

**Public Hearing, Regular Meeting and
Re-Organizational Meeting
Of the Board of Trustees
Of the Village of Bergen at
6:15pm on April 8th, 2025**

The regular meeting of the Board of Trustees was called to order by Mayor Chimino at 6:15pm with the following present:

Trustee Robert Capurso
Trustee Michael Fleming
Trustee Bernadette Thompson

Trustee Todd Cargill was absent

Also present: Village Administrator Cortney Gale, Gerry Sheridan, and George Sardou.

Public Hearing

Mayor Chimino opened the Public Hearing on the 2025-2026 Budgets

Mr. Sheridan asked about the increase in retirement costs and the current sewer debt. He also stated that he is happy with the grants the village has applied for and received recently.

Mr. Sardou inquired about the speed signs on Buffalo Rd.

A motion was made by Trustee Capurso and seconded by Trustees Thompson to close the public hearing

Approval of Bills

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

Approval of Minutes

A motion to approve the meeting minutes of March 12th, 2025, was made by Trustee Capurso and seconded by Trustee Thompson. The motion was carried by the following vote:

Mayor Chimino - Aye
Trustee Robert Capurso - Aye
Trustee Michael Fleming - Abstain
Trustee Bernadette Thompson – Aye

Mayor

Grants

- The Consolidated Funding Application (CFA) Park Grant -A web meeting was held with the NYS staff to discuss the awarded grant going forward. The state staff overseeing this grant is very informative and just a pleasure to work with. They assured us that this grant was straight forward, and they are a phone call away for any assistance.
- NYSERDA PON 5737 Grant \$200,000. For electric infrastructure upgrades. Pending notification.

- Labella Associates was hired to apply to the CFA on behalf of the village and town for funding of a joint comprehensive plan study/update. Thanks to the Genesee County Legislature for once again offering funding for grant writing purposes.

Miscellaneous

- NYSDOT –The solar powered speed sign that was approved by the DOT has been installed. It is located when heading west on Buffalo Rd. entering the village.
- Town of Bergen Supervisor Ernest Haywood has drafted a letter and with his board approval will submit it to the Genesee County Traffic Safety Board regarding a traffic study regarding the general area of the intersection of RT19&RT33, Appletree Corporate Park and the 490 ramp onto RT33 in the Town of Bergen.
- The Tree and Park committee met on April 2. We are awaiting final plans for approval of the new park pavilion. The Bergen Harvest Market was discussed in detail. Many vendors have already committed their products for sale at the market starting on Tuesday July 1st at 1 Hickory Way (Hickory Park) thanks to the committee members and special thanks to Rene Vurraro for all the time dedicated to bringing the Farmer's Market back to the community.
- The Municipal Electric Utilities Association (MEUA) and New York Municipal Power Agency (NYMPA) meetings are being held on May 21-22 in Syracuse. I will be attending these meetings.
- The New York Power Authority (NYPA) informed the village that on March 21st River control implemented ice procedures at Niagara due to strong winds that sent lake ice over the boom towards the NYPA intakes. As a result, NYPA's stream share was significantly reduced, and it was unlikely that their total customer bilateral commitments would be met during that period. River control subsequently lifted ice procedures the following day.
- FEMA is updating the flood map zones in all the towns and villages in the county. A public meeting has yet to be scheduled in Batavia to discuss and inform all residents who own property located within 10feet of the flood plain zone and how it might affect their property. We await the scheduling of the public meeting and will contact property owners included in the flood plain zones.
- Gary Cecere (CEO) and I attended a storm mitigation meeting on March 18 in Batavia.
- I am pleased to announce that the Town and Village have been designated as partners of the year with the Genesee County Economic Development Center for our partnership in developing the Appletree Corporate Business Park.
- Thanks to all the village employees for once again getting us through what old man winter threw at us. With the below average temperatures and the high number of snowy days it brought back memories of winters past.

Administrator

Sewer

- The manhole rehabilitation project is progressing, with Millherst Construction selected to perform the work later this spring. The project scope has changed, necessitating a Board-approved Change Order for EFC documentation.
- Following discussions with Municipal Solutions, we have decided not to pursue congressional earmark funding for the proposed \$700,000 infiltration remediation project. Instead, we are exploring grant opportunities that could cover the full cost. The sewer fund budget is currently unable to support additional debt.
- I approved Chris's request to purchase a Colorimeter for the sewer plant. This device measures phosphorus levels, allowing us to better regulate chemical use, stay compliant with DEC standards, and reduce chemical costs.

