

**Public Hearing & Regular Meeting
Of the Board of Trustees
Of the Village of Bergen at
6:45pm on August 10th 2016**

Public Hearing

Mayor Barclay opened the Public Hearing regarding the proposed borrowing of funds through a bond issuance for sewer plant upgrades at 6:45. There were no residents in attendance.

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

Trustee Almquist
Trustee Donovan
Trustee Fedele
Trustee VanEenwyk

Also present were: Village Administrator Cortney Gale

Approval of Bills

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

Approval of Minutes

A motion to approve the meeting minutes of July 13th 2016 was made by Trustee VanEenwyk and seconded by Trustee Fedele. The motion was carried by a unanimous vote:

Mayor's Report

Grants

- I am working on the disbursement forms and final paperwork for the New York Main Street Tech grant. All materials will be submitted by Friday, Aug 12th.
- Jay Grasso completed the Median Household Income Survey. The MHI came out at \$45,050. We are below the \$45,505 threshold for many funding opportunities.
- Thank you letters were sent to Senator Ranzenhofer and his Chief of Staff Kathy Donner for their support in securing the \$100,000 for the "blue building" project.
- Unfortunately, we were not awarded funding through the LGRMIF this round; I had applied for \$12,604 for document conversion and access of building and property records, and maps and drawings of village properties and buildings.
- The Consolidate Funding Application for New York Main Streets has been submitted on our behalf by Labella and Assoc. (Ed Flynn). It was definitely a group effort! We have 5 downtown property owners committed to building rehabilitation projects based on the recommendations of the NY Tech grant. We received over 20 letters of recommendation in support of our project!

- The Genesee County Planning Board will hear the application for the Village/Town of Bergen Comprehensive Plan on August 11; Vickie and I are planning to attend. Referral Recommendations/meeting results will be mailed to the municipalities the day after the meeting and are also posted on the planning board website.

Park Committee/Tree Board

- The first annual Chuck Fest was held on July 16th; there were 27 participants this year with three divisions of play (professional, amateur, and youth). Thank you to everyone who helped make it a successful event. The course has been in constant use throughout this spring and summer.
- The Monarch butterfly gardens are surviving the hot and dry summer, arborvitae (sale) have been planted along the community garden fence.
- The new basketball hoops and updated courts are in constant use, the pickleball courts are very busy.

Other meetings attended, Etc.

- Gary, Cortney, and I met with representatives from the Monroe County Water Authority (Steve Savage and Richard Metzge) to discuss the existing and proposed updated lease of the Hartland Park area.
- I have been in contact with Peter Yasses, Byron Supervisor, to open a discussion concerning our WWTP and how we might support Byron in their waste water treatment.
- After surveying the board on the county proposed concept change to the Sales Tax Allocation Agreement and receiving consistent responses from everyone, I sent a response to Don Cunningham (GAM representative) that the Village of Bergen does not support the change.
- I had the opportunity to meet with Brockport Mayor Margay Blackman; we discussed many aspects of the Village of Brockport and the Village of Bergen. They are working on a parks master plan; a copy of ours was sent as reference. We will be working together in the future to support projects in our communities.
- I met with Mickey Edwards (7/22), newly appointed Byron-Bergen School District Superintendent; we discussed many opportunities for the village to work with the school district in program development, community participation, etc.
- President Obama signed the legislation renaming the Bergen post office for Barry Miller into law, making the naming official.
- I met with Cheryl Donovan to discuss the Gillam Grant participation in the Imagination Library program.
- Orleans County Legislator Kenneth DeRoller stopped by to compliment the village on all the projects and improvements taking place throughout the village. He is inviting town and village representatives to attend a discussion to take place here in Bergen for ideas that can be incorporated in Orleans County.
- Thank you to Ray MacConnell for representing the village at the Waste Management Open House on 7/28.

