

**Regular Meeting  
Of the Board of Trustees  
Of the Village of Bergen at  
7:00pm April 11<sup>th</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 Morgante  
Trustee Donovan

Also present were: Village Administrator Cortney Gale, DPW Supervisor Ken Steinmetz, Kevin Finucane, Kevin Donovan, Grace Gallivan, Tom Williamson, Ed Adams, Tim Ruffin, Lisa Taylor, Don Donnelly, Tina Wilcox, and Rosalie Maguire.

**Approval of Bills**

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

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

**Approval of Minutes**

A motion to approve the meeting minutes for March 27<sup>th</sup> 2012 was made by Trustee Cooper and seconded by Trustee Adams. The motion was carried by the following vote:

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

**Mayor's Report**

**Easter Egg Hunt**

I attended the Easter Egg hunt on March 31<sup>st</sup> and would like to thank Pam Mezuare and family for putting on the event for another year. The event is well put on and well attended.

**Traffic Signs**

The crosswalk signs have been put up and we have ordered another sign for the area by the intersection of Route 19 and 262 in an attempt to slow traffic in the village. Ken and I looked at a couple of models of radar signs they cost approximately \$2900 each and would do a great job of slowing down traffic. I suggest that we purchase three.

**Sheriff Contract**

We received the preliminary information from Deputy Chief Gordon Dibble about the additional sheriff patrols. I also noticed that there was a mistake in the current contract, the sheriff's department ran out of money too soon.

### **Congresswomen Visit**

Congresswomen Kathy Hochul will be visiting the Byron-Bergen Public Library tomorrow, April 12<sup>th</sup>, at 2:00pm

### **Park Benches**

The benches are read to be placed in Carpenter and Zuber Parks. They will be in place for the students to work at Carpenter Park to prepare for the Eric Wahl Memorial ceremony.

### **Mercy Flight Contract**

The meeting with Mercy Flight was cancelled; the main concern with Mercy is their response time to Bergen. The meeting will be rescheduled.

### **Upcoming Meetings**

I will be attending the Semi-Annual MEUA meeting on April 24<sup>th</sup> and the Annual NYMPA meeting on May 15<sup>th</sup>.

### **Monthly Employee Meeting**

I hosted the monthly employee meeting on Monday April 9<sup>th</sup>. The meeting is continuing to be productive.

## **Deputy Mayor Report**

### **LGRMIF Grant**

I have set up a meeting with Gail Fisher, Regional Advisory Officer - NYS Archives, Lisa Campbell, and myself to approve the document storage room, to review the computer program for indexing documents, discuss the procedural manual, and to review the grant status on April 17<sup>th</sup>. We are confident the work will be completed before the June 30<sup>th</sup> deadline.

### **Village Tree Board**

There will be a presentation of the Tree City Award to the village during the Park Days celebration. This will coincide with the demonstrations by Mark Gooding, forest ranger with the DEC. Notices will be placed in the newsletter and on the website inviting volunteers, the Boy Scouts and Girl Scouts will be invited. Plants will be ordered for boxes, fountain, and village signs. Two weeping cherry trees will be planted in Carpenter Park as annual Arbor Day trees, lunch will be provided. Start time for activities will be 9:30 am. We received 12 applications for tree plantings. Ken and I will survey those areas for which the requests have been made and suggest tree choices to the Tree Board. The tree board will be planning for those trees at our next meeting; April 16<sup>th</sup> at 4:30.

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

Next meeting is planned for April 23 at 6:30pm.

### **High School Art**

The date for the student art presentation has been changed due to the Legislative Board meeting in the village on April 25<sup>th</sup>. We are attempting to reschedule the presentation to coincide the school budget presentation by the superintendent in May.

### **Safety Grants**

- Gary Rouleau (O'Connell and Assoc) contacted the New York State Governor's Traffic Safety Committee on our behalf concerning the Highway Safety Grant to address our concerns including excessive speed on Route 19 within the Village limits (state highway and the railroad crossing), DWI problems as patrons leave the local bar and illegal parking on the side streets (especially near Route 19 and the railroad crossing). He explained that we are looking for a Highway Safety Grant to pay for increased police coverage in the Village and to purchase speed detectors to assist in helping to control excess speed in the Village. The response is that the funding cannot be used for DWI enforcement (the Genesee County STOP-DWI Coordinator oversees that component of

traffic safety), nor can the funding be used for illegal parking complaints/enforcement. Funding has been provided in the past for limited equipment acquisition as it pertains to the enhancement of enforcement of state traffic laws. Equipment used for the purpose of providing warnings without any combined enforcement is not allowed under the federal guidelines in which the program is administered.

