

**Public Hearing & Regular Meeting  
Of the Board of Trustees  
Of the Village of Bergen at  
6:45pm**

The Public Hearing was called to order by Mayor Marsocci at 6:45pm with the following present:

Deputy Mayor Cooper  
Trustee Adams  
Trustee Barclay  
Trustee Morgante

Also present were: Village Administrator Cortney Gale, DPW Supervisor Ken Steinmetz, Grace Gallivan, John Murray, Ann Sapienza, Joe Nenni, Joe Chimino, and Maria Chimino.

The public hearing was for the proposed Local Law #1 of 2013, "Exemption for Capital Improvements to Residential Buildings."

Ann Sapienza, Village and Town Assesor, pointed out to the Board a few modifications to the law that she felt should be made.

At 7:00pm Mayor Marsocci closed the public hearing and called to order the regular meeting of the Board of Trustees of the Village of Bergen.

**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 December 19<sup>th</sup> 2012 was made by Deputy Mayor Cooper 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**

- Attended meeting at the Mill Seat landfill with Trustees Morgante, Adams, Barclay and

Mr. Gale. The meeting was to review the plans for the landfills expansion which are in the beginning stages. Also present were representatives from the Town of Bergen and Bergen Fire Department.

- HMT, the Village's back-up electric engineer, has submitted a proposal to complete the Village's electric study for a cost of \$9,800. We will be receiving another proposal next week.
- Meeting Friday with GoTToGo electric to discuss streetlights.
- Attended the recent GAM (Genesee Association of Municipalities) meeting with Mark Messi from the GCEDC. The next date is March 26<sup>th</sup>.
- Received an update of channel changes from Time Warner Cable.

### Administrator's

#### **Sewer Budget**

- This past budget year we put together very tight sewer and general budgets, this makes it difficult to absorb unforeseen expenses. With the extra expenses because of the Sewer Plant the sewer budget is in rough shape. I will be proposing budget transfers and/or budget modifications at the next meeting or two.

#### **Budget**

- I will have a copy of the tentative budget ready for the January 23<sup>rd</sup> board meeting. I still would like the Board to work through the five year projected budget tool from the Office of the State Comptroller. Even though we have a healthy unappropriated fund balance without an increase in revenue and decrease in expenses those funds will be gone in 5 – 10 years. A balanced budget is crucial.

#### **Electric**

- There were no shutoffs for this month
- Bills were due today.
- NYMPA has sent out a call for funds to replenish one of their reserve funds in the amount of \$135,000 because the congestion charges were more than they accounted for. The money will be divided amount all the "Munis" so the price to us should be minimal as it is based on how many fixed rate TCC's we purchase, which is only \$800 a year. The cost will be part of our normal NYMPA bill.

#### **Solarize Genesee**

- Kevin Donovan contacted me regarding a program through GCEDC and Arista Power called Green Genesee. It is a program that allows participants to join together in the purchase of solar panels at bulk rates. Mr. Donovan suggested solar power could be used offset costs at the sewer plant. I will find out more information and report to the Board.

#### **Apartment**

- We have a few applications for the apartment. The apartment is being advertised as a non-smoking non pet unit. The stairs and pet issue has been the main reason it has not yet been rented.

#### **Miscellaneous**

- We received CHIPS funds in the amount of \$15,977. We budgeted \$15,100
- State & Federal payroll year end tax filings have been submitted
- NYS state sales tax payment and report have been submitted for 2012

## **DPW Supervisor's Report**

- The clean up from our first big storm went extremely well. We planned ahead and had the crew in by 8 pm and then returned at 4am. The timing was good and the guys worked very well together. Chris handled multiple early call-ins well and kept our streets in great shape. Bruce, Joe, Nick and Kirk kept downtown and walkways safe. We had many compliments on how well we cleaned up the Village in the face of ongoing snow and drifting. The whole crew deserves a big thank you for going the extra mile to do an excellent job.
- The Christmas tree pickup went well with a few stragglers that we will pick up as needed. The Christmas decorations have been taken down also.
- As noted in the weekly sewer report updates we are working diligently to assess our foaming issue and will continue sample testing and interviews to help determine the cause or causes.
- Our MLLS number is down a bit so we will be wasting less to bring the count up.
- We are still maintaining DEC compliance with our plant and will continue to fine tune our process.
- We are currently running about 170,000 to 180,000 gpd through the plant.
- Our foaming was down over the holidays but is starting to pick back up.
- Koester is finalizing the estimate for the blower upgrade and I should be receiving it shortly.
- The base price for a f-150 truck was \$21,429 vs. \$22,977 for the f-250. The f-150 is not as versatile as the f-250 and the f-250 would have a better resale value.
- The GPS for the Village electric is complete and was given to the Genesee County I.T. department for integration into the County GIS program. The next phase of GPS locating will be catch basins and septic tank locations.
- I have a list of ongoing electric projects that are expected to be completed by June.
- We have the quote for the electric system evaluation study at \$9800.
- Eric Wies will present the Munger street engineering study at our next Board meeting on 1-23-13

## **CEO/ZEO**

Mr. Kuter presented the board with his annual report to New York State which outlines his activities.

## **Privilege of the Floor**

None

## **Trustee Concerns**

### **Deputy Mayor Cooper**

- Asked Mr. Steinmetz and Mr. Gale how many businesses had been visited to inquire about their chemical use per the engineer's request. Mr. Steinmetz stated that he had been to seven businesses. Mr. Gale interjected that they had decided to stop going to businesses temporarily and test the pump stations to pin point the areas that have the greatest concentration of chemicals then approach the businesses nearby.

