

# The Only One Arguing?

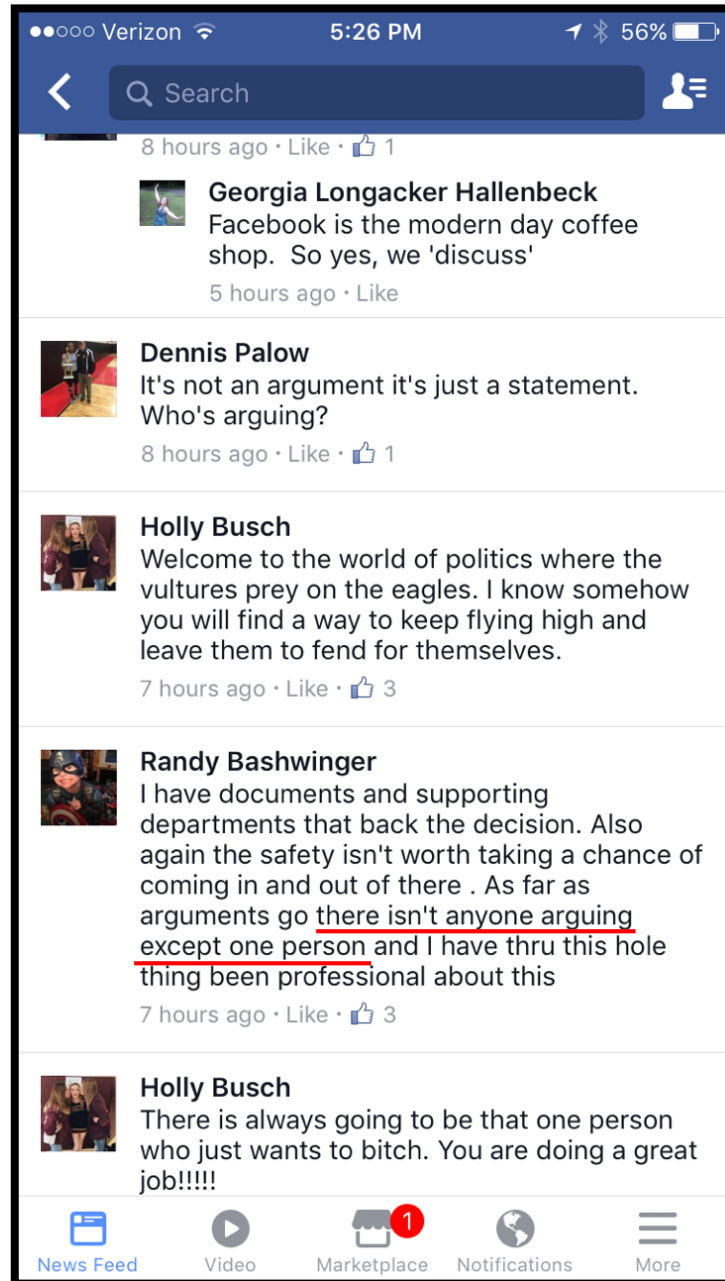
Compiled by Joel Willsey

The falsehood that only one person has argued that Stage Road should not be seasonally closed was published by Highway Superintendent Bashwinger in his official capacity as the Berne Superintendent of Highways. The falsehood was published on the “ Berne Highway Dept” facebook page. His statement “**...there isn’t anyone arguing except one person**” is not at all true, he knew this and very deliberately published this lie any way. He has told many people this as well but I have no recorded proof of slander; but it appears we have the elements of published libel. Note that the very next post attacks me as “.....that one person who just wants to bitch” The Superintendent made no attempt to correct the subsequent “only one” posts and letters personally attacking me. I was just a resident at the time.

