

Berkshire Planning Board
Agenda
November 1, 2011 – 6:30 pm

Members with term expirations:

Ken Ceurter	Chair	2015
Joe Palmeri	Vice-Chair	2012
Tim Pollard	County Planning Board Rep. (through 2013)	2014
James Lacey		2011
John Gehm		2013
Sarah Albrecht	Ad Hoc Member/Secretary	2011
Darlene Hoffmier	Ad Hoc Member	2011

A) Call Meeting to Order at 6:45 p.m.

- 1) Pledge of Allegiance
- 2) Role Call/status of membership Lacey, Palmeri, and Hoffmier unexcused absences. Albrecht given voting privileges.
- 3) Secretary's minutes for October: Ceurter moved to accept, Pollard second. Approved.
- 4) Privilege of the Floor - None

B) Meetings & Committee Update

- 1) Town Board activities that pertain to PB – Most of meeting was devoted to Ceurter's agenda items and budget development. Pollard is concerned that the Town Board is missing his monthly reports, so he will resume those via email as he had been doing earlier in the year. Ceurter talked to the Town Board regarding the letter from Perkins re: approval of attorney no longer needed in regard to the Dog Control Law, and Town Board ordered Clerk to file the law. He also reported that review of the unregistered vehicle law is near completion and most likely the Planning Board Creation will be next to include the Alternate/Ad Hoc member. Ceurter asked if we could get a response from the attorney on legal issues for the Junkyard Law draft that he had held up so we can move forward on that and Supervisor Simmons agreed to check. Ceurter asked about the TING handbook, and Simmons reported that they had something set up at one point, but there were complications and it was cancelled. He agreed to set up something again. Gehm asked where the Town stands regarding the CEO for the first of the year, and Ceurter was not able to answer that. The Town Board is concerned by the lack of progress by Virtue. The CEO actions with the Swartwood and Brame case are most concerning. Simmons did contact Charlie Bliss from the Dept. of State to make him familiar with the Swartwood case and the variance denial. Virtue asked for an increase in salary, but we do not know what the Town Board will do with that request. The property purchase behind the town hall is complete. The barn on that property will be torn down.
- 2) County Planning Board issues pertaining to Berkshire–Pollard reported that they did not meet this month as there were no 239 reviews to be completed.

C) Unfinished business:

- 1) Action items from previous meeting – (Fire Station status,) – Pollard had nothing to report; they have not met. The \$43K that was paid toward building expenses this year must be taken from operating costs because it was for related expenses but not the actual building process. The loan issues re: class of building vs. type of loan have been resolved and a loan can be made for 25 years.
- 2) Training – October 29 Gehm and Ceurter (and Fraser Williams) attended the SGEIS training in Endicott offered by the law firm of Coughlin & Gerhart. This law firm is certainly not discouraging Road Use Agreements, but they also feel that the state laws should give Highway Superintendents the power to get their roads repaired, which was encouraging news. Lacey and Albrecht planning to attend Hydrofracking forum training in Binghamton November 17.
- 3) Posting of roads for ATV and Snowmobile. Pollard and Ceurter have not yet done their survey.
- 4) Dog Law Status – Clerk is filing with the State per direction of the Town Board.
- 5) Unregistered Vehicle law review – we started with Section VII and completed the review of this law. Albrecht will review for formatting, punctuation, etc., and send to Planning Board via email for final review and approval so we can get it to the Town Board in time for their workshop this month if possible.

D) New Business

- 1) December or special meeting Organizational meeting preparation
 - a) Elections
 - b) Open position in 2011 – Jim Lacey agreed to renew.
 - c) Adhoc members for 2011 – Sarah Albrecht and another ad hoc member not yet known. (Pollard is going to ask someone he has in mind.)
 - d) Bylaw Review
 - e) Fee Schedule review
 - f) Submit materials to Town Board by their workshop of Dec. 15
 - Cover letter 2012 appointments,
 - Cover letter and fee schedule (finalize & approve),
 - Share revised Bylaws
 - Cover letter with training worksheet
 - Local Law Review priorities for 2012: Planning Board Creation, Junkyard, maybe Road Usage
- 2) December meeting on 2nd Tuesday – Albrecht conflict (Courier alert)
- 3) Alternate member need advertised in newsletter article submitted.
- 4) Alternate member for county-volunteers needed. Does not need to be a member of the planning board.

Next Planning Board meeting is scheduled for Tuesday, December 13, 2011. Albrecht will submit a legal notice for the Tioga County Courier to notify public of meeting change.

Next Town Board meeting is scheduled for Mon., November 21 and workshop is Thurs. the 17th.

Move to adjourn by Gehm. Pollard seconded. Unanimous at 8:33.

Respectfully submitted, Sarah Albrecht, Secretary