

**Regular Meeting  
Of the Board of Trustees  
Of the Village of Bergen at  
7:00pm September 28<sup>th</sup> 2011**

The regular meeting of the Board of Trustees was called to order by Mayor Marsocci at 7:00pm with the following present:

Deputy Mayor Barclay  
Trustee Adams  
Trustee Cooper  
Trustee Donovan

Also present were: Cortney Gale, Ken Steinmetz, Eric Wies, Grace Gillivan, Tim Ruffin, David Washburn, Catherine Washburn, Michael Babinger and John Murray.

**Approval of Bills**

A motion to approve the bills was made by Deputy Mayor Barclay and seconded by Trustee Adams. The motion was carried by the following vote:

Deputy Mayor Barclay - aye  
Trustee Adams - aye  
Trustee Cooper - aye  
Trustee Donovan - aye

**Approval of Minutes**

A motion to approve the meeting minutes for September 14<sup>th</sup> 2011 was made by Trustee Cooper and seconded by Trustee Donovan. The motion was carried by the following vote:

Deputy Mayor Barclay - aye  
Trustee Adams - aye  
Trustee Cooper - aye  
Trustee Donovan - aye

**Mayor's Report**

**Planning Board**

- Received letter of interested for position opening on the Planning Board from Scott Phillips. Waiting to hear from another candidate before any appointments is made.

**Insulation Program**

- Letters are ready to go out for the Insulation Program, the participants have been chosen and names sent to the IEEP. There was a misunderstanding with MIB regarding the number of houses that could be completed under the program, which was resolved. 17 houses will be able to be insulated.

### **MEUA Annual Meeting**

- The MEUA annual meeting went very well; \$2000 was raised for the Gilliam Grant Community Center. An award was presented to Joe Chimino from the Village Board for his work as President.
- There is a municipality that dropped out of the MEUA that wants to re-enter.
- Governor Cuomo has agreed to allow the electric rate increase to be over the course of four years, instead of the original plans of all at once.

### **Joint Meeting with Town Council**

- The Town Council has agreed to a joint meeting on November 16<sup>th</sup> at our regular meeting night.

### **Deputy Mayor Report**

#### **Grant Writers**

- Jean O'Connell, Carol O'Connell, and Gary Rouleau of J. O'Connell & Associates, Inc, Grant Consultants (Clarence, NY) met with Ken Steinmetz and myself on Wednesday, September 21 to discuss their business model and what they could offer the village in terms of master and comprehensive plan development, grant investigation, and grant application preparation.
- I spoke with Susannah Mayhall, Grants Development and Administration Coordinator of Grants Office LLC in Rochester to determine what the benefits to the village this company would provide in terms of grant writing.
- Information and references of both companies are available to the board; both would send representatives to present to the board during a meeting.

#### **Tulley Building**

- Estimates will be coming in for the replacement of the beam in the south wall of the Tulley Building, as well as estimates to complete the façade work and painting of the lower portion of the building
- Two apartments will be vacant by early October; after they are vacated Ken S and I will investigate work needed to prepare them for rental.

#### **Village Tree**

- Dave Stettner of Salmon Creek Nursery met with Ken S. and I to take a look at tree options best suited for the village. He provided us with a look at, and education of, trees that would be practical to replace those removed in the village and those in the sidewalks.

#### **Retirement Recognition**

- Investigated “awards” available from American Custom Engraving Company for potential retirees.

#### **Mums**

- Mr. Lawrence offered mums from his garden to be planted in village parks. Looking to have that done next week.

#### **Mural**

- Ginny, Cortney, and I met with Lorie Longhany to determine process to preserve mural on south wall of Tulley Building. The peeling and cracked areas of the mural will need to be removed and repainted, mural then sealed.

#### **Leadership Genesee**

- Received notification letter that Town Supervisor Don Cunningham nominated me to participate in Leadership Genesee, the nomination is very much appreciated.

**Weekly Meeting with Cortney**

- Discussed NYCOM meeting and workshops he attended, upcoming audit, AUD preparation, etc.

**Administrator's Report****End of Year Process**

- Laura Landers came in on September 23<sup>rd</sup> to close the end of year. She didn't give us journal entries like she has in the past; she just helped us clean up last year and answered questions that we had.
- I spoke to Jeff Smith of Municipal Solutions at NYCOM regarding charging Laura's time reconciling the Sewer Capitol Project (H1) to the funds with EFC. He said that we can charge the full \$650.