Administrator's

Electric/Sewer

- Electric bills are due today. Another bill will be mailed on Tuesday August 23rd and will be due September 19th. We sent out only 15 shut off notices which are extremely low. There were no subsequent shutoffs.
- The electric rate for August is 10.8¢ per kWh. The rate went up a lot from last month which is due to increase usage, and Bonduelle starting production. The June bill is always the lowest of the year.
- Sewer bills were sent out on August 1st and are due August 31st.
- Pumping of sewer tanks have been completed.
- Rene is completing the 18a assessment reporting for the Public Service Commission.

Accounting

- New York State has finally given us the information we need to proceed with the completion of the Annual Update Document and Public Service Commission Report. We received the information on August 2nd.
- I filed a request for an extension for the AUD and received approval. This should be a given since they didn't give us the information to compete the report until two days after it was due.
- Bob Fox has given us the final journal entries for the year, there are very few. Barb should be inputting the reports very soon.
- There have been no further requests for information from our auditors.

Social Media/Electronic Age

- We have been discussing how better to disseminate information to our residents. This has led us to create a Twitter page. We would also like to explore the idea of creating an App for the village. We will be pushing residents to use our Facebook page and Twitter feed throughout the next few months.
- Use of our website's payment portal has been steady for the last year, however at a lower rate than I would like. We had many more users in the beginning (double) but lost them due to the \$2.00 fee assessed for making a payment. I would like the board to consider waiving that fee to help increase usage.
- I am also looking into the cost of receiving electronic payments directly from customer's accounts when they use their bank's online banking. At this time the bank mails us a check which can take up to 10 days to receive. We are getting a large amount of these checks every month.

Miscellaneous

- To date we've received 94% of property tax payments, with only \$20,774.77 left to receive.
- The Bonduelle property sale is still moving forward. Bonduelle's attorneys have the information and are working through the steps for the sale, which is a little different because they are an international company not based in this county.
- I signed the Mayor, Vickie and myself up for NYCOM Fall Training School. There is still time if anyone else wants to go.
- We received 2nd quarter sales tax payment from the county for \$63,077.22
- I am taking August 18th off for the Van Hulburt Memorial Golf Tournament. There are still spots available if anyone would like to play.

CEO/ZEO

Number of Inspections	10
Number of Building Permits Issued	2
Number of Building C.0 / C.0 Issued	2
Number of Zoning Complaints Filed	3
Number of Zoning Complaints Resolved	3
Number of Appearance Tickets Issued	0
Number of Fire Inspections	2

- Working with engineer David Schoell from Clark Patterson Lee to obtain code compliant plans for the Recreation Center Building. At this point I will receive two sets of plans for final review, based on my preliminary review the village should have a building permit in hand by week's end.
- They would be available for weekly review of construction to make sure all compliances and construction details are being adhered to, if the Village Board would like them to provide this service. Please check with Eric Weiss if you would like to proceed.

Historian

This month has been busy, as most months turn-out to be. I firmed things up with the Pomeroy Foundation for the

Bissell Home at N. Lake Rd. (Grant residence) marker that will be up for a decision in February of 2017. A second marker is up for consideration for the Harford House, Barn & Livery.

I met with a Robert Collister and researched his family. His uncle was Charles Collister of Munger Street. I found marriage, and burial places in Mt. Rest Cemetery for him.

I spoke to the kid's summer group at the village park on July 19 about the horse, Mirage. It was good to be in the park because all I had to say was to look over your shoulders and you will see the house and barn that was used for the taxidermy task of Mirage, so it brought the story to life and made it very real!

I will have an exhibit at the Mill Creek Landfill on July 28. I will be showing both the "Fisher's Drug Store" and "Mayor Sage" exhibits. It is a well attended event and I look forward to the exposure the Village gets from it.

I wrote of W. Monroe Sage, and Billy Burns, a barber in Bergen many years ago in the town and village news letters.

Lastly, I sat at the Genesee County Fair for an afternoon on July 12 in the History Booth. I had a couple of good conversations with county residences.

Privilege of the Floor

None

Trustee Concerns

Trustee Almquist – Is in favor of adding the Rose Garden to the business sign in Zuber Park. We need to see what the cost will be.

Trustee Donovan – Is continuing to look into a charging station for electric cars and has made contact with an individual from RIT.

