

**Regular Meeting
Of the Board of Trustees
Of the Village of Bergen at
6:30pm on September 13th, 2023**

The regular meeting of the Board of Trustees was called to order by Mayor Chimino at 6:30pm with the following present:

Trustee Michael Fleming
Trustee Todd Cargill

Trustee Emily Marble and Trustee Paul Robinson were absent.

Also present: Village Administrator Cortney Gale, Hannah Loewke, Robin Day, George Sardou and Sally Capurso.

Approval of Bills

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

Approval of Minutes

A motion to approve the meeting minutes of August 9th, 2023 was made by Trustee Fleming and seconded by Trustee Cargill. The motion was carried by a unanimous vote.

Mayor

Grants

- **ARPA**-American Rescue Plan Act / Exterior of the Hickory Park restrooms is nearly complete. Village employees need to install the bottle filling station and finish the stone cap for completion.
- **Consolidated Funding Application.** A park grant for improvements to Hickory Park was submitted by CPL in July. We await notification from the state if our application was awarded.
- Continue to work with Genesee County Economic Development to explore grants for future electric infrastructure upgrades.
- Attended GO-Art grant seminar on September 09 held in Oakfield, NY

Miscellaneous

- The Tree and Park committee met on Wednesday, September 6th. I would like to thank the Cummings Family and friends for providing the entertainment with a concert in the park. These fine musicians collected \$ 379.00 in donations which they donated to the Friends of Bergen Parks for park upgrades.
- We are still awaiting contract language from National Grid concerning an interconnection agreement.
- Meeting with NORTERA Foods on Wednesday September 20 to discuss our substation project and a lease extension for the Church Street property which houses our electric department.
- LED speed signs have been ordered. Upon delivery they will be installed on Buffalo Road.
- Met with BBKA on September 11 to discuss the upcoming Hallows Eve Festival & Historical Ghost Walk scheduled for October 28th. Thanks to the BBKA for all you do for the community.
- Restoration work on the brick walls of the Tully Building is ongoing. Preserve A Stone who specializes in restoration of historical buildings is doing the work.

- Finishing the exterior of park restrooms.
- Brush pickup and cutting of grass.
- Install of catch basin on Hunter Street.
- Tree Trimming.

Sewer

- The annual pumping of sewer tanks is ongoing.
- Rehabbing of manholes that need sealing to prevent infiltration has not yet begun. We are still awaiting the arrival of a natural gas generator for the Gibson Place lift station.

Electric

- Linemen are attending safety class next week.
- Provided mutual aid to Castile. Spencerport has requested aid next week.
- We will be requesting mutual aid for tree trimming of our power lines, the scheduled dates TBD.
- Schoolhouse apartment's electric will be shut off for two hours on Oct. 17th for service upgrade. Tenants and childcare facility have been notified of the outage.
- Transformer has been installed at Hank Parkers new building in the industrial park. This building is being rented by Nat-Grid for warehousing.
- PLM is preparing bid specs for equipment and labor for the substation project.
- I will be attending the MEUA annual conference being held October 10-12 in Clayton NY.

Administrator

Sewer

- Two of the UV system bulbs have already gone bad, luckily Chris made sure to have some in stock. He is looking into getting them replaced under warranty.
- The mechanical screen is in place and operational. The company trained Plant Operator Chris Fay on August 17th.
- Sewer tank pumping is ongoing, we are currently on Canterbury Ln. I've helped Chris for a few days as no one else was available.

DPW

- We received reimbursement through the NYS Chips program for road work we did this year. However, micropaving is not covered under the Pave Our Pothole program. I will submit the work DPW did in preparation for micropaving for reimbursement.
- The new F-550 has arrived. It came fully set up for plowing, so we will leave it together and wait to use it this winter. I will put the old F-550, plow and salter up for auction towards the end of the year.

Electric

- The linemen will be working in front of the old schoolhouse on Sunday, September 17th and will have to turn the power off there for a few hours. Residents will be notified.
- They are identifying areas near power lines that need tree trimming and will ask for mutual aid to have done in one day.

Office

- We have collected 98% of property taxes with only \$6,223.20 left to collect. Payments will be accepted until October 31st, after that they will be sent to the county for collection.
- Barb is working on closing the last fiscal year and preparations to complete the PSC Report and AFR (annual financial report) which has replaced the AUD. Rene and Barb both sent information to the village accountant for his review.
- The New York Power Authority asked that I send them the BEEP Public Service Commission reports every year for their records.

- In the month of August, the Village earned \$8,571.98 in interest on NYCLASS funds. The interest rate is currently 5.18%.

Miscellaneous

- The cameras around the Tulley Building have been connected to the server for longer video storage and easier access.
- The EV charging station in Hickory Park has been removed because it no longer worked. The station behind the village office partially works.

Code Enforcement Officer

2020 Permits

38 North Lake Ave - Inspection and Permit Ext. Final 10/01/23

2021 Permits

19 Buffalo Street - Fence 2 permits given for 2 different properties 2nd and final extension.

2022 Permits

83 South Lake Ave - Remodel to Apartments

28 North Lake -Remodel new permit 5/4/22 (2)

41 North Lake - Fence 1st Extension

12 South Lake - Separation wall

38 Canterbury Lane -Addition with basement

41 South Lake Ave - Fence and Driveway

51 Rochester Street - Garage Addition

2023 - Permits

62 South Lake Ave. -Verizon// Dish wireless (2)

14 -Rochester Street - Above Ground Pool

11 Buffalo Road- Addition

11 Canterbury Court Driveway resurfacing / addition of 12X30 Blacktop

(41) 51 Kaymar Drive - Shed

8073 Clinton Street Road - Canopy and bollards

1 McCabe Court - Front porch

14 Richmond Ave - Remodel

24 Gibson Street - Driveway

29 Clinton Street - Repair roof about 2sq

14 Leroy Street - Generator

Approval of Officer Reports

A motion was made by Trustee Fleming and seconded by Trustee Cargill to approve Officer Reports. The motion was carried by unanimous vote.

