

**Regular Meeting  
Of the Board of Trustees  
Of the Village of Bergen at  
7:00pm on August 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 Cooper  
Trustee Adams  
Trustee Barclay  
Trustee Morgante

Also present were: Village Administrator Cortney Gale, DPW Supervisor Ken Steinmetz, Kevin Finucane, Coty Steinmetz, and Kenny Steinmetz.

**Approval of Bills**

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

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

**Approval of Minutes**

A motion to approve the meeting minutes for August 8th was made by Trustee Barclay and seconded by Trustee Adams. The motion was carried by the following vote:

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

**Mayor's Report**

- Electric study has been started, the individual who is performing the study had family health issues.
- Spoke to CSX representative Eric Wade, he is waiting on permits from DOT, which should take a couple weeks. They have the detour route already planned.
- With the passing of Village Historian Tally Almquist a new historian needs to be named, Ray MacConnell has been mentioned as a candidate.
- Contacting DOT to look at drainage on Munger Street. If drains are added and ditch is widened I believe Munger St wouldn't have as many flood issues.
- I have been reviewing programs with the IEEP, currently looking at business and industrial lighting.
- There will be a shortage in hydro power in October. New York Power Authority has asked if we would like to buy incremental power. We are allotted so little hydro that I don't think it is necessary.

- I spoke to the garbage men from Heberle about the amount of residents that put their garbage out to the curb, they feel that about 90% still use the bags.
- Would like the grass in the sidewalk cracks pulled.
- I have put together a proposal for the board to review that would provide free refuse service to the community. Please take time to look it over so we can discuss at a future meeting.

### **Deputy Mayor Report**

- Ginny and I met Joe Nenni and Belinda Grant from the Town Board on Monday. Items discussed:
- Ginny asked if the tipping fee payment from WM had begun yet. Neither new the answer but are going to check into it and report back.
- We talked again about a joint Community Action Day next year. Ginny had the idea to ask a potential Eagle Scout if he would like to organize the event for his project, she is going to check into it.
- We informed them of the progress with CSX and the crossing on Rt. 19
- On Sept 17<sup>th</sup>, meetings will begin to plan for the Towns bicentennial celebrations
- It is the Village turn to host the next joint board meeting, we have set a tentative date of Sept 26<sup>th</sup> at 7pm. Cortney and Michele, please post this if there are no conflicts on either board.
- Belinda asked why the Village only pays \$500 per year to the Library for programs when the Town pays so much more. Ginny stated that since Village residents also pay Town taxes, it was not fair to them to charge twice for the same service.
- Next meeting of this committee is December 3<sup>rd</sup> and 7pm.
- I would like Cortney and Ken to prepare a report for the Sept 12<sup>th</sup> meeting on the current Tully project. Report should include all financials of current project including totals for material and labor. With this information we can decide how to spend the remaining money in that account.
- I would like to thank Ken, Mike and their crews for the road work done today, it looks fantastic. It's great to see both crews working together.
- Ken, some time ago we purchased a plaque for Eric Wall. What is the status on the installation of it?

### **Administrator's**

#### **Refuse Bidding**

- Bids for refuse collection and recycling services were opened at 11:01 on Monday August 29<sup>th</sup>. Two companies presented bids; Waste Management bid \$58,895 and Heberle Disposal \$42,123.92. Representatives from both parties in attended the opening. I contacted NYCOM to clarify the competitive bidding process; they instructed me that in an "invitation to bid" situation there is no minimum number or bids required.

#### **Accounting/Audit**

- The State published our Financial Conditions Audit on August 11<sup>th</sup>. The Village's notification to the public was published in the Batavia Daily News and the full copy of the audit was posted on the website. An article was published in the Batavia Daily News regarding the audit.

#### **Sewer Bond**

- Village Bond Counsel John Alessi gave the go ahead to pass the resolution for Post Bond Issuance Compliance Procedures. He has prepared the bond refinance resolution, which I have included in your packets to be voted on at the September 12<sup>th</sup> meeting.

#### **Electric Survey**

- Joe has been in contact with PLM, the individual who is to perform the survey should be able to start in two weeks. His father is in failing health and is currently in the hospital.
- The Village has not paid for the report; the bill will be presented with the survey.

#### **Apartment Available**

- Apartment four is now vacant. Kirk is fielding inquiries and providing them with our “Rental Application” which includes employment verification and past rental history. Kirk and I discussed rent and believe that it should be increased from \$400 a month to \$425. We also feel that when the lease expires on apartment 3 rent should be increase from \$425 to \$450.

#### **Miscellaneous**

- As a reminder, I will be on vacation from Friday August 24<sup>th</sup> to Monday September 3<sup>rd</sup>, I will be in the Adirondack’s and out of cell phone range for most of the time. I will check my email when I can. Tina and Rene should be able to handle anything that arises in my absence.
- Because there are five Wednesdays in August our next meeting will be in three weeks on September 12<sup>th</sup>.

### **DPW Supervisor’s Report**

- The wire has been pulled on Merriman Rd we are waiting for transformers to be delivered then they will be tied in so the overhead lines can be removed
- The underground wire has been pulled in the Hart development and the transformers set. We attempted to switch over but found a bad wire which needs to be replaced. Everything else looks good.
- Joe assisted Akron with an emergency last weekend.
- The oil testing on the transformers at the substation has been completed and checked out fine.
- Kruger is scheduled to be here on Tues 8/28 to do the PM and tech check. This will include checking and calibrating the plant to manufacturer’s specs. Bruce, Chris and Ken will be there to learn and get answers to the issues we are having. (foaming aeration, auto setting for blowers and calibration of flowmeters)
- Paving on Gates street went very well and looks great. Thanks to Kevin, Chris, Town of Bergen, Stafford and Byron for their help. Genesee County came in with their paver, roller and crews and did an awesome job. We also assisted the Town with their project on Bovee Rd and at the Fire Dept.
- The Tulley building is coming along very well all of the drywall is done and we will be spraying it tomorrow.
- I received quotes for resealing and striping the two Village lots, the court and parking lot at Hickory Park.