DPW

- Brush pickup has resumed and will occur every Monday through late November.
- Eric and Pete have begun park cleanup, reopened the Library in the Woods, and started repairs on the bridge near Sage Pavilion.
- DPW has cleared debris from storm drain tops and removed clogs from culverts. They are also addressing yard damage caused by snowplows.

Electric

- The insurance claim for the electric squirt boom has been settled. A third-party appraiser assessed the vehicle, and I am satisfied with the settlement amount of \$12,982.65. Repairs will begin once the necessary parts arrive.
- The bid opening for FAST-NY grant administration was held on Friday, March 21. The bid opening for the boring project under Buffalo Road took place on March 27. We received two bids for the grant administration and one for the boring project.
- Linemen continue to GPS-map the village's infrastructure. They have recently completed mapping the main sewer lines, manholes, and cleanouts.
- Initial power has been activated at the Oxbo facility to support construction. Permanent service installation is planned for later this year.

Office

- We are awaiting the mortgage holder's signature for the Gibson Place land acquisition in order to proceed with closing.
- Mayor Chimino, Rene Vurraro, and I are working on the Park Grant. We've decided to handle the grant administration in-house, resulting in savings of \$15,000.
- I'm also working on the County Hazard Mitigation Plan for the Village, as well as the close-out process for SLFRF (COVID Relief) funds.
- Local Laws #1 and #2 of 2025 have been officially filed with the State, and confirmation of filing has been received.

Miscellaneous

- The electric vehicle charging station is now operational and seeing increasing use.
- I have been in contact with a dealer through Sourcewell regarding the purchase of a hybrid vehicle. Their pricing model includes a 10% markup on the vehicle cost. Given this, I recommend using the New York State Office of General Services mini-bid process to ensure competitive pricing and compliance with state procurement requirements.

Code Enforcement Officer**2023 - Permits**

- 60 South Lake Ave – Hot tub and electrical service. Waiting for an electric inspection. Extension expired 2/16/25. He doesn't answer his phone calls or when I stop and leave my business card. Therefore, I sent him a certified letter on 3/31/25. All that is needed is the final electrical inspection.

2024 - Permits

- 38 South Lake Ave. – Front Porch
- 51 Munger St – Roof
- 20 South Lake Ave – Gazebo
- 40 South Lake Ave – Pool
- 12 Buffalo Rd – Roof over existing deck
- 2 Munger St – Fence / Front Porch
- 39 South Lake Ave – Driveway
- 62 South Lake Ave – Verizon

2025 - Permits

- 8073 Clinton St Rd – Fireworks Tent
- 12 Richmond Ave – Remove and replace front porch
- 36 Munger St – Tear off roof and replace with asphalt shingles
- 14 Leroy St - Fence

Approval of Officer Reports

A motion was made by Trustee Capurso and seconded by Trustee Fleming to approve the officer reports. The motion was carried by a unanimous vote.

Trustee Concerns

Trustee Thompson stated that the DPW crew dug up her lawn while picking up brush and was impressed on how quickly and well they repaired it.

Trustee Capurso will contact DOT to discuss the use of Jake Brake by tractor trailers due to the noise they make. He will also be attending the Mill Seat Landfill Citizen Advisory Board on Tuesday and will bring a report to the Board.

New Business

2025-2026 Budget Vote

A motion was made by Trustee Thompson and seconded by Trustee Capurso to approve the 2025-2026 Electric, Sewer and General Budgets. The motion passed unanimously.

Re-Organizational Meeting

Annual Reorganization Meeting

Appointment of Officers

- **Administrator with Clerk/Treasurer duties:** Cortney W. Gale
- **Deputy Clerk:** Barbara Zinter
- **Deputy Treasurer:** Rene Vurraro
- **Fire Marshal, CEO/ZEO:** Gary Cecere
- **Village Historian:** Vicky Truax
- **Deputy Mayor:** Michael Fleming
- **Official Newspaper:** Batavia Daily News
- **Official Depositories:** Bank of Castile, NYCLASS
- **Village of Bergen Attorney:** Boylan Law Office, LLP & Hodgson Russ, LLP
- **Village of Bergen Engineer:** Clark Patterson Lee Associates
- **Village of Bergen Accountants:** BST & Co.
- **Village Election Inspectors:** Constance Fiedler, Virginia Adams, Louise Hibert, Karen Manners, or any other trained inspector.
- **Village of Bergen Insurance Provider:** Lawley Genesee
- **Village of Bergen Bond Counsel:** Hodgson Russ, LLP
- **Planning Board Member 5 Year Term:** John Schuck
- **Planning Board Alternates 1 Year Term:** Katie Rumble, Timothy Quirk
- **Zoning Board Member 5 Year Term:** Frank Ciaccia
- **Zoning Board Alternates 1 Year Term:**

Planning and Zoning Board of Appeals Meetings:

The regular meeting of the Village Planning Board will be the third Wednesday of each month at 7:00 p.m. in the Village boardroom. At the discretion of the Chairperson, the meeting may not be held due to lack of business before the Planning Board. The regular meeting of the Zoning Board of Appeals will be held the fourth Thursday of the month at 7:00 p.m. in the Village boardroom and will be held only when there is business before the Zoning Board of Appeals.

