

# January Minutes

Town of Berkshire  
Organizational Meeting  
January 2, 2013

The Town of Berkshire held their Organization Meeting on January 2, 2012 in the Board Room  
Member present were: Fraser Williams, Ron McEwen, Ronald Sharp. Missing were: Lillian Hoffmier, and John Stoughton  
Also attending was Nick Canizio Attorney for town.

Supervisor Ron McEwen opened the meeting at 7:00PM with the Pledge of Allegiance.

**New Business:**

The Organizational meeting was presented with Resolution #1 -2013.

**RESOLUTION NO 1-2013                      Organizational Meeting Town of Berkshire**

**Adoption moved by Board Member Ron Sharp  
Seconded by Board Member Fraser Williams**

**WHEREAS: The Town Board must meet annually for the purpose of setting the rules of operation and other such actions and appointments as required by Town Law; and**

**WHEREAS: This meeting has been duly advertised and called for this purpose; and**

**WHEREAS: The Town Board has discussed and wishes to take the following actions; therefore be it**

**RESOLVED: The rules of Procedure for the conduct of Board Meetings for the Town of Berkshire shall remain as they were in 2012; and be it further**

**RESOLVED: Each member of the Town Board and all elected officials currently serving their respective terms of office remain electors of the Town of Berkshire; and be it further**

**RESOLVED: All elected town officers reaffirm their oaths of office. The Official Undertaking requirements of State Law shall be fulfilled by existing insurance portfolio; and be it further**

**RESOLVED: The following appointments are made:**

**Constance Liddington**

**Ronald Raab  
Gary Brigham  
Ronald Sharp  
Donald Liddington**

**Tax Collector  
Records Management Officer  
Registrar of Vital Statistics  
Dog Control Officer  
Deputy Highway Superintendent  
Deputy Supervisor  
Deputy Town Clerk**

Denise Liddington  
 Nancy G. Hunt  
 Leon Virtue  
 Sue Bierl  
 Tim Pollard  
 Kenneth Ceurter  
 Michael Maxwell  
 Nicholas R. Canizio  
 ; And be it further

Deputy Town Clerk  
 Town Historian  
 Code Enforcement Officer  
 Bookkeeper  
 County Planning Board Representative  
 Planning Board Chair  
 Assessor  
 Attorney for the Town

**RESOLVED:** That these appointments be for a term of no longer than 1 year and serve at the pleasure of the Board with the exception of the Deputy Supervisor that serves at the pleasure of the Supervisor; and be it further

**RESOLVED:** Town officers, appointed and elected, shall be compensated in the same manner as in 2012, in the amounts specified in the approved Town budget for 2013, as follows:

<u>Position</u>	<u>Annual Salary</u>	<u>Pay Frequency</u>
Supervisor	3,600	quarterly
Deputy Supervisor	100	quarterly
Town Board	1,200	quarterly
Highway Superintendent	38,000	biweekly
Highway workers	Per contract	biweekly
Town Clerk	5,000	monthly
Bookkeeper	3,300	quarterly
Town Justice	3,200	monthly
Assessor	4,000	monthly
Code Enforcement	4,000	monthly
Dog Control	2,200	monthly
Historian	100	annually
Registrar of Vital Stat	35	annually
Attorney	7,000	monthly

; and be it further

**RESOLVED:** The regular Berkshire Town Board Meetings for 2013 will be held on the 3rd Monday each month at 7:00pm at the Town Hall; and be it further

**RESOLVED:** Town Board Workshop Meetings will be held on the Tuesday preceding the monthly Board meeting at 5:30pm in the Town Hall; and be it further

**RESOLVED:** The Official Newspaper for the Town of Berkshire shall be the "Tioga County Courier."; and be it further

**RESOLVED:** The official depository of the Town of Berkshire shall be the National Bank and Trust Co. of Norwich at the Newark Valley branch; and be it further

**RESOLVED:** The Supervisor is authorized to file the NYS Comptrollers Annual Update Document with the Town Clerk in lieu of an Annual Report; and be it further

**RESOLVED:** The Berkshire Town Clerk may impose a fine of \$15.00 for any check returned by reason of insufficient funds; and be it further

**RESOLVED:** The Town Supervisor is authorized to purchase insurance commensurate with the Town's needs for 2013. Such costs are not to exceed appropriated amounts designated in the Adopted Budget for 2013; and be it further

**RESOLVED:** The Town Board reaffirms its support for all existing Town Laws, Ordinances, Policies and Codes; and be it further

**RESOLVED:** 2013 travel policies for Town Officials shall be as defined in the BERKSHIRE TOWN BOARD RESOLUTION DATED Jan 19, 2009 defining travel reimbursement.

**Roll Call:**

**Ayes:** Fraser Williams, Ron McEwen and Ron Sharp

**Nays:** None

**Absent:** Lillian Hoffmier and John Stoughton

**Carried**

Motion to adjourn was made by Ronald Sharp seconded by Ron McEwen. Carried

Respectfully submitted,

Constance M. Liddington  
Town Clerk

Town of Berkshire  
Regular Meeting  
January 21, 2013

The Town of Berkshire held their regular monthly meeting on January 12, 2013 in the Board Room at 18 Railroad Ave.

Members present were: Lillian Hoffmier, Fraser Williams, Ron McEwen, and Ronald Sharp. John Stoughton was absent.

Meeting called to order at 7:00 PM by Supervisor McEwen. Supervisor led the Pledge of allegiance  
Motion for approval of minutes for Dec. 17, Dec 28, and Jan.2, 2013, was made by Ron McEwen and seconded by Ronald Sharp Ayes: Hoffmier, Williams, McEwen, and Sharp. Nays: None.