- The next step is to check into providing funding to the village for extending coverage hours through the Genesee County Sheriff's Office.
- I checked into grant availability for the joint purchase with the Village of Churchville of a street sweeper through the DOS Local Government Efficiency program. The response from the NYS Dept of State (Div of Local Government) this was previously possible, but it is now required that there be some sort of organizational change, such as functional consolidation of highway departments, before they will fund capital expenditures. Merely sharing a piece of equipment doesn't represent a change in the way of doing business since we currently share equipment with Churchville.

#### **Parks Master Plan**

- Several grant opportunities are available to fund projects being planned for village parks. I would like to begin outlining this document with plans from the village park committee, tree board, and the village board to prepare for these grants.

#### **DMV Drop Box**

Our DMV Drop Box will be presented to the Village on May 20<sup>th</sup> at 10 am. I have made arrangements with Leslie Krajewski for a small ceremony to include Don Reed (County Clerk), she will be arranging newspaper coverage. The board needs to decide on the location of installation by our DPW. Any DMV transaction that can be mailed will be accepted through the DMV drop box program. The county will send a press release.

#### **Deputy Mayor Position**

Mayor Marsocci has informed me that he has decided to remove me from my position as Deputy Mayor. It has been an honor to serve the village in that capacity for 12 of the 14 years I have been on the board. I want to extend my congratulations to Paul Cooper who will be taking on that position.

### **Administrator's Report**

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

- Electric Bills are due April 16<sup>th</sup>
- There were no shutoffs this Month
- Shutoff notices will be mailed on April 20<sup>th</sup> shutoff day is May 5<sup>th</sup>

#### **Bonds**

- I spoke to Jeff Smith from Municipal Solutions to inquire if there are any Bonds that can be refinanced. He feels that we could benefit from the 1,705,000 Bond in which there is currently \$675,000 owned. He is running a refunding analysis and will share the result with us when he is done.
- The Bond process for our 462K Bond Anticipation Note has started. Municipal Solutions will advertise the Bond Issue, and then take sealed bids. Once the bids are opened the lowest interest rate will be chosen. I'll report when date has been selected for the sale.
- Bond principal and interest payments due for May total \$165,791.25.

#### **Permissive Referendum**

- I created the resolution to establish equipment reserves, and had Jeff Smith review it. He said it was in good order and well written. The resolution will be posted in the paper and six locations around Bergen for 30 days to give the community time to express their thoughts or put together a petition to force a public vote.

#### **Marchese Computers**

- Based on the information provided by Marchese Computers and Village records it is my opinion that Marchese should be paid for 7 hours of work. I feel that their records, though hard to read, prove that 17 hours of work was performed, of which we paid 10 hours.

#### **Bonduelle**

- Bonduelle USA has officially taken over Allen's. Plant Manager Jim Newcomb stated that they are not willing to sell the property that our electric building is on but would be willing to enter into a 10 year contract for a dollar a year. If the board approves I will contact the Village Attorney in the morning.

#### **Refuse Disposal**

- Heberele Disposal returned my call regarding the cost of dumping our refuse at Mill Seat Landfill where we receive a discount. They said that they get such a low rate where they currently dump that it wouldn't be a cost saving to us. Heberele also stated that they would have to change their route to pick up and dump our refuse then proceed to their other locations.

#### **Marchese Computers**

A motion was made by Trustee Cooper and seconded by Trustee Morgante to pay Marchese Computers \$780. The Motion was carried by the following vote:

Mayor Marsocci - Aye  
 Deputy Mayor Barclay - Nay  
 Trustee Adams - Nay  
 Trustee Cooper - Aye  
 Trustee Morgante - Aye

A motion to have the Village Attorney create a 10 lease for the Electric Department Building with Bonduelle USA was made by Deputy Mayor Barclay and seconded by Trustee Cooper. The motion was carried by the following vote.

