

**Public Hearing & Regular Meeting  
Of the Board of Trustees  
Of the Village of Bergen at  
6:30pm on July 13<sup>th</sup> 2016**

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 and Norm Pawlak

**Approval of Bills**

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

**Approval of Minutes**

A motion to approve the meeting minutes of June 22<sup>nd</sup> 2016 was made by Trustee Fedele and seconded by Trustee VanEenwyk. The motion was carried by a unanimous vote:

**Mayor's Report**

**Grants**

- We have been working with building owners to establish commitments necessary to move forward with the CFA Main Street Grant application.
- I sent thank you letters to Senator Ranzenhofer and his Chief of Staff Kathy Donner for their help and support in securing \$100,000 in funding for our All Season Pavilion Project.
- I received word that there were many solid applicants for the Dr Pepper Snapple Bin Grant this year, and the review process is taking a little bit longer than expected. The selection committee expects to announce grant award winners by next Friday July 15<sup>th</sup>. I applied for recycling bins for village parks.
- An application will be submitted for funding to pave the walking trail with environmentally safe material, and to add trees to the village, fire hall, and cemetery.

**Comprehensive Plan Committee**

- Final copies were sent to board members from Labella, along with the necessary resolutions and part 1 of the SEQR. The Referral Form for the Comprehensive Plan was submitted to the Genesee County Planning Board on behalf of the village for their approval at their Aug. 3 meeting.

**Park Committee**

- The committee met on July 6 and were updated on the summer recreation program (July 18<sup>th</sup>), park projects, trail walk, community garden, and the park festival.
- Doug McIver attended (disc golf consultant) to help with final plans for the disc golf tournament on July 16<sup>th</sup>.
- Next meeting: September 7, 2016

**Resident Concerns**

- Met/discussed with residents over concerns with the
  1. sprinkler system at the Community Garden which was resolved
  2. location of the village walking trail in proximity to private property; the trail route has been moved, paper maps are being reprinted, the permanent maps on park kiosks are being re-done.
  3. Pool fence and bordering tree issue; village has no jurisdiction.
  4. Appearance of the community garden (neatness, etc); will be upgraded in the fall

### **WWTP Tour**

- Gary, Bruce, Chris, Cortney, Eric Wies, and I toured three waste water treatment plants Wayne Dodsworth (Koester) and Mark Koester to observe and ask questions concerning three projects planned for our Waste Water Treatment Plant. We toured the Town of Ontario WWTF to view their composting operation, the Macedon WWTF to view BDP Screw Press in operation, and then the Waterloo WWTP to view Trojan UV system. There was a lot of first hand information gleaned from the trip that will be very useful as our projects move forward.

### **Other meetings attended, Etc.**

- Imagination Library — met with the Richter Family Foundation and Donna Gerrard (Byron) on June 29 to form a committee to bring the program to children from birth to 5 years of age in the Byron-Bergen School District. There will be a meeting with Brian Meister (Elementary School Principal), Nancy Bailey (Librarian), Donna Gerrard, the Richters and myself July 13 to plan a path forward.
- Sean Donovan has been hired as the Assistant Counselor for the Summer Recreation Program. He, Jessica Roth (Head Counselor), Bobbie Yohon (working through GC Job Development) Cortney, and I met to discuss the Summer Recreation Program procedures, programs, etc.
- Attended the town board meeting July 12 along with village board and planning board members to hear the presentation of the Genesee County Smart Growth Plan.
- Overall, the community garage sale was a success; many positive comments about the number of sales made and shoppers coming to the village.

## **Administrator's**

### **Electric**

- Electric bills are due July 14th. Another bill will be mailed on Friday July 21<sup>st</sup> and will be due August 10<sup>th</sup>. We sent out 65 shut off notices which is about 20 less than last month. There were no subsequent shutoffs.
- The LED light bulbs have arrived. We'll schedule a day to deliver them along with information on the BEEP program.
- The electric rate for July is slightly higher than previous years, at 6.7¢ per kWh. It would be much higher without the MEUA reduction.
- The three reports required by the Public Service Commission for BEEP have been sent in.
- Rene has completed the initial part of the PSC annual report and sent it on to our accountant.

