TOWN OF BERNE

TOWN BOARD RESOLUTION

Resolution No. 30 of 2026

Resolution Introduced by Supervisor Giebelhaus

A RESOLUTION OF THE TOWN BOARD APPROVING CONTRACT 2026-06 PAYCHEX PAYROLL PROCESSING AND HR SUPPORT SERVICES

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.

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

Affirmative:

Supervisor Giebelhaus ☐
Councilmember Bunzey ☐
Councilmember Duncan ☐
Councilmember la Cour ☐
Councilmember Miller ☐

Negative:

Supervisor Giebelhaus ☐
Councilmember Bunzey ☐
Councilmember Duncan ☐
Councilmember la Cour ☐
Councilmember Miller ☐

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

Adopted this _____ day of _____, 2026

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

In affirmation there of , I hereto set my hand and affix The Seal of the Town of Berne this ____ day of _____, 2026.

_____
Kristin De Oliveira, Town Clerk

TOWN OF BERNE

TOWN BOARD RESOLUTION

Resolution No. 32 of 2026

Resolution Introduced by Supervisor Giebelhaus

A RESOLUTION AUTHORIZING THE TOWN SUPERVISOR TO ENTER INTO A CONTRACT WITH TRACY ROADS FOR THE PROVISION OF FREIGHLINER TRUCKS PREVENTATIVE MAINTENANCE AND REPAIR PER BID NUMBER 2026-02.

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 TRACY ROADS for, and the provision of, FREIGHLINER 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.

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

Affirmative:

Supervisor Giebelhaus ☐
Councilmember Bunzey ☐
Councilmember Duncan ☐
Councilmember la Cour ☐
Councilmember Miller ☐

Negative:

Supervisor Giebelhaus ☐
Councilmember Bunzey ☐
Councilmember Duncan ☐
Councilmember la Cour ☐
Councilmember Miller ☐

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

Adopted this _____ day of _____, 2026

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

In affirmation there of , I hereto set my hand and affix The Seal of the Town of Berne this ____ day of _____, 2026.

_____

Kristin De Oliveira, Town Clerk

TOWN OF BERNE

TOWN BOARD RESOLUTION

Resolution No. 33 of 2026

Resolution Introduced by Supervisor Giebelhaus

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.

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.

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

Affirmative:

Supervisor Giebelhaus ☐
Councilmember Bunzey ☐
Councilmember Duncan ☐
Councilmember la Cour ☐
Councilmember Miller ☐

Negative:

Supervisor Giebelhaus ☐
Councilmember Bunzey ☐
Councilmember Duncan ☐
Councilmember la Cour ☐
Councilmember Miller ☐

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

Adopted this _____ day of _____, 2026

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

In affirmation there of , I hereto set my hand and affix The Seal of the Town of Berne this ____ day of _____, 2026.

_____

Kristin De Oliveira, Town Clerk

TOWN OF BERNE

TOWN BOARD RESOLUTION

Resolution No. 34 of 2026

Resolution Introduced by Supervisor Giebelhaus

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

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.

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

Affirmative:

Supervisor Giebelhaus ☐
Councilmember Bunzey ☐
Councilmember Duncan ☐
Councilmember la Cour ☐
Councilmember Miller ☐

Negative:

Supervisor Giebelhaus ☐
Councilmember Bunzey ☐
Councilmember Duncan ☐
Councilmember la Cour ☐
Councilmember Miller ☐

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

Adopted this _____ day of _____, 2026

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

In affirmation there of , I hereto set my hand and affix The Seal of the Town of Berne this ____ day of _____, 2026.

_____
Kristin De Oliveira, Town Clerk

TOWN OF BERNE

TOWN BOARD RESOLUTION

Resolution No. 35 of 2026

Resolution Introduced by Councilman Miller

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.

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.

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

Affirmative:

Supervisor Giebelhaus ☐
Councilmember Bunzey ☐
Councilmember Duncan ☐
Councilmember la Cour ☐
Councilmember Miller ☐

Negative:

Supervisor Giebelhaus ☐
Councilmember Bunzey ☐
Councilmember Duncan ☐
Councilmember la Cour ☐
Councilmember Miller ☐

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

Adopted this _____ day of _____, 2026

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

In affirmation there of , I hereto set my hand and affix The Seal of the Town of Berne this ____ day of _____, 2026.

_____
Kristin De Oliveira, Town Clerk

TOWN OF BERNE

TOWN BOARD RESOLUTION

Resolution No. 36 of 2026

Resolution Introduced by Supervisor Giebelhaus

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

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.

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

Affirmative:

Supervisor Giebelhaus ☐
Councilmember Bunzey ☐
Councilmember Duncan ☐
Councilmember la Cour ☐
Councilmember Miller ☐

Negative:

Supervisor Giebelhaus ☐
Councilmember Bunzey ☐
Councilmember Duncan ☐
Councilmember la Cour ☐
Councilmember Miller ☐

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

Adopted this _____ day of _____, 2026

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

In affirmation there of , I hereto set my hand and affix The Seal of the Town of Berne this ____ day of _____, 2026.

_____
Kristin De Oliveira, Town Clerk

TOWN OF BERNE

TOWN BOARD RESOLUTION

Resolution No. 37 of 2026

Resolution Introduced by Supervisor Giebelhaus

A Resolution Establishing the Town of Berne Budget Office and Adopting the Budget Office Charter

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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:

Financial Function	Responsible Party
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.

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

Affirmative:

Supervisor Giebelhaus ☐
Councilmember Bunzey ☐
Councilmember Duncan ☐
Councilmember la Cour ☐
Councilmember Miller ☐

Negative:

Supervisor Giebelhaus ☐
Councilmember Bunzey ☐
Councilmember Duncan ☐
Councilmember la Cour ☐
Councilmember Miller ☐

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

Adopted this _____ day of _____, 2026

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

In affirmation there of, I hereto set my hand and affix The Seal of the Town of Berne this ____ day of _____, 2026.

_____
Kristin De Oliveira, Town Clerk