

**Regular Meeting  
Of the Board of Trustees  
Of the Village of Bergen at  
7:00pm on May 13<sup>th</sup> 2015**

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

Trustee Donovan  
Trustee VanEenwyk

Trustee Cooper was absent

Also present were: Village Administrator Cortney Gale, DPW Supervisor Gary Zawodzinski, Joe Chimino, Debbie List, and Casey Kosiorek.

**Approval of Bills**

A motion to approve the bills was made by Trustee Donovan and seconded by Trustee VanEenwyk. The motion was carried by a unanimous following vote.

**Approval of Minutes**

A motion to approve the meeting minutes of April 22<sup>nd</sup> 2015 was made by Trustee VanEenwyk and seconded by Trustee Donovan. The motion was carried by a unanimous vote:

**Mayor's Report**

**Trustee Appointment**

- Welcome to Robert Fedele who has been appointed to fill the trustee position on the village board, and thank you for joining the board.

**Comprehensive Plan**

- On May 4, the Community Workshop was held at the Gillam Grant Community Center with housing and residential neighborhoods, parks and recreation as the topics presented and discussed.
- The village will be hosting the June 1<sup>st</sup> meeting; there will be a walking tour of parts of the village, the downtown business district and infrastructure, historic preservation in the village and the town, transportation within the town and village. The meeting starts at 7pm..

**Planning Board**

- Initial paperwork for the proposed car wash near the Bergen C-Store will be reviewed at the May 20<sup>th</sup> meeting.
- The final training webinar (Special Use Permits) will be presented to the planning and zoning board members on May 20th.

**Refuse Pick-up**

- Thank you to the office staff for their support in answering resident questions and concerns surrounding the new refuse pick-up program in the village, for their input for implementation, and to Cortney for working with me throughout the process. There have been many comments from residents expressing their appreciation of the efforts to secure a contract that is in the best interest of the community. The new contract with Boon and Sons will take effect June 1st.

### **Community Garage Sale**

- Cortney and I have had two meetings with Heather Piper to plan for the 2<sup>nd</sup> Community Garage Sale, June 27, 9:30am to 3pm. This year's event will include a "business hop", sale, and activities (sky divers, sock hop) and food in Hickory Park afterwards. The Boy Scouts will have bird houses and nesting boxes to sell, other groups are considering fund-raising sales.

### **Business Group**

- The business group will meet May 19<sup>th</sup> at 6:30 to finalize plans for the business hop, Batavia News page.

### **BBCA**

- At the Park Festival Committee Meeting May 6<sup>th</sup>, final plans were discussed for the park activities and parade on June 13<sup>th</sup>; this year's events will include disc golf clinic introducing the course in Hartland Park, sale of Community Flower, etc.

### **Park Committee/Tree Board**

- Andy Pleninger (Urban Forestry) presented the Tree Inventory Report for the village at the May 11<sup>th</sup> meeting (survey paid through DEC grant). The results provide a management plan for planting, pruning, and tree removal. Andy will provide a "webinar" of the Urforian Manager, the tree inventory management application where the data has been organized for us. It will allow ongoing input as to conditions and management practices of the village tree inventory.
- Plans are finalized for Community Action Day and Arbor Day ceremony planned for May 16<sup>th</sup>; two weeping cherries will be planted between the fence and sidewalk at Hickory Park, the community flower (magenta petunia) will be used for the planter boxes and hanging planters throughout the village and will be sold at the Park festival.
- The committee is sponsoring a Disc Golf Clinic at the Park Festival on June 13<sup>th</sup>.
- Chris Fay will be overseeing the construction of the raised beds of the Community Garden.

### **Parks**

- Thank you to Gary and the crew for the work being done in Hickory Park; restrooms have been upgraded, ball fields marked out, prep for Park Festival, sidewalk from McKenzie to Life Trail Stations, etc. There has been a lot of activity in the park, and we want that to continue.
- Doug McIver is designing the 9 hole disc golf course in Hartland Park, the baskets should be here for installation in June.
- Invitations have been mailed out, and posters will be out, for the Life Trail Open House on June 10<sup>th</sup>, 10 am, Hickory Park. A representative from R.E.Woodson Inc (Vicki Jones) will be demonstrating the stations.