Trustee Fedele – Discussed the Time Warner Cable merger with Charter

Trustee VanEenwyk – Discussed the summer recreation program and said that the number of participants went down the final week. She believes it is due to the heat and vacations.

New Business

Resolution 11 of 2016

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 Conference of the Municipal Electric Utilities Association of New York State has been called on August 30, 31, September 1, 2, 2016, to be held at Holiday Valley, Route 219, Ellicottville, N.Y, 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.

The motion to approve the resolution was made by Trustee Almquist and seconded by Trustee Fedele. The motion was carried by a unanimous vote.

Resolution 12 of 2016

A BOND RESOLUTION, DATED AUGUST 10, 2016, OF THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF BERGEN, GENESEE

COUNTY, NEW YORK (THE “VILLAGE”), AUTHORIZING A SEWER SYSTEM CAPITAL IMPROVEMENTS PROJECT (PRIMARILY AT THE WASTEWATER TREATMENT FACILITY), AT AN ESTIMATED MAXIMUM COST OF \$325,000, AND AUTHORIZING THE ISSUANCE OF SERIAL BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$325,000, PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE SAID PURPOSE, SAID AMOUNT TO BE OFFSET BY ANY FEDERAL, STATE, COUNTY AND/OR LOCAL FUNDS RECEIVED, AND DELEGATING THE POWER TO ISSUE BOND ANTICIPATION NOTES IN ANTICIPATION OF THE SALE OF SUCH BONDS TO THE VILLAGE TREASURER.

WHEREAS, the Village Board of Trustees of the Village of Bergen, in the County of Genesee, New York (the “Village”) desires to undertake a capital improvements project for the reconstruction of and construction of improvements to the Village Sewer System primarily at the Wastewater Treatment Facility.

NOW THEREFORE, BE IT RESOLVED, by the Board (by the favorable vote of not less than two-thirds of all the members of the Board of Trustees) as follows:

SECTION 1. The class of objects or purposes to be financed pursuant to this resolution is a sewer system capital improvements project primarily at the wastewater treatment facility, such work to generally consist of the purchase and installation of equipment and components that will be used to process sludge into a Class A bio solids through a static pile composting process, including, but not limited to, a new chemical storage tank and sludge screw press, and the construction of an approximately 3,900 square foot storage building to be used as a composting facility, as well as other improvements more fully identified in a preliminary engineering report prepared by Clark Patterson Lee, and including all preliminary work and necessary equipment, materials, and site work and all preliminary costs and costs incidental thereto and in connection with the financing thereof (collectively, the “Purpose”). The estimated maximum cost of the Purpose is \$325,000.

SECTION 2. The Village Board of Trustees plans to finance the estimated maximum cost of the Purpose by the issuance of serial bonds of the Village in an aggregate amount not to exceed \$325,000, hereby authorized to be issued therefor pursuant to the Local Finance Law, said amount to be offset by any federal, state, county and/or local funds received. Unless paid from other sources or charges, the cost of such improvements is to be paid by the levy and collection of taxes on all real property in the Village to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

SECTION 3. It is hereby determined that such Purpose is a class of objects or purposes described in subdivision 93 of paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of such Purpose is 25 years.

SECTION 4. Current funds are not required to be provided prior to the issuance of the bonds authorized by this resolution or any notes issued in anticipation of the sale of such bonds.

SECTION 5. It is hereby determined the proposed maturity of the obligations authorized by this resolution will be in excess of five years.

SECTION 6. The faith and credit of the Village are hereby irrevocably pledged for the payment of the principal of and interest on such bonds (and any bond anticipation notes issued in anticipation of the sale of such bonds) as the same respectively become due and payable. An annual appropriation will be made in each year sufficient to pay the principal of and interest on such bonds or notes becoming due and payable in such year. Unless paid from other sources or charges, there will annually be levied on all the taxable real property of the Village a tax sufficient to pay the principal of and interest on such bonds or notes as the same become due and payable.

