

# Berkshire Minutes

## 2014

JANUARY

Town of Berkshire  
Organizational Meeting  
January 20, 2014

The Town of Berkshire Town Board held their organizational meeting on January 20, 2014.

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

The pledge of allegiance was led by Supervisor McEwen.

**RESOLUTION NO 1-2014                      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 2013; 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:**

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<b>Constance Liddington</b>	<b>Tax Collector Records Management Officer Registrar of Vital Statistics</b>
<b>Ronald Raab</b>	<b>Dog Control Officer</b>
<b>William Spoonhower</b>	<b>Deputy Highway Superintendent</b>
<b>Ronald Sharp</b>	<b>Deputy Supervisor</b>
<b>Donald Liddington</b>	<b>Deputy Town Clerk</b>
<b>Denise Liddington</b>	<b>Deputy Town Clerk</b>
<b>Nancy G. Hunt</b>	<b>Town Historian</b>
<b>Leon Virtue</b>	<b>Code Enforcement Officer</b>
<b>Sue Bierl</b>	<b>Bookkeeper</b>
<b>Tim Pollard</b>	<b>County Planning Board Representative</b>
<b>Kenneth Ceurter</b>	<b>Planning Board Chair</b>

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<b>Michael Maxwell</b>	<b>Assessor</b>
<b>Nicholas R. Canizio</b>	<b>Attorney for the Town</b>

; And be it further

**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 2013, in the amounts specified in the approved Town budget for 2014, as follows:

<b>Position</b>	<b>Annual Salary</b>	<b>Pay Frequency</b>
<b>Supervisor</b>	<b>3,600</b>	<b>quarterly</b>
<b>Deputy Supervisor</b>	<b>100</b>	<b>annually</b>
<b>Town Board</b>	<b>1,200</b>	<b>quarterly</b>
<b>Highway Superintendent</b>	<b>38,950</b>	<b>biweekly</b>
<b>Highway workers</b>	<b>Per contract</b>	<b>biweekly</b>
<b>Town Clerk</b>	<b>5,000</b>	<b>monthly</b>
<b>Bookkeeper</b>	<b>3,300</b>	<b>quarterly</b>
<b>Town Justice</b>	<b>3,200</b>	<b>monthly</b>
<b>Assessor</b>	<b>4,000</b>	<b>monthly</b>
<b>Code Enforcement</b>	<b>4,100</b>	<b>monthly</b>
<b>Dog Control</b>	<b>2,200</b>	<b>monthly</b>
<b>Historian</b>	<b>100</b>	<b>annually</b>
<b>Registrar of Vital Stat</b>	<b>35</b>	<b>annually</b>
<b>Attorney</b>	<b>7,000</b>	<b>monthly</b>

; and be it further

**RESOLVED:** The regular Berkshire Town Board Meetings for 2014 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 2014. Such costs are not to exceed appropriated amounts designated in the Adopted Budget for 2014; 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: 2014 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: Lillian Hoffmier, Fraser Williams, Ron McEwen, Ron Sharp and John Stoughton**

**Nays: None**

**Absent: None**

January Regular meeting called to order: All members present

Motion made by Lillian Hoffmier for approval of minutes December meeting and End of year meeting seconded by Fraser Williams Aye: Hoffmier, Williams, McEwen, Sharp and Stoughton.  
Nays: None Carried.

**Privilege of floor**

The Reverend Jerry Platz from the Congregational Church praying for the community

**Reports:**

A. County Planning Board -absent

B. Highway Dept.-Karl Think a new grader would be nice the old one is used up and don't want to spend a lot of money on it Getting low on sand, need more don't want to spend money on sand.

C. Town Attorney-nothing

D. Planning board: reg. move questions Survey questions boarder on most parts

E. Don Control: no repot

F. Justice Count: \$85 fines 485 to State

G. Assessor Report Exemptions

H. Supervisor report-Year-end report to be presented in February. Congressman Tom Reed will be at Newark Valley Village Board room on Thursday 23 @ 6:00 PM. Arrangements are being made for a Flag for Fire Dept. from Congressman Reed.

