

**STATE OF NEW YORK
ALBANY COUNTY**

CALL TO ORDER

Supervisor Giebelhaus called the Regular Town Board Meeting to order at 7:00 PM 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, Highway Superintendent Stempel and Town Attorney McHugh.

APPROVAL OF MINUTES

A motion was made by Councilmember laCour seconded by Councilmember Bunzey, to accept and approve the meeting minutes of the January 14, 2026 regular town board meeting 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

Michael Vincent signed up to speak and wanted to give thanks to the transfer station employees throughout the cold weather and also compliment the highway department on a job well done.

Holly Ann Lenart spoke on behalf the Hilltown Hags a group that performs for local community events and was looking to use the Community Center for rehearsals on a regular basis.

SUPERVISOR'S REPORT

Supervisor Giebelhaus discussed the easement at the Town Park for Kenneth's Way that was in the works and would require a \$1050 deposit. One RFP was received for Preville IT support that met all the requirements. The next meeting for the Health and Safety Plan would include a site visit and was scheduled for the end of the month.

DEPARTMENT REPORTS

Highway Department Highway Superintendent Allen Stempel discussed pending service contract bids to aid in repairs of older fleet as well as settling into the purchasing policy.

Transfer Station- Councilmember Bunzey announced a committee developing to help reduce waste and improve fiscal control. Volunteers are needed to be part of the committee to aid in ideas and all workshops will be open to the public. Any committee member will need to be appointed by Town Board Resolution.

Library Director Kathy Stempel discussed the remaining NYS Library Construction Grant remaining funding being used to add additional lighting to the back of the building for the parking lot. Upcoming events required judges to do tastings for the Junior Chef Challenge. Open mic night will continue the first Friday in March & April.

Planning Board Chairman Steve Khoury the upcoming end of the Solar Moratorium and stressed the need to research and properly handle and address battery storage for the Town Code.

Parks & Recreation Parks and Recreation Chair Mary Claire Ansbro stated the Parks & Rec Advisory Board had their first meeting last night and she was very pleased with all the great ideas. The first request was to have the water treated at the Town Park so we could potentially treat and have drinking water for residents. The fee schedule was discussed and the idea of increasing rental charges. Plans for the June 27th Independence Day Celebration were in motion.

OLD BUSINESS

Resolution No. 5 of 2026 – Policy 1 Purchasing Limits was briefly discussed regarding changes made on January 28th, 2026 and checked in to see if \$3000 limit with Highway Superintendent Stempel to confirm if the adjustments were making operations run smoothly and all agreed.

NEW BUSINESS

Supervisor Giebelhaus shared correspondence from the Helderberg Lake Community Association specifically Niels laCour and was acknowledged by the Town Board. Deputy Supervisor provided some history as he sat on Town Board in 2022 while there were many meetings and public hearings to discuss the proposed tax district for Helderberg Lake. The Dam as Helderberg Lake is in need to repair and is considered high risk , the Association has struggled to secure financing on their own and again is contacting the Town for support.

Retirement of Senior Account Clerk Andrea Borst

The Town Board acknowledged the retirement of Andrea Borst and thanked her for her 22 years and 2 months of service to the Town of Berne. Councilmember Miller made a motion seconded by Councilmember Bunzey to accept the retirement of Andrea Borst, Supervisor Giebelhaus and Councilmembers Bunzey, Duncan, laCour and Miller all voting aye.

Appointment for Senior Bus Driver: C. Kuhn

A motion was made by Councilmember Bunzey seconded by Councilmember Duncan, to appoint C. Kuhn as a bus driver for the Town of Berne in partnership with CDTA Access Transit and provide rides to Seniors for shopping trips on Thursdays 9AM- 1PM, Supervisor Giebelhaus and Councilmembers Bunzey, Duncan, laCour and Miller all voted aye.

Parks & Recreation Board Appointments

Supervisor Giebelhaus made a motion seconded by Councilmember Bunzey to amend the agenda and add Parks and Recreation Board Appointments, Supervisor Giebelhaus and Councilmembers Bunzey, Duncan, laCour and Miller all voted aye. Supervisor Giebelhaus moved to appoint Melanie Stempel, Jen Duncan, Carrie Palow, Frances Deegan, Dawn Gibson, Andrea Borst and Matthew Assini to the Parks and Recreation Advisory Board for the remainder of 2026 with terms ending 12/31/2026, Supervisor Giebelhaus and Councilmembers Bunzey, Duncan, laCour and Miller all voted aye.

Fireworks Contract – July 4th

Supervisor Giebelhaus discussed the vendor previously used in the past for the Town of Berne’s Independence Day Celebratory Fireworks- the proposed contract is for \$7000 and they have availability on June 27th for the display. Brief discussion was held regarding funding, available local vendors and RFPs.

Resolution No. 28 of 2026 – Adoption of Day-to-Day Administration and Human Resources Policy #18-2026

Town Attorney McHugh suggested a policy be put in place which would allow the Town Supervisor to be able to maintain daily functions, for example if a job was to become vacant the Supervisor would be able to advertise prior to a board meeting. Councilmember Bunzey moved Resolution 28-2026 to adopt Policy

#18-2026 and the motion was seconded by Councilmember Miller, to adopt Resolution No. 28 of 2026. Roll Call Vote:

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

Resolution #28- 2026 carries.

Resolution No. 29 of 2026 – Adoption of Town of Berne Drug & Alcohol Policy

Discussion was held regarding the current handbook with very limited verbiage, training for multiple officials for reasonable suspicion will be held and put into place, post accident drug testing would be conducted and so on. A motion was offered by Councilmember laCour, seconded by Councilmember Bunzey to adopt Resolution No. 29 of 2026, a roll call vote was taken as follows:

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

Resolution 29- 2026 carries.

Resolution No. 30 of 2026 – Firework Contracts June 27, 2026

A motion was made by Supervisor Giebelhaus, seconded by Councilmember Buzey, to adopt Resolution No. 30 of 2026 approving entering into the contract for Santore’s Fireworks at \$4000 and Night Sky Productions at \$3000

Roll Call Vote:

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

Resolution carries.

APPROVAL / DISCUSSION OF MONTHLY FINANCIAL REPORTS

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

AUDIT AND APPROVAL OF CLAIMS

Budget Transfers were discussed including the movement of \$10,000 from the Highway Summer Line to Winter if salt is needed prior to the next meeting, Supervisor Giebelhaus made a motion to approve the transfers seconded by Councilmember Duncan.

Abstract 2026 #2 Utilities (vouchers 130 – 152): \$88,898.42

Abstract 2026 #3 Reg General Fund & Highway (153 – 228): \$45,867.22

Total: \$134,765.64

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

Resolution carries 30- 2026 carries.

EXECUTIVE SESSION

At approximately 8:45 PM, a motion was made by Supervisor Giebelhaus, seconded by Councilmember Duncan, to enter Executive Session pursuant to §105 of the New York State Open Meetings Law to discuss:

- 105(b) litigation – Crosier v. Town
- 105(a) employment of a corporation – Borst agreement
- 105(a) follow up on unqualified highway employee

February 11, 2026

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

ADJOURNMENT

There being no further business, a motion was made by Supervisor Giebelhaus, seconded by Councilmember Miller, to adjourn the meeting Supervisor Giebelhaus, Councilmember Bunzey, Duncan, laCour, and Miller all voting aye. The meeting adjourned at **9:32 PM**.

Respectfully submitted,

Kristin De Oliveira

Town Clerk, Town of Berne