Park Committee/Tree Board

Tree Board and Park Committee will meet the first Wednesday of the month at 6:30pm; The board is charged with developing and managing a comprehensive tree management program, being responsible for the care and management of the village trees, encouraging and promoting community involvement in public health, safety, general welfare through plant maintenance, and promoting Village parks and activities.

Appointment of Registrar of Vital Statistics:

The Village appoints the Town Clerk as Registrar of Vital Statistics. The Village also appoints any deputies the Town Clerk may have installed in office.

Sewer Arrears Relieved: Any Village of Bergen resident with unpaid sewer arrears, as of April 30th, 2025, will be relieved on the June 1, 2025 Village tax bills. Any Town of Bergen resident with unpaid sewer arrears, as of October 31st, 2025, will be relieved on the January 1, 2026 Town/County tax bills.

Mileage Rate:

The Mileage Rate will adjust to **.70** cents per mile.

Legal Notices:

All legal notices will be posted on the inside bulletin boards at the Village Office and Byron-Bergen Public Library as well as the Community Bulletin board in the Village Post Office. They will also be published in the official newspaper if necessary.

Bidding and Purchasing:

County and State bids will be used and accepted in lieu of competitive bidding, for complete procedures see the Village Procurement Policy.

Audit and Appropriations:

Pursuant to Village Law 5-524(5)&(6) the board of trustees may authorize the following claims for payment in advance of audit; payroll expenses, payments of principal and interest on lawful outstanding debt public, utility services, amounts being due upon lawful contracts, postage, freight and express charges of the Village of Bergen. All claims shall be presented at the next regular meeting for audit and the claimant and officer incurring or approving same shall be jointly and severally liable for any amount disallowed by the Board.

Compensation of Representatives and Officials:

- Representative to CAB shall receive **\$25.00** per meeting
- Planning Board Chairperson shall receive **\$45.00** per meeting
- Planning Board Members shall receive **\$40.00** per meeting
- Zoning Board of Appeals Chairperson shall receive **\$45.00** per meeting
- Zoning Board of Appeals Members shall receive **\$40.00** per meeting
- Election inspectors shall receive **\$100.00** per day (noon – 9pm)

Holiday Observances**2025**

January 1	New Year's Day
February 17	President's Day
April 18	Good Friday
May 26	Memorial Day
July 4	Independence Day

September 1	Labor Day
November 11	Veterans Day
November 27 & 28	Thanksgiving
December 24 & 25	Christmas Eve & Christmas Day
December 31	New Year's Eve

2026

January 1	New Year's Day
February 16	President's Day
April 3	Good Friday
May 25	Memorial Day
July 3	Independence Day
September 7	Labor Day
November 11	Veterans Day
November 26 & 27	Thanksgiving
December 24 & 25	Christmas Eve & Christmas Day
December 31	New Year's Eve

Rules of Order:

The Village of Bergen Board of Trustees has elected to not abide by Robert's Rules of Order; instead it will adopt the following Rules of Order for meetings of the Board of Trustees.

PROPOSED RULES OF PROCEDURE **MEETINGS OF THE BOARD OF TRUSTEES**

Regular Meetings:

The Board of Trustees shall hold a regular meeting the 2nd Wednesdays of each month. Such regular meeting shall commence at 6:30 p.m. and be conducted in the boardroom in the Tulley Building. The Board of Trustees shall determine any deviation of the foregoing paragraph.

Special Meetings:

Special meetings of The Board of Trustees are all those Board meetings other than regular meetings. The Mayor or two or more Trustees acting together upon notice to the entire Board may call a special meeting. Notice shall be given by telephone, in person, or in writing at least 24 hours in advance unless an emergency exists.

Quorum:

A quorum shall be required to conduct business. A quorum of the (5) member board of trustees shall be (3) three. In the absence of a quorum, a lesser number may adjourn and compel the attendance of the absent members.

Executive Sessions:

Executive sessions shall be held in accordance with the NYS Public Officers Law 105. All executive sessions shall be commenced in a public meeting.