**Old Business:**

None

**New Business:**

None

**Approval of Warrants:**

General Fund #1 to #13 \$27,964.22

Highway #1 to #9 \$15,998.05

Motion made by John Stoughton, seconded by Ron Sharp to pay the warrants as audited.

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

Nays: None

Carried

Motion to adjourn at 7:53 was made by Lillian Hoffmier, seconded by Fraser Williams

Respectively submitted

Constance M Liddington, Town Clerk

FEBRUARY

Town of Berkshire  
Regular Meeting  
February 17, 2014  
Page 1

The regular meeting of the Town Board of the Town of Berkshire was held on February 17, 2014 at 7:00 PM in the Board Room.

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

Supervisor McEwen led the Pledge of Allegiance

Organizational Meeting: Change Deputy Supervisor Pay to Annually. Fraser Williams to accept change, Seconded by John Stoughton. Ayes: Williams, McEwen, Sharp, Stoughton. Nays: None. Carried

Approval minutes of January 20, 2014 Regular meeting was approved by Ronald Sharp seconded by John Stoughton. Ayes: Williams, McEwen, Sharp and Stoughton Nays: None Carried.

**Privilege of the Floor:**

None

**Reports:**

- A. County Planning Board: Tim Pollard submitted in writing to the Board
- B. Highway Department: Trying to conserve hauling in sand to keep up. 5000 yards of sand bought at N V around \$10 -\$14. Maybe \$10 Grand.
- C. Code Enforcement: absent
- D. Planning Board: Economic Development to ask Planning Board to Training.
- E. Town Clerk-report passed. Town paid off form Tax Roll.
- F. Dog Control-Absent
- G. Justice Court. Absent
- H. Assessor Report- absent
- I. Supervisor report: Annual report has been submitted to the State and a copy placed on file with the Town Clerk. Notice of availability to be published in Owego Pennysaver. All finances are in great shape for this time of year.

**Old Business:**

Planning Board to send support letter to Tioga Downs

**New Business:**

None  
Town of Berkshire  
Regular Meeting  
February 17, 2014  
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**Board Concerns:**

New Grader- Army Surplus looking for us.

**Warrants:**

General Fund #14-25 \$124,248.49 Highway Fund #10-25 \$17,394.57

Motion by Ronald Sharp Seconded by John Stoughton to pay bills as audited Ayes: Williams, McEwen, Sharp, Stoughton. Nays: None. Carried

Motion to adjoin made by Ronald Sharp seconded by John Stoughton

Respectively submitted  
Constance M. Liddington  
Town Clerk

MARCH

Town of Berkshire  
Regular Meeting  
March 17, 2014  
Page 1

The Town of Berkshire Regular Meeting was held on March 17, 2014 in the Town Board Room, at 7:00 PM.

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

Supervisor McEwen led the Pledge of Allegiance.

Approval of February Minutes was made by Fraser Williams, seconded by John Stoughton.

Ayes: Hoffmier, Williams Sharp, McEwen, and Stoughton. Noes: None. Carried.

**Privilege of Floor:** None

**Reports:**

- A. County Planning Board: Given to the Board by e-mail
- B. Highway Dept.: Getting ready for summer projects.
- C. Code Enforcement: Lee send report Court case- D Brame Paid fine and ordered to remove vehicles by May 1st
- D. Planning Board: Ken Ceurter Town plan serving Richford doing survey, also working on a draft road usage. Howard Brame death, give a chance to recoup etc.
- E. Town Clerk: report passed
- F. Town Atty.: Talked to Owego about local ordinance and will draft for next month.
- G. Dog Control: absent.
- H. Justice Court: \$605.00 collected, \$450.00 to State.
- I. Assessor: Working on exemptions
- J. Supervisor: Bank Statements late will send reports

**Old Business:** None

**New Business:** NYSE&G see about light from building to pole. Town Clean up same time as last year

**Warrants:** Highway #26-37 \$11,814.79, General #26-36 \$5,957.82 Fraser Williams makes the motion to pay second by John Stoughton. 5 Ayes 0 Noes Carried

Adjourned at 8:42 PM

Respectively Submitted:  
Constance M. Liddington  
Town Clerk

APRIL

Town of Berkshire  
Regular Meeting  
April 21, 2014

The town of Berkshire held their regular meeting in the boardroom.  
In attendance was Lillian Hoffmier, Fraser Williams, Ron McEwen, Ronald Sharp,  
and John Stoughton.