**Privilege of the Floor:**

Make keys the same for all doors and a Digital thermostat to control the heat would be worth considering

**Reports:**

1. County Planning Board - absent
2. Highway Dept. - absent
3. Code Enforcement - Outstanding complaints- no response-no court tonight, Get a date set. Mow lawns around houses size! To 10feet or whatever, Yearly report to state.
4. Town Clerk-passed report.
5. Dog Control-Dog killing goats and chickens and sheep. Dog confiscated.
6. Justice Court -absent
7. Assessor-absent
8. Supervisor -Ad Clean-up day same as last year. M Maxwell junk cars see Adam to remove them. Electronics free to get rid of.
9. Planning Board: Jim Lacey moved to NC. Been on Planning Board for 22 years

**Old Business:**

Nothing at this time

**New Business:**

RESOLUTION 2-2013

Appoint Alternate Planning Board Member

Adoption moved by Board Member Lillian Hoffmier

Seconded by Board Member Ron Sharp

WHEREAS: Board approval is required in order to authorize filling positions on the Planning Board for the Town; and

WHEREAS: The Planning Board has reviewed the qualifications of a candidate to fill the vacant alternate member position and is requesting the Town Board to approve their recommendation; therefore be it

RESOLVED: That since the Town Board has reviewed and agrees on the candidate, that Marty Mattrazzo be appointed as an alternate member of the Town Planning Board for the term of January 1, 2013 to December 31, 2013

Roll Call:

Ayes: Lillian Hoffmier, Fraser Williams, Ron McEwen and Ron Sharp

Nays: None

Absent: John Stoughton

RESOLUTION 3-2013

Appoint Planning Board Member

Adoption moved by Board Member Fraser Williams

Seconded by Board Member Lillian Hoffmier

WHEREAS: Board approval is required in order to authorize filling positions on the Planning Board for the Town; and

WHEREAS: The Planning Board has recommended that Wayne Antal fill the vacancy left by James Lacey's resignation and is requesting the Town Board to approve their recommendation; therefore be it

RESOLVED: That since the Town Board has reviewed and agrees on the candidate, that Wayne Antal be appointed as a member of the Town Planning Board for the term of January 1, 2013 to December 31, 2016

Roll Call:

Ayes: Lillian Hoffmier, Fraser Williams, Ron McEwen and Ron Sharp

Nays: None

Absent: John Stoughton

**Board Concerns:**

Fraser Williams expressed concerns on selling of land behind building. Supervisor McEwen said all Board members, with the exception of Fraser, agreed on the concept of selling but no final decisions have been reached.

**Warrants:**

General Fund #1-12 \$24,445.28

Highway Fund #1-9 \$9,345.13

Motion to pay as audited made by Ron McEwen, seconded by Ronald Sharp

Ayes: Lillian Hoffmier, Fraser Williams, Ron McEwen and Ron Sharp

Nays: None

Adjourned at 7:40 PM on a motion by Lillian Hoffmier, seconded by Fraser Williams and Carried

Respectively Submitted,

Constance M Liddington, Town Clerk

# February Minutes

Town of Berkshire  
Regular Meeting  
February 18, 2013  
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The Town of Berkshire held their regular meeting on February 18, 2013 in the Town Hall at 7:00 PM.

The Members present were: Lillian Hoffmier, Fraser Williams, Ron McEwen, Ronald Sharp and John Stoughton.

Supervisor led the Pledge of allegiance.

Motion made by Fraser Williams, seconded by Lillian Hoffmier, to approve the minutes of January 21, 2013

Ayes: Hoffmier, Williams, McEwen, Sharp and Stoughton.

Nays: None.

Carried

**Privilege of the Floor: None.**

**Reports:**

County Planning Board - Absent

Highway Dept. - No report.

Code Enforcement: No report Planning Board-absent

Town Clerk report read by Supervisor

Dog Control- Told about a dog that killed goats and other animals, Stray Haven would not accept them as dangerous dogs, kept them himself. After the legal time, Time to dispose of them. The owner Mr. Dickerson agreed to put them down. Case closed.

Justice Court- absent-Need to talk to C Brundza to hold court longer so people could show up to court. People are not getting their license cleared for renewable.

Assessor report-did not show up for hours posted, people need to get their exemptions taken care of.

Supervisor-Insurance from NYMIR rate dropped for 2012 and again for 2013.

Resolution 4-2013                      SUPPORT FOR NYS-CONTACT INFORMATION FOR  
VACANT STRUCTURES

Adoption moved by Board Member John Stoughton

Seconded by Board Member Ron Sharp

Resolved to support New York State regarding the proposed laws concerning contact information for vacant structures

WHEREAS: vacant, abandoned and foreclosed homes and structures have proliferated throughout New York State over the last five years; and

WHEREAS: vacant structures that are not maintained for months at a time degrade and depreciate the value of the vacant structure as well as the value of surrounding properties ;  
and

Town of Berkshire  
Regular Meeting  
February 18, 2013  
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WHEREAS: lending institutions that hold mortgages on said vacant structures do not always provide the contact information of a responsible party; and

WHEREAS: Assembly Bill A.88 and Assembly Bill A.824 , currently pending , would make it mandatory for lending institutions to provide contact information of responsible parties regarding vacant structures; and require good faith in obtaining a foreclosure ; and

WHEREAS: the Town of Berkshire Town Board supports the passage of said Bills.

NOW THEREFORE, BE IT RESOLVED that the town of Berkshire hereby supports the passage of said Bills and respectfully requests that the State Representatives who represents constituents in the Town of Berkshire support the passage of said Bills

Copies of this resolution to be forwarded to Assemblyman Michael P. Kearns, Senator Tom Libous and Assemblyman Christopher S. Friend

Ayes: Lillian Hoffmier, Fraser Williams, Ron McEwen, Ron Sharp and John Stoughton

Nays: None

Absent: None

Carried

The Board authorized the Supervisor to write a letter to Appellate Div. NY State, stating that the Town of Berkshire doesn't want to be included for or against the gas drilling as present by the Association of Towns.

