

**State of New York
Albany County**

**6:00PM Public Hearing- Preliminary Budget 2026
7PM Regular Town Board Meeting**

Town Supervisor Palow led the pledge of allegiance and called the meeting to order at 6:01PM with the following role call attendance: Councilmembers Doolin, Giebelhaus, laCour and Palow were present, also in attendance Town Clerk De Oliveira and Senior Account Clerk Andrea Borst.

MOTION TO OPEN PUBLIC HEARING

Supervisor Palow made a motion seconded by Councilmember Doolin to open the public hearing for 2026 preliminary budget, Supervisor Palow & Councilmembers Doolin, laCour and Giebelhaus all voting aye.

Dennis Barber had concerns about the 38% increase and questioned the Town Board if spreading it over a few years was possible. He questioned if the Town Board considered reducing salaries or eliminating positions, he also asked who prepared the budget. He pointed out that the Town of Knox does not compensate their Planning Board and Zoning Board of Appeal members. He also asked why the Town of Berne does not combine the Boards like they do in Westerlo.

Anita Clayton said that she had sat in on very many budgets for probably about 15 or 20 years, she said she understands the process and knows what goes into it. Everyone needs to look at how your town functions and stated she didn't think a lot of residents understand what it takes to run a municipality. She also addressed Supervisor Palow, "I know that when the past administration gave back money how hard that was to overcome. Overall, she said that she thinks Supervisor Palow excellent job with the town."

Lynn Kerr questioned the role of Senior Account Clerk in the budget as the salary is significantly higher than the Town Clerk's, Andrea Borst stated her job duties included bookkeeping, payroll, records management, retirement reporting, managing the accounting software, voucher processing, bond management and bank reconciliations. She also stated that she is civil service tested to hold the position and has been with the Town for 22 years. Lynn Kerr also wanted to piggyback off Dennis Barber's suggestion and ask about alternants for boards not receiving compensation, Andrea Borst discussed the only issue is that they are expected to be up to speed on all the open applications and if a vote were to be taken it would be unfair for them to not be compensated considering they put in the same time and effort.

Dennis Barber asked about when the Town of Berne was audited the last time- Andrea Borst stated 2 years ago, he questioned if they had any concerns about the large tax increase. Borst spoke of the same rate since 2012, if the budget had consistently done a

2% increase annually as allowed by the state there might not be such a large increase required. He also questioned the decreased taxes in 2020 & 2021 which at the time was thought to help residents during the pandemic.

Joel Willsey had concerns about job descriptions and wanted to know if there was one for the Solid Waste Coordinator position. He felt the job was handed to Highway Superintendent Bashwinger every year without advertising. Councilmember laCour pointed out it is more efficient to assign additional tasks to elected officials and current employees rather than add additional employees. The position entails managing staffing at the transfer station, Annual NYS DEC required reporting, coordinating all recycling and managing vendor services.

Ken Guarino had concerns that the preliminary budget was not posted on the website and stated it must be posted 24 hours prior according to open meetings law, however Supervisor Palow stated that NYS Law says it may be available only for inspection in person and that was the process utilized for this budget season.

MOTION TO CLOSE PUBLIC HEARING

Supervisor Palow made a motion seconded by Councilmember Doolin to close the public hearing for 2026 preliminary budget at 6:59PM , Supervisor Palow & Councilmembers Doolin, laCour and Giebelhaus all voting aye. Supervisor Palow said there would be a short break prior to the regular monthly meeting.

REGULAR MONTHLY MEETING

Town Supervisor Palow called the meeting to order at 7:12PM with the following role call attendance: Councilmembers Doolin, Giebelhaus, laCour and Supervisor Palow were present, also in attendance Deputy Superintendent Deitz, Senior Account Clerk Andrea Borst and Town Clerk De Oliveira.

DISCUSS/APPROVE MEETING MINUTES FROM OCTOBER

Supervisor Palow made a motion seconded by Councilmember Doolin to approve the meeting minutes from October 7, 2025, Supervisor Palow & Councilmembers Doolin, laCour and Giebelhaus all voting aye.

Supervisor Palow made a motion seconded by Councilmember Giebelhaus to approve the meeting minutes from October 21 & 22 for the Budget Workshops, Supervisor Palow & Councilmembers Doolin, laCour and Giebelhaus all voting aye.

CORRESPONDENCE

Hometown Hero Banners Storage for Winter

Town Clerk De Oliveira discussed that Hometown Hero Banners would be taken down for the winter and stored, if family members or sponsors wanted to pick them up they are welcome to sign the banners out at Town Hall.

NYS Building Code Updates 12/31/2025

Town Clerk De Oliveira shared notice from New York State that the building code is being updated and will take effect on December 31, 2025. These changes may be reflected in the future for permit processing as the Town must adhere to the code conditions and enforce.