### **Meetings**

- Gary Z, Cortney, and I meet every Tuesday morning 9am to discuss plans for the week.
- Joe C, Cortney, and I met with Rachael Tabelski (GCEDC) concerning electric allocations.

## **Administrator's**

### **Electric/Sewer**

- Electric bills were due today. Out of the 42 on the shut off list this month, none had their power turned off.
- Sewer Bills were mailed on May 2<sup>nd</sup> along with information regarding the new refuse system.
- Mayor Barclay, Joe Chimino and I met with Rachael Tabelski from Genesee County Economic Development (GCEDC) today to plan a presentation to the MEUA in hope that they will support our

quest for additional hydro electric power. She will have a draft of the presentation in two weeks, at which time we will set a time to meet with the MEUA executive board.

- Joe Chimino and I will be attending the MEUA Semi-Annual meeting in Syracuse on April 29<sup>th</sup>. The MEUA won a lawsuit against National Grid pertaining to the Rate of Return they charge. As a result members of the MEUA will be receiving a refund based on power consumption.
- Joe and I will be attending the NYMPA Annual meeting on May 20<sup>th</sup>, if anyone would like to attend there is still time to register.

#### **Insurance**

- Our insurance company (NYMIR) is sending someone to inspect and value our buildings, property and infrastructure on May 21<sup>st</sup>.
- I asked our agent to see if we could submit a claim for the problems at the sewer plant. I'm not overly hopeful but thought it was worth a try. NYMIR called to get more information and may send out an independent claims adjuster.

#### **Accounting**

- As part of our audit EFP Rotenberg will require that they are present when the linemen do inventory. I will arrange this with Gary and Joe.
- We're getting ready for the end of the fiscal year. After June 1<sup>st</sup> we'll be working diligently to close the year and prepare the Annual Update Document (AUD) and Public Service Commission report.

#### **Rental Space**

- I have received six applications to rent apartment four. I would like to pick someone and let them know tomorrow.
- All tenants are up to date on their rent and electric bills.

#### **Miscellaneous**

- A representative from the Department of Labor was in the office on Friday April 24<sup>th</sup> to review our books and records pertaining to an unemployment claim. He was able to determine that the Village is not liable to pay any of the claim.
- Paul Marchese from Marchese Computers will be in the office on Thursday May 14<sup>th</sup> to fix the phone system. I asked that our IT consultant be here as well to assist Mr. Marchese.
- New York Conference of Mayors (NYCOM) annual Fall Training School is September 28<sup>th</sup> –October 2<sup>nd</sup> I know it's early but it's a good time to start planning to attend.
- We are in need for volunteers for Bergen Park Festival; if you could spare an hour or two it would be greatly appreciated.
- The county sent us 1<sup>st</sup> Quarter Sales tax \$ in the amount of \$57,739.25, which is about \$1000 less than last year

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

**WWTP** - The waste water treatment plant issue has stabilized. We had a consultant Engineer Walt Medlock come in from Krueger to assist with the issues. He gave us some recommendations, which we followed and the plant has rebounded. It is still not up to 100% but is handling all flow and shipping has ceased. During Walt's visit we had a meeting with Karis Manning of the NYSDEC, I, Mayor Barclay, Village Engineer Eric Wies, Walt Medlock, Operators, Bruce Partridge and Chris Fay attended. Ms. Manning was pleased with our proactive approach; she would like us to develop an upset recovery plan and procedure, this is in process with Walt Medlock. We also will have new phosphorous limits that will go into effect next May 2016. The limits/treatment for phosphorous will run from May 1<sup>st</sup> to October 1<sup>st</sup>. In order to be in compliance and be proactive, the plan is to implement and run treatment in September and October of this year so that we are prepared and can work out any

issues in advance. The total for A.D. Call to ship material amounted to \$245,329.35. Walt will be returning for a follow up visit and to conduct training the week of May 25, 2015. The overhead roll up garage door of the MBR building has a broken spring, repair is about \$4500.00, this is a safety issue and needs to be accomplished.