It was stated that it would benefit the State with an income to help the debt load.

Motion by Fraser Williams, seconded by Lillian Hoffmier to allow Karl to get a Snow Blower and trailer to haul it with

Aye; Hoffmier, Williams, McEwen, Sharp, and Stoughton

Nays: None

Carried

Fraser Williams "TING" Transportation on /Gas Drilling will be held on 27th of Feb. 3-5PM Could Karl attend.

Newsletter needs John or Lillian.

Warrants: General 13-30 (void #19 and #27 moved to Highway Warrant #17)\$153,297.02.  
Highway #10 -21 \$12,321.04

MOTION made by John Stoughton to pay as audited seconded by Fraser Williams

Ayes: Hoffmier, Williams, McEwen, Sharp and Stoughton.

Nays: None.

Carried

Town of Berkshire  
Regular Meeting  
February 18, 2013  
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Lillian Hoffmier seconded by Ron McEwen made motion to Adjourn. Carried

Respectively Submitted  
Constance M Liddington

# March Minutes

Town of Berkshire  
Regular meeting  
March 18, 2013  
Page #1

The Berkshire Town Board held their regular meeting on March 19<sup>th</sup>, 2013 at 7:00 PM.

Members present: Ronald McEwen, John Stoughton, Ronald Sharp, Fraser Williams, and Lillian Hoffmier. Also present was Highway Superintendent Karl Spoonhower, code officer Leon Virtue, and Attorney Nicholas Canizio.

The meeting was opened with the pledge of allegiance, led by Supervisor McEwen.

A motion to approve the Feb. 18<sup>th</sup>, 2013 minutes was made by Fraser Williams and seconded by Lillian Hoffmier. Ayes: John Stoughton, Ronald Sharp, Fraser Williams, Lillian Hoffmier. Nays: none carried.

Privilege of the floor:

Robert Wait wanted to thank the men at the Highway dept. for being very helpful to the fire dept.

Reports:

Co. Planning board: Report received

Highway Dept.: Karl Spoonhower asked if when advertising for the town wide clean-up if they would exclude building materials (lumber, sheetrock ect.). Tires will be 3.00 each. Clean-up day set for April 22<sup>nd</sup> - 28<sup>th</sup>.

Code enforcement: 4 cases taken to court 2 of the four showed for court and they need to be compliant with by July 1<sup>st</sup>, 2013 or further action will be taken. The other 2 did not show up for court and consequently were fined 500.00 each and will be issued bench warrants if they don't comply. Lee Virtue will be sending out letters to people whom need to clean up their properties soon. He also was asking about a computer program that would make it easier to keep track of properties and problem areas. Update on the new fire station- the excavating part is complete and building should start soon.

Planning board: Still working on the mobile home law, its almost complete. Ron McEwen wants to see a comparison from different towns on the fees they charge for mobile homes compared to ours, Joe said He would get that info. Joe also said 2 people on the planning board went for training.

Town Clerk: absent no report sent.

Justice Court: Becky Randall is the new court clerk.

Assessor: All of the exemptions were done and everything is complete for this year.

Dog control: None

Supervisor: Finances are looking good so far, hoping to complete work at town hall so we can close out the capitol reserve fund for the building.

Emergency Stream Intervention training seminar is being held for municipality officials on March 21<sup>st</sup> at the Hubbard auditorium from 7:00 pm-8:30 pm., A letter was received from Gravity segregation, LLC inquiring about mineral rights of town property.

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March 18<sup>th</sup>, 2013

Also received an informational letter from Catholic Charities about the hunger out reach programs and SNAP program.

**Old Business:**

**Sale of land:** The town of Berkshire has had a request to buy a piece of land on the ball diamond from Scott Albrecht. Ron McEwen will bring a resolution to the April meeting to have a public hearing, and then it will have to be put out for bids after a survey is completed.

**Ball Diamond:** At the next workshop we will talk about doing some work at the ball diamond.

**New Business:**

**Resolution #5: To Support Susquehanna Rain and Stream Gauges (Attached)**  
Adoption moved by Board member John Stoughton seconded by Ronald Sharp.  
Ayes: Lillian Hoffmier, John Stoughton, Fraser Williams, And Ronald Sharp.  
Nays: none  
Carried

**Resolution #6: Grievance Day for the Town of Berkshire Property Taxes (Attached)**  
Adoption moved by Board member Fraser Williams seconded by Ron McEwen.  
Ayes: Lillian Hoffmier, John Stoughton, Fraser Williams and Ronald Sharp.  
Nays: none  
Carried

**Resolution #7: Transfer of Funds Town and Purchase Equipment (Attached)**  
Adoption moved by Board member Fraser Williams seconded by Ronald Sharp.  
Ayes: Lillian Hoffmier, John Stoughton, Ronald Sharp, Fraser Williams  
Nays: none  
Carried

**Resolution #8: Transfer of Funds Highway Garage Repair (Attached)**  
Adoption moved by Board member Lillian Hoffmier seconded by John Stoughton  
Ayes: Lillian Hoffmier, Ronald Sharp, John Stoughton, Fraser Williams  
Nays: none  
Carried

**Board Concerns: None**

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March 19<sup>th</sup>, 2013  
Warrants:

Highway- John Stoughton made a motion To pay the highway warrant as audited by the Berkshire town board vouchers #22-32 totaling 9233.94, the motion was seconded by Fraser Williams.