Maurice Stoughton presented the Town board with a picture of the Town from the  
East side of the Town (1930's) interesting picture to hang in the board room One at  
the library and one in Board room.

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

**Privilege of the Floor:** None

**Reports:**

A: County Planning Board - no meeting

B: Highway Dept. - absent

C: Town Attorney - N Canizio – gave Board a copy of proposed ordinance and  
explained

D: Code Enforcement - Computer off

E: Planning Board -

F: Town Clerk: report passed

G: Dog Control – report read

H: Justice Court - absent

I: Assessor Report - Grievance Day will be 5-29-14 4-8 PM

J: Supervisor report - Financial sheet attached looks in good shape

**Old Business:**

Fraser Williams has been looking for a rug to put into the Town Board Room instead  
of the tile. Handouts for floor and cleaners presented. A motion to purchase the rug  
was made by Williams and seconded by Hoffmier for \$5119.15. Approval by board:  
Hoffmier, Williams, McEwen, Sharp and Stoughton. Nays: None Carried. Ron Sharp  
will look into a cleaner.

BCA came to Town about purchasing the Community Center and was informed that  
the Fire Commissioners have no desire to sell and was therefore a mute issue.

Authorize Bret Welch to mow the lawns again this year. Motion made by Lillian  
Hoffmier seconded by Fraser Williams Ayes: Hoffmier, Williams, McEwen, Sharp  
and Stoughton Noes: None Carried

**New Business:**

Landscaping of Welcome signs on North and South ends of Town to redo with new plants replace old one use brown mulch not to exceed \$925.00. Motion by Ronald Sharp seconded by John Stoughton. Ayes: Hoffmier, Williams, McEwen, Sharp and Stoughton. Noes: none Carried.

The Board acknowledged Frank Kunik for his part in Twin Tiers Honor Flight to Washington DC on April 12.

Acknowledge the work of the Town Survey Committee for their hard work in making the survey possible. Thanks to Sarah Albrecht, Jerry Action, Carol Kania,, Bill Leonard, and Tara McKenzie for all their hard work on this project.

Survey may be dropped off at at the library.

Supervisor asked for permission to establish Membership account at Sam's Club for tax-exempt. Motion made by Ronald Sharp seconded by Fraser Williams. Ayes: Hoffmier, Williams, McEwen, Sharp and Stoughton. Noes: None. Carried.

Warrants: Highway #38- #50 \$22,057.31

General #37 -#47 \$5,532.44 Motion to pay as audited John Stoughton seconded by Lillian Hoffmier. Ayes: Hoffmier, Williams. McEwen, Sharp and Stoughton. Noes: None. Carried

Motion to adjourn at 8:08 PM by Fraser Williams, seconded by Lillian Hoffmier and Carried

Respectively Submitted:

Constance M Liddington Town

Clerk April 2014

MAY

Town of Berkshire  
Public Hearing  
May 19, 2014

The Town of Berkshire held a Public Hearing on Proposed Local Law #1-2014 Unsafe Building Ordinance in the Board Room at 6:30 PM. Attending the meeting was Lillian Hoffmier, Fraser Williams, Ron McEwen, Ronald Sharp and John Stoughton.

Supervisor McEwen led the Pledge of Allegiance.

Vice Chair of the Planning Board Sarah Albrecht offered concerns about the structure of the law and possibly inserting heading before each section. Jim Simmons asked several questions about the content of the law which the Town Attorney addressed.

The Public Hearing closed at 7:00.PM

The Supervisor called the Town on Berkshire regular meeting to order at 7:00 PM. All members were present.

**Reports:**

- A. County Planning board - absent
- B. Highway Dept. - absent
- C. Town Attorney – reported he had called CEO Lee Virtue with no answer
- D. Code Enforcement - absent
- E. Planning Board – Sarah Albrecht stated the Board had met with C Davis from Richford Planning Board but they had not yet had a follow-up meeting.
- F. Town Clerk - report not available
- G. Dog Control - absent
- H. Justice Court - absent
- I. Assessor - absent
- J. Supervisor report all reports attached to agenda and the Town finances are in good shape for this time of year.

