

**Regular Meeting  
Of the Board of Trustees  
Of the Village of Bergen at  
7:00pm on September 9<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 Cooper  
Trustee Donovan  
Trustee Fedele  
Trustee VanEenwyk

Also present were: Village Administrator Cortney Gale, DPW Supervisor Gary Zawodzinski, and Grace Gallivan.

**Approval of Bills**

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

**Approval of Minutes**

A motion to approve the meeting minutes of August 26<sup>th</sup> 2015 was made by Trustee Donovan and seconded by Trustee VanEenwyk. The motion was carried by a unanimous vote:

**Mayor's Report**

**Planning Board**

- The car wash/pet wash proposed for the 8073 Clinton Street site will be discussed at the Sept. 16<sup>th</sup> planning board meeting (7pm). Re-engineered drawings requested by the planning board will be presented.
- The project includes a subdivision request for the property.
- WWTP concerns are being addressed; MSDS for the carwash have been submitted to the planning board.
- The NYDOT has notified the "client" there is no traffic study indicated for the site. The proposal includes traffic signs, curbed islands, parking space changes that will assist with the traffic flow.

**America's Best Communities**

- The Field to Fork Feast on September 3<sup>rd</sup> was sold out (net \$10,575) and was a huge success!
- Representatives from Camion interviewed Leroy business owners, the Bergen town supervisor, Jim Newcomb from Bonduelle, Cortney, and me today as final preparations are made for the next round documents which will include demographic and economic base analysis of our communities.

**Disc golf**

- Information for the October 10<sup>th</sup> tournament has been distributed to disc golf sites in Rochester and Niagara, the course in Hartland Park continues to be busy. We are looking for sponsorships as the event is advertized.
- Registration information has been posted on the village website.
- Planning by a community group for Family Shenanigans in Hickory Park for the afternoon and evening is being finalized. They have a website for information on the event at [BergenFamilyShenanigans.org](http://BergenFamilyShenanigans.org) There is a banner hung in Hickory Park to advertize the event.

**Town/Village Joint Meeting**

- We will be hosting the next joint meeting on Tuesday, September 22, 6:30pm. The agenda will include updates on the Comprehensive Plan, America's Best Communities Competition, and county projects, introduction with question and answer of the Town and Village Assessor Rhonda Saulsbury, and presentation of the fire department proposed budget.

### **CPC**

- Members of the Comprehensive Plan Committee received a draft of the plan to review for the Sept 14<sup>th</sup> meeting.
- Meetings will now focus on portions of the plan; land use plans for the town and village, and goals and recommended actions will be the focus of the Sept 14<sup>th</sup> meeting.

### **Barley and Books**

- Library fundraiser will take place on Saturday, September 19<sup>th</sup> from 2 to 5 pm at the home of the Brian Stone family; \$20 advance tickets, \$25 at door.

## **Administrator's**

### **Electric/Sewer**

- Electric bills are due September 10<sup>th</sup>. The next electric bill will be mailed on September 21<sup>st</sup> along with a newsletter. If you have anything to add please let Barb know by the 18<sup>th</sup>.
- Sewer bills were due September 2<sup>nd</sup>.

### **Office**

- Since the discontinuation of the refuse sticker program we've seen a decrease in customer traffic, which we expected. Now that people aren't coming in for stickers they aren't dropping off electric and sewer bills at the same time so there's been a large increase in e-payment checks.
- Rene has asked to change her hours. She'll work three days a week, working more hours per day. It will result in a reduction of about five hours per week.

### **New York State**

- State Comptroller Tom DiNapoli announced recently that the pension contribution rates will decrease for State Retirement's 2016-17 fiscal years (payable by Village December 2016.) The average contribution rate will go from 18.2% to 15.5% of payroll. This is good news for us, while it's not a fix for long term fiscal challenges (including a sub-1% tax cap), it certainly helps. It will give us a little breathing room in the 2016-2017 budget.
- A couple new laws are being reviewed by the state, one would expand the definition of abandoned property to include property that has a zoning, or property maintenance code violation which has not been fixed for at least one year. The other would require banks to maintain vacant and abandoned pre-foreclosure residential property and set up a data base of those properties that is accessible by local governments.

### **Accounting**

- Bob Fox plans on attending the October 14<sup>th</sup> board meeting to present the results of the 2014-2015 fiscal year. He was unable to attend tonight's meeting and the next meeting is the joint meeting with the town.

### **Code Enforcement Issues**

- Ken Kuter has reported sufficient progress has been made to rectify the violation at 19 Buffalo Street. He is asking the court to extend the time allowed to clean up the property two weeks to allow the owner to continue the work.

- I sent a letter to the owner of 54 South Lake Avenue asking him to cut the vegetation in and around Minnie Creek.