**Electric** - The lineman have helped in the Park spring clean up and summer preparation as well as installing new transformers throughout the village. With the arrival of the new bucket truck, we would like permission to erect an addition to the Electric Building. The construction will be completed with our labor except for the concrete floor and installation of overhead doors. The cost for a 36 x 40, addition will be \$8816.70 for Genesee Lumber for materials, \$8395.00 for Installation of two 14 x14 overhead doors and \$13,800 with Pro construction Concrete for the floor.

**DPW and Parks** - Brush pick will continue on the 2<sup>nd</sup> and 4<sup>th</sup> Monday of each month. The Hickory Park bathrooms have been opened, re-plumbed and the floors refinished, the interiors will also be painted. The baseball and softball diamonds have been reworked completely sod removed, base areas redeveloped and bleacher areas stoned. The Linemen have finished the planned Park work, installing underground electric and panels for Park Festival and other events. A new sidewalk has been installed from McKenzie/Clinton streets to the paved path in the park. Renovation cost \$14,459 with most cost associated with the sidewalk installation. Community Action day is planned for Saturday and all preparations have been accomplished.

The Village of Springville is purchasing a new Street Sweeper and we can purchase their used sweeper for only \$25,000. It is a 2003 Elgin sweeper. I have pictures of the unit. The machine has only 13301 miles and 2814 hours. I spoke with a few vendors ,trying to get a good price comparison, they are reluctant to put much in writing but based on the hours and miles , I had two verbal's the unit is worth at least over \$70,000 and maybe as high as \$75-80,000. Keep in mind, these are companies that will purchase the unit and resell. Also, attached, at Ritchie Bros auction, a similar type unit brought \$70,000. Machinery trader has one for \$89,000. We are budgeted to replace the 2007 Ford 550 but will forgo this and use the associated funds for the sweeper and push the 550 replacement till next year.

**CEO/ZEO**

Number of Inspections	10
Number of Building Permits Issued	3
Number of Building C.0 / C.0 Issued	1
Number of Zoning Complaints Filed	0
Number of Zoning Complaints Resolved	0
Number of Stop Work Orders Issued	0
Number of Fire Inspections	2

Working with new day care operators (Little Guppies) at 42 Rochester St. They are renovating space and looking to open for business on May 11, 2015

**Historian**

I talked on "Maretta's Doll & Toy Museum" on March 21 to the Bergen Triangle Club, then again on April 1 at the Gates Senior Club. On April 18, I attended a day-long seminar with Western NY Historians where 3 different subjects of interest to NYS Historians were discussed by professionals from around the state. March 10 I attended a 2 hour seminar at the Rochester Landmark Society 6-8 pm on public relations attempts to attract new members and maintain membership. March 24 I attended a discussion on the "Walk about" of Bergen Village. April 7 I had lunch with "Daily News" reporter, Ginny Kropf to discuss and build a stronger report with the media.

**Privilege of the Floor**

None

**Trustee Concerns**

Trustee Donovan commented on a collapsing catch basin near Munger Street. DPW Supervisor Zawodzinski stated that he is aware of it and will be fixing catch basins around the village soon.

**New Business**

**Appointment of Trustee**

Mayor Barclay appointed Robert Fedele to the position of Trustee of the Village Board. Mr. Fedele will fill the remaining term vacated by Scott Morgante.

**School Budget Presentation**

Byron Bergen Superintendent Casey Kosiorek and Board of Education President Deborah List presented the 2015-2016 School budget. State aid was higher than anticipated which allowed them to add new teachers and a School Resource Officer, who will be a Genesee County Sheriff's Deputy. The increase in taxes will be 2.2%.

**2015-2016 Sheriff Contract**

A motion was made by Trustee Donovan and seconded by Trustee VanEenwyk to approve the 2015-2016 Sheriff Contract in the amount of \$13,000 for additional patrols. The motion was passed by a unanimous vote.