Ayes: Lillian Hoffmier, John Stoughton, Fraser Williams and Ronald Sharp

Nays: none

Carried

General-Ronald Sharp made a motion to pay the general warrant as audited by the Berkshire Town Board vouchers #31-45 totaling 7435.44, the motion seconded by John Stoughton.

Ayes: Lillian Hoffmier, Ronald Sharp, Fraser Williams, John Stoughton.

Nays: None

Carried

A motion to adjourn made by Lillian Hoffmier at 7:52 pm seconded by John Stoughton.  
Carried

# April Minutes

Town of Berkshire  
Regular meeting  
April 15<sup>th</sup>, 2013  
Page#1

The Berkshire Town Board held their regular meeting on April 15<sup>th</sup>, 2013 at 7:00 PM.

Members present: Ronald McEwen, John Stoughton, Fraser Williams, Ronald Sharp, and Lillian Hoffmier. Also present was Highway Superintendent Karl Spoonhower, Code Enforcement officer Lee Virtue, and Attorney Nicholas Canizio.

The meeting was opened with the pledge of allegiance, led by Supervisor McEwen.

A motion to approve the March 18<sup>th</sup>, 2013 minutes was made by Fraser Williams and seconded by Ronald Sharp. Ayes: John Stoughton, Fraser Williams, Ronald Sharp and Lillian Hoffmier. Nays: none and carried.

**Privilege of the floor:**

Larry and Marilyn Bush attended the meeting and provided each of the board members with information on a new group formed in Berkshire called BASE (Berkshire Alliance for Sustainable Energy). They are also holding a public meeting at the Berkshire community hall May 21<sup>st</sup>, 2013 to discuss gas drilling in Berkshire. Larry Bush also expressed appreciation for the information being put on the website.

**Reports:**

County planning board: none

Highway: Karl Spoonhower- We used up most of our sand supply this winter and have the opportunity to buy cinders for a dollar a ton, so we are going to start hauling them to the town barn. Richford Highway Dept. is planning on selling their pick up which is a 2010 with the plow and Mr. Spoonhower would like the town of Berkshire to buy it as its selling price is 15,000.00-15,500.00, and He feels we could sell the one we now have for about the same price. Clean up day is the 22<sup>nd</sup> to the 27<sup>th</sup> of April.

A motion was made by Fraser Williams and seconded by Ronald Sharp to purchase the 2010 pick up truck with the plow from The Town Richford at a cost not to exceed 15,500.00. The funding of this purchase to come from the Equipment reserve, and further that the proceeds from the sale of the current pick-up owned by the town of Berkshire will be put back into the equipment reserve. Ayes: John Stoughton, Lillian Hoffmier, Ronald Sharp, Fraser Williams. Nays: none carried.

Code enforcement: Lee Virtue- 2 cases are still pending, and 2 cases have been fined 500.00 each. Ron McEwen wanted to know why they gave them until July to comply and Lee explained that it is to wet to move the trailer from Ballou Hill right now they need to let it dry up so they can get in there to get it without getting stuck and the other one was out of fairness because they gave that guy until July. 2 more letters have gone out on other cases the lawyer explained that they don't want to overwhelm people since things haven't been done for so long they want to ease into getting things going.

Also Lee and Fraser have been working on a way to keep better records on the computer while the town board is considering a software program for the codes.

Town of Berkshire  
Regular meeting  
April 15<sup>th</sup>, 2013  
Page #2

Berkshire planning board: none  
Town Clerk: none  
Dog control: passed  
Justice court: Took in 380.00 in fines had to send the state 365.00.  
Assessor: none

Supervisor: McEwen- the town's finances are in good shape. We received a letter from the State saying they are going to close the FEMA account for the April storm. We still have an open account for the November storm. Karl Spoonhower also added that someone turned the highway Dept. in for being in the Richford gravel pit. Mr. Spoonhower says they haven't been hauling from there, so we will see what happens after the DEC investigates this issue.

**Old Business:**

Ronald Sharp made a motion seconded by John Stoughton to hold a public hearing at the next town board meeting May 20<sup>th</sup>, 2013 at 6:30 pm on selling a small piece of property owned by the Town of Berkshire by the ball diamond in Berkshire. Ayes: Lillian Hoffmier, John Stoughton, Fraser Williams, Ronald Sharp. Nays: none carried.

**New Business:**

Software for the Code officer decision has been put on hold for now.

Board concerns: Ronald Sharp thanked Karl Spoonhower and the highway dept. for burying the old building that is out back of the town hall on a piece of property the Town of Berkshire owns.

**Warrants:**

General: Ron McEwen made a motion to pay the general warrant as audited by the Berkshire Town Board vouchers #46-#56 totaling 6310.11 seconded by Ronald Sharp. Ayes: John Stoughton, Fraser Williams, Lillian Hoffmier, Ronald Sharp. Nays: none

Highway: John Stoughton made a motion to approve the highway warrant as audited by the Berkshire Town Board vouchers #33- #44 totaling 12,549.44 seconded by Ronald Sharp. Ayes: Lillian Hoffmier, Fraser Williams, John Stoughton, Ronald Sharp. Nays: none carried.

A motion to adjourn at 7:45 pm was made by Fraser Williams and seconded by Ron McEwen and carried.

Respectfully submitted by  
Lillian Hoffmier (in the clerk's absence)

# May Minutes

Town of Berkshire  
Public Hearing  
May 20, 2013  
Page 1

The Town of Berkshire held a public hearing on May 20, 2013 at 6:30 P.M. in the Town Hall.

Members present were: Lillian Hoffmier, Fraser Williams, Ron McEwen, Ronald Sharp, and John Stoughton.

Supervisor McEwen led the Pledge of Allegiance

The purpose of the hearing was to allow the Town to sell a parcel of Town owned property conveyed to the Town by Eva A. Johnson on October 3rd, 1927 Book of Deeds 194 at page 159. The property would be put out for sealed bids.