Agendas:

- The Administrator, at the direction of the Mayor, shall prepare the agenda. The Mayor or any Trustee may have an item placed on the agenda.
- The public may make a written request stating the specific matter to be addressed, to the Mayor to have a matter placed on the agenda.
- The Mayor will advise the Administrator whether to place such matters on the agenda.
- When possible, items for the agenda shall be given to the Administrator at least 24 hours before the meeting; however, items may be placed on the agenda at anytime upon the discretion of the Mayor.
- The agenda will be prepared and emailed to board members no later than 5:00 P.M. the day before the meeting.
- If necessary, a supplement agenda shall be distributed at the beginning of the meeting.
- Items may be placed on the agenda at anytime, including during the meeting by a majority vote of the board.

Voting:

- Pursuant to Village Law each member of the Board shall have one vote. The Mayor may vote on any matter but must vote in case of a tie.
- A majority of the totally authorized voting power is necessary to pass a matter unless otherwise specified by State law.
- An abstention, silence or absence shall be considered a negative vote for the purposes of determining the final vote on a matter.
- A vote upon any question shall be taken by ayes and nays, the names of the members present and their votes shall be entered in the minutes or reflected as unanimous vote.

Minutes:

- Minutes shall be taken by the Administrator, or any other person designated by the Mayor.
- Minutes shall consist of a record or summary of all motions, proposals, resolutions, and any other matter formally voted upon and the vote thereon.
- Minutes shall be taken at executive session of any action that is taken by formal vote which consist of a record or summary of the final determination of such action, and the date and vote thereon; provided, however, that such summary need not include any matter which is not required to be made public by the NYS Freedom of Information Law.

Minutes shall also include the following:

- Name of the Board
- Date and time of meeting
- Notation of presence or absence of Board members and time of arrival or departure if different from time of call to order and adjournment
- Name and title of other village officials and employees present and will approximate number of attendees
- Time of adjournment
- Signature of Administrator or person who took the minutes if not the Administrator

Minutes shall not contain a summary of the discussion leading to action taken or include verbatim comments unless a majority of the Board shall resolve the Administrator to do so. Minutes shall be approved at the next board meeting. Amendments to the minutes shall require Board approval.

Order of Business:

- Call to order
- Roll Call
- Approval of Bills
- Approval of Minutes
- Report of officers and committees
- Trustee Concerns
- New Business
- Old Business
- Privilege of the Floor
- Adjournment

General Rules of Procedure:

- The Mayor shall preside over meetings. In the Mayor's absence the Deputy Mayor shall preside.
- The Village Board will abide by the Open Meeting Law. Robert's Rules of Order will not govern the Board of Trustees' meeting.
- The presiding officer may debate, move and take other action that may be taken by other members of the Board.
- Board members are not required to rise but must be recognized by the presiding officer before making motions and speaking.
- Motions require a second.
- A member once recognized shall not be interrupted when speaking unless it is to call him/her to order.
- If a member, while speaking, were called to order, they should cease speaking until the question of order is determined, and, if in order, he shall be permitted to proceed.
- There is no limit to the number of times a member may speak on a question.
- Motions to close or limit debate may be entertained but shall require a majority vote.

Guidelines for Public Comment:

- The public shall be allowed to speak only during the Privilege of the Floor period of the meeting or at such other time as a majority of the Board shall allow.
- Speakers may only address items on the agenda unless otherwise determined by the presiding officer.
- The presiding officer must recognize speakers.
- Speakers must limit their remarks to five (5) minutes on a given topic, or as shall be otherwise determined by the presiding officer to keep the meeting orderly and allow time to attend to all matters on the agenda.
- Speakers may not yield any remaining time they may have to another speaker.
- Board members may, with the permission of the Mayor, interrupt a speaker during their remarks, for the purpose of clarification or information.
- All remarks shall be addressed to the Board as a body and not to any individual member thereof.
- Speakers shall observe the commonly accepted rules of courtesy, decorum, dignity and good taste.
- Interested parties or their representatives may address the Board by written communications. The Administrator - clerk/treasurer shall present all such communications to the Board at the next regularly scheduled meeting.

Adjournment:

Meetings shall be adjourned by motion.

Amendments to the Rules of Procedure:

The foregoing procedures may be amended from time to time by a majority vote of the Board.

ADVANCE APPROVAL OF CLAIMS

WHEREAS the board of trustees has determined to authorize payment in advance of audit of claims for public utility services, payroll expense, debt service, lawful contracts, postage, freight and express charges; and

WHEREAS all such claims must be presented at the next regular meeting for audit; and

WHEREAS the claimant and the officer incurring or approving the claim are jointly and severally liable for any amount the board of trustees disallows.