**Resolution - Bonduelle Land Purchase**

**Resolution No. 7 of 2015  
of the  
Board of Trustees of the Village of Bergen, New York**

**RESOLUTION AUTHORIZING ACQUISITION OF AN APPROXIMATELY 7.5 ACRE PARCEL OF LAND AND IMPROVEMENTS THEREON, COMPRISING PORTIONS OF THOSE CERTAIN PROPERTIES OWNED BY BONDUELLE U.S.A., INC. LOCATED ON CHURCH STREET, VILLAGE OF BERGEN, COUNTY OF GENESEE, NEW YORK (TAX MAP ACCOUNT NOS. 1.-1-18 AND 1.-1-20)**

**WHEREAS**, The Village of Bergen (the "*Village*") has entered into that certain Purchase and Sale Agreement dated as of April 1, 2015 (the "*Purchase Contract*") to acquire an approximately 7.5 acre parcel of land upon which is situate the Village's electric substation, electric shop building and related improvements thereon (the "*Premises*"), and comprising portions of those certain properties located on Church Street, Village of Bergen, County of Genesee, New York (tax map account nos. 1.-1-18 and 1.-1-20) owned by Bonduelle U.S.A., Inc. ("*Seller*"); and

**WHEREAS**, a copy of the Purchase Contract is attached to this Resolution; and

**WHEREAS**, the Board of Trustees of the Village of Bergen has reviewed the Purchase Contract.

**NOW, THEREFORE, BE IT RESOLVED**, that:

- (1) that the Purchase Contract and any and all other acts of the Village of Bergen in connection with the acquisition of the Premises referred to in the Purchase Contract and the preceding recitals are hereby in each and every respect ratified, confirmed, adopted and approved as the acts of the Village of Bergen; and
- (2) that the Village of Bergen execute and deliver the Purchase Contract and such other documents, instruments and certificates as may be necessary or appropriate to enable the Village of Bergen to acquire the Premises pursuant to the terms and conditions of the Purchase Contract; and
- (3) that Anna Marie Barclay, in her capacity as Mayor of the Village of Bergen be, and hereby is, authorized, empowered and directed to execute, acknowledge if required, and deliver on behalf of the Village of Bergen, the Purchase Contract with such changes as she shall deem appropriate, and such other further documents, instruments and certificates as may be necessary or appropriate in connection therewith containing such terms and

provisions as she shall deem appropriate; and to do such other acts and things as may be necessary appropriate and consistent with carrying out the intent and purpose of this and the foregoing resolutions, the execution and delivery of any of the foregoing documents or the doing of any act or thing being conclusive evidence as to the appropriateness thereof and as to the authority of Anna Marie Barclay to so execute and deliver any such document and to do any such act or thing.

A motion was made by Trustee Donovan, seconded by Trustee VanEenwyk, the Resolution was adopted by a unanimous vote.

#### **Resolution – NYMPA Delegate**

##### **RESOLUTION 6 of 2015**

New York Municipal Power Agency Delegate

**WHEREAS**, the Board of Trustees of the Village of Bergen, New York, is a municipal member of the New York Municipal Power Agency, and

**WHEREAS**, in accordance with the bylaws of New York Municipal Power Agency, 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 Trustee VanEenwyk and seconded by Trustee Donovan to pass the resolution. The resolution was passed by a unanimous vote.

#### **Garage Door Repair**

A motion was made by Trustee Donovan and seconded by Trustee VanEenwyk to expend \$4,500 to repair the overhead door at the Sewer plant and install an automatic opener. The motion was passed by a unanimous vote.

#### **Electric Building Addition**

A motion was made by Trustee Donovan and seconded by Trustee VanEenwyk to expend \$31,011.70 to build an addition on the Electric building for vehicle and equipment storage. The motion was passed by a unanimous vote.

#### **Pre-Made Shed for Hickory Park**

A motion was made by Trustee Donovan and seconded by Trustee VanEenwyk to expend \$2,158 to purchase a pre-made storage shed for storage in Hickory Park. The motion was passed by a unanimous vote.

#### **Street Sweeper**

A motion was made by Trustee Donovan and seconded by Trustee VanEenwyk to expend \$25,000 to purchase a Street Sweeper from the Village of Springville contingent upon DPW Supervisor Gary Zawodzinski's inspection. The motion was passed by a unanimous vote.

#### **Old Business**

**NONE**

#### **Adjournment**

A motion was made by Trustee VanEenwyk and seconded by Trustee Fedele to adjourn the meeting. The motion was carried by a unanimous vote:

The meeting was adjourned at 9:05pm

Respectfully submitted,

Cortney W. Gale  
Village Administrator