Motion to adjourn the meeting was made by John Stoughton, seconded by Lillian Hoffmier.

Ayes: Lillian Hoffmier, Fraser Williams, Ron McEwen, Ron Sharp and John Stoughton Nays: None  
Carried

Regular Meeting called to order at 7:00 p.m. with all members present.

Fraser Williams moved for approval of the minutes for April 15, 2013, Seconded by John Stoughton.

Ayes: Lillian Hoffmier, Fraser Williams, Ron McEwen, Ron Sharp, John Stoughton. Nays: None Carried

Privilege of Floor - Nothing to donate

Reports:

County Planning Board – absent

Highway Department - absent

Code Enforcement - absent

Town Attorney - Dog cases, if dog gets loose again get rid of dog

Planning Board - absent

Town Clerk report passed

Dog Control - absent

Justice Court – absent

Assessor-absent

Supervisor report- Finances are in good shape but needs to get with bookkeeper to adjust some reports.

Town of Berkshire  
Regular Meeting  
May 20, 2013  
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Old Business:

Resolution #9 2013 Land Sale for portion of Ball Park 53.76' x 110' x 53.5' by sealed bids, Bids will be accepted until June 7, 2013 and opened at the workshop on June 10, 2013 at 5:30PM. Amend this resolution by adding

Whereas: Cost of Survey will be covered by the successful bidder of property

Motion made by Fraser Williams seconded by Lillian Hoffmier Ayes: Lillian Hoffmier, Fraser Williams, Ron McEwen, Ron Sharp and John Stoughton Nays: None Carried

New Business:

Resolution #10 2013 Renew Mowing Contract with Bret Welch for 2013.

Lillian Hoffmier makes the motion to renew the contract seconded by Ronald Sharp Ayes: Lillian Hoffmier, Fraser Williams, Ron McEwen, Ron Sharp, and John Stoughton Nays: None Carried

Board Concerns: None

Approval of Warrants:

Highway Fund #44-55 \$13,389.10 General Fund #57-70 \$4,649.41

Motion to approve as audited made by Ron McEwen, and seconded Ron Sharp Ayes: Lillian Hoffmier, Fraser Williams, Ron McEwen, Ron Sharp and John Stoughton Nays: None Carried

Adjournment at 8:10 PM

Respectively Submitted  
Constance M Liddington  
Town Clerk

# June Minutes

The Town of Berkshire held a Public Hearing on May 20, 2013 at 6:30 P.M. in the Board Room at 18 Railroad Ave. The topic was The Mobile Home (Mfg'd home) #1-2013. Members in attendance are: Lillian Hoffmier, Fraser Williams, Ron McEwen, and Ron Sharp. Absent was John Stoughton.

Supervisor McEwen led pledge of allegiance.

Sarah Albrecht gave explanation of Mobile Homes Law #1-2013. A copy of the law will be given with each permit purchased.

No interested persons appeared to be heard for or against the Local Law #1-2013.

Motion to close the Public Hearing was made by Ron McEwen,

Seconded by Lillian Hoffmier. Ayes: Hoffmier, Williams, McEwen, Sharp. Noes:

None. Carried

#### Regular Meeting

June 17, 2013

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The regular Meeting of the Town board was held after the Public Meeting.

All members except John Stoughton were in attendance.

Fraser Williams, seconded by Ronald Sharp, made approval of Minutes. Ayes: Hoffmier, Williams, McEwen, Sharp. Noes; None. Carried.

Privilege of the Floor: None

#### Reports:

County Planning Board: Meeting in May- nothing to report. Talked about a Noise Ordinance. Town of Candor Salt brine

Highway Dept.: Karl State Bridge on 8 will be closed starting 6-24-13. Not sure for how long.

Code: Lee hasn't gotten his release from the doctor to return to work.

Town Atty., Working on a flow chart to show if the people are paying their dues as required to.

Planning Board: Joe absent resigned from the planning board Sarah working on laws

Clerk: passed report.

Dog Control: No report,

Justice Court: no report

Assessors no report.

Supervisor: Finances in good shape. Insurance was less than anticipated.

Town of Berkshire  
Regular Meeting  
June 17, 2013  
Page 2

Old Business:

Resolution #11-2013 Accept bids for sale of Town Owned Property.  
Will accept until 7-8-13 Open bids at 5:30 PM at work shop Awarded on 7-15-13 Meeting.

New Business:

Resolution #12-2013 Adopt Local Law Mobile (Mfg.) Homes Motion to adopt was made by Ronald Sharp, seconded by Ron McEwen. Ayes: Hoffmier, Williams, McEwen Sharp. Noes: None. Carried Absent John Stoughton.

Resolution #13 2013

Appointing a Planning Board member. Due to the vacancy of Wayne Antal The Planning Board recommended the appointment of Marty Matrazzo. Fraser Williams makes the motion to appoint Matrazzo. No seconded. (The newspaper article did not favor Berkshire in a good way.)

Jim Lacey in 2000 did a survey form the town people. It needs to be redone. Need volunteers from the town to assist in this. Contact the Planning board for advice. Need to involve the whole town.

Karl- to access the ballpark for repairs

Warrants: General Fund #71-83 \$26,305.21 Ron Sharp makes the motion to pay as audited. Highway Fund #56-69 \$30,733.97 Fraser Williams makes the motion to pay as audited. Ayes: Hoffmier, Williams, McEwen, Sharp, Noes. None. Carried Absent John Stoughton

Adjourn at 8:00 PM by Ron McEwen Seconded by Lillian Hoffmier.