### **Accounting**

- I have been very happy with how quickly and smoothly the work is going for the end of year. We have very few questions or request for documentation coming from the accountants. This means that our process is more refined and tuned in. A big thanks to Barb and Rene for all their hard work.
- Our goal was to complete the Public Service Commission report and Annual Update Document (AUD) without the need for an extension. However, the state is making that difficult. To complete the reports we need information from them that they haven't released yet. This will affect all municipalities that have a fiscal year ending May 31<sup>st</sup>. Last year they didn't release the information until August 7<sup>th</sup>.
- Four auditors from our accounting firm were here yesterday working on the annual audit. They initially said they would be here two or three days. However, with everything in good order and documents given to them promptly, one day was enough.

### Miscellaneous

- To date we've received 81% of property tax payments, which is very good for July. Any payments made now will be assessed a penalty. An additional penalty will be added every month until November when unpaid bills are sent to the county for collection.
- The Mayor, Gary Zawodzinski, Chris Fay, Bruce Partridge and I toured three Waste Water Treatment Plants on July 12<sup>th</sup> to view the equipment and processes that we are looking to put in place.
- Disc Golf tournament is this weekend, we could use more golfers, if you know anyone who may be interested please let them know. If anyone is interested in helping let me know.
- I sent information a couple weeks ago about excess liability coverage for Workers Comp. Is anyone interested in pursuing it? If so I can put it on the agenda to discuss on Wednesday, if not I'll decline the coverage
- Speaking of Workers Comp as you may remember they had all our DPW employees under Water Department workers. They fixed it and instead of a savings we are looking at a \$2,000 increase.
- I will be asking the board soon to move the hosting of the website to another company. The current host has been doing a very poor job the last year. I spoke to our web developer who agrees. The move will not be free but I will give you a price when I receive it. I would like the board to consider doing additional work to the site at the same time to update it and make it mobile device friendly.

### CEO/ZEO

Number of Inspections	12
Number of Building Permits Issued	3
Number of Building C.0 / C.0 Issued	2
Number of Zoning Complaints Filed	1
Number of Zoning Complaints Resolved	1
Number of Appearance Tickets Issued	0
Number of Fire Inspections	1

### Privilege of the Floor

None

### Trustee Concerns

**Trustee VanEenwyk** asked about the need for demolition permits.

**Trustee Fedele** asked about adding a sign to the post in Zuber Park for a business that approached him.

**Trustee Dononvan** asked if there was any contact with the Byron Town Supervisor about wastewater treatment. He also asked when the current Teamsters contract negotiations will need to begin. He suggested looking into a electric car charging station as there are none in the area and we could be the first and it would draw people to the village.

### New Business

#### **Resolution 8 of 2016 – Time Warner Cable Franchise Agreement**

An application has been duly made to the Board of the **Village of Bergen, County of Genesee**, New York, by **Time Warner Cable Northeast LLC ("Time Warner Cable")**, d/b/a Time Warner Cable, a limited liability company organized and existing in good standing under the laws of State of Delaware doing business at 120 Plaza Drive, Suite D, Vestal, New York 13850 for the approval of a renewal agreement for Time Warner Cable's cable television franchise for ten (10) years commencing with the date of approval by the Public Service Commission. The Franchise Renewal Agreement would bring the franchise into conformity with certain provisions of the Federal Cable Communications Policy Act of 1984, as amended, and certain court rulings.

A public hearing was held in the Village of Bergen, New York on July 13<sup>th</sup>, 2016 at 6:30pm P.M. and notice of the hearing was published in the Batavia Daily News on July 2<sup>nd</sup>, 2016.

**NOW, THEREFORE**, the Board of the Village of Bergen finds that:

1. Time Warner Cable has substantially complied with the material terms and conditions of its existing franchise and with applicable law; and
2. Time Warner Cable has the financial, legal and technical ability to provide these services, facilities and equipment as set forth in its proposal attached; and
3. Time Warner Cable can reasonably meet the future cable-related community needs and interests, taking into account the cost of meeting such needs and interests.

**BE IT FURTHER RESOLVED** that the Board of the Village of Bergen hereby grants the cable television franchise of Time Warner in the Village of Bergen for ten (10) years commencing with the date of approval by the Public Service Commission and expiring ten(10) years hence.

**BE IT FURTHER RESOLVED** that the Board of the Village of Bergen hereby confirms acceptance of this Franchise Renewal Agreement.