.gov mandate for website and emails

Town Clerk De Oliveira shared the updated website was live with a .gov but if you go to .org it will still forward you to the site. The emails have not yet been updated but will soon take effect. New York State issued the mandate for all government entities to utilize a .gov domain which must be completed by the end of this fiscal year.

Emails from Resident

Supervisor Palow shared emails from Joel Willsey with the public to share insight on what has been received by the Town Board, including emails that were threatening, disrespectful and very heavily opinionated regarding matters in the Town. He spoke of concerns regarding NYS Penal Law Violations, lack of transparency, claims that the Town Clerk was responsible for making the Preliminary Budget available to the public outside the direction of the Supervisor or Town Board, and serious allegations regarding personnel matters.

DEPARTMENT REPORTS

Library- Director Kathy Stempel shared an upcoming event for Mental Health and Crisis Management on November 19th. She also told of a new accessibility option for those with hearing or sight needs that Upper Hudson was making large print and audio books available.

Highway- Deputy Highway Superintendent James Deitz discussed work being done on roadways to repair potholes and preparing for winter weather. Snowplows and sanders were also being installed in vehicles.

Zoning Board of Appeals Chairman Bauer sent an email summarizing the variance that was completed in October on High Point Road and that at this time there was nothing for the November agenda.

Planning Board- Chairman Khoury told the Town Board it had been a very busy year with lots of site visits. The review of solar code had been sent to the Town Attorney for review and wanted to emphasize the Town of Berne is not at all anti-solar but rather pro- residents and wants to advocate and ensure safety for all.

Parks & Recreation- Chair Mary Claire Ansboro stated the Town Park bathrooms had been locked and the water shut off and drained to ensure no frozen pipes this winter. She wanted to thank the Town Board for all their support and looks forward to working with the future Board as well.

OLD BUSINESS

Senior Bus Driver Resignation: Ad for Driver

The current driver for the Senior Bus on Thursdays gave notice of retirement and the Town would now be seeking a driver for Thursday mornings between 9AM-1PM to pick up senior residents (60 years or older) through a partnership with CDTA Access Transit for grocery shopping and other errands. Applicants may apply online, in person or via mail to the Town Clerk.

Updated Laptop Quotes- Preville Technologies

Supervisor Palow made a motion to approve the purchase of three new laptops in conjunction with the Preville Technologies quote from the October meeting, the amount would not exceed \$4000.00, Supervisor Palow & Councilmembers Doolin, laCour and Giebelhaus all voting aye.

NEW BUSINESS

Blue Diamond Bill for Annual Sewer Plant Pump out \$3500

Supervisor Palow made a motion seconded by Councilmember Doolin to approve the payment to Blue Diamond Septic in an amount not to exceed \$3500 for the annual pump out at the Wastewater Treatment Plant, Supervisor Palow & Councilmembers Doolin, laCour and Giebelhaus all voting aye.

Authorize Town Clerk to bill Helderberg Ambulance \$25,000 for ALS/BLS

Supervisor Palow made a motion seconded by Councilmember Doolin to authorize the Town Clerk to send a bill to Helderberg Ambulance in the amount of \$25,000 for the portion of the Albany County ALS/BLS services that had been agreed on for the current fiscal year, Supervisor Palow & Councilmembers Doolin, laCour and Giebelhaus all voting aye.

Board of Assessment Review Vacancy Appointment

Supervisor Palow made a motion seconded by Councilmember Doolin to approve the appointment of Barbara Hoerning to the Board of Assessment Review for a term of five years ending 9/31/2029 and to authorize her to attend training in April prior to Grievance Day, Supervisor Palow & Councilmembers Doolin, laCour and Giebelhaus all voting aye. There is still an opening on the Board of Assessment Review available for applicants.

Amendment to July 9, 2025, Meeting Minutes

Supervisor Palow made a motion seconded by Councilmember Doolin to approve the amendment to the July 9th minutes, adding the motion of the 284 forms being signed and approve the fiscal year paving with CHIPS funding, Supervisor Palow & Councilmembers Doolin, laCour and Giebelhaus all voting aye.

Motion from August 26, 2020 “Meeting Recordings” Rescind Request

Town Clerk De Oliveira addressed the Town Board regarding a motion that had been brought to her attention following a FOIL Request. The motion stated the Town Clerk must record all meetings including executive sessions and keep said recordings for 10 years. She requested the Town Board consider rescinding this as it contradicted NYS Law, Public Officers law as well as the NYS Records Retention Regulations the Town of Berne has adopted. Supervisor Palow made a motion, seconded by Councilmember Doolin that executive sessions would not be recorded and that the recordings be kept for 6 months as stated in LGS-1 and to rescind the motion from August 26, 2020, as follows:

“APPROVING ALL TOWN BOARD MEETINGS, WORKSHOPS & EXECUTIVE SESSIONS BE RECORDED”

After discussion, Councilmember Willsey made a motion seconded by Councilmember Conklin that the Town Clerk or her or his designee, record all Town Board meetings, workshops & executive sessions and archive said recordings for ten (10) years. Motion carried with the following roll call vote: Supervisor Lyons, Councilmembers Conklin, Harris & Willsey voting aye; Councilmember Palow voting nay. Councilmember Palow signed off from the zoom meeting.”