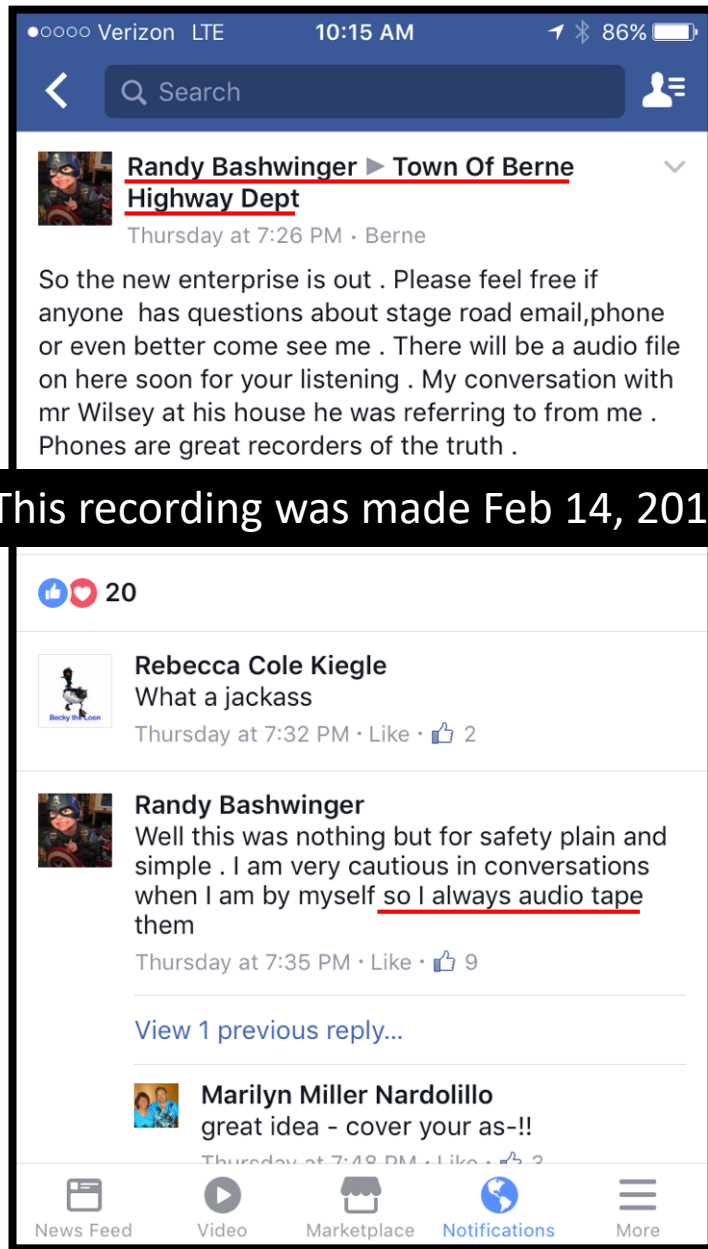
***The Superintendent was at the November 2016 Town Board meeting where 22 people attended specifically to argue that the road should not be closed. Randy also knew that 27 people signed a petition sent to the DOT Albany County Residency also arguing the road should not be closed. The Superintendent knew that the Town Board passed a resolution arguing that the road should not be closed. I am the only one?***

His published falsehood was designed to deliberately misrepresent the situation to his followers and discredit a resident, me, under very false pretenses. I was not in office or even running for office at the time; I was just a resident. His followers have ever since reinforced this “only one” falsehood in letters to the editor and posts attacking me (see below). Also, numerous FOIL requests have failed to produce any documentation of any “documents and supporting departments”. This is another falsehood reinforced in the letters to the paper to discredit me. (FOIL response below) **Important is the fact that I have NEVER complained about access to my own Residence at 86 Stage Rd. The issue was access to 182 Stage Rd the home of my parents. Access to my elderly mother in seriously declining health, eventually home hospice care and my elderly father, a WWII vet is the issue, not access to my home. I and many friends, relatives and neighbors protested the closing at the November 2016 Board meeting. My mother died at 5:15 AM that day. I had gone without sleep for nearly 2 days but attended that meeting and spoke.**