**AUD**

- The AUD is coming along well; we are at about 95% complete. It will be sent on Friday morning.
- I spoke to Laura Rodolakis from the Office of the State Comptroller at NYCOM regarding the Board's audit requirement. She said that the board fulfill the requirement by auditing the financial statements i.e. Annual Update Document (AUD) or having an accountant audit it.

**NYCOM**

- The Annual Fall Training School was again a great learning experience. Rene & I learned a lot, made many new contacts, and caught up with the ones I made last year. Having that many experts in the field in one place to ask questions is invaluable. Included in your packet is a report from me and Rene on what classes we took and what we are bringing back from it. And we were able to save the village \$642.14 by staying in a different hotel and not buying the meal packages from the host hotel.
- One of the pieces that we brought back that we would like to install right away is a Facebook Page. Facebook is a major communication avenue and would help us pass information on to the residents. It would simple to use and update.

**NY Tax Cap**

- As you know New York State has passed a 2% cap on increases to taxes. It is an important process that I felt that we needed more information on so I reserved four spots for the October 3<sup>rd</sup> OSC training in Canandaigua at 9:00am. The 2% increase is to the levy not the Assessment.

**Electric Billing/Shutoffs**

- Electric Bills and shut off notices went out on time. Shut off payments are due October 4<sup>th</sup> shut offs will commence October 5<sup>th</sup>. Electric bills are due October 11<sup>th</sup>.

**AIM Funds**

- The Village received its annual AIM (Aid and Incentive to Municipalities) payment from New York State in the amount of \$9,764.00. We budgeted for \$10,000.00

**Cell Tower**

- I was contacted by Crown Castle regarding the Cell Tower Proposals. I communicated to them that the Board would only be interested in extending the lease if the contract was redone to include more revenue for the Village. I haven't heard anything back since!

**Joint Meeting**

- I contacted Town Supervisor Don Cunningham regarding a joint meeting. He is speaking to his board and will get back to me.

**DPW Supervisor's Report****Gibson Place Lift Station**

- The Gibson Place Lift Station failed on Monday September 5<sup>th</sup>, with both pumps being down it was necessary to move the replacement schedule up. Temporary pumps were put in place in the

meantime. The whole DPW team did a great job reacting to the situation before it became a bigger problem.

#### **Brush Pick Up**

- Due to the Lift Station failure brush pick up and sidewalk work was delayed. Work will resume next week.

#### **Hickory Park**

- Hickory Park will be closed for season on Monday October 3<sup>rd</sup>.

#### **Park View Drive Paving**

- The paving project on Parkview Drive is scheduled for the week of October 10th. The Village will be receiving mutual aid from Churchville, Spencerport, Byron and the Town of Bergen.

#### **Munger Street Pole Project**

- Power lines on Munger Street will be placed on the new poles and new service ran to homes during the week of October 3<sup>rd</sup> with mutual aid from Churchville, Spencerport and Akron.

#### **Sewer System School**

- Chris Fay is attending the Waste Water Treatment Plant operator's course and is doing very well for Chris. He will be attending the "Activated Sludge" course and the "Lab Procedure" course in October.

#### **Community Beautification**

- Went to Salmon Creek Nursery Deputy Mayor Barclay to select trees for the village. The order will be placed this fall for April planting. Flower boxes will be picked up by October 16<sup>th</sup>.

#### **Future Needs**

- 1 additional gas powered pump, Street sweeper/catch basin cleaner, radar speed signs.

### **Privilege of the Floor**

#### **Grace Gallivan**

- Septic tank was pumped out on Monday September 26<sup>th</sup>. Would like to thank DPW Supervisor Ken Steinmetz for his quick response.

#### **John Murray, Michael Babinger, and David Washburn**

- Three residents had complaints about a number of noise issues related to dogs barking and noisy cars. Their joint neighbor has dogs that bark constantly and act in a vicious manner. There is also a neighbor on Rochester St. who routinely drives too fast with his load vehicle. The residents attended the meeting asking if there is anything that can be done, possibly a noise ordinance. The Village Board said that they would look into resources in the County that could handle the dog issue and talk to the Sherriff's Department about watching for the vehicle. They further stated that a Noise Ordinance for the Village can be reviewed.

#### **Tim Ruffin, President, Bergen Park Committee**

- The fundraiser at the Cummings Family Concert was not successful, the committee lost \$100

- Hosting a Halloween dance in Hickory Park on October 28<sup>th</sup> from 6pm-8pm. The event will be free, there will be a costume contest, DJ and refreshments. Mr. Ruffin asked the Village Board for funds to help with the purchase of the refreshments.