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

#### **Resolution 9 of 2016 – Main Street Grant Application**

##### **RESOLUTION TO SUBMIT A NEW YORK MAIN STREET GRANT APPLICATION**

**WHEREAS**, the New York State Office of Community Renewal (NYSOCR) is offering New York Main Street grants of up to \$500,000 through the Consolidated Funding Application (CFA); and

**WHEREAS**, the New York Main Street program provides funding for restoration or improvement of housing, commercial areas and public and community facilities; and

**WHEREAS**, the Village of Bergen is an eligible applicant for the New York Main Street program; and

**WHEREAS**, the Village of Bergen would like to apply for a grant under the New York Main Street Program to renovate buildings in the Village's downtown; and

**WHEREAS**, municipalities in which New York Main Street projects are located are required to provide a resolution supporting the application for funding;

**NOW THEREFORE, BE IT RESOLVED**, that the Village of Bergen Board of Trustees does hereby enthusiastically support the submission of an application to the 2016 New York Main Street Program for up to \$500,000.

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

#### **Resolution 10 of 2016 – Sewer Building Construction SEQRA Determination**

**WHEREAS**, the Village of Bergen (the"Board") has considered the impact to the environment of following Scope of Work to be completed:

- Construction of a 3,900 SF pole barn style facility at the Village of Bergen Wastewater Treatment Facility that will be connected to the existing pole barn structure that houses the pre-aeration and sludge digestion process. The new addition will be used to house the proposed sludge composting process.

WHEREAS, the Board has reviewed the Scope of Work set forth above as one Proposed Action, and has further consulted with its Engineer and legal counsel with respect to the potential for environmental impacts resulting from the Proposed Action;

WHEREAS, the Board has reviewed the Proposed Action with respect to the Type II criteria set forth in 6 NYCRR. Part 617 of the Environmental Conservation Law, Article 8 (“SEQRA”) and concluded that the project involves:

- Construction or expansion of a primary or accessory/appurtenant, nonresidential structure or facility involving less than 4,000 square feet of gross floor area and not involving a change in zoning or a use variance and consistent with local land use controls, but not radio communication or microwave transmission facilities (6 NYCRR §617.5(c)(7)).

THEREFORE, BE IT RESOLVED, by the Board as follows:

1. The Proposed Action, individually and cumulatively, does not constitute substantial changes to the existing facilities and involves actions at the site consistent with existing usage, and, therefore, does not exceed the thresholds for a Type II Action established under 6 NYCRR Part 617.
2. The Board hereby determines the Proposed Action is a Type II action in accordance with SEQRA regulations.
3. No further review of the Proposed Action is required under SEQRA.
4. This resolution shall be effective immediately.

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

### **Approval of New Members of the Bergen Fire Department**

A motion was made by Trustee Almquist and seconded by Trustee Donovan to approve the membership of Brian Frew and Don Cunningham to the Bergen Fire Department. The motion was carried by a unanimous vote.

### **Planning Board Membership Policy**

#### Current 2016-2017 Planning Board Members

<u>Members:</u>	<u>Term expires:</u>
Rene’ Vurraro – Chairperson	May 2019
Kate Milliman – Deputy Chairperson	May 2018
Christina Bergeron – Member	May 2021
David Burke – Member	May 2017
Rich Strezlecki – Member	May 2020
Nancy Bailey– Alternate	May 2018
Heather Piper – Alternate	May 2020

#### Planning Board Position Procedures

### **Planning Board member terms**

The Planning Board recommends that each board member’s term is five years with one member’s term up each given year. The Planning Board members will be appointed or re-appointed in conjunction with the Village Board’s re-organizational meeting each year in April for the following fiscal year.

### **Alternates**

The recommendation from the Planning Board is that alternates will be used to fill in if a regular member is absent for a given meeting to make a complete five person board. The Chairperson will select the alternate who will be filling in at the start of the meeting. That person will have full voting rights for the meeting in which they are filling the absent member’s spot.

If an alternate is appointed to fill a regular member’s position which is vacant, they will assume that member’s

term.

A motion was made by Trustee VanEenwyk and seconded by Trustee Fedele to reaffirm the policy. The motion was carried 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 8:05pm

Respectfully submitted,

Cortney W. Gale  
Village Administrator