Respectively Submitted:

Constance MLiddington  
Town Clerk

# July Minutes

Town of Berkshire  
Regular Meeting  
July 15, 2013

The Town of Berkshire held their regular meeting on July 15, 2013 in the board room at 18 Railroad Ave, Berkshire, NY 13736.

Members present were: Lillian Hoffmier, Fraser Williams, Ronald McEwen, Ronald Sharp and John Stoughton. Also present was Karl Spoonhower, Superintendent of Highways.

Supervisor McEwen led the Pledge of Allegiance.

Approval of Minutes made by Lillian Hoffmier seconded by Fraser Williams with the following correction: (Manufactured Home) and Joe Palmeri of the Planning Board. Ayes: Hoffmier, Williams, McEwen, Sharp, and Stoughton. Noes: None. Carried.

Privilege of the floor: Nothing

Reports:

1. County Planning Board- Absent
2. Highway Dep't- Karl nothing to say
3. Code Enforcement- on Vacation- no replacement.
4. Town Atty. – nothing to say
5. Planning Board- Sarah Albrecht the Planning Board is working on the Consolidated Plan and the Road Usage Agreement
6. Town Clerk- Passed report
7. Do Control- no report.
8. Justice Court- the sheriffs Department is writing tickets for 7:00 appearance they have been told that Court is at 5:00 PM.
9. Assessor-work area is light.
10. Supervisor- Finances are in fine shape. Points out Stress test by NYS Comptroller places Berkshire at 3.3, which is considered the best position in Tioga County.

Old Business:

Resolution #14 -Bids opened at workshop for sale on town owned property conveyed to the Town by Eva Johnson October 3, 1927.

The only bid received was from Scott and Sarah Albrecht for \$500.00. The cost of the land survey to be paid by Albrecht's at sale closing. Motion to accept the bids was made by Fraser Williams, Seconded by Ronald Sharp. Ayes: Hoffmier, Williams, McEwen, Sharp, Stoughton. Noes: None. Carried.

Resolution #15- Fill Vacancy in Highway Department, created by retirement of Gary Brigham. Motion was Made by Lillian Hoffmier, Seconded by Fraser Williams. Ayes: Hoffmier, Williams, McEwen, Sharp, Stoughton. Noes: None. Carried.

Town of Berkshire  
Regular Meeting  
July 15, 2013

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Resolution #16- Reappoint Town Assessor for 6 year term, October 1, 2013 to September 30, 2019 Reappointment of Mike Maxwell was made by John Stoughton seconded by Ronald Sharp. Ayes; Hoffmier, Williams McEwen, Sharp, and Stoughton Noes: None. Carried.

New Business:

Fire District, BCA and Town Highway Agreement: The dirt placed by the BCA to raise the Handicap entrance is in the way of the grade to the Fire station. This has to be removed. The BCA, Town and Fire District need to agree to have the Highway Department to do the work. The Town Atty. will draw up an agreement to be signed by the Chairman of Fire District, Town Supervisor and BCA. John Stoughton makes the motion seconded by Lillian Hoffmier the have Town Attorney draw up an agreement and authorized the Town Supervisor to sign. Ayes: Hoffmier, Williams, McEwen, Stoughton. Noes: Sharp. Carried.

Warrants:

Highway Fund warrants #70-86 for \$20,879.29 and General Fund warrants #84-101 for \$18,213.47

Motion to pay as audited was made by Lillian Hoffmier, seconded by Fraser Williams. Ayes: Hoffmier, Williams, McEwen, Sharp, Stoughton. Noes: None, Carried.

Motion to adjourn at 7:23 PM made by R. McEwen seconded by John Stoughton.  
Carried.

Respectively submitted:

Constance M. Liddington

# August Minutes

Town of Berkshire  
Regular Meeting  
August 19, 2013  
Page 1

The Town of Berkshire held their regular meeting on August 19, 2013 in the Board Room. Members present were; Lillian Hoffmier, Fraser Williams, Ron McEwen. Ronald Sharp, John Stoughton. Also present was Karl Spoonhower Superintendent of Highway.

Supervisor McEwen led the Pledge of Allegiance.  
Approval of minutes July 15, 2013 was made by Lillian Hoffmier, seconded by Fraser Williams. Ayes: Hoffmier, Williams, McEwen, Sharp and Stoughton. Nays: None.  
Carried

**Privilege of the Floor:**

Frank Kunik Belongs to the Board of Review, and would like to be a member of the Planning Board. Is there any conflict of interest? The Supervisor stated that there is no conflict of interest.

**Reports:**

County Planning Board: There were 2-239 reviews done in the County-Taylor Garbage on 434 and

1. Highway Department- Karl said that a lot of damage done by water. Trees filling up sluices and bridges and water taking out bridges. Makes a lot of repair to fix the sluice and road damage. Bill Leonard is helping on the Highway Dept.
2. Town Attorney: state that code fines that are not paid, should be added to their taxes (land tax bills) If they don't pay then the county will foreclosed on it.
3. Code Enforcement: 14 permits issued. 4 done the fined persons Howard & David Brame. Add to Taxes. Condemns trailer and have it demolished by Mr. Morse.
4. Town Clerk-Report passed.
5. Dog Control: no report.
6. Justice Court. \$715.00 in fines \$570.00 of it goes to the State.
7. Assessor Report. No report. Equalization rate is 96.5 %
8. Supervisor Report Finances are in good shape, Refund on insurance for \$954.00 Waiting for Federal Aid;(Water Damage)

**Old Business:**

Thank you, to Joe Palmeri for 8 years of service on the Planning Board. The Town board wishes to thank Joe for his time and services. Ayes: Hoffmier, Williams, McEwen, Sharp and Stoughton. Nays: None Carried.

Town of Berkshire  
Regular Meeting  
August 19, 2013  
Page 2

**New Business:**

Ad should be put in paper for Workshop to be on 9-12-13 instead of 9-10-13 at 5:30 PM due to Primaries.