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

#### **DPW Supervisor's Report**

- Mowing/plowing of Fire dept and town bldg.  
 Ken and Mike agreed that the Village would do all of the mowing at this site and the Town would do the plowing and salting. The man hours would be essentially the same. The benefit would be that it would cut down on travel time and give an overall more consistent finished product. (not looking half done) We also agreed that if one of us got backed up the other would be able to help out. A lighter winter or dryer would alter the hours but should generally average out.
- Tulley renovation , At this time the total renovation cost including labor is 12,500. This includes rebuilding the exterior wall and replacing the door and window. Also we have been cleaning up and eliminating old plumbing and electric in the basement. We will also be moving forward on plans to recover the exterior of the building. (using the drivit system)
- Sewer plant is running well no issues to report.

- We have been getting a jump on the mowing season and getting a few winter bugs worked out of the machines. Brush pickup was done this week and we are continuing to set work up for the spring and summer.
- We will be trimming many trees this week and will have assistance from Castile, Holly and Akron. Three trees are slated to be removed and stump grinding will be done after the stake outs are complete.
- The new circuit breakers have been installed and certified at the Church street substation. The substation will be taken offline this Saturday to switch them over and to repair a few hot spots found during an infrared scan.
- The bucket truck needs to go in for repair to the boom and P.M. inspection. Altec will pick up and deliver after repairs are completed

### **Privilege of the Floor**

#### **Grace Gallivan**

- Wished the Board luck as they start a new year and appreciates the time that each dedicates to the serve in public office. She stated her concern in regard to incorrect statements about what happens at board meetings in the public, money being spent on unnecessary alterations, people not working enough in their positions and the experience of the people affiliated with the Village not being appreciated. She thanked Deputy Mayor Barclay for all the work and dedication she has given the Village in her years on the Board.

#### **Tim Ruffin**

- On behalf of the Park Committee would like to ask for the Board's support and direction. He asked that a Board Member be part of the Committee. Mr. Ruffin has been using his own money to start the projects.

The Board asked Mr. Ruffin to present a proposal of activities and cost so they can decide based on that proposal how to best fund the programs.

#### **Thomas Williamson**

- Mr. Williamson stated that he enjoyed working with Deputy Mayor Barclay during his years of employment. He said that she did a great job heading the Tulley Building restoration project and being Deputy Mayor.

### **Trustee Concerns**

#### **Trustee Adams**

- Received a call from a concerned citizen that a door was being unnecessarily installed in the Mayor's office by an employee on a holiday. Trustee Adams asked the Mayor what the project cost and why it was being done on a holiday.

Mayor Marsocci responded that it was being done while the office was closed so staff wouldn't be subjected to the dust and noise created by the project. The door was being installed so he has better access to the office staff. DPW Supervisor Ken Steinmetz believes that the project will cost about \$310. Mayor Marsocci also stated that if citizens have concerns they can come directly to him.

- Trustee Adams also read a letter from part-time achieve clerk thanking Deputy Mayor Barclay for the help she has given her during the archiving process.

#### **Trustee Cooper**

- Asked the Board to consider moving forward on the purchase of speed signs for the village and suggest that the cost be put into the 2012-13 budget.

### New Business

#### **Insurance Presentation**

Rosalie Maguire from Lawley Genesee presented the Board with an insurance proposal. The proposal was with NYMIR. The Board also received a proposal from Tompkins Insurance. They will compare the two and make a decision in the future.

#### **Re-Organizational Appointments**

##### Appointment of Officers

- **Administrator with Clerk/Treasurer duties: Cortney W. Gale**
- **Deputy Clerks: Tina Wilcox**
- **Deputy Treasurer: Rene Vurraro**
- **Archive Clerk: Lisa Campbell**
- **Fire Marshal, CEO/ZEO: Kenneth Kuter**
- **Village Historian: F. Eileen Almquist**
- **Deputy Mayor: Paul E. Cooper**
- **Official Newspaper: Primary - Suburban News;  
Secondary – Batavia Daily News**
- **Official Depositories: Bank of Castile and JP Morgan Chase**
- **Village of Bergen Attorney: Woods Oviatt Gilman/ Lacy Katzen, LLP**
- **Village of Bergen Engineer: Clark Patterson Associates**
- **Village of Bergen Accountants: EFP Rotenberg**
- **Village Election Inspectors: Vicki Almquist, Constance Fiedler, Jean Stewart, Mary Anne Cooper, Grace Gallivan, Cindy Payne or any other trained inspector.**
- **Village of Bergen Insurance Provider: Tompkins Insurance**
- **Village of Bergen Bond Council: Hodgsons Russ, LLP**