**Old Business:**

Update on building Clean-Up Fraser and Lillian painting done.

**New Business:**

Motion was made by Fraser Williams and seconded by Ron Sharp to approve Local Law #1 2014.

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

Noes: None.

Carried.

**Board Concerns:**

None

**Warrants:**

General Fund #48 - #65 for \$5,207.62 and Highway Fund #51 - #69 for \$31,614.46

Motion to approve made by Lillian Hoffmier, seconded by Fraser Williams

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

Noes: None

Carried

Respectively Submitted

Constance M Liddington

Town Clerk

JUNE

Town of Berkshire  
Regular Meeting  
June 16, 2014

The Town of Berkshire held their regular monthly meeting in the Town Hall. The meeting began at 7:00 PM  
Lillian Hoffmier, Fraser Williams, Ron McEwen, Ronald Sharp and John Stoughton were in attendance.

Supervisor McEwen led the Pledge of Allegiance.

Motion to approve the May Minutes by Fraser Williams Seconded by Ronald Sharp.  
Ayes: Lillian Hoffmier, Fraser Williams, Ron McEwen, Ronald Sharp and John Stoughton  
Noes: None Carried

### **Privilege of the floor**

Frank Kunik reports that Bill Ward didn't show-up for Grievance Day Need the Board should consider a new appointment for next year.

### **Reports**

- a. County Planning Board--absent
- b. Highway Department--Karl Spoonhower reports the present grader is no longer in working condition. He has found a used grader in Pennsylvania. Motion Fraser Williams to authorize Karl to purchase the grader for \$19,700, which was seconded by Ron Sharp. Ayes: Hoffmier, Williams, McEwen, Sharp and Stoughton  
Noes: None. Carried
- c. Code Enforcement: Lee Virtue gave a status update on current problems
- d. Town Attorney: We are getting closer to resolving the issue of removing the trailer on Brown Rd.
- e. Planning Board - Sarah Albrecht
- f. Town Clerk: Report given to McEwen
- g. Dog Control - absent
- h. Justice Court - absent
- i. Assessor Court - absent
- j. Supervisor--Town Survey presentation ready for Sat June 30th Report has been reviewed by Jerry Acton & John Stoughton

### **Old Business**

Update on clean up of building-- need a cleaner

### **New Business**

Motion made by Lillian Hoffmier to Purchase of a new rug cleaner that is not over \$475.00 seconded by Ron McEwen. Ayes: Hoffmier, Williams, McEwen, Sharp and Stoughton. Noes: None Carried

**Warrants**

Highway Fund #70-#86 \$36,988.58 and General Fund #66-81 \$30,122.55 Motion by John Stoughton seconded by Ronald Sharp Ayes: Hoffmier, Williams, McEwen, Sharp, and Stoughton. Noes: None. Carried.

Motion to adjourn at 8:10 PM made by Ron Sharp Seconded by Lillian Hoffmier.  
5 ayes 0 Noes

Respectfully Submitted:  
Constance M Liddington  
Town Clerk.

JULY

Town of Berkshire  
Regular Meeting  
July 21, 2014  
Page 1

The Town of Board of the Town of Berkshire held their regular monthly meeting in the Board Room at 18 Railroad Ave.  
014 in the board room, at 18 railroad Ave.,

Members attending were Lillian Hoffmier, Fraser Williams, Ron Sharp. And John Stoughton. Absent was Ron McEwen. Ronald Sharp presented the meeting at 7:00 PM

Ron Sharp led the Pledge of allegiance.

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

Ayes: Hoffmier, Williams Sharp. And Stoughton. Noes. None Carried.

Privilege of the Floor: None

Reports:

- a. County Planning Board absent
- b. Highway Dept. absent
- c. Town Atty: absent
- d. Code Enforcement; letter signed and let us get the trailer off.
- e. Planning Board: Sarah Albrecht says 2 people attended the meeting and checked out Planning Board
- f. Town Clerk-Report passed for Ronald McEwen
- g. Dog Control: absent
- h. Justice Court: absent
- i. Assessor Report: absent
- j. Supervisor : absent

Old Business:

Update on Town Survey Results, Put off till next meeting,

New Business:

Resolution- Richford Tasty Treat to approve by John Stoughton seconded by Fraser Williams.