### **Privilege of the Floor**

None

## Trustee Concerns

### **Trustee Barclay**

#### **Grants**

- I am continuing to work with Jessica Mitrovits of J. O'Connell and Assoc on the NYSCA Decentralization Re-grants for Individual Artists, Non-Profits and Government Agencies. This grant is associated with the work to be done on the Tulley exterior mural.
  - A required letter of intent will be submitted before the August 28<sup>th</sup> deadline. **Mural**
- Ginny and I met with the owners of Wild Spirit Creations (Judy and Sandy - mural artists) of Dansville concerning the mural on the Tulley Building. They will be sending an estimate and a sketch based on the series of postcards of 1880's Bergen.
- Lori DeFazio, muralist out of Batavia, of Dogs Over the Moon, has prepared a sketch (based on the same postcards) and is preparing an estimate.
- The mural will be done on boards designed for this purpose instead of sandblasting the current mural. This will preserve the mural in its current condition, prevent damage to the bricks and be a less expensive alternative to painting on cleaned bricks.

#### **Village Tree Board**

- I contacted Steve Appleton (Brockport) who is involved with the Brockport Tree Board. He has given me contact information for the director of the Brockport Tree Board to investigate mutual activities benefiting both communities.
- Next meeting to be scheduled for Sept.

#### **Parks Master Plan Committee**

- I am continuing to work on the draft of the Parks Master Plan.

#### **Memorial for Tally**

- I spoke with Vicki Almquist concerning the options we are considering for the memorial to Tally. She and I will work on the inscription together, and then present it to the board.
- I have sent inquiries to three companies for estimates on cost.

#### **Town/Village Committee Mtg**

- I was not able to attend the meeting on Monday due to a family emergency; Ginny attended in my place and updated me on the discussions.

### **Trustee Adams**

- Vines and grass by the fence on the west side of the municipal parking lot on Buffalo Street are overgrown, can that be taken care of?
- When will the median in the same parking lot be planted?
- Garbage remains in front of 20 Emily Court, what is being done?
- Have had no response from the individual I contacted about the Village logo.

DPW Supervisor responded to Trustee Adams questions as follows, we aren't sure where the property line is so the fence may belong to the Village, will look into it. The median will be planted in the fall. Spoke to residents at 20 Emily Ct. three times, next step is to contact the owner.

## New Business

### **Award of Refuse Contract**

A motion was made by Deputy Mayor Cooper and seconded by Trustee Barclay to accept Heberle Disposal's bid for refuse collection in the amount of \$42,019.92 over Waste Management's bid of \$59,895.00. The motion was carried by the following vote:

Deputy Mayor Cooper - aye

Trustee Adams – aye

Trustee Barclay - aye

Trustee Morgante - aye

**Resolution – Post Bond Issuance Compliance Procedures**

A motion was made by Trustee Barclay and seconded by Trustee Morgante to approve Resolution 14-2012 creating post bond issuance compliance procedures. The motion was carried by the following vote:

Deputy Mayor Cooper - aye

Trustee Adams – aye

Trustee Barclay - aye

Trustee Morgante - aye

RESOLUTION 14-2012  
VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF BERGEN  
GENESEE COUNTY, NEW YORK  
(THE "VILLAGE")

WHEREAS, the Internal Revenue Service has issued new regulations requiring issuers of tax-exempt obligations to certify on Form 8038-G that they actively monitor compliance with federal tax rules following the issuance of such obligations; and

WHEREAS, the Village is an occasional issuer of tax-exempt obligations and thus is subject to the aforementioned compliance requirements which are critical for the preservation of preferential tax status of those obligations; and

WHEREAS, it is therefore in the best interest of the Village to adopt formal written procedures to ensure such compliance and to designate an official responsible for ensuring that such procedures are followed;

NOW THEREFORE, BE IT RESOLVED, that Village hereby adopts the interim post-issuance compliance procedures attached hereto as "Schedule A" and resolves to be governed thereby; and

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately upon its adoption.

**Road Sealant**

A motion was made by Trustee Barclay and seconded by Trustee Adams to approve an expenditure of up to \$8,500 to seal village streets. The motion was carried by the following vote:

Deputy Mayor Cooper - aye

Trustee Adams – aye

Trustee Barclay - aye

Trustee Morgante - aye

**Old Business**

**Memorial for Tally Almquist**

The board discussed options and decided that a plaque on the Tulley Building would be appropriate. Prices will be gathered and wording will be worked on by Trustee Barclay.

A motion was made by Deputy Mayor Cooper and seconded by Trustee Morgante to enter in to executive session at 7:58pm to discuss employee matters and union contract negotiations. The motion was carried by the following vote:

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

A motion was made by Deputy Mayor Cooper to exit executive session and seconded by Trustee Morgante at 8:25pm. The motion was carried by the following vote:

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

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

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

The Meeting was adjourned at 8:30pm

Respectfully submitted,

Cortney W. Gale  
Village Administrator