Supervisor Palow & Councilmembers Doolin laCour and Giebelhaus all voting aye.

Approvals Library Trustee Applicants and Appointments

Supervisor Palow asked the Town Board if they had received applications for the Library Board of Trustees and asked if anyone had concerns or questions. Supervisor made a motion seconded by Councilmember Doolin to approve the appointment to the Library Board of Trustees for Susan Gardener and Amy White Santandrea for a term of 5 years both ending 12/31/2029, Supervisor Palow & Councilmembers Doolin, laCour and Giebelhaus all voting aye.

Fuel Tank Replacement at Town Hall Quotes

Supervisor Palow discussed the need for a replacement fuel holding tank at Town Hall in the basement, quotes had been requested by four different vendors and only one had been received from Matthew Landauer. Supervisor Palow made a motion seconded by Councilmember Giebelhaus to approve the quote for labor and parts in an amount not to exceed \$6500, Supervisor Palow & Councilmembers Doolin, laCour, and Giebelhaus all voting aye.

Edmund Gov Tech Quote for Modules

Senior Account Clerk discussed the recent meeting attended by herself, Town Clerk De Oliveira & Councilmember Joseph Giebelhaus. The Town of Berne has now been live with Edmunds Gov Tech for 18 months and has yet to purchase some additional modules. The original quote included electronic purchase requisition, human resource portal, employee self-service, online payment portal and a vendor self-service portal. After discussion Supervisor Palow made a motion seconded by Councilmember Giebelhaus to approve the vendor self-service portal as well as the online purchasing requisitions in an amount not to exceed \$10,000 and to authorize payment of \$4000 to Edmunds Gov Tech to begin implementation to go live in 2026, Supervisor Palow & Councilmembers Doolin, laCour and Giebelhaus all voting aye.

ADOPTING FINAL BUDGET OF 2026

Supervisor Palow offered and moved the following:

BE IT RESOLVED, that the Town Board of the Town of Berne does hereby accept and adopt the final budget for the fiscal year of 2026; and

BE IT FURTHER, RESOLVED, that the Town Clerk prepare and certify duplicate copies of such budget and deliver the copies to the Supervisor and to the County Legislature of Albany, all as required by law. Resolution was declared duly adopted by the following roll call vote:

Supervisor Palow.....Aye Councilmember laCour.....Aye

Councilmember GiebelhausAye Councilmember Doolin.....Aye

DISCUSSION AND APPROVAL OF MONTHLY FINANCIAL REPORTS

Supervisor Palow made a motion to accept the Supervisor's Financial Reports From October 2025 including Packet A – Abstracts Packet B- Budget to Actual Reports Supervisors' reports for revenue per fund, Supervisors reports for expenditures per fund and budget transfers report if required, Packet C – Bank Reconciliations and bank statements for October, Packet D - Cash balance report and Balance sheet Report, Town Clerk's Financial Report from October and the Building and Zoning Financial Report seconded by Councilmember Doolin, motion carried with the following vote: Supervisor Palow, Councilmembers Doolin, laCour and Giebelhaus voting aye.

AUTHORIZING BUDGET TRANSFERS FOR OCTOBER

After discussion, Supervisor Palow made a motion seconded by Councilmember Doolin that the budget transfers for October be authorized. Motion carried with the following vote: Supervisor Palow, Councilmembers Doolin, laCour and Giebelhaus voting aye.

APPROVING ABSTRACTS AND PAYMENT OF MONTHLY BILLS

After discussion, Supervisor Palow read aloud the below abstracts made a motion seconded by Councilmember Doolin to approve the following abstracts, Supervisor Palow, Councilmembers Doolin, laCour and Giebelhaus voting aye.

Abstract # 2025-35 \$18,039.07 (Vouchers 520-527) Prepaid Abstracts

Abstract # 2025-36 \$164,129.22 (Voucher 528) Chips

Abstract # 2025-37 \$50,703.62 (Voucher 483, 529-572) Regular Abstract

Total Abstracts: \$232,871.91

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

Supervisor Palow stated that there may not be a December board meeting and that he would consult the town attorney to confirm whether a December meeting is legally required. If a meeting is held, details will be posted on the website

MOTION TO ADJOURN

There being no further business or discussion, Supervisor Palow made the motion seconded by Councilmember Doolin to adjourn the meeting. Motion carried with the following vote: Supervisor Palow, Councilmembers Doolin and Giebelhaus voting aye. The meeting adjourned at **8:13 PM.**

Respectfully submitted,

Kristin De Oliveira, Town Clerk