##### Planning and Zoning Board of Appeals Meetings

The regular meeting of the Village Planning Board will be the third Wednesday of each month at 7:30 p.m. in the Village Office. At the discretion of the Chairperson, the meeting may not be held due to lack of business before the Planning Board. The regular meeting of the Zoning Board of Appeals will be held the fourth Thursday of the month at 7:30 p.m. in the Village Office and will be held only when there is business before the Zoning Board of Appeals.

##### Appointment of Registrar of Vital Statistics

The Village appoints Town Clerk Michele Smith as Registrar of Vital Statistics. The Village also appoints any deputies the Town Clerk may have installed in office.

##### Sewer Arrears Relieved

Any unpaid sewer arrears as of April 30<sup>th</sup>, 2013 will be relieved on the June 1, 2012 tax bills.

##### Mileage Rate

The Mileage Rate will adjust to .55 cents per mile.

**Legal Notices**

All legal notices will be posted on the inside bulletin boards at the Village Office and Byron-Bergen Library as well as the Community Bulletin board outside the Village Post Office. They will also be published in the official newspaper.

**Bidding and Purchasing**

County and State Bids will be used and accepted in lieu of competitive bidding.

**Audit and Appropriations**

Payment in advance of audit payroll expenses, payments of principal and interest on lawful outstanding debt public utility service, postage, freight and express charges of the Village of Bergen. All such claims shall be presented at the next regular meeting for audit and the claimant and officer incurring or approving same shall be jointly and severally liable for any amount disallowed by the Board.

**Compensation of Representatives and Officials**

- Representative to CAB shall receive **\$25.00** per meeting
- Planning Board Chairperson shall receive **\$25.00** per meeting
- Planning Board Members shall receive **\$20.00** per meeting
- Zoning Board of Appeals Chairperson shall receive **\$25.00** per meeting
- Zoning Board of Appeals Members shall receive **\$20.00** per meeting
- Election inspectors shall receive **\$100.00** per day (noon – 9pm)

**2012**

May 28, 2012	Memorial Day
July 3, 2012	Independence Day
September 3, 2012	Labor Day
November 22 & 23, 2012	Thanksgiving
December 24 & 25, 2012	Christmas Eve & Christmas Day
December 31, 2012	New Year's Eve

**2013**

January 2, 2013	New Year's Day
February 18, 2013	President's Day
March 29, 2013	Good Friday
May 27, 2013	Memorial Day
July 4, 2013	Independence Day
September 2, 2013	Labor Day
November 28 & 29, 2013	Thanksgiving
December 24 & 25, 2013	Christmas Eve & Christmas Day
December 31, 2013	New Year's Eve

**Rules of Order**

The Village of Bergen Board of Trustees has elected to not abide by Robert's Rules of Order; instead it will adopt the following Rules of Order for meetings of the Board of Trustees.

### **PROPOSED RULES OF PROCEDURE FOR MEETINGS OF THE BOARD OF TRUSTEES**

#### **Regular Meetings:**

The Board of Trustees shall hold regular meetings on the 2<sup>nd</sup> and 4<sup>th</sup> Wednesdays of each month. Such regular meetings shall commence at 7:00 p.m. and be conducted in the boardroom in the Tulley Building. The Board of Trustees shall determine any deviation of the foregoing paragraph.

#### **Special Meetings:**

Special meetings of The Board of Trustees are all those Board meetings other than regular meetings. The Mayor or two or more Trustees acting together upon notice to the entire Board may call a special meeting. Notice shall be given by telephone, in person, or in writing at least 24 hours in advance unless an emergency exists.

#### **Quorum:**

A quorum shall be required to conduct business. A quorum of the (5) member board of trustees shall be (3) three. In the absence of a quorum, a lesser number may adjourn and compel the attendance of the absent members.

#### **Executive Sessions:**

Executive sessions shall be held in accordance with the NYS Public Officers Law 105. All executive sessions shall be commenced in a public meeting.