SECTION 7. Subject to the provisions of this resolution and of the Local Finance Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals of such notes and of Section 21.00, Section 50.00, Sections 56.00 to 60.00, Section 62.00 and Section 63.00 of the Local Finance Law, the powers and duties of the Village Board of Trustees pertaining or incidental to the sale and issuance of the obligations herein authorized, including but not limited to authorizing bond anticipation notes and prescribing the terms, form and contents and details as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of the sale of such bonds, and the renewals of such notes, are hereby delegated to the Village Treasurer, the chief fiscal officer of the Village. Without in any way limiting the scope of the foregoing delegation of powers, the Village Treasurer, to the extent

permitted by Section 58.00(f) of the Local Finance Law, is specifically authorized to accept bids submitted in electronic format for any bonds or notes of the Village.

SECTION 8. The temporary use of available funds of the Village, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Local Finance Law, for the purpose or purposes described in Section 1 of this resolution. The Village then reasonably expects to reimburse any such expenditures (to the extent made after the date hereof or within 60 days prior to the date hereof) with the proceeds of the bonds authorized by Section 2 of this resolution (or with the proceeds of any bond anticipation notes issued in anticipation of the sale of such bonds). This resolution shall constitute the declaration of the Village's "official intent" to reimburse the expenditures authorized by Section 2 hereof with such bond or note proceeds, as required by United States Treasury Regulations Section 1.150-2.

SECTION 9. The Village Treasurer is further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution, and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and may designate the bonds authorized by this resolution, and any notes issued in anticipation thereof, as "qualified tax-exempt bonds" in accordance with Section 265(b)(3) of the Code.

SECTION 10. The Village Treasurer is further authorized to enter into a continuing disclosure agreement with the initial purchaser of the bonds or notes authorized by this resolution, containing provisions which are satisfactory to such purchaser in compliance with the provisions of Rule 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

SECTION 11. The Village has complied with applicable federal, state and local laws and regulations regarding environmental matters, including compliance with the New York State Environmental Quality Review Act ("SEQRA"), comprising Article 8 of the Environmental Conservation Law and, in connection therewith, duly issued a negative declaration and/or other applicable documentation, and therefore, no further action under the State Environmental Quality Review Act is necessary.

SECTION 12. In the absence or unavailability of the Village Treasurer, the Deputy Treasurer is hereby specifically authorized to exercise the powers delegated to the Village Treasurer in this resolution.

SECTION 13. The validity of such serial bonds or of any bond anticipation notes issued in anticipation of the sale of such serial bonds may be contested only if:

1. (a) such obligations were authorized for an object or purpose for which the Village is not authorized to expend money, or
 (b) the provisions of the law which should be complied with as of the date of publication of this notice were not substantially complied with
and an action, suit or proceeding contesting such validity is commenced within 20 days after the date of such publication of this notice, or

2. such obligations were authorized in violation of the provisions of the Constitution of New York.

SECTION 14. This Resolution is subject to permissive referendum pursuant to Section 36.00 of the Local Finance Law. The Village Clerk is hereby authorized and directed to publish (one time) and post (in at least six conspicuous public places within the Village and at each polling place), this resolution, or a summary thereof, together with a notice of adoption of this resolution subject to permissive referendum, within ten days after the date of adoption of this resolution.

SECTION 15. If no petitions are filed in the permissive referendum period, the Village Clerk is hereby authorized and directed to publish this resolution, or a summary thereof, together with a notice in substantially the form provided by Section 81.00 of said Local Finance Law, in a newspaper having a general circulation in the Village and hereby designated as the official newspaper of the Village for such publication.

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

Big Ben's Silent Minute

Mayor Barclay shared a communication she received regarding a nationwide effort to ring church bells at 9pm every day. The board discussed it and felt that it would be worth taking to the churches.

Genesee County Vacation Planner

Mayor Barclay also discussed an advertisement in the Genesee County Vacation Planner for Bergen. Trustee Almquist will investigate further to see if businesses would be willing to participate.

Old Business

None

Adjournment

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

The meeting was adjourned at 8:25pm

Respectfully submitted,

Cortney W. Gale
Village Administrator