Resolution to Purchase new computer for CEO to approve John Stoughton seconded by Lillian Hoffmier.

Motion to authorize Supervisor to write letters requesting state to resurface state route 38 for 1'6 miles thought Berkshire. Motion to approve by John Stoughton Seconded by Ronald Sharp.

Town of Berkshire  
Regular Meeting  
July 21, 2014  
Page 2

New Business Con't.

Motion to Contact with Acme Pest Control for removal of rodents in building  
Motion to approve by Fraser Williams seconded by Ronald Sharp.

Resolution requesting Traffic Study done by State DOT Motion by Fraser Williams  
Seconded by John Stoughton.

Ayes: Hoffmier, Williams, Sharp, Stoughton. Noes: None. Carried

Board Concerns: Fraser Williams has sign owned by Doctor Kinney for the Town  
Board to use Get Prices and discuss at next meeting.

Warrants: General #83 – 97 \$33,087.83 and Highway #87 –102 \$17,286.18  
Motion to approve by Ronald Sharp seconded by John Stoughton. Carried.

Motion to adjourn made by John Stoughton seconded by Fraser Williams at 7:40 PM.

Respectively submitted:

Constance M Liddington  
Town Clerk

AUGUST

Town of Berkshire  
Regular Meeting  
August 18, 2014

The regular meeting was held in the Board Room at 18 Railroad Ave. The meeting was called to order at 7:00 PM.

Members in attendance were Lillian Hoffmier, Fraser Williams, Ron McEwen, Ronald Sharp, and John Stoughton.

Pledge of Allegiance was led by Supervisor McEwen.

Approval of minutes – July 21, 2014 – Corrections are: New Business – Richford Tasty Treat Town Appreciation. Thank you for outstanding community involvement and expressing their sincere appreciation for their donation. Lillian Hoffmier seconded by Fraser Williams approved the minutes. Ayes: Hoffmier, Williams, McEwen, Sharp, and Stoughton. Noes-None, Carried.

Privilege of the Floor- Dave Brame complains again about Harold Swartwood building on his (Dave's) lot. What can be done about it? Town tells him to go to the County for it. Town has done what it can do on it.

Dog control wants Judge to take care of tickets not do away with them.

Town Atty: Main issue the judge resigns position, expired term. Appoint one,

Code Enforcement- Lee Virtue resigns as of 9-1-14 Church Property has a trailer on it. Remove before Labor Day. Oversee by Fraser Williams.

Reports:

- A. County Planning Board absent
- B. Highway Dept.- Absent
- C. Town Atty. Will train a Judge. Old one able to take cases until he resigns  
Well on property to be deeded to Town .
- D. Code Enforcement – resigns 9-1-14
- E. Planning Board—
- F. Town Clerk Report- - passed
- G. Assessor report – absent
- H. Supervisor report: Sales Tax down.

● Old Business:

Town Assessor to attend September Board Meeting for purpose of property Ownership for Town. Asking about property tax.

New Business:

Accept letter of resignation from Lee Virtue CEO as of 9-1-14.

Appoint Supervisor, Deputy Supervisor and Town Attorney to Negotiate Union Contract with Highway Workers. Ayes: Hoffmier, Williams, McEwen, Sharp, and Stoughton, Noes- None. Carried.

Town of Berkshire  
Regular Meeting  
August 18, 2014  
Page 2

New sign by Fraser Williams – Dr Kinney gave a sign board to town – suggest using the back get a price and a draft o look at then at Wok Session. Not to go over \$500.00 by John Stoughton usual approval Ron Sharp.. Ayes : Hoffmier. Williams, McEwen, Sharp. Stoughton. Noes: None Carried.  
Jim March will dig holes and fix posts.

Warrants:

General Fund by John Stoughton #98-113 \$5,827.68  
Highway Fund by Ronald Sharp #103-117 \$16,565.73 Motion to approve by Lillian Hoffmier. Ayes – Hoffmier, /Williams, McEwen, Sharp, Stoughton, Noes – None.  
Carried

Motion made to adjourn made by Lillian Hoffmier Seconded by Fraser Williams at 8:09 PM.