#### **Agendas:**

- The Administrator at the direction of the Mayor shall prepare the agenda. The Mayor or any Trustee may have an item placed on the agenda.
- The public may make a written request stating the specific matter to be addressed, to the Mayor to have a matter placed on the agenda.
- The Mayor will advise the Administrator whether to place such matters on the agenda.
- When possible, items for the agenda shall be given to the Administrator at least 24 hours before the meeting; however, items may be placed on the agenda at anytime upon the discretion of the Mayor.
- A draft agenda shall be prepared by 7pm on the Monday preceding the Wednesday meeting. If necessary, a supplement agenda shall be distributed at the beginning of the meeting.

#### **Voting:**

- Pursuant to Village Law each member of the Board shall have one vote. The Mayor may vote on any matter but must vote in case of a tie.
- A majority of the totally authorized voting power is necessary to pass a matter unless otherwise specified by State law.
- An abstention, silence or absence shall be considered a negative vote for the purposes of determining the final vote on a matter.
- A vote upon any question shall be taken by ayes and nays, the names of the members present and their votes shall be entered in the minutes or reflected as unanimous vote.

#### **Minutes:**

- Minutes shall be taken by the Administrator or any other person designated by the Mayor.
- Minutes shall consist of a record or summary of all motions, proposals, resolutions and any other matter formally voted upon and the vote thereon.

- Minutes shall be taken at executive session of any action that is taken by formal vote which consist of a record or summary of the final determination of such action, and the date and vote thereon; provided, however, that such summary need not include any matter which is not required to be made public by the NYS Freedom of Information Law.

**Minutes shall also include the following:**

- Name of the Board
- Date and time of meeting
- Notation of presence or absence of Board members and time of arrival or departure if different from time of call to order and adjournment
- Name and title of other village officials and employees present and well approximate number of attendees
- Time of adjournment
- Signature of Administrator - clerk/treasurer or person who took the minutes if not the Administrator - clerk/treasurer.

Minutes shall not contain a summary of the discussion leading to action taken or include verbatim comments unless a majority of the Board shall resolve the Administrator to do so. Minutes shall be approved at the next board meeting. Amendments to the minutes shall require Board approval.

**Order of Business:**

- Call to order
- Roll Call
- Approval of Budget Adjustments
- Approval of Bills
- Approval of Minutes
- Privilege of the Floor
- Trustee Concerns
- Report of officers and committees
- Old Business
- New Business
- Adjournment

**General Rules of Procedure:**

- The Mayor shall preside at meetings. In the Mayor's absence the Deputy Mayor shall preside.
- The Village Board will abide by the Open Meeting Law. Robert's Rules of Order will not govern the Board of Trustees' meeting.
- The presiding officer may debate, move and take other action that may be taken by other members of the Board.
- Board members are not required to rise but must be recognized by the presiding officer before making motions and speaking.
- Motions require a second.
- A member, once recognized shall not be interrupted when speaking unless it is to call him/her to order.
- If a member, while speaking, were called to order, they should cease speaking until the question of order is determined, and, if in order, he shall be permitted to proceed.
- There is no limit to the number of times a member may speak on a question.
- Motions to close or limit debate may be entertained but shall require a majority vote.

**Guidelines for Public Comment:**

- The public shall be allowed to speak only during the Privilege of the Floor period of the meeting or at such other time as a majority of the Board shall allow.
- Speakers may only address items on the agenda unless otherwise determined by the presiding officer.

- The presiding officer must recognize speakers.
  - Speakers must limit their remarks to five (5) minutes on a given topic, or as shall be otherwise determined by the presiding officer to keep the meeting orderly and allow time to attend to all of the matters or the agenda.
  - Speakers may not yield any remaining time they may have to another speaker.
  - Board members may, with the permission of the Mayor, interrupt a speaker during their remarks, for the purpose of clarification or information.
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- All remarks shall be addressed to the Board as a body and not to any individual member thereof.
  - Speakers shall observe the commonly accepted rules of courtesy, decorum, dignity and good taste.
  - Interested parties or their representatives may address the Board by written communications. The Administrator shall present all such communications to the Board at the next regularly scheduled meeting.

**Adjournment:**

Meetings shall be adjourned by motion.