### **Trustee Barclay**

#### **Grants**

- Tom Lajewski (O'Connell and Assoc), Ray MacConnell, Cortney, and I met to continue planning the project for the Historic records/maps preservation and storage grant application. The application is tentatively due Feb 1<sup>st</sup>, 2013.

- A letter was received from the NYS Homes and Community Renewal stating that our Main Street project would not be one of those being funded this year. Our project is strong, but, since the awards are competitive based on several components, other projects were awarded funds. An "exit conference" will be set up to discuss the application. I will send a letter to each participant notifying them of the results, and letting them know the date of the conference.

**Emergency Preparedness Plan 2013**

- Tom Williamson, Ken Steinmetz, Cortney and I met to update information from the 2011 Emergency Preparedness Plan. Copies will be printed, collated, put in notebooks. A review of the plan will be done every 6 months to insure all information is up to date. We would like to present the plan at the joint town/village meeting in February.

**Plaque for Tally**

- I received a proof for the plaque from Scott Gillette from American Custom Engraving Co. (copies for board comment and approval). Any input as to the type of "ceremony" to install the plaque on the building is welcome.

**200<sup>th</sup> Town Anniversary**

- Met with Fred and Eunice Ely to plan the program for the 200<sup>th</sup> Town of Bergen Anniversary celebration that will take place on Saturday, April 13<sup>th</sup>, at 1pm in Mt. Rest Cemetery

**New Business**

**Local Law #1 of 2013**

A motion was made by Trustee Barclay and seconded by Deputy Mayor Cooper to approve the local law with the changes requested by Ann Sapienza. The motion was carried by the following vote:

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

**Local Law #1 of 2013**

Village of Bergen

Exemption for Capital Improvements to Residential Buildings

**WHEREAS**, The following Local Law was duly introduced to the Board of Trustees of the Village of Bergen to amend the tax laws of the Village of Bergen.

**Be it enacted**, by the Board of Trustees, Village of Bergen, New York, as follows:

Section 1. **Exemptions for Capital Improvements to Residential Buildings in the Village of Bergen.**

**Exemptions Established**

Residential buildings within the Village of Bergen, New York that are reconstructed, altered or improved, pursuant to 421-f of the NYS Real Property Tax Law shall be exempt from taxation.

**Amount of Exemption**

- A. The exemption equals the base exemption, multiplied by one of the following percentages. The extent of such exemptions shall decrease by 12½% of the exemption base each year during such additional period pursuant to the following.

Year 1	100%
Year 2	87.5%

Year 3	75%
Year 4	62.5%
Year 5	50%
Year 6	37.5%
Year 7	25%
Year 8	12.5%
Year 9	0%

- B. Such exemptions shall be limited to \$80,000 in increase market value, but not less than \$3,000 of the property attributable to such reconstruction, alteration or improvement, and any increase in market value greater than such amount shall not be eligible for the exemption pursuant to this section. For purposes of this section, the market value of the reconstruction, alteration or improvement shall be equal to the increased assessed value attributable to such reconstruction, alteration or improvement divided by the most recently established state equalization rate or special equalization rate, except where the state equalization rate or special equalization rate equals or exceeds 95%, in which case the increase in assessed value attributable to such reconstruction, alteration or improvement shall be deemed to equal the market value of such reconstruction, alteration or improvement.

**Section 2. Eligibility for Exemption**

- A. No such exemption shall be granted for reconstruction, alterations or improvements unless:
1. Such reconstruction, alteration or improvement was commenced subsequent to the effective date of the local law or resolution adopted; and
  2. The value of such reconstruction, alteration or improvement exceeds \$3,000; and
  3. The greater portion, as so determined by square footage, of the building reconstructed, altered or improved is at least five years old; and
  4. The reconstruction, alteration or improvement shall have been permitted by the Village of Bergen Code Enforcement Officer such that a building or plumbing permit issued and said reconstruction, alteration or improvement shall have met all necessary approvals per the applicable New York State Uniform Fire Prevention and Building Code, Bergen Municipal Code; and
  5. The property for which exemption is sought must be a one or two family residence.
- B. For purposes of this section the terms "reconstruction," alteration" and "improvement" shall not include ordinary maintenance and repairs.
- C. In the event that a building granted an exemption pursuant to this article ceases to be used primarily for residential purposes or title thereto is transferred to other than the heirs or distributees of the owner, the exemption granted pursuant to this article shall cease.

**Section 3. Time to file application**

Such exemption shall be granted only upon application by the owner of such building on a form prescribed by the State Board. The application shall be filed with the Assessor of the Village of Bergen on or before the taxable status date of March 1. Any exemption pursuant to this article shall be granted only upon application by the owner thereof on the form prescribed by the State Board. The application shall be filed with the Assessor of the Village of Bergen on or before the taxable status date of March 1 to be eligible for any exemption to be entered on the assessment roll prepared on the basis of said taxable status date.

**Section 4. Effective Date**

This local law shall take effect immediately and end March 1<sup>st</sup> 2033

**Blower for the Sewer Treatment Plant**

A motion was made by Trustee Barclay and seconded by Trustee Morgante to purchase the necessary parts to upgrade the blowers in the sewer treatment plant. The motion was carried by the following vote:

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

### **Old Business**

None

A motion to enter executive session at 8:00pm to discuss legal matters was made by Trustee Morgante and seconded by Trustee Barclay. 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 to exit executive session at 8:40pm by Trustee Morgante and was 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

### **Administrator Salary Increase**

A motion was made by Trustee Morgante and seconded by Trustee Barclay to increase the Village Administrators salary to equal that of the DPW Supervisor's. 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 Deputy Mayor Cooper 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 8:48pm

Respectfully submitted,

Cortney W. Gale  
Village Administrator