

Berkshire Planning Board Meeting Notes

November 7, 2023- 6:30 pm

Members with term expirations:

Charles Ouellette- Chair	2026
Ken Ceurter- Vice Chair	2025
Nancy Lohmann- Secretary	2027
Sam Davison	2024
Mike Bobal	2023
Jim Lacey- Alternate	2023
open- Alternate	2023
open-TCPB	2023

Meeting was called to order at the Community Hall at 6:35 pm. Voting was being conducted in the Town Hall.

- Roll Call: Bobal, Ceurter, Davison, Lacey, Lohmann, and Ouellette were present. Davison was excused. Supervisor Jordan, Town Board member Stoughton, Legislator Flesher and two Tioga County Sheriff officers were also present.
- Secretary minutes for October meeting were provided and amended by email prior to the meeting. Ceurter made a motion to accept the minutes. The motion was seconded by Lacey. All Planning Board members present were in favor.

Town Board Meeting: Due to illness, no PB member attended the Town Board meetings in October.

County Planning Board Meeting: Ceurter reported the following:

- 239 Site Plan Review in Town of Newark Valley for Roadside Custom Sawing-Applicant wished to establish and operate a custom sawing business on their property on State Route 38. Motion was approved.
- Special Use Permit in Town of Owego for Barton Solar-Nonaction. This solar project was approved earlier in the year by the TC Planning Board. The only change is that the project will now be one half the size of the original plan.
- The town of Richford has acquired and is now using the previous Lourdes Medical building for their Town Hall.

Unfinished Business:

- An alternate position on the Berkshire Planning Board remains open.
- There has been no final movement from the Town's law firm on the Uniform Code Law or the Solar Law, and no expected timeline has been reported. Actions on the Right to Farm law and the refiling of Subdivision law are still pending.
- Work on the Special Events law will continue in January 2024
- Planning Board members need to send Lohmann information on the in-service training they have completed in 2023 so it can be included in the end of the year documents.

New Business:

- Lohmann will send the current 2023 Planning Board Bylaws and Fee Schedule information to the Planning Board members before the December meeting so members will have a chance to review them before the December organizational meeting.
- Lohmann will send Special Events draft checklists developed by Ceurter and Lohmann, as well as a Special Events Application draft developed by Ceurter to the Planning Board.
- During the December organizational meeting the Planning Board will hold elections, confirm appointments, review bylaws, and discuss possible fee schedule changes for 2024.

Summary of meeting with Tioga County law enforcement officers:

The Planning Board requested a meeting with local law enforcement for advice on questions Planning Board members had regarding enforcement. Two officers were present, as were Supervisor Jordan and County Legislator Flesher. Highlights of this discussion are as follows:

- The current Tioga County Police force has lost several officers and are down several officers available to answer citizens' calls. They have requested that the Tioga County Legislators reinstate two additional positions. Legislator Flesher noted this is being discussed and has a good chance of passing.
- Due to recent changes in bail requirements, it is extremely difficult to keep perpetrators in jail after they have been scheduled for arraignment. This can lead to a lot of paperwork and frequent repetition of the same crime.
- The officers noted that it is illegal to ride ATVs on public roads, and riders will be ticketed if they can be identified. Officers are instructed, however, not to pursue them if they do not stop immediately due to the potential for serious injury to those parties involved.
- Deputies are monitoring activity on West Creek Road. Much of this attention is centered around drug issues.
- They do not have a preplanned schedule for where their officers might be patrolling and would not want to give advance notice due to intentional avoidance or anyone taking advantage of this information.

- The Sheriff Office will execute a bench warrant but has limitation as to how much can be done to anyone avoiding their issuance.
- It was their opinion that our judge can issue an order of removal for junk cars. They are not aware, however, of processes currently followed in other jurisdictions.
- The CEO can request an officer to accompany them to a location they perceive as potentially dangerous, but they should request a court order first.
- The deputies were reminded that the Town Hall is available to them as a local substation for paperwork, coffee, bathroom facilities and internet. They would like to get an appropriate access to the wi-fi or internet connection.
- It was recommended that residents should be reminded not to leave valuables of any kind in their cars, to always lock their cars, homes, sheds, garages, and to park in lighted areas whenever possible. Residents should try to be aware of their surrounding and note unusual activity. If anyone needs to anonymously report information of a crime, they can use the tip line. To avoid criminal activity, the best solution is for preventative measure to be taken whenever possible.
- Some of the programs law enforcement can be involved in with youth might include: child fingerprinting, drunk driving awareness programs for teens. These might be an opportunities for community events such as the Blueberry Festival.
- Attending a Senior Citizen luncheon was also suggested as an opportunity for law enforcement to introduce themselves to seniors.
- All attendees agreed that seeing Sheriff and State Police vehicles monitoring traffic and enforcing offenders is encouraging and we salute the effort they put into their challenging jobs.
- A deputy will be in the Berkshire Town Court on the third Monday of each month.
- Berkshire Office- Larry Alger
- Road Patrol-J, Delmage
- Local Tioga County State Policeman- Jason Cawley

Training Opportunities continue to be available at the Hancock Estabrook (MRB). They offer monthly online in-service opportunities for Planning Board members on the 4th Thursday of each month from 6-7:00pm. You must register ahead of time.

Courter made a motion to adjourn at 7:56 pm. It was seconded by Lacey . All members present were in favor.

Next PB meeting is scheduled for Tuesday, December 5, 2023, at 6:30 pm.