**Amendments to the Rules of Procedure:**

The foregoing procedures may be amended from time to time by a majority vote of the Board

**ADVANCE APPROVAL OF CLAIMS**

“**WHEREAS** the board of trustees has determined to authorize payment in advance of audit of claims for public utility services, postage, freight and express charges; and

**WHEREAS** all such claims must be presented at the next regular meeting for audit; and

**WHEREAS** the claimant and the officer incurring or approving the claim are jointly and severally liable for any amount the board of trustees disallows.

**NOW THEREFORE BE IT RESOLVED:**

Section 1. That the board of trustees authorizes payment in advance of audit of claims for public utility services, postage, freight and express charges. All such claims must be presented at the next regular meeting for audit and the claimant and the officer incurring or approving the claims are jointly and severally liable for any amount the board of trustees disallows.

Section 2. That this resolution is effective immediately.”

**RESOLUTION FOR ATTENDANCE AT SCHOOLS AND CONFERENCES**

“**WHEREAS** there is to be held during the coming official year a) the New York Conference of Mayors Annual Meeting and Training School; b) the New York Conference of Mayors and Fall Training School for Fiscal Officers and Municipal Clerks; c) the New York State Conference of Mayors Public Works School; d) Government Finance Officers Training School; e) MEUA Annual Conference for Municipal Employees and DPW Employees, and

**WHEREAS** attendance by certain municipal officials and employees at one or more of these meetings, conferences or schools benefits the municipality;

**NOW THEREFORE BE IT RESOLVED:**

*Section 1. That the following officers and employees are authorized to attend said meetings, conferences or schools:*

- **Administrator - Clerk/Treasurer**
- **DPW Supervisor**
- **Board Members**

• **CEO/ZEO**

*Section 2. That this resolution is effective immediately.”*

**RESOLUTION FOR MILEAGE ALLOWANCE**

“**WHEREAS** the board of trustees has determined to pay a fixed rate for mileage as reimbursement to Village Officers and employees who use their personal automobiles while performing their official Village duties;

**NOW THEREFORE BE IT RESOLVED:**

Section 1. That the board of trustees will approve reimbursement to such officers and employees at the rate of **55 cents** per mile.

Section 2. That this resolution is effective immediately.”

**Date of next Re-organization Meeting – Wed., April 10, 2012**

A motion was made by Trustee Cooper and seconded by Trustee Morgante to accept the Re-Organizational appointments. The motion was carried by the following vote:

Deputy Mayor Barclay - aye

Trustee Adams - aye

Trustee Cooper - aye

Trustee Morgante - aye

**Bergen Park Festival Resolutions**

**Bergen Park Festival Parade – Road Closing**

**WHEREAS, THE** Bergen Business and Civic Association, as part of its *Bergen Park Festival* has scheduled a *parade* to take place on **Saturday, June 9, 2012 at 12:00 pm,**

**WHEREAS,** the proposed *parade* route is along Route 19 located within the Village of Bergen between Hunter Street and Parkview Drive,

**WHEREAS,** the Village Board of the Village of Bergen, New York, has determined that it is necessary to close *Route 19* within the Village of Bergen between its intersections of Hunter St. and Parkview Drive in order to adequately protect the health, safety and welfare of the participants in the *parade* and the spectators along the route, and

**NOW, THEREFORE, IT IS HEREBY RESOLVED AND ORDERED** by the Village Board of the Village of Bergen, New York that Route 19 shall be closed within the Village of Bergen, New York between Hunter Street and the intersection of Parkview Drive and Route 262 on Saturday, June 9<sup>th</sup> at 12:00pm in order to permit the passage of a parade along said route, and

The *Village of Bergen* will be responsible for obtaining all proper permits from the New York State Department of Transportation and to notify the Genesee County Sheriff and the Bergen Fire Department and to comply with all requirements of said agencies. The *Village of Bergen* will also take the responsibility to make all necessary arrangements for traffic control (barricades, flagpersons, signs, etc...).

**BE IT FURTHER RESOLVED AND ORDERED** that said road shall be reopened to passage of vehicular traffic as soon as it is practicable after the conclusion of said parade.