A motion was made by Trustee Adams and seconded by Deputy Mayor Barclay to provide the Park Committee with \$50 with the stipulation that they ask for funds at Wal-Mart and Wegmans first. The motion was carried by the following vote:

Deputy Mayor Barclay - aye  
Trustee Adams – aye  
Trustee Cooper - aye  
Trustee Donovan - aye

### Trustee Concerns

#### **Trustee Adams**

- Meeting with Ken Kuter on Friday September 29<sup>th</sup> to go over proposed changes to the Zoning fees.
- Would like information placed on the website and in the newsletter to instruct residents not to place large garbage item at the curb before refuse pickup day.
- Met with individual regarding refreshing the mural on the side of the Tulley Building, and the end building by Carpenter Park. She will be getting back with a price. Work will likely begin in the spring.

#### **Trustee Cooper**

- Hasn't heard anything from the Teamsters Union.

#### **Deputy Mayor Barclay**

- Residents have asked about having a seconded bulk pick up day in the fall. Mr. Gale to inquire with Heberle Disposal
- Bergen Business and Civic Association is having an awards banquet, would like to give the honorees certificates from the Village as well.

### New Business

#### **Sewer Update**

Eric Wies from Clark Patterson Lee was on hand to report on the Waste Water Sewer Plant.

- The replacement of Gibson Place Lift Station will start in about two weeks and will take a week to complete.
- The Village's request to be reimbursed for cost incurred by the malfunction of the Sewer Plant is being met with finger pointing from the contractors involved. It may be necessary to hold back funds from the main contractor to put pressure on the others to pay.
- Mr. Wies suggested that in lieu of fund reimbursement that the companies provide free Preventative Maintenance for a number of years.
- If an agreement isn't established a legal battle would ensue.

Trustee Cooper stated that since Clark Patterson Lee does business with these contractors regularly, they should have leverage to pressure them to reimbursement the Village.

Trustee Donovan feel that the Village is entitled to be repaid the full amount because the costs in questions were of no fault of the Village and not normal start up problems. He stated that the Village should withhold funds to apply pressure to the contractors and should start legal proceedings if necessary.

### **Grant Writer**

- Deputy Mayor Barclay and DPW Supervisor Ken Steinmetz met with Jean O'Connell regarding their grant writing services. For their \$28,000 a year fee they will provide unlimited grant writing, Comprehensive Plan, Master Plan, and research. They request a two year contract.
- Other grant writers that were contacted charge a retainer and additional fees for each grant they apply for.

Deputy Mayor Barclay showed the board a list of Municipalities that use Ms. O'Connell that have received substantial amounts of grants funds in the last three years. She feels that it is a lot of money but would be well worth it if we receive grants.

Trustee Adams asked that Ms. O'Connell come to the next board meeting so the board can ask questions, she also asked that other municipalities who use her services be called as references.

### **Executive Session**

A motion was made by Deputy Mayor Barclay and seconded by Trustee Cooper to enter Executive Session to discuss Employee Matters related to the part time Deputy Clerk positions, employee job descriptions and handbook. The motion was carried by the following vote:

Deputy Mayor Barclay - aye  
Trustee Adams – aye  
Trustee Cooper - aye  
Trustee Donovan - aye

The Board entered Executive Session at 9:04

A motion was made by Deputy Mayor Barclay and seconded by Trustee Adams to leave executive session. The motion was carried by the following vote:

Deputy Mayor Barclay - aye  
Trustee Adams – aye  
Trustee Cooper - aye  
Trustee Donovan - aye

The Board left Executive Session at 9:37pm

**Establishment of the Position of Deputy Clerk to One Full Time Position**

A motion was made by Trustee Donovan and seconded by Trustee Cooper to establish the Deputy Clerk position as full time. The motion was carried by the following vote:

Deputy Mayor Barclay - aye  
Trustee Adams – aye  
Trustee Cooper - aye  
Trustee Donovan - aye

A motion was made by Trustee Donovan and seconded by Trustee Cooper adjourn the meeting. The motion was carried by the following vote:

Deputy Mayor Barclay - aye  
Trustee Adams – aye  
Trustee Cooper - aye  
Trustee Donovan - aye

The Meeting was adjourned at 9:40

Respectfully submitted,

Cortney W. Gale  
Village Administrator