**Board Concerns:**

Fraser Williams would like someone to clean and maintain the flower beds on the entrance signs on Rte. 38. Karl nominated Lillian to do this.

**Warrants:**

Highway Fund: #87-94 \$7,176.26

General Fund #102-116 \$4,932.17

Motion to pay as audited was made by John Stoughton seconded by Fraser Williams.  
Ayes: Hoffmier. Williams, McEwen. Sharp. Stoughton. Nays: None. Carried

Motion to adjourn was made by Lillian Hoffmier, seconded by Fraser Williams at 7:40 PM. Carried

Respectively Submitted:

Constance. M. Liddington  
Town Clerk

# September Minutes

Town of Berkshire  
 Regular Meeting  
 Sept 1, 2013  
 Page 1

The regular meeting of the town of Berkshire was held on Sept. 16, 2013 at 7:30 PM.

Attending the meeting was: Lillian Hoffmier, Fraser Williams, Ron McEwen, John Stoughton. Ronald Sharp was absent. Karl Spoonhower Sup't of Hwys. Was also present.

Approval of August meeting was done. Approval of meeting was done by Fraser Williams seconded by John Stoughton. Ayes: Hoffmier. Williams, Mc Ewen , Stoughton. Noes: none. Carried.

Privilege of Floor: L Tinley; Thank you for inviting up date list of in economics developing. Sarah Albrecht-vice chairman of Planning Board Economic Development Help with new employees help hem out development of new business.

Reports:

1. Couny Planning Board:: Tim Pollard – no report.
2. Code Enforcement: 14 permits issued, 5 complete. Trailer on Phillips Rd one lot of work- Own trailer.see if he wants to take hold. Fines havne't done any thing
3. Charlie /b. makes report on Town fines – last Dec. to start nothing done yet.,Bob McLaud—Top fill in not a structure problem. Be sure that town dosent get sued Trailers Dimon Rd. and Ford Hill haven't paid fine. Last time he got letter.
4. Ken looking R Use agreement working on Cornell on survey.
5. Town Clerk--report passed/
6. Dog Control – nothing.
7. 8. Justice Court-. \$475.00 fine \$280. to status civil fine.
8. Assessor report.
9. Highway-fixing roads, grader a lot ot work being done, looks like repair.needs a new one, white truck=not gone yet. Patch Rejmer Rd.. Berkshire - Richford List enough to take flood damage.
11. Supervisor Repot---We are broke. No Flood Help..

Old Business:

Code Enforcement Issues—discussed with code Enforcement work.

New Business:

Lillian Hoffmier says no.

Town of Berkshire  
Regular Meeting  
Sept. 6, 2013  
Page 2

Approval of Warrants

General Fund John Stoughton makes the motion to approval the warrants 117 thru #126  
\$3,585.85

John Stoughton makes the motion to approval the warrants: #93 thru #104 \$13,833.3

Motion to pay as audited was made by John Stoughton, seconded by Lillian Hoffmier.

Adjournment at 7:15 by Fraser Williams. Lillian Hoffmier

Respectively submitted:  
Contance M Liddington  
Town Clerk.

*Don. You can forward these if you wish to + they are.*

*Ann. for 12*

# October Minutes

The regular meeting of the Town of Berkshire was held on October 21, 2013, the meeting was held in the Board Room at 18 Railroad Ave.

Members attending were: Lillian Hoffmier, Fraser Williams, Ron McEwen, Ronald Sharp, and John Stoughton.

Supervisor McEwen led pledge of Allegiance.

Approval of September minutes was made by Lillian Hoffmier, seconded by Fraser Williams.

**Privilege of the Floor:** None.

**Reports:**

1. County Planning Board: Absent.
2. Highway Dept.: Absent
3. Code Enforcement: Lee had a report given.
4. Town Atty. Filing forms to clean out trailers.
5. Town Clerk: Report passed to supervisor.
6. Dog Control Officer: absent
7. Justice Court: Collected \$475. Gave the State \$415.
8. Assessor Report Gave a list of time will be spending with the public.
9. Supervisor: Finances are in good.

**Old Business:**

Appoint Frank Kunik Alternate Member Planning Board.

Motion to appoint Frank Kunik to Planning Board was made by Ron McEwen.  
Ayes: Hoffmier, Williams, McEwen, Sharp, Stoughton. Nays: None. Carried

**New Business:**

Board to have budget hearing 2014 November 12th at 6:00 PM

**Board Concerns:**

None

**Approval of Warrants:**

General Fund 127 – 138 in the amount of \$6,076.04

Highway Fund 105 – 116 in the amount of \$14,327.25

Ron McEwen makes the motion to approval the payments as audited, seconded by Lillian Hoffmier.

Respectively Submitted:

Constance M. Liddington, Town Clerk

# November Minutes

Town of Berkshire  
Regular Board Meeting  
November 18, 2013

The Town of Berkshire held their monthly meeting in the boardroom at 18 Railroad Ave, Berkshire, N. Y.

Members in attendance were: Lillian Hoffmier, Ronald McEwen, Ronald Sharp, John Stoughton. Absent was Fraser Williams.

Approval of Minutes of October 21, 2013 Ronald Sharp, seconded by John Stoughton, and carried. Ayes: Hoffmier, McEwen, Sharp, Stoughton. Nays: None Carried.

**Privilege of the floor:**

Don Liddington of the Berkshire Fire Dept. complains about the Code Enforcement didn't do as directed. He was to be at station to let the workers in to work and instead he went to another town for breakfast and didn't maintain the status. House put in to 10/19/30 on Wilson Creek, Garage on Jewett Hill, J. Lavine put barn on another property. On Akins Rd. Trailer enclosed to heat area no permit. Board should replace him Complaint and discuss it another time.