**Bergen Park Festival Fireworks Display- Road Closing**

**WHEREAS, THE** Bergen Business and Civic Association, as part of its *Bergen Park Festival* has scheduled a *fireworks display* to take place on **Saturday, June 9, 2012 at approximately 10:00 pm,**  
**WHEREAS,** the proposed fireworks display location is along Parkview Drive & currently located within the Village of Bergen between Buffalo Road and Route 19;

**WHEREAS,** the Village Board of the Village of Bergen, New York, has determined that it is necessary to close *Parkview Drive* within the Village of Bergen between its intersections of Buffalo Road and Route 19 in order to adequately protect the health, safety and welfare of the participants watching the fireworks,

**NOW, THEREFORE, IT IS HEREBY RESOLVED AND ORDERED** by the Village Board of the Village of Bergen, New York that Parkview Drive shall be closed within the Village of Bergen, New York Saturday, June 9<sup>th</sup> at 9:00 pm until 11:00 pm in order to permit the fireworks display, and

The *Village of Bergen* will take responsibility in obtaining all proper permits from the New York State Department of Transportation and to notify the Genesee County Sheriff and the Bergen Fire Department and to comply with all requirements of said agencies. The *Village of Bergen* will also be responsible for making all necessary arrangements for traffic control (barricades, flagpersons, signs, etc...).

**BE IT FURTHER RESOLVED AND ORDERED** that said road shall be re-opened to passage of vehicular traffic as soon as it is practicable after the conclusion of said fireworks.

A motion was made by Deputy Mayor Barclay and seconded by Trustee Adams to accept the Bergen Festival Resolutions. The motion was carried by the following vote:

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

## **Delegate Resolutions**

### **MEUA Delegate Resolution**

At a regular meeting of the Board of Trustees of the Village of Bergen, New York, held on April 11<sup>th</sup>, 2012, the following resolution was adopted:

**WHEREAS,** the Board of Trustees of the Village of Bergen, New York, is a municipal member of the Municipal Electric Utilities Association of New York State, and

**WHEREAS,** the Semi-Annual Meeting of the Municipal Electric Utilities Association of New York State has been called on April 24 and April 25, 2012 to be held at the Embassy Suites Hotel, 6646 Old Collamer Rd., East Syracuse, New York, 13057 and,

**WHEREAS,** in accordance with the bylaws of the Municipal Electric Utilities Association of New York State, each municipal member may cast one vote on each transaction properly brought before this meeting,

**NOW THEREFORE BE IT RESOLVED,** that Joseph Chimino be and is hereby designated as the accredited delegate of the Village of Bergen, New York.

### **NYMPA Delegate Resolution**

At a regular meeting of the Board of Trustees of the Village of Bergen, New York, held on April 11<sup>th</sup>, 2012, the following resolution was adopted:

**WHEREAS**, the Board of Trustees of the Village of Bergen, New York, is a municipal member of the Municipal Electric Utilities Association of New York State, and

**WHEREAS**, the Annual Meeting of the New York Municipal Power Authority has been called on May 16<sup>th</sup>, 2012 to be held at the Embassy Suites Hotel, 6646 Old Collamer Rd., East Syracuse, New York, 13057 and,

**WHEREAS**, in accordance with the bylaws of New York Municipal Agency, each municipal member may cast one vote on each transaction properly brought before this meeting,

**WHEREAS**, in accordance with the bylaws of the Municipal Electric Utilities Association of New York State, each municipal member may cast one vote on each transaction properly brought before this meeting,

**NOW THEREFORE BE IT RESOLVED**, that Joseph Chimino be and is hereby designated as the accredited delegate of the Village of Bergen, New York.

A motion was made by Deputy Mayor Barclay and seconded by Trustee Cooper to accept delegate appointments. The motion was carried by the following vote:

Deputy Mayor Barclay - aye

Trustee Adams - aye

Trustee Cooper - aye

Trustee Morgante - aye

## Reserve Creation Resolution

### PERMISSIVE REFERENDUM TO ESTABLISH RESERVE ACCOUNTS

**NOTICE IS HEREBY GIVEN** that a resolution establishing various capital reserve funds, a summary of which is published herewith, has been adopted by the Village Board of Trustees of the Village of Bergen, County of Genesee, on April 11<sup>th</sup>, 2012

**BE IT RESOLVED**, by the Village Board of the Village of Bergen, Genesee County, New York, as follows:

Section 1. Pursuant to section 6-c [6-g] of the General Municipal Law, as amended, there is hereby established a capital reserve fund to be known as the "Sewer Equipment Reserve Fund" (hereinafter "Reserve Fund"). The purpose of this Reserve Fund is to accumulate moneys and transfers from Unappropriated Fund Balances to finance the costs of purchasing heavy equipment for use by the Sewer Department. The amount to be transferred to said Reserve Fund is \$30,000.