Respectively submitted:

Constance M. Liddington  
Town Clerk.

**SEPTEMBER**

Town of Berkshire  
Regular Meeting  
September 15, 2014  
Page 1

The Town of Berkshire held their regular monthly meeting in the Town Hall on Sept. 15, 2014.

Members in attendance were Lillian Hoffmier, Fraser Williams, Ron McEwen, Ronald Sharp, and John Stoughton.

Supervisor McEwen led the Pledge of Allegiance.

Charles Brundza appeared before the board Court is being held until he hears different. He will let us know about the outcome and in a letter to the board.

Correction to the minutes Fraser Williams would like to add this to the minutes: Correct the spelling of Wok to Work Session and "A Motion made to not go over \$500.00

Correction the date of resignation to 9-31-14.

The motion to approve the minutes was made by Fraser Williams., Seconded by Ronald Sharp. Ayes: Hoffmier, Williams, McEwen, Sharp, and Stoughton. Noes: none Carried.

Privilege of the Floor:

Put in order the pictures taken of the Trailer taken off The Church Property Estimate of cost to take it down was 80 hours. About \$3700.00 Checked on trailers on Dimon Road need to get issuance from Stanley Luksazewicz David Brame; let Harold Swartwood on property to take down his building, Sharon Brame to look at things. Needs to get it done letter of permission from David Brame, No variance and one from Harold (to agree on it).

Reports:

- A. County Planning Board: absent
- B. Highway Dept: Absent
- C Town Atty: one person Code Enforcement one from Newark Valley other 3 are qualified also. Twelve People applied. 23<sup>rd</sup> to appoint.
- C. Code Enforcement – done on 9-30-14.
- D. Planning Board: Would like to appoint Bette Johnson. To Planning Board.
- E. Dog Control: absent
- F. Just Court: No court in August.
- G. Assessor report: No report/ October to appear.
- H: Town Clerk: report passed

Old Business:

None

Town of Berkshire  
Regular Meeting  
September 15, 2014  
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New Business: Appoint Bette Johnson to Planning Board through 12-31-14 Motion made by Ronald Sharp seconded by John Stoughton. Ayes Hoffmier, Williams, McEwen, Sharp, and Stoughton. Noes: None Carried.

Board Concerns: None

Approval of Warrants: Highway #118-#132 \$18,885.36 General #114 - #125 \$10,2338.77. Motion to pay as audited was made by John Stoughton, Seconded by Ronald Sharp. Ayes Hoffmier. Williams, McEwen. Sharp, Stoughton Noes: none Carried.

Adjournment: Lillian Hoffmier makes the motion seconded by Fraser Williams.

Respectively Submitted:

Constance M. Liddington  
Town Clerk

OCTOBER

Town of Berkshire  
Regular Meeting  
October 20, 2014  
Page 1

The Town of Berkshire held their regular monthly meeting on October 20, 2014 at 7:00 P.M. The meeting was held in the town Hall, 18 Railroad Ave. In attendance were Fraser Williams, Ron McEwen, Ronald Sharp and John Stoughton.

Ron McEwen led the Pledge of Allegiance

Minutes from September 15, 2014 Meeting was approved on a motion by Ronald Sharp, Seconded by John Stoughton. Ayes: Williams, McEwen, Sharp, Stoughton, Noes, None.  
Carried.

### **Privilege of the Floor:**

Theresa Seracino from Tioga County Dept. of Economic Development and Planning. Offered a new program 0% interest town wide 2000-20,000 community development projects and a Farmers Grant Fund 15 to 50 thousand for farms that haven't produced in 10 years.

### **Reports:**

- A. Co. Planning Board - Report received by e-mail from Tim Pollard
- B. Highway Dept. - Karl - Roads about done. No need to replace the 1995 truck in 2 years for a new truck - money used to buy excavator and grader from the Equipment fund.
- C. Town Atty. - We have been looking into the taking down of trailers in town. law says \$23.00 per hour enough.
- D. Code Enforcement - Rachael Jacobs doing a good job taking Lee's place.
- E. Planning Board- Ken Ceurter gave report on activities of Planning Board
- F. Town Clerk- Passed report to Supervisor and she will get a list of Building Permits to Rachael.
- G. Justice Court Absent
- H. Assessor- Absent

Karl says the Highway Dept. can remove the trailer on Dimon Hill Rd., using the Town Equipment do this. Stan in default on removing them, CEO will notify him, giving him 20 days to remove them or the Town will remove them. Ronald Sharp makes the motion seconded by John Stoughton. Ayes: Williams, McEwen, Sharp and Stoughton. Noes: None. Carried.

