

**Regular Meeting  
Of the Board of Trustees  
Of the Village of Bergen at  
7:00pm February 22<sup>nd</sup> 2012**

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: Village Administrator Cortney Gale, DPW Supervisor Ken Steinmetz, Grace Gallivan, Joe Chimino, Nick Booher, Kevin Finucane, Bob Fox, Scott Morgante and Tina Wilcox.

**Approval of Bills**

A motion to approve the bills was made by Deputy Mayor Barclay 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

**Approval of Minutes**

A motion to approve the meeting minutes for February 8<sup>th</sup> 2012 was made by Trustee Cooper and seconded by Deputy Mayor Barclay. The motion was carried by the following vote:

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

**Mayor's Report**

- Did not make the latest GAM meeting. The county will be picking up the petitions for County Medicaid payment relief. GAM would like to study the validity of a County wide health insurance program,
- Cindy Jessop from Waste Management will be attending the next board meeting. She is awaiting a letter of approval for our agreement
- Liberty Pumps has asked to use the Village as a test site for their new pumps. They will supply us with a pump free of charge so they can study it in a real life situation.
- If we agree with Waste Management we should put a bid out for the collection of the refuse.
- If the village is going to plan for the future it will be necessary to invest in a study to determine ways to increase electric capacity and supply.

## Deputy Mayor Report

### **LGRMIF Grant**

- Lisa Campbell and I are working on the "second round" of sorting documents. We are putting temporary labels on boxes as we sort to determine final boxes and labels.
- Pick up of the discard boxes for shredding has been delayed, but hopefully for not too long.
- As the room is completed, shelving will be installed and the storage format will be planned out.

### **Village Tree Board**

- The two Tree Board members to attend the Sixth Annual Recognition Ceremony and workshop in Albany on Mar. 29, 2012 will be Ed Adams and myself.
- Contacted Mrs. Seville to answer questions concerning the Tree Application.
- March 6, 2012 meeting — Mark Gooding of the NYS DEC Region 8 will be attending. We will be discussing the spring village tree survey, tree identification booklets, and Park Day information booth.

### **Town/Village Relations Committee**

- Paul Cooper, Joe Nenni, Belinda Grant, and I met Tuesday, February 21<sup>st</sup>. Topics of discussion included the Bergen Comprehensive Plan 2015, fire dept property mowing/plowing, and the Town of Bergen Bicentennial Celebration for 2013.
- The committee will be focusing on a Public Safety Master Plan and a Parks Master Plan. I will be researching information on both.
- Next meeting is planned for March 21 at 6:30pm, village boardroom. **GIS**
- On Feb. 16<sup>th</sup>, Ken Steinmetz and I attended a meeting for the GIS program with the department of Information Technology at the County II Building in Batavia. Ken is looking to input our services information into the program (the village of Bergen will be the first in Genesee County to do so).
- Discussion included the advantages of the program for communities in Genesee County (public safety, major emergency, fire support, property assessments, insurance purposes, criminal justice, etc), need for financial support from the legislature for the program, support letters from participants.
- A suggestion was made that each municipality pass a resolution determining the "address authority" for the community.

### **High School Art**

- I contacted Matt Bertram, HS Art Dept., to discuss/request artwork for display in the village offices area of the Tulley Building. We are looking at both wall art and 3D for this year.

### **BBCA**

- Attended Charlie Cook's presentation on the Finger Lakes Regional Economic Development Council he was appointed to by Governor Cuomo on Monday, Feb 20, and a tour of the Liberty Pumps Facility.

## Administrator's Report

### **Accounting**

- Bob Fox is here tonight to give his report on the internal audit, so I'll leave that part to him.

### **State Audit**

- The Office of the New York State Comptroller is still sporadically working on our audit. She has focused on our audit about 5 days since she has been here. She is a good resource for information and works quietly; we barely know she's here.

### **Workers Compensation**

- We received a check for \$4,638.42 from Genesee County Self Insurance “Worker’s Compensation” which is a return of paid time off hours. A past employee settled their worker’s comp. claim and Genesee County returned the hours that the settlement covered. This settlement will not affect our “experience rating” which goes into the calculation for our annual premium.

### **Electric & Sewer Billing/Shutoffs**

- Electric Arrears bills were sent out on February 16<sup>th</sup>, shut offs will be March 8<sup>th</sup> if there are any. Electric bills will be mailed out tomorrow and are due March 12<sup>th</sup>.
- Sewer Bills are due Wednesday February 29<sup>th</sup>, arrears will be sent to Genesee County on May 10<sup>th</sup>.

### **Elections**

- Election Inspectors have been notified by mail the date and time they will be working.
- Information was sent to the newspapers to notify the public the time, date, place and names of candidates.
- The last day for individuals to apply for an absentee ballot is March 13th.