**An accident study requested by the Superintendent found *no history* of accidents there. The road had been plowed without incident since the 1930s.**



This deliberate falsehood is published by the Superintendent of Highways

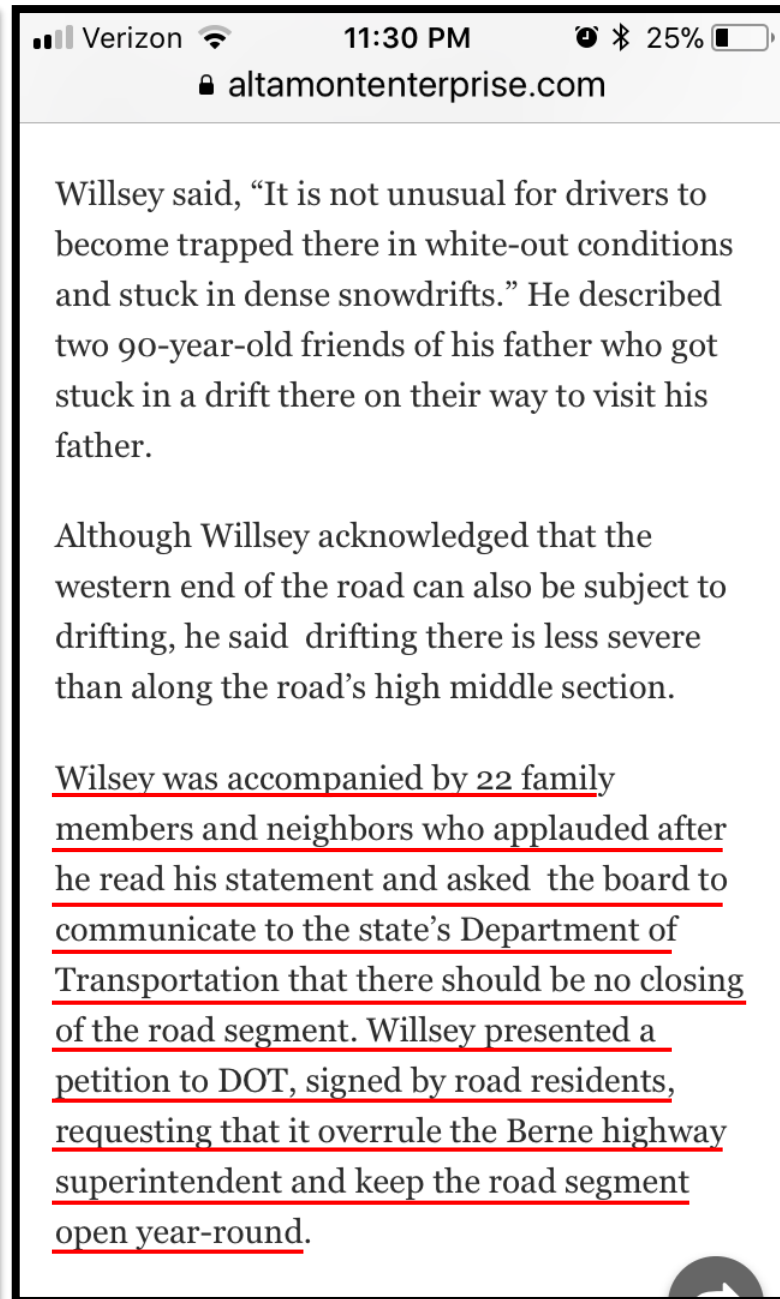
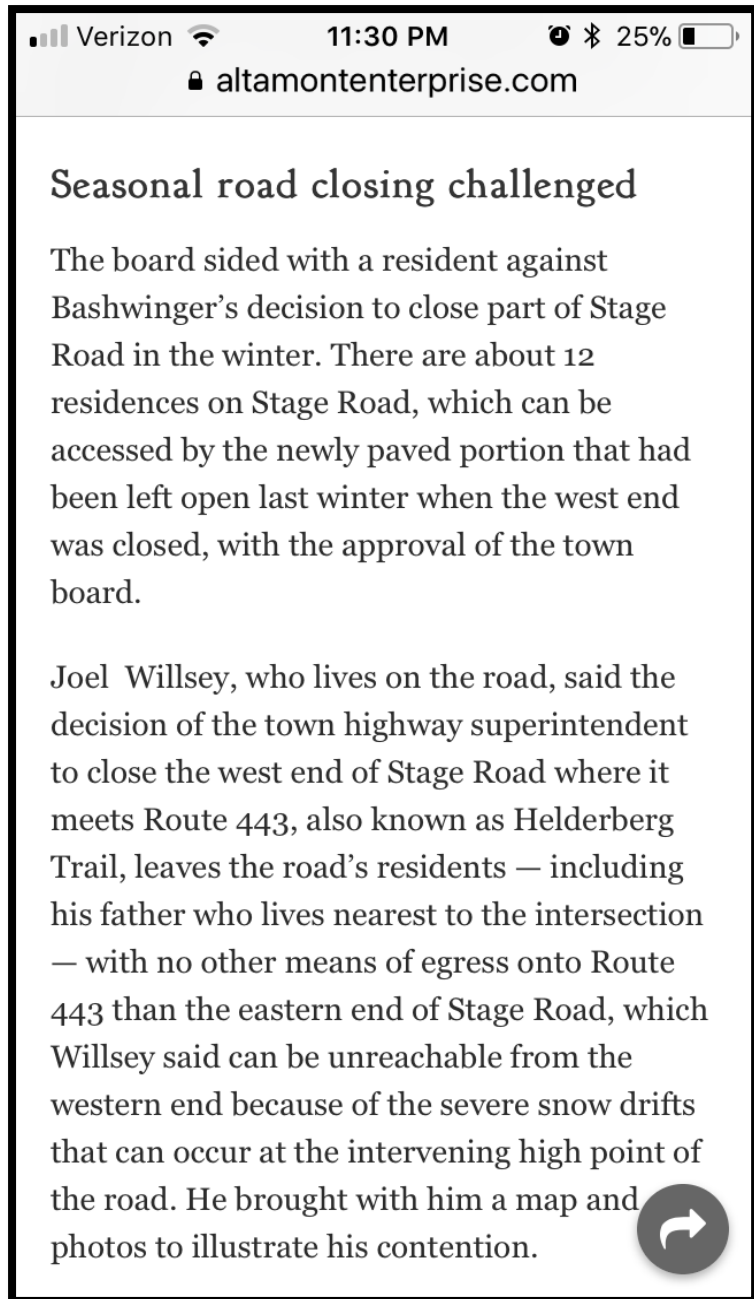