Section 2. Pursuant to section 6-c [6-g] of the General Municipal Law, as amended, there is hereby established a capital reserve fund to be known as the "General Equipment Reserve Fund" (hereinafter "Reserve Fund"). The purpose of this Reserve Fund is to accumulate moneys and transfers from Unappropriated Fund Balances to finance the costs of purchasing heavy equipment for use by the Department of Public Works. The amount to be transferred to said Reserve Fund is \$30,000.

Section 3. Pursuant to section 6-c [6-g] of the General Municipal Law, as amended, there is hereby established a capital reserve fund to be known as the "Electric Equipment Reserve Fund" (hereinafter "Reserve Fund"). The purpose of this Reserve Fund is to accumulate moneys and transfers from

Unappropriated Fund Balances to finance the costs of purchasing heavy equipment for use by the Electric Department. The amount to be transferred to said Reserve Fund is \$30,000.

Section 4. There may be paid into such Reserve Funds from time to time, such amounts, revenues and/or moneys as are specified in Section 6-c of the General Municipal Law.

Section 5. Any expenditures from the Reserve Funds hereby established shall be made only upon authorization of the Village Board of said Village

Section 6. The Village Treasurer is hereby directed to deposit and secure the moneys of said Reserve Funds, including any transfers to or from such fund, shall be conducted in accordance with the provisions of Section 10 of the General Municipal Law. The Village Treasurer may invest the moneys in the Reserve Fund in the manner provided by section 11 of the General Municipal Law, and consistent with the investment policy of the Village of Bergen. Any interest earned or capital gains realized on the moneys so deposited or invested shall accrue to and become part of the Reserve Funds. The Village Treasurer shall account for the Reserve Funds in a manner, which maintains the separate identity of the cash and investments of the Reserve Fund.

Section 7. This resolution is subject to permissive referendum pursuant to subdivision 4 of section 6-c [6-g] of the General Municipal Law.

Section 8. Upon this resolution taking effect, the same shall be published in full in the Village's official newspapers, The Suburban News and The Daily News, together with a notice of the Village Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Following publication, the foregoing resolution shall be posted in six (6) conspicuous places and in accordance with Section 9-902 of Village Law, shall take effect in thirty (30) days.

A motion was made by Trustee Cooper and seconded by Trustee Morgante to accept the Permissive Resolutions to create an equipment reserve. The motion was carried by the following vote:

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

### **Electric Truck Repair**

A motion was made by Deputy Mayor Barclay and seconded by Trustee Adams to approve the repair of Electric Boom Truck and a rental truck for one week not to exceed \$13,000. The motion was carried by the following vote:

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

### **Old Business**

#### **Electric Survey**

A motion was made by Trustee Cooper and seconded by Trustee Morgante to approve the commission of an Electric Study by PLM in the amount of \$10,000. The motion was carried by the following vote:

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

Trustee Morgante - aye

Trustee Adams noted that she voted nay because she would have liked to get other quote.

A motion was made by Trustee Adams and seconded by Deputy Mayor Barclay to enter executive session at 8:36pm. The motion was carried by the following vote:

Deputy Mayor Barclay - aye

Trustee Adams – aye

Trustee Cooper - aye

Trustee Morgante - aye

A motion was made by Deputy Mayor Barclay and seconded by Trustee Cooper to exit executive session at 9:25pm. The motion was carried by the following vote:

Deputy Mayor Barclay - aye

Trustee Adams – aye

Trustee Cooper - aye

Trustee Morgante - aye

A motion was made by Deputy Mayor Barclay and seconded by Trustee Cooper to adjourn the meeting. The motion was carried by the following vote:

Deputy Mayor Barclay - aye

Trustee Adams – aye

Trustee Cooper - aye

Trustee Morgante - aye

The Meeting was adjourned at 9:26pm

Respectfully submitted,

Cortney W. Gale  
Village Administrator