NOW THEREFORE BE IT RESOLVED:

Section 1. That the board of trustees authorizes payment in advance of audit of claims for public utility services, postage, freight and express charges. All such claims must be presented at the next regular meeting for audit and the claimant and the officer incurring or approving the claims are jointly and severally liable for any amount the board of trustees disallows.

Section 2. That this resolution is effective immediately.

RESOLUTION FOR ATTENDANCE AT SCHOOLS AND CONFERENCES

WHEREAS there is to be held during the coming official year a) the New York Conference of Mayors Annual Meeting and Training School; b) the New York Conference of Mayors and Fall Training School for Fiscal Officers and Municipal Clerks; c) the New York State Conference of Mayors Public Works School; d) Government Finance Officers Training School; e) MEUA Annual Conference for Municipal Employees and DPW Employees, and

WHEREAS attendance by certain municipal officials and employees at one or more of these meetings, conferences or schools benefits the municipality;

NOW THEREFORE BE IT RESOLVED:

Section 1. That the following officers and employees are authorized to attend said meetings, conferences or schools:

- **Administrator**
- **Deputy Clerk**
- **Deputy Treasurer**
- **Foremen**
- **Mayor**
- **Board Members**
- **CEO/ZEO**

Section 2. That this resolution is effective immediately.

RESOLUTION FOR MILEAGE ALLOWANCE

WHEREAS the board of trustees has determined to pay a fixed rate for mileage as reimbursement to Village Officers and employees who use their personal automobiles while performing their official Village duties;

NOW THEREFORE BE IT RESOLVED:

Section 1. That the board of trustees will approve reimbursement to such officers and employees at the rate of **.70 cents** per mile.

Section 2. That this resolution is effective immediately.

RESOLUTION DESIGNATING OFFICAL DEPOSITOR

WHEREAS the board of trustees has determined that Village Law § 4-412(3)(2) requires the designation of banks or trust companies for the deposit of all village monies; 7.6 NYCOM Handbook for Village Officials (2013) • Chapter 7 • The Organizational Meeting

NOW THEREFORE BE IT RESOLVED:

Section 1. That the board of trustees designates the Bank of Castile and New York Cooperative Liquid Asset Securities System (NYCLASS) as depository of all moneys received by the village treasurer, clerk, and receiver of taxes.

Section 2. That this resolution is effective immediately.

Date of next Re-organization Meeting – Wed., April 8th, 2026

Appointment of Planning Board Alternate

Mayor Chimino appointed Kathleen Rumble as an alternate to the Planning Board. A motion was made by Trustee Fleming and seconded by Trustee Capurso to approve Kathleen Rumble as an alternate to the Planning Board. The motion passed unanimously.

Resolution 3 of 2025 – Delegate to MEUA Semi-Annual Meeting

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 Semi-Annual Meeting of the Municipal Electric Utilities Association of New York State has been called on May 21, and May 22, 2025, to be held at the Embassy Suites by Hilton Destiny USA, 311 Hiawatha Blvd W, Syracuse, NY 13204 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 Thompson to designate Joe Chimino as delegate to the MEUA Semi-Annual meeting. The motion was passed unanimously.

Resolution 4 of 2025 – Delegate to NYMPA 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 Annual Meeting of the Agency will be held May 21st, 2025 in Syracuse, New York, 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 Fleming and seconded by Trustee Thompson to designate Joe Chimino as delegate to the NYMPA Annual meeting. The motion was passed unanimously.

Change Order #1 Manhole Rehabilitation Project

A motion was made by Trustee Capurso and seconded by Trustee Fleming to approve Change Order #1 for the Manhole Rehabilitation project. The motion was carried by a unanimous vote.

Old Business

Boring Project Bid

A motion was made by Trustee Fleming and seconded by Trustee Capurso to accept the bid of Burrow Brothers in the amount of \$39,348 for the boring project under Route 33. The motion was carried unanimously.

FAST-NY Grant Administration

A motion was made by Trustee Thompson and seconded by Trustee Fleming to accept the bid of Municipal Solutions in the amount of \$165 an hour not to exceed \$12,000 for the administering of the FAST-NY Grant. The motion was carried unanimously.

Hybrid Vehicle Replacement

A motion was made by Trustee Capurso and seconded by Trustee Thompson to approve using the NYS Office of General Services' (OGS) mini-bid program to receive bids on a hybrid SUV. The motion was carried unanimously.

Privilege of the Floor

None

Adjournment

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

The meeting was adjourned at 7:32pm

Respectfully submitted,

Cortney W. Gale
Village Administrator