town’s financial management and fiscal operations; and

**WHEREAS**, the Town Supervisor serves as the Town’s **Chief Fiscal Officer pursuant to New York State Town Law §29**; and

**WHEREAS**, the Town Board finds that the establishment of a structured financial administration framework will strengthen internal financial controls, improve financial reporting, and ensure compliance with applicable municipal accounting standards; and

**WHEREAS**, the New York State Office of the State Comptroller recommends that municipalities implement financial systems that provide appropriate **segregation of duties, budget oversight, and independent financial review**; and

**WHEREAS**, the Town Board desires to establish a centralized **Budget Office** responsible for financial administration, budget development, fiscal monitoring, and financial compliance; and

**WHEREAS**, the Town Board has reviewed the proposed **Town of Berne Budget**

**Office Charter**, which defines the organization, responsibilities, and operating procedures of the Budget Office.

**NOW, THEREFORE, BE IT RESOLVED**

**Section 1 – Establishment**

The Town Board hereby establishes the **Town of Berne Budget Office** to administer financial operations, budget management, and fiscal reporting for the Town of Berne and its special districts.

**Section 2 – Organizational Structure**

The Budget Office shall consist of the following functional roles:

- **Bookkeeper / Senior Account Clerk** responsible for daily financial transaction processing including accounts payable, payroll administration, accounts receivable, and purchase order administration.
- **Budget Manager** responsible for budget development, budget monitoring, financial reporting, fiscal analysis, and financial planning.
- **Comptroller (Contracted Certified Public Accountant)** responsible for financial compliance, preparation of the Town’s Annual Financial Report (AFR), technical accounting guidance, and coordination with the New York State Office of the State Comptroller.

**Section 3 – Administrative Oversight**

The Budget Office shall operate under the administrative oversight of the **Town Supervisor**, who shall provide fiscal leadership and present financial reports to the Town Board.

**Section 4 – Financial Reporting**

The Budget Office shall prepare and provide **monthly financial reports** to the Town Board, including:

- Budget vs. Actual Expenditure Reports
- Revenue Status Reports
- Fund Balance Summaries
- Cash Flow Status Reports

These reports shall support the Town Board in exercising fiscal oversight and monitoring the financial condition of the Town.

**Section 5 – Segregation of Duties**

The Town Board hereby establishes the following financial control structure to strengthen internal controls: **The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:**

**AYES:**

Supervisor Giebelhaus  
Councilmember Bunzey  
Councilmember Duncan

Councilmember la Cour  
Councilmember Miller

**NAYS:** None  
**ABSENT:** None

The resolution was thereupon declared duly adopted.

<b>Financial Function</b>	<b>Responsible Party</b>
Financial transaction processing	Bookkeeper
Budget monitoring and fiscal analysis	Budget Manager
Financial compliance and accounting oversight	Comptroller
Fiscal administration	Town Supervisor
Fiscal policy oversight	Town Board

No individual shall exercise sole control over all phases of a financial transaction.

**Section 6 – Adoption of Charter**

The Town Board hereby **adopts the Town of Berne Budget Office Charter**, attached hereto, which shall govern the operations, responsibilities, and reporting structure of the Budget Office.

**Section 7 – Implementation**

The Town Supervisor is authorized and directed to take all necessary administrative steps to implement the Budget Office structure consistent with this resolution and the adopted Charter.

**Section 8 – Effective Date**

This resolution shall take effect immediately.

**Hiring of Budget Office Station**

**BE IT RESOLVED**, that the Town Board of the Town of Berne hereby appoints **Andrea Borst** to the position of **Part-Time Bookkeeper in the Budget Office**, a **Non-Competitive Class position, FLSA Non-Exempt with no accruals** at a rate of **\$38.85 per hour, not to exceed 32 hours biweekly**; and

**BE IT FURTHER RESOLVED**, that this appointment shall be **probationary for a period of three (3) months commencing March 11, 2026 and ending June 11, 2026**, and shall be subject to all applicable policies of the Town and the rules of the Albany County Department of Civil Service.

**March 11, 2026**

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

**AYES:**

Supervisor Giebelhaus  
Councilmember Bunzey  
Councilmember Duncan  
Councilmember la Cour  
Councilmember Miller

**NAYS:** None

**ABSENT:** None

The resolution was thereupon declared duly adopted.

**Resolution to Appoint Part-Time Budget office Manager**

**BE IT RESOLVED**, that the Town Board of the Town of Berne hereby appoints **Regina Bryant** to the position of **Part-Time Budget Manger in the Budget Office**, a **Non-Competitive Class position, FLSA Non-Exempt with no accruals** at a rate of **\$40.00 per hour, not to exceed 5 hours biweekly**; and

**BE IT FURTHER RESOLVED**, that this appointment shall be **probationary for a period of three (3) months commencing March 11, 2026 and ending June 11, 2026**, and shall be subject to all applicable policies of the Town and the rules of the Albany County Department of Civil Service.

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

**AYES:**

Supervisor Giebelhaus  
Councilmember Bunzey  
Councilmember Duncan  
Councilmember la Cour  
Councilmember Miller

**NAYS:** None

**ABSENT:** None

The resolution was thereupon declared duly adopted.

**March 11, 2026**

**APPROVAL / DISCUSSION OF MONTHLY FINANCIAL REPORTS**

Supervisor Giebelhaus made a motion seconded by Councilmember Bunzey to accept the following monthly financial reports including- Supervisor's Financial Report, Town Clerk's Report, Building & Zoning Report, and Tax Collector's reports as presented, Supervisor Giebelhaus and Councilmembers Bunzey, Duncan, laCour and Miller all voting aye.

**ABSTRACTS**

Supervisor Giebelhaus made a motion seconded by Councilmember Miller, to accept the following:

Abstract 2026 #5 Vouchers ( #218 to #223)	\$945,554.13
Abstract 2026 #6 Reg General Fund & Highway (153-172)	\$103,979.83
Abstract 2026 #7 Utilities (Vouchers #225-273)	\$11,613.61
<b>Abstracts Total:</b>	<b>\$1,061,147.57</b>

A motion was made by Supervisor Giebelhaus, seconded by Councilmember Miller to approve payment of the abstracts as presented.

Roll Call Vote:

- Supervisor Giebelhaus — Aye
- Councilmember Bunzey — Aye
- Councilmember LaCour — Aye
- Councilmember Miller — Aye
- Councilmember Duncan — Aye

Motion carries to approve abstracts #5-7 of 2026

**EXECUTIVE SESSION**

At approximately 8:45 PM, a motion was made by Supervisor Giebelhaus, seconded by Councilmember Bunzey, to enter Executive Session pursuant to §105 of the New York State Open Meetings Law to discuss OML 105(b) litigation & OML 105(h) real property. Supervisor Giebelhaus made a motion to close executive session at 9:31PM seconded by Councilmember Duncan, Supervisor Giebelhaus, Councilmember Bunzey, Duncan, laCour, and Miller all voting aye.

**ADJOURNMENT**

Following Executive Session, Supervisor Giebelhaus stated that no action was taken.

There being no further business, a motion was made by Supervisor Giebelhaus, seconded by Councilmember Bunzey, to adjourn the meeting Supervisor Giebelhaus,

**March 11, 2026**

Councilmember Bunzey, Duncan, laCour, and Miller all voting aye. The meeting adjourned at **9:33 PM**.

Respectfully submitted,

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Kristin De Oliveira

Town Clerk, Town of Berne