Trustee Concerns

None

New Business

Byron-Bergen Library Presentation

Library Board President Sally Capurso gave the Village Board a presentation on the Library’s proposal to become a Municipal 414, which would allow them to raise money on their own from taxes and not depend on local municipalities for funding.

Resolution 8 of 2023 – SEQRA for Electric Substation

SEQRA NOTICE LEAD AGENCY DESIGNATION AND
DETERMINATION OF SIGNIFICANCE
FOR ELECTRIC SYSTEM UPGRADES

On motion of Trustee Cargill, seconded by Trustee Fleming, the following resolution was adopted by the Board of Trustees of the Village of Bergen, New York:

Whereas, the Village of Bergen (the “Village”) is proposing improvements to electrical substations to include the replacement of transformers and other miscellaneous equipment to address aging infrastructure and capacity needs (the “Project”); and

Whereas, in accordance with the provisions of 6 NYCRR Part 617 (SEQRA), the project is determined to be an Unlisted Action which will not be subject to a coordinated review.

Now Therefore Be It Resolved that the Board of Trustees hereby designates itself as Lead Agency for the proposed action pursuant to 6 NYCRR Part 617.

Be It Further Resolved that based upon examination of the Environmental Assessment Form (EAF), its own independent analysis of the Proposed Action, and comparison with the criteria for determining significance under 6 NYCRR 617.7, the Board of Trustees finds that the Proposed Action will not have a significant environmental impact and hereby issues a Negative Declaration; and

Be it Further Resolved that this determination is based on the facts and conclusions as noted in the attached EAF.

The motion was carried by a unanimous vote.

Resolution 9 of 2023 – Delegate to MEUA Annual Meeting

At a regular meeting of the Board of Trustees of the Village of Bergen, New York, held on September 13th, 2023, the following resolution was adopted:

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 Meeting of the Municipal Electric Utilities Association of New York State has been called on October 12th, 2023, to be held at Clayton, NY 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.

A motion was made by Trustee Fleming and seconded by Trustee Cargill to approve Joseph Chimino as Delegate to the MEUA Annual Meeting. The motion was carried by unanimous vote.

Resolution 10 of 2023 – Post-Issuance Tax Compliance Procedures

ADOPTING UPDATED POST-ISSUANCE TAX COMPLIANCE PROCEDURES

WHEREAS, the Internal Revenue Service has issued regulations requiring issuers of tax-exempt obligations to certify on various forms that they actively monitor compliance with federal tax rules following the issuance of such obligations; and

WHEREAS, the Village is a periodic issuer of tax-exempt obligations and thus is subject to the aforementioned compliance requirements which are critical for the preservation of the preferential tax status of those obligations; and

WHEREAS, it is therefore in the best interest of the Village to adopt formal written procedures to ensure such compliance and to designate an official responsible for ensuring that such procedures are followed; and

WHEREAS, the Village has previously adopted post-issuance tax compliance procedures (the “Prior Procedures”); and

WHEREAS, it was intended that the Prior Procedures would be periodically updated and supplemented; and

WHEREAS, Hodgson Russ LLP, as bond counsel to the Village, has prepared (and has recommended that the Village adopt) updated and more comprehensive post-issuance tax compliance procedures;

NOW THEREFORE, BE IT RESOLVED, that the Village hereby adopts the updated post-issuance tax compliance procedures that are attached hereto as “Schedule A” and resolves to be governed thereby; and be it further

RESOLVED, that the below Schedule A will be placed in its entirety in the official records, files, and minutes of the Village and adhered to going forward; and be it further

RESOLVED, that this resolution shall take effect immediately upon its adoption.

A motion was made by Trustee Fleming and seconded by Trustee Cargill to adopt the updates to the Post-Issuance Tax Compliance Procedures. The motion was carried by unanimous vote.

Resolution 11 of 2023 – Delegate to NYMPA Semi-Annual Meeting

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, the Semi-Annual Meeting of the Agency will be held on October 12th, 2023, in Clayton, NY, 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 Cargill and seconded by Trustee Fleming to approve Joseph Chimino as delegate to the NYMPA Semi-Annual Meeting. The motion was carried by unanimous vote.

Designation of Surplus – 2016 Ford F-550 and 2011 Skyline Cam Trailer

A motion was made by Trustee Fleming and seconded by Trustee Cargill to designate the 2016 Ford F-550 as surplus and send it to auction. The motion was carried by unanimous vote.

A motion was made by Trustee Fleming and seconded by Trustee Cargill to designate the 2011 Skyline Cam Trailer as surplus and send it to auction. The motion was carried by unanimous vote.

Old Business

None

Privilege of the Floor

None

Adjournment

A motion was made by Trustee Cargill and seconded by Trustee Fleming to adjourn the meeting. The motion was carried by a unanimous vote.

The meeting was adjourned at 7:13pm

Respectfully submitted,

Cortney W. Gale
Village Administrator