

**Public Hearing followed by the  
Regular Meeting  
Of the Village of Bergen  
Board of Trustees  
April 8<sup>th</sup>, 2009 at the Village Hall**

The public hearing was called to order by Mayor Bailey at 6:30 p.m. with the following present:

Trustee Robert Bausch  
Trustee Virginia Adams  
Trustee Paul Cooper

Also present: Stacey Brown

There were no members of the public present and no comments made.

Trustee Barclay was absent

A motion to close the public hearing was made by Trustee Cooper and seconded by Trustee Adams. The motion carried by the following vote:

Trustee Robert Bausch – aye  
Trustee Anna Marie Barclay – absent  
Trustee Paul Cooper – aye  
Trustee Virginia Adams – aye

7:00 p.m.

The Regular Meeting of the Board of Trustees was called to Order by Mayor Wayne Bailey at 7:00 p.m. with the following present:

Trustee Robert Bausch  
Trustee Virginia Adams  
Trustee Paul Cooper  
Trustee Anna Marie Barclay: entered meeting at 7:00 pm

Also present: Stacey Brown, Tally Almquist, Joe Chimino, Tom Williamson, Eric Weis, and Ralph Marsocci.

### **APPROVAL OF BILLS**

A motion to approve the bills was made by Trustee Bausch and seconded by Trustee Cooper. The motion carried by the following vote:

Trustee Robert Bausch – aye  
Trustee Anna Marie Barclay – aye  
Trustee Paul Cooper – aye  
Trustee Virginia Adams – aye

### **APPROVAL OF MINUTES**

A motion to approve the Special and Regular meeting minutes for March 11<sup>th</sup>, 2009 was made by Trustee Bausch and seconded by Trustee Adams. The motion carried by the following vote:

Trustee Robert Bausch – aye  
Trustee Anna Marie Barclay – aye  
Trustee Paul Cooper – aye  
Trustee Virginia Adams – aye

### **TREASURER'S REPORT**

#### **GFOA SEMINAR:**

Once again, I would like to thank the Board for allowing me to attend this seminar. As usual it was extremely informative. One obvious popular topic of discussion was that of the (ARRA) or American Recovery and Reinvestment Act or more widely known as the "Stimulus Package". An overview of the package included: Federal Grant programs directly through the States and Local Governments as well as competitive grant programs. We discussed the tax provisions surrounding the 3% withholding on Government Payments law and its impact. Discussion about the bond market and the need to "build America" for upcoming capital projects that are financed through the ARRA. We also discussed the "Red Flag Rule" and the guidelines provided by the Treasury and IRS Departments.

### **Tulley Building Budget:**

At the last board meeting, Laura Landers presented the board with a few options on how to finance the remainder of this project. Has the board reached a decision regarding this matter?

### **Reserves:**

Laura Landers also talked about the reserves in Chase Bank and the fact that approximately \$115,000 should be placed in the main account of Castile bank as these funds are not reserve. Has the board reached a decision regarding this matter?

### **Sewer Project:**

Recent emails between the Mayor, myself, Jeff Smith (Municipal Solutions) and John Alessi (Hodgson Russ, LLP; Bond Council) have discussed the needed material for the upcoming funding availability from EFC. It has been determined by all parties involved that this information has been secured and the application is ready to be submitted.

## **DPW SUPERVISOR'S REPORT**

An oral report was presented to the board.

## **CEO/ZEO REPORT**

An oral report was presented to the board.

## **HISTORIAN'S REPORT**

The Landmark Society has resources to assist communities with historic preservation projects free of charge. Would the board want to have Tally look into this?

Mayor: When the need arises, yes, this could be useful.

A motion to accept officer's reports was made by Trustee Barclay and seconded by Trustee Cooper. The motion carried by the following vote:

Trustee Robert Bausch – aye  
Trustee Anna Marie Barclay – aye  
Trustee Virginia Adams – aye

Trustee Paul Cooper – aye

### **OLD BUSINESS**

A motion to adopt the General and Sewer Budgets was made by Trustee Bausch and seconded by Trustee Cooper. The motion carried by the following vote:

Trustee Robert Bausch – aye  
Trustee Anna Marie Barclay – aye  
Trustee Virginia Adams – aye  
Trustee Paul Cooper – aye

Trustee Bausch suggested that the board think about how far they want to go with the Tulley Building repairs especially regarding the roof. We should have Joe get an engineer to give an opinion for a solution to the roof and then send out RFP's. This will give the board an idea of what needs to be done and how much it will cost before they decide to repair the roof.

Trustee Barclay: The roof must be repaired

Trustee Adams: I agree, we need to repair the roof now

A motion to authorize Joe Chimino to contact an engineer to complete the bid specs to repair the Tulley Building's roof was made by Trustee Bausch and seconded by Trustee Adams. The motion carried by the following vote:

Trustee Robert Bausch – aye  
Trustee Anna Marie Barclay – aye  
Trustee Virginia Adams – aye  
Trustee Paul Cooper – aye

Trustee Bausch: the next thing we need to do is get those funds from our Chase accounts that are not reserves, and put them into our main account. This way, we will have all of our reserve funds in one bank and the operating funds in a different bank.

A motion to prepare the resolution as needed to move the non-reserve funds from Chase bank to the Bank of Castile was made by Trustee Bausch and seconded by Trustee Barclay. The motion carried by the following vote:

Trustee Robert Bausch – aye  
Trustee Anna Marie Barclay – aye  
Trustee Virginia Adams – aye  
Trustee Paul Cooper – aye

Trustee Bausch: finally, we should have Stacey, Joe and Tom determine an up-to-date analysis of the Tulley Building project cost to determine what funds are available from the original \$60,000. They also need to determine how much more is needed to complete the project.