### **Miscellaneous**

- Anne Sapienza's retirement party is Wednesday September 23<sup>rd</sup> at Batavia Downs, if you wish to attend please RSVP to Michelle Smith.
- The Mayor, Barb Zinter and I are attending NYCOM Fall Training School from September 28<sup>th</sup> through October 1<sup>st</sup>. It's not too late to register if anyone else would like to attend.
- Our yearly employee picnic will be on September 15<sup>th</sup> from 11:30pm-1:30pm. The office will be closed during that time period. We will post the closure on the website, and Facebook.

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

#### **WWTP**

- The waste water treatment plant is operating well. The equalization basin has been repaired by Dilcher's group. There were large and small cracks in the concrete that needed to be ground and sealed. A new treatment pump will be installed in the upcoming weeks to meet the new Phosphorous limits. We plan on running a trial this fall for the new limits that take effect next May.

#### **Electric**

- Installation of this year's transformers is ongoing. The addition to the building is completed and being utilized.

#### **DPW and Parks**

- We completed Oil and Chipping and this came in on budget. Tree and wood debris grinding is scheduled for the first week of October. The new area for community gardens is in place and the fence that was taken down by the Quonset hut will be recycled and installed for this purpose. A new bridge has been installed connecting with a path from McCabe Court to the area by the old blue water building. We have been working on installation of a crosswalk that will connect Hickory Park across Rt 19 to Hartland Park. The path mentioned above has been landscaped and looks good. We finished topsoil grading on the new path in Hickory Park as well.

### **CEO/ZEO**

Number of Inspections	18
Number of Building Permits Issued	1
Number of Building C.0 / C.O Issued	1
Number of Zoning Complaints Filed	1
Number of Zoning Complaints Resolved	1
Number of Appearance Tickets Issued	0
Number of Fire Inspections	2

- Bergen Court Justice has set a compliance date of 9/9/15 for Mr. Stephen Tyson at 19 Buffalo Street to correct all violations; if all are corrected there will be no further action from the Village.

### **Privilege of the Floor**

Grace Gallivan asked who is responsible to clean the sidewalks in front of the downtown businesses as there is often garbage and cigarette butts in the area. Mayor Barclay stated that businesses used to take care of them but she would look into it.

### **Trustee Concerns**

Trustee Fedele asked about the daycare at the end of Munger Street. He feels that there is a need for daycare in the area.

Trustee Donovan stated that there was a broken picnic table in the back pavilion at Hickory Park and that when he was back there a vehicle drove around the chained barrier to the back entrance to get to the pavilion. The vehicle left after the saw him and realized he wasn't leaving.

Trustee Cooper asked if it was possible to put solar panels on top of the Tulley Building. Mr. Gale said because of the municipal power system we couldn't sell the power generated to National Grid but said it was possible to use the power in the building.

### **New Business**

#### **Resolution 10 of 2015 – Route 19 Crosswalk (Hartland Park)**

##### RESOLUTION FOR LIABILITY AND MAINTENANCE OF SIDEWALK, CURB RAMP AND CROSSWALK ON STATE ROUTE 19

Whereas, the Village of Bergen, proposes the construction of sidewalk, curb ramps and crosswalk, on State Route 19, on the north side of their existing entrance to Hickory Park on the east side of State Route 19, in the Village of Bergen, as shown on Highway Work Permit plans prepared by Clark Patterson Lee, dated August 24<sup>th</sup> 2015, and

Whereas, the State of New York will only allow the sidewalk, curb ramps and crosswalk special markings to be constructed within the State Highway right-of-way if the Village of Bergen indemnifies New York State, NYSDOT and accepts responsibility for all liability and maintenance replacements and repairs, including the removal of snow and ice.

Now, therefore, be it resolved:

- Section 1. Permittee, Village of Bergen agrees to accept all responsibility and liability with respect to the sidewalk, curb ramps and crosswalk special pavement markings to the fullest extent permitted by law, the Permittee agrees to defend, indemnify and hold harmless the State of New York, NYSDOT and their agents from and against all claims, damage, losses and expenses, including but not limited to wrongful death and/or environmental claims no matter how caused.
- Section 2. The Village of Bergen agrees to perform all maintenance, replacement and repairs of the sidewalk, curb ramps and crosswalk special pavement markings including the removal of snow and ice.
- Section 3. That this resolution shall take effect immediately.
- Section 4. That the Clerk of this Board is hereby directed to transmit three (3) certified copies of the foregoing resolution to the New York State Department of Transportation.

A motion was made by Trustee Cooper and seconded by Trustee Donovan to approve the resolution. The motion was carried by a unanimous vote.

### **Old Business**

#### **America's Best Communities Donation**

A motion was made by Trustee Cooper and seconded by Trustee Donovan to donate \$500 to the America's Best Communities Contest for the Community Revitalization Plan. The motion carried by a unanimous vote.

**Joint Town/Village Board Meeting**

The board discussed the joint Town/Village Board meeting and scheduled it for Tuesday September 22<sup>nd</sup> at 6:30pm.

**Adjournment**

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

The meeting was adjourned at 8:00pm

Respectfully submitted,

Cortney W. Gale  
Village Administrator