### **Health Care**

- The Mayor and I met with health and employee benefits consulting firm Flexcare, Inc. Tuesday. They would like the opportunity to make a proposal to the Board. I feel that it would be beneficial to hear multiple options to our current plan.
- I rescheduled the representative from Aflac, I will be meeting with him tomorrow at 2:00pm

### **Cell Tower**

- Dan Bryson has contacted Crown Castle and is in negotiations to remove the permission clause from the contract. He feels that once that is removed it will be a “business decision” for the Board to make. I feel that if this enables the Village to receive more income from the Tower it would worthwhile.

### **Quick Points**

- Met with Trustee Adams and Joe MacConnell from the Fire Department on Wednesday February 15<sup>th</sup>
- Spoke to reference for the telephone audit service all of whom were happy with them.
- Brian Kavanagh will be working in the office over the weekend to install a back up to the server and routine maintenance to the computers

### **DPW Supervisor’s Report**

- Plant running well Kruger toured facility with potential customers
- Gibson place station working well talked to Eric about hours on pumps, 209 on A and 52 on B. We will time them during cycle to verify
- Tree board, 5 new trees ordered and Dave is working up planting plan for parking lot
- Grates repaired and more to be ordered
- Rubber skid plates replaced on plows, Some street cleaning done
- Village sign undergoing repair
- Archive room going well painting in progress, lighting to follow
- This week mutual aid with Churchville Last week they were here to help us. ongoing infrared studies
- Tree trim and removal schedule set up 2<sup>nd</sup> week of April Holly Akron and Castile to assist

- Scout meeting last Thursday at Electric bldg went very well 20 -25 scouts attended and learned about electric safety and energy conservation Nick did a great job with the kids Thank you.
- GIS meeting went well with Genesee County. We have access to Arcgis program and the County has agreed to let us feed them our data points and they will input them into the main system. We will have a local access program to work with. No cost to Village and we will have the added benefit of address mapping for better emergency response.

### Trustee Concerns

#### **Trustee Adams**

- Met with Joe MacConnell from the Bergen Fire department. They are putting together a Comprehensive Plan, which will be using the Town of Batavia's as an example.
- Asks that Mr. Steinmetz to keep tract of the cost of mowing at the Fire Hall.
- Joint meeting with the Town Board on March 27<sup>th</sup> at 7:00pm

### New Business

#### **Local Law #1 – 2012 2% Tax Cap Override.**

A motion was made to accept local law number one of 2012 by Trustee Adams and seconded by Trustee Donovan. The motion was carried by the following vote:

Deputy Mayor Barclay – aye

Trustee Adams – aye

Trustee Cooper – nay

Trustee Donovan - aye

#### **A Local Law To Override The Tax Levy Limit Established In General Municipal Law §3-c**

##### **Section 1. Legislative Intent.**

It is the intent of this Local Law to override the limit on the amount of real property taxes that may be levied by the Village of Bergen, pursuant to General Municipal Law §3-c, and to allow the Village of Bergen, to adopt a budget for the fiscal year commencing June 1, 2012 that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law §3-c.

##### **Section 2. Authority.**

This Local Law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes a local government's governing body to override the tax levy limit for the coming fiscal year by the adoption of a local law approved by a vote of sixty percent (60%) of said governing body.

##### **Section 3. Tax Levy Limit Override.**

The Board of Trustees of the Village of Bergen, County of Genesee is hereby authorized to adopt a budget for the fiscal year commencing June 1, 2012 that requires a real property tax levy in excess of the limit specified in General Municipal Law §3-c.

##### **Section 4. Severability.**

If any clause, sentence, paragraph, subdivision or part of the Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder

thereof, but shall be confined to its operation to the clause, sentence, paragraph or part of this Local Law or in its application to the person, individual, firm or corporation, or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

**Section 5. Effective Date.**

This Local Law shall take effect immediately upon filing with the Secretary of State.

**Internal Audit**

Bob Fox from EFP Rottenburg presented the board with his findings from the Village's internal Audit. Balance sheet items as of 5/31/11 have been reconciled. Some of the findings resulted in increases in Fund Balances. Bank Statements have been reconciled from 5/31/11. Proper accounting procedures have been implemented. Revised Annual Update Document is being submitted to reflect changes. Suggests purchase of a new accounting and work order program as well as continuing work on fixed assets in the Electric Fund.

**Parks Master Plan**

Deputy Mayor Barclay stated that a Parks Master Plan is needed to obtain grant money for parks. It will be necessary to begin putting information together to begin the plan. Trustee Adams asked if the Parks Committee was still together and if they would help. Mayor Marsocci stated that to his knowledge that the Committee is still together and may be interested in helping.

**Old Business**

**Name of Hickory Park Pavilion**

Mayor Marsocci stated that a resident suggested to him that it be named after the Fire Department. He was also told that the Fire Department help build the pavilion and would be fitting as it is close to their 150<sup>th</sup> anniversary. The Board was not sure if they had built the pavilion. Trustee Adams volunteered to find out and report to the board.

A motion was made by Deputy Mayor Barclay 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 8:38

Respectfully submitted,

Cortney W. Gale  
Village Administrator