Rachael check with Jim McFadden for a timeline on County tax foreclosure for this property.

Town of Berkshire  
Regular Meeting  
October 20, 2014  
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**Old Business:**

Shared Services Resolution #5 2014

Will share services with Newark Valley Village on Code Enforcement. John Stoughton makes the motion seconded by Ronald Sharp Ayes: Williams, McEwen, Sharp and Stoughton. Noes: None. Carried.

Hire Shared Code Enforcement Officer Resolution #6 2014

Ronald Sharp makes the motion to hire Rachel Jacobs as Code Enforcement Officer. Seconded by John Stoughton.

Ayes: Williams, McEwen, Sharp and Stoughton. Noes: None. Carried.

NYS Audit has been completed and draft received. Supervisor McEwen will answer the letter stating that we agree with findings and include our (CAP) Corrective Action Plan.

**New Business:**

Brown Road clean up done on abandoned trailer.

Authorize Purchase of Grader for parts for Highway Dept. motion was made by John Stoughton, Seconded by Ronald Sharp Not to exceed \$5,500 for the grader. Ayes: Williams, McEwen, Sharap and Stoughton Noes: None. Carried.

Motion made by Sharp seconded by Stoughton to Schedule Budget Hearing for November 17, 2014 at 6:30 PM

Ayes: Williams, McEwen, Sharp and Stoughton. Noes: None Carried

**Warrants:**

General Fund #126-#136 \$5,010.45 Highway Fund #133-#151 \$1,369,138

John Stoughton made the motion to pay as audited Seconded by Ronald Sharp Ayes: Williams, McEwen, Sharp and Stoughton. Noes: None Carried

Executive Session: at 8:00 PM finished at 8:20 PM.

At 8:20 P.M. the meeting reopened and adjourned 8:21. PM

Respectfully submitted:  
Connie Liddington  
Town Clerk

NOVEMBER

Supervisor McEwen, with the Pledge of Allegiance, opened the Public Hearing on the 2015 Town Budget at 6:30 PM. Supervisor McEwen made comments on the Budget and opened the floor to public comment. There being no comments on the budget the Public Hearing was closed at 7:00 PM.

The Town of Berkshire held their regular monthly meeting in the Town Hall On November 17, 2014 at 7:00 PM.

**Privilege of the Floor: None**

**Reports:**

- A. County Planning Board – Received by email from Tim Pollard
- B. Highway – Karl stated Oil Furnace will not stay running at night and would like to put a small wood stove for over nights use. They can use reset day times to keep oil running during the day. Snow blower that was authorized last year will be purchased.
- C. Code Enforcement - Rachael Jacobs talked to Harold Osbury at State Code office- Notice to State and Berkshire on Swartwood property. Ask Court to give 30days to remove addition or \$1000.00 a day fine through the court system. She needs 2013 and 2014 building permits from Connie as she con not find Lee Virtue's copies.
- D. Town Attorney - Nick showed the deed to well from the IDA to the Board. He will get it recorded and submit paper work and bill for costs at December meeting.
- E. Planning Board - Ken Ceurter appointments for 2015 will be submitted for December meeting. For information Joe Ceurter, former CEO for the Town passed away on Sunday the 16<sup>th</sup>.
- F. Town Clerk- Passed report to Supervisor.
- G. Dong Control – report submitted and read
- H. Justice Court - Fines \$ 1,292 collected with \$932 going to State.
- I. Assessor – No Report
- J. Supervisor- Board informed that Highway 38 bridge will be replaced in 2016 and State Route 38 rebuilt through entire town in 2017