**Reports:**

1. County Planning-absent no meeting
2. Highway Dept.-absent
3. Code Enforcement-monthly reports read and filed B Lyons on overstock of vehicles.
4. Town Atty. FOIL read it. Said to answer it
5. Planning Board—working on appointments for next month and Road Use.
6. Town Clerk-report passed
7. Dog Control-Report and filed.
8. Justice-Brundza \$80 to Town \$715 to the State.
9. Assessor-none
10. Supervisor-budget making it though this year

**Old Business:**

Motion to adopt the 2014 budget was made by John Stoughton, seconded by Ronald Sharp. Ayes: Hoffmier, McEwen, Sharp and Stoughton Nays:-: None Carried.

**New Business:**

Reappoint Tim Pollard as town rep. to the County Planning Board made by Ronald Sharp seconded by John Stoughton. Ayes: Hoffmier, McEwen, Sharp and Stoughton. Nays: None Carried.

Approve Subscription to the Adobe Forms Central for \$20.00 /month was made by Lillian Hoffmier, Seconded by Ronald Sharp. Ayes: Hoffmier, McEwen, Sharp and Stoughton.

Nays: None Carried.

Adopt Resolution #20 Use of Unsafe Structure Notice and Procedure

Motion made by John Stoughton, seconded by Ronald Sharp. Ayes: Hoffmier, Sharp, McEwen and Stoughton. Nays: None. Carried

Warrants: Highway Dept. #117-127 \$30,961.77

General #39-153 \$20,025.93 motion to pay as audit was made by Lillian Hoffmier seconded by Ronald Sharp. Nays: none. Carried

Adjournment at 7:45 PM

Respectfully submitted:

Constance M. Liddington  
Town Clerk

# December Minutes

Town of Berkshire  
Regular Meeting  
December 16, 2013

The Town of Berkshire held their monthly meeting on December 16, 2013 in the board room at 18 Railroad Ave

Member in attendance was Lillian Hoffmier, Fraser Williams, Ron McEwen, Ronald Sharp and John Stoughton. Absent was Karl Spoonhower, High Supt.

Ron McEwen led the pledge of allegiance.

Approval of minutes was made by Lillian Hoffmier, seconded by John Stoughton Ayes: Hoffmier, Williams, McEwen, Sharp and Stoughton. Noes: None Carried.

**Privilege of the floor:**

K Ceurter-Organizational meeting due by 3/ 14, No change to fee schedule, Election of officers

**Reports:**

- A. Co. Planning Board-absent
- B. Highway Dept. -absent
- C. Code Enforcement--absent
- D. Town Atty.-absent
- E. Planning Board-spoke at privilege of floor
- F. Town Clerk-report passed
- G. Dog Control-absent
- H. Justice Court-absent sent \$105 to State
- I. Assessor--absent
- J. Supervisor report-Highway dept. is in the red (Waiting for check to come at end of year.)

**Old Business:** None

**New Business:**

Reappoint Planning Board members as follow: Sarah Albrecht 5 year term ending 12-13-18 Marty Matrazzo 4 year term ending 12-31-17 Frank Kunik 3 year term 12-31-17

Motion by R McEwen seconded by Fraser Williams Ayes Hoffmier, Williams, Sharp, McEwen and John Stoughton Noes: None Carried.

Renew contact with Stray Haven after review and approval of Town Attorney Motion by Ronald Sharp seconded by John Stoughton Aye: Hoffmier,,Williams, Sharp, Stoughton and McEwen Noes: None Carried.

Resolution in support Tioga Downs for Eastern Southern Rider Region Casino Gaming Licenses Awardee  
Motion by Lillian Hoffmier, seconded by Ronald Sharp. Ayes: Hoffmier. Williams, McEwen, Sharp,  
Stoughton. Noes; None Carried

New Computer for Town Clerk for to replace old computer belonging to the State for amount not to  
exceed \$1,500.00 Motion by Ron McEwen seconded by Hoffmier Ayes: Hoffmier, Williams, McEwen,  
Sharp and Stoughton Noes: None Carried

End of year Meeting at 12-30-13 at 6:00.

**Warrants:**

General Fund: 154-167 \$3,554.15; Highway: 128-139 \$10,800.32 Motion to pay as audited by Lillian  
Hoffmier seconded by Fraser Williams Ayes: Hoffmier, Williams, McEwen Sharp and Stoughton Noes:  
None Carried

Motion to adjourn at 7:40 PM

Respectively submitted:  
Constance. M Liddington  
Town Clerk

The Town of Berkshire  
End of Year Meeting  
December 30, 2013

The Town of Berkshire held their end of year meeting on December 30, 2013 in the board Room.

Members present were: Lillian Hoffmier, Fraser Williams, Ron McEwen, Ron Sharp and John Stoughton. Absent was Karl Spoonhower Hwy, Supt.

The Pledge of Allegiance was led by Supervisor McEwen.

Reports: None

Old Business: None

New Business: Budget Reconciliation Motion made to let Ron McEwen make the necessary changes to set the balance the budget. Ayes: Hoffmier, Williams, Sharp, McEwen, Stoughton. Nays: None Carried

Board Concerns: None

Encumber funds Jan. bills to Dec. bills. Hoffmier, Williams, McEwen, Sharp, Stoughton, Ayes. Nays-None Carried

Warrants:

Highway Fund #140-145 \$4,373.41    General Fund: #168- #170 \$1,410.20  
Motion made by John Stoughton, seconded by Ronald Sharp. Ayes: Hoffmier, Williams, McEwen, Sharp, Stoughton, Nays: None. Carried

Respectively Submitted:

Constance M. Liddington  
Town Clerk