This recording was made Feb 14, 2018

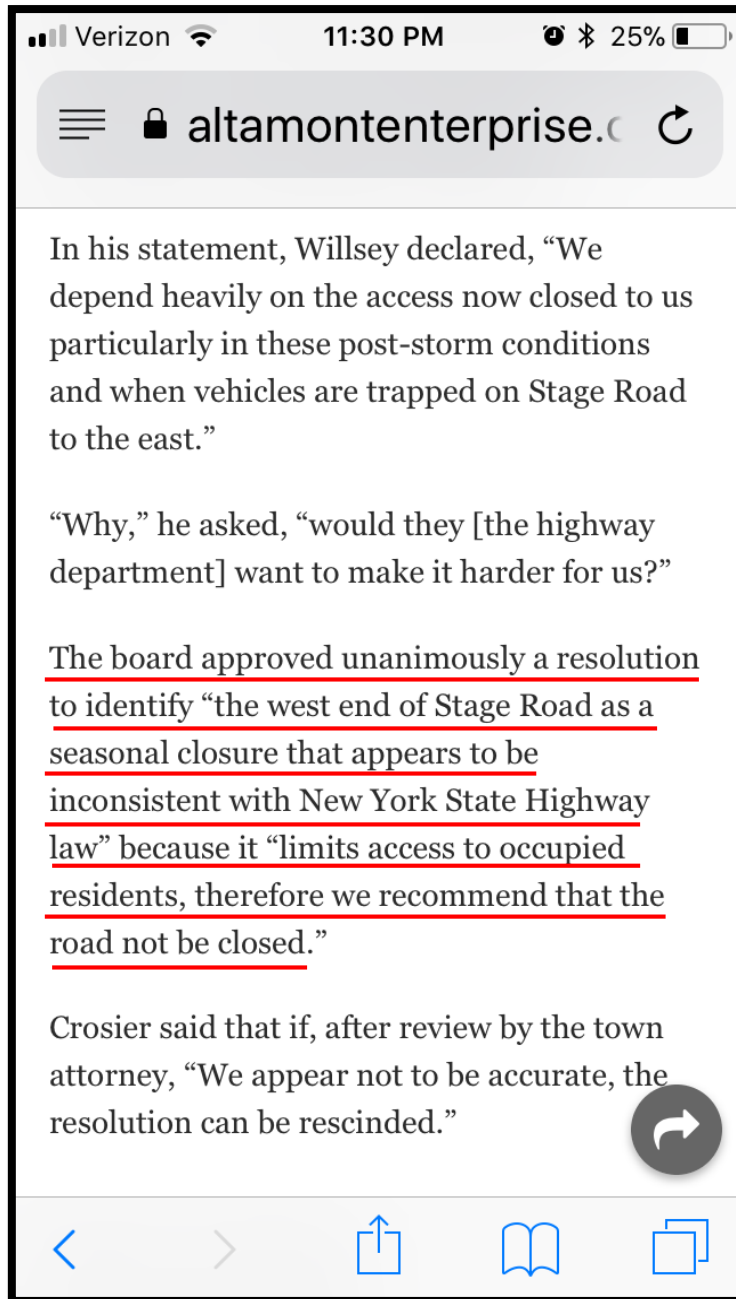
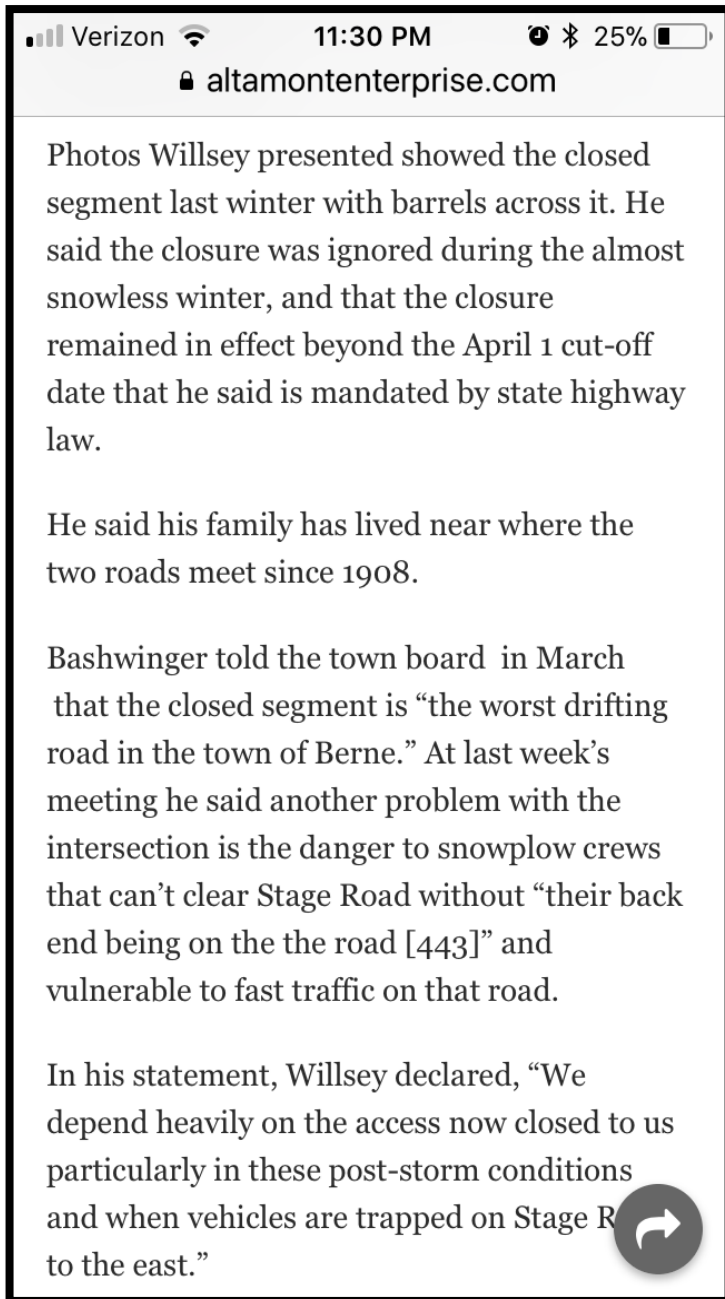
Here the Superintendent brags about recording me and my father in law, in our home, without our knowledge. He tried to publish the recording in the paper (the Enterprise). He invites supporters to his home to review the tape. This post was clearly in his official capacity.