**Old Business:**

Motion made by Lillian Hoffmier, seconded by Ron Sharp to Adopt 2015 Budget as submitted at Public Hearing 11/17/14, with no tax increase. Ayes: Hoffmier, Williams, McEwen, Sharp and Stoughton. Noes: None. Carried

Motion made by Ron Sharp, seconded by Fraser Williams to Accept Audit of Court Records. Ayes: Hoffmier, Williams, McEwen, Sharp and John Stoughton. Noes: None Carried

Motion made by Lillian Hoffmier, seconded by Fraser Williams to authorize contract with Stray Haven for 2015 on approval of Town Attorney. Ayes: Hoffmier, Williams, McEwen, Sharp and Stoughton. Noes: None Carried,  
New Business: None

**Warrants:**

Highway Fund #152 thru #170 with (164 & 167 Voided) \$47,695.91

General Fund #137 thru #156 with (139 & 140 Voided) \$20,048.01.

Motion by John Stoughton Seconded Ronald Sharp to pay as audited Carried.

Adjournment at 7:50 PM by Lillian Hoffmier, Seconded by Ronald Sharp. Carried

Respectively Submitted:  
Constance M. Liddington  
Town Clerk

DECEMBER

Town of Berkshire  
Regular Meeting  
December 15, 2014

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

A motion was made by Lillian Hoffmier, seconded by Fraser Williams to accept the minutes of the November 17, 2014 meeting as read. Carried

**Privilege of the Floor:**

Darlene and Bob Wait from the Berkshire Fire Ambulance Squad gave a report of calls and responses by the Fire Squad. They also thanked the Town Board for their support of the squad.

**Reports:**

- A. County Planning Board – Tim Pollard emailed his report to the Board
- B. Highway Department – Karl Spoonhower reported on the savings he was able to obtain by using recap tires for his vehicles.
- C. Code Enforcement – Rachel Jacobs reported on the progress of the Town enforcement of code on cleanup of the Town. She also reported that Harold Swartwood had a court appearance scheduled for Town Court on January 19<sup>th</sup>.
- D. Town Attorney – Nick Canizio was absent
- E. Town Planning Board – Ken Ceurter reported on open item that the planning board was working on. He also reported that there were two appointments for Planning Board members requested of the Town Board.
- F. Town Clerk – Connie Liddington had no report for this meeting
- G. Dog Control Officer – Ron Raab reported two calls which were handled by Newark Valley DCO as they were dispatched to the calls in error.
- H. Justice Court – Charles Brundza reported collection of \$300.00 in fines
- I. Assessor Report – Mike Maxwell had no report for this meeting
- J. Town Supervisor – Ron McEwen reported that the financial condition of the Town should be positive for year end.

**Old Business:** None

**New Business:**

A motion was made by John Stoughton, seconded by Fraser Williams to reappoint Timothy Pollard for a 5-year term expiring December 31, 2019, as a Planning Board member and Bette Johnson for a 1-year term expiring December 31, 2015 as an Alternate Planning Board member. 5 ayes 0 noes Carried

A motion was made by Fraser Williams, seconded by Ron Sharp to adopt the fee schedule for the Town as of January 1, 2015 with no changes from 2012. 5 ayes 0 noes Carried

A motion was made by Lillian Hoffmier, seconded by Ron Sharp to authorize the Supervisor to make the necessary entry on the town books to Encumber funds as required for proper accounting. 5 ayes 0 noes Carried

A motion was made by Fraser Williams, seconded by Ron Sharp authorizing the Supervisor to make the necessary Budget Reconciliation Transfers and transfers to Special Reserves as available funds allow. 5 ayes 0 noes Carried

A motion was made by Ron McEwen, seconded by Ron Sharp to set the Organization Meeting for the Town as January 2, 2015 at 5:00PM. 5 ayes 0 noes Carried

**Board Concerns:** None

**Warrants:**

Lillian Hoffmier made a motion, which was seconded by Fraser Williams to accept and pay the following Warrants as audited by the Board. Highway #171 - #186 for \$10,303.90 and General #157 - #170 for \$4,709.99. 5 ayes 0 noes Carried

A motion was made by Lillian Hoffmier, seconded by John Stoughton to adjourn at 8:15PM

Respectfully Submitted:  
Constance M. Liddington  
Town Clerk