Says he always audio tapes conversations (without his victims' knowledge)

This and the “only one person” post resulted in a number of posts and letters personally attacking me, just a resident at the time. The basis of these attacks is not true. And the recording does not support his side of the argument. He is just bragging that he taped us. I suspected he was.

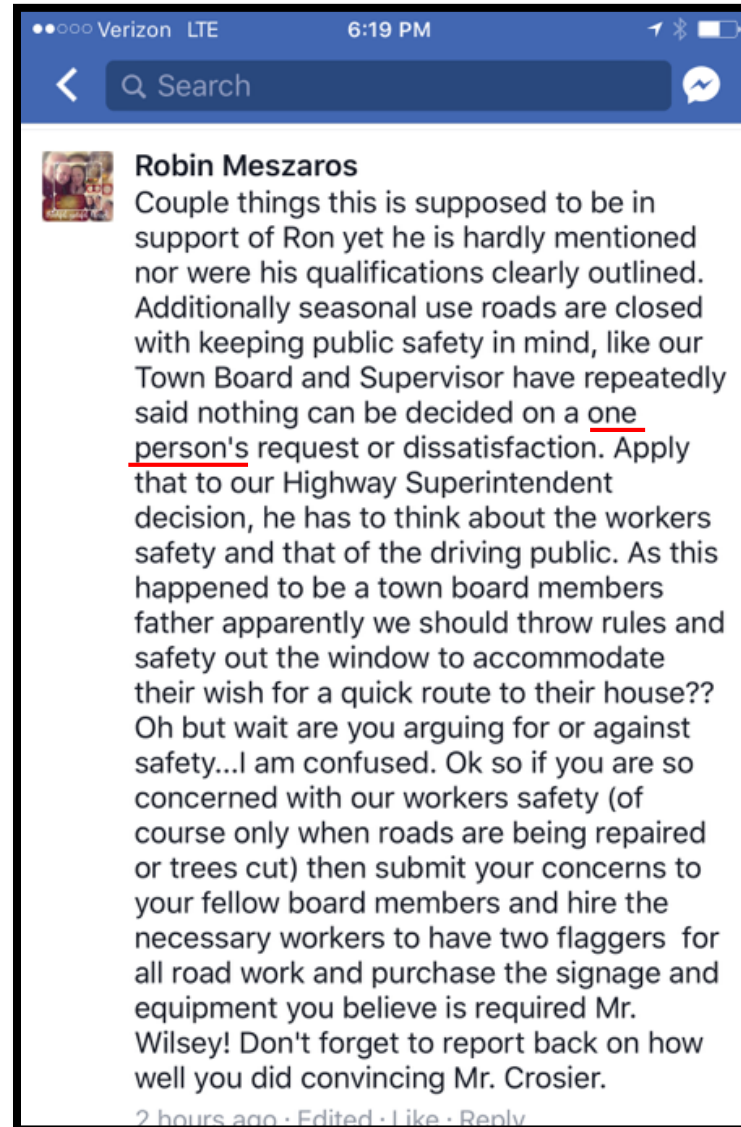


I'm clearly not the only one arguing. You cannot assume that the Superintendent is ever being truthful in matters of public safety.



I’m clearly not the only one arguing.

See Nov 2017 post below. “...one person’s request or dissatisfaction”:



One person?

(I was running for office and was not a Town Board Member at this time – so that is nonsense too).



## We support road closure

Thursday, March 2, 2017 - 10:48

To the Editor:

There is a major war brewing between resident Joel Willsey and the Berne highway superintendent, Randy Bashwinger. Mr. Willsey lives on Stage Road. There are two ways out of Stage Road. One is dangerous and the other is not.

Since the dangerous exit takes you on to Route 443 where there is a curve and a slope with limited vision, this short section of the road should be permanently closed. Just because this resident wants it both ways and uses bully tactics with his cantankerous attitude does not mean that our Berne highway superintendent should compromise the safety of other citizens in our town...

Does Mr. Willsey think that his brother-in-law status with Berne Supervisor Kevin Crosier gives him superior status? I think not.

Does Mr. Willsey think that his brother-in-law status with Berne Supervisor Kevin Crosier gives him superior status? I think not.

Mr. Bashwinger, we the people in this town, support your decision to close this dangerous portion of the road, either permanently or at least during the treacherous winter months by making this a seasonal passage.

**William Keal**

**Berne**

*Editor's note: William Keal is a former Republican candidate in Berne and is considering running again, he said.*

*He also said that Kevin Crosier was married to Joel Willsey's sister.*

*"Joel is not my brother-in-law," responded Crosier through The Enterprise, adding of Willsey, "I wish I had a 100 more like him. He's donated his time to town projects like designing the transfer station and the library."*

The actual issue is access to my parent's home. He closed the access we often depend on, and did depend on since the 1930s without incident. He has restricted our access to the home of my elderly parents to the portion of the road that drifts shut sometimes in minutes.



## Stage Road is seasonally closed for reasons of safety

To the Editor:

Another chapter in the continuing saga of the conversion of the end of Stage Road to "seasonal" unfolded at the Berne Town Board meeting held on March 8. Now, this issue was investigated by the highway superintendent and the state engineers, before determining that it was unsafe to use or plow to Route 443 in snow or ice conditions because there is insufficient distance to stop from where the intersection (and any plow trucks) are first visible to vehicles on Route 443.

The board was notified to post the change. The board members agreed that the move was necessary and appropriate.

Fast forward to fall 2016: A resident on the seasonal end of Stage Road complained about it to the board, expecting the decision be changed. The problem should have been settled by the town supervisor informing the homeowner that the change was necessary and completely legal.

Instead, he did a double-shuffle, to lay blame on the highway superintendent and conveniently forgot that the board supported the change. The suspicion that this was for political reasons was confirmed when [Supervisor Kevin] Crosier reported that he had received a petition from 20 people demanding that the seasonal designation be withdrawn.

Really? And that's his justification for throwing [highway Superintendent Randy] Bashwinger under the bus? What's really remarkable is that Mr Crosier puts more stock in what 20 people have to say than to the scores who show up at board meetings.

Then the new board member, Jim Cook, decided to investigate

board meetings (that Mr. Cook did not attend) and was resolved but Mr. Cook pressed the point

A voter in the audience interrupted and reminded him that as he had just said, he was new to this and that, as an elected official, the highway superintendent is the one who is responsible for the decision, *not* the board. (This fact was confirmed by the town's attorney, Bill Conboy.)

After order was restored, Mr Cook continued on about how he was going to try to get the state to look at the sight line, duplicating Mr. Bashwinger's efforts and usurping his authority before launching into a tirade at the interrupter about how party politics shouldn't enter into these discussions.

His point would be well taken if he hadn't been the one to try to make the matter politically based. If it's not about politics, then why?

What could possibly be behind the change? *Safety*. Safety of the town's employees and safety of the people on the state road. Since Berne pays for insurance, it is also to the benefit to all of the taxpayers to avoid accidents there.

I'd hate to come around the corner and find a 10-ton plow truck blocking the road, leaving a choice between hitting it or going off the road. Worse will be if it involves a school bus or truck carrying propane or gasoline.

That's why! And if the highway superintendent is overruled, the town will leave itself liable for anything that comes from its action.

**Rick Otto  
Berne**

No State Engineers investigated anything regarding stage road at all. I worked for Region One DOT at the time. I am 100% sure. That is a falsehood promoted by the Superintendent of Highways

Note that scores of people did not show up at any board meeting in support of closing this highway. That is not documentable because it is simply not true.



Randy Bashwinger

I have documents and supporting departments that back the decision. Also again the safety isn't worth taking a chance of coming in and out of there . As far as arguments go there isn't anyone arguing except one person and I have thru this hole thing been professional about this

7 hours ago · Like · 3

The superintendent will produce no such documents. Ask him. No state engineers investigated .



Thu 8/31/2017 10:46 AM

Anita Clayton <bernenyclerk@gmail.com>

Re: FOIL documentation of concurrence

To: Joel Willsey

Joel: I am in receipt of your FOIL request. I do not have documentation regarding state engineers but I will search the minutes and try to pull up the recording next week.

Anita

On Tue, Aug 29, 2017 at 2:46 PM, Joel Willsey <[jpwills@nycap.rr.com](mailto:jpwills@nycap.rr.com)> wrote:

Anita,

On 3/7/17 you provided me with a document (img682.pdf) in response to my earlier FOIL request. This is an image of an intersection sight distance evaluation and Accident Information provided to the Berne Superintendent of Highways by Reed Sholtes, a NYSDOT Engineer. I appreciate receipt of that document, but, as Berne Records Officer I would like to make another request.

My understanding is that the decision to seasonally close the end of Stage Road was made by the Berne Superintendent of Highways. We depend upon that segment for access during snow and wind events so I need to understand how this decision was made.

Mr Bashwinger and Mr Rick Otto have published statements about the decision. Mr Otto indicates that state engineers investigated the issue before the road was closed and determined it was unsafe. Mr Bashwinger indicates that there is documentation that other departments support Mr his decision to limit our access. The statements were published in the Altamont Enterprise by Mr. Otto and the "Town of Berne Highway Dept" Facebook page. Mr Bashwinger published this claim in his official capacity on the Berne Highway Dept official page.

I HAVE 2 REQUESTS FOR DOCUMENTATION:

FIRST:

If there are any documents or covert recordings at the Highway Dept or Town Archives that document that the seasonal closure issue was investigated by state engineers before "determining it was unsafe to use or plow Stage Road to Rte 443 in snow or ice conditions" or any similar documents indicating anyone else's involvement in the decision I would like to request copies of them or any related correspondence that to any Berne official before the Highway was seasonally closed. Basically I need any existing documentation that anyone other than Mr Bashwinger was involved in the decision.



Clearly the Superintendent, GOP Chair is politically motivated to restrict access to the home of my father, a WWII Vet.

Make Berne Great again?

The issue is that 182 Stage Rd cannot be accessed from the east end in windy conditions during and following snowstorms.

I have no such access issues at our home near the east end of Stage Road. The Superintendents posts deliberately misrepresent the situation as if my access is the issue. That is not true. I have never complained about access to my home.