### **NEW BUSINESS**

#### **RESOLUTION - 3 (Bergen Park Festival)**

The following motion was made by Trustee Bausch and seconded by Trustee Barclay. The motion was carried by the following vote:

Trustee Robert Bausch – aye  
Trustee Anna Marie Barclay – aye  
Trustee Paul Cooper – aye  
Trustee Virginia Adams – aye

**WHEREAS, THE** Bergen Business and Civic Association, as part of its *Bergen Park Festival* has scheduled a ***fireworks display*** to take place on **Saturday, June 13, 2009 at approximately 10:00 pm,**

**WHEREAS,** the proposed fireworks display location is along Parkview Drive & currently located within the Village of Bergen between Buffalo Road and Route 19;

**WHEREAS**, the Village Board of the Village of Bergen, New York, has determined that it is necessary to close *Parkview Drive* within the Village of Bergen between its intersections of Buffalo Road and Route 19 in order to adequately protect the health, safety and welfare of the participants watching the fireworks,

**NOW, THEREFORE, IT IS HEREBY RESOLVED AND ORDERED** by the Village Board of the Village of Bergen, New York that Parkview Drive shall be closed within the Village of Bergen, New York **Saturday, June 13<sup>th</sup> at 9:00pm** in order to permit the fireworks display, and

The *Bergen Park Festival* organizers are hereby directed to obtain all proper permits from the New York State Department of Transportation and to notify the Genesee County Sheriff and the Bergen Fire Department and to comply with all requirements of said agencies. The Bergen Park Festival organizers are further directed to make all necessary arrangements for traffic control (barricades, flag persons, signs, etc...).

**BE IT FURTHER RESOLVED AND ORDERED** that said road shall be re-opened to passage of vehicular traffic as soon as it is practicable after the conclusion of said fireworks.

The Clerk-Treasurer hereby certifies that this is a true and complete copy of this resolution passed by the Board of Trustees at its Regular Meeting on **April 8<sup>th</sup>, 2009**.

**RESOLUTION -4  
(Bergen Park Festival)**

The following motion was made by Trustee Bausch and seconded by Trustee Barclay. The motion carried by the following vote:

Trustee Robert Bausch – aye  
Trustee Anna Marie Barclay – aye  
Trustee Paul Cooper – aye

Trustee Virginia Adams – aye

**WHEREAS, THE** Bergen Business and Civic Association, as part of its *Bergen Park Festival* has scheduled a ***parade*** to take place on **Saturday, June 13, 2009 at 12:00 pm,**

**WHEREAS,** the proposed *parade* route is along Route 19 located within the Village of Bergen between Hunter Street and Parkview Drive,

**WHEREAS,** the Village Board of the Village of Bergen, New York, has determined that it is necessary to close *Route 19* within the Village of Bergen between its intersections of Hunter St. and Parkview Drive in order to adequately protect the health, safety and welfare of the participants in the *parade* and the spectators along the route, and

**NOW, THEREFORE, IT IS HEREBY RESOLVED AND ORDERED** by the Village Board of the Village of Bergen, New York that Route 19 shall be closed within the Village of Bergen, New York between Hunter Street and the intersection of Parkview Drive and Route 262 on **Saturday, June 9<sup>th</sup> at 12:00pm** in order to permit the passage of a parade along said route, and

The *Bergen Park Festival* organizers are hereby directed to obtain all proper permits from the New York State Department of Transportation and to notify the Genesee County Sheriff and the Bergen Fire Department and to comply with all requirements of said agencies. The Bergen Park Festival organizers are further directed to make all necessary arrangements for traffic control (barricades, flag persons, signs, etc...).

**BE IT FURTHER RESOLVED AND ORDERED** that said road shall be reopened to passage of vehicular traffic as soon as it is practicable after the conclusion of said parade.

The Clerk-Treasurer hereby certifies that this is a true and complete copy of this resolution passed by the Board of Trustees at its Regular Meeting on **April 8<sup>th</sup>, 2009**

### **Trustee Concerns:**

Trustee Bausch:

What is the status of the Capwell property? What is the board going to do with this property? Tom Williamson gave his thoughts regarding a possible solution; however, the board has requested information on the cost.

Trustee Barclay:

- ❖ The school has given the name of students to participate in the art work to be displayed in the new village offices.
- ❖ Carpenter Park: Thompson & Dilcher have offered to do the work with the bricks and the fountain. If the village is willing to pay for the materials, Thompson & Dilcher is willing to do this work free of charge.

Trustee Cooper: Awning for the Tulley Building – decide what will be put on them. Still need cost/proposals before a decision can be made. This cost should also coincide with the proposed etching on the front windows.

Trustee Adams:

- ❖ When will the DPW start the brush pickup? Joe Chimino answered: hopefully by Monday, April 13<sup>th</sup>, if the weather cooperates.
- ❖ Are we going to hire someone for the summer mowing? Joe Chimino answered: yes

### **Mayor's Report:**

- ❖ Read an invitation to attend a one-day seminar to discuss payroll and financing legislative changes. This will be held at the Clarence Public Library. The letter was from the Office of the State Comptroller. The seminar is Tuesday, May 12<sup>th</sup>, 2009 at 9:30am. The Mayor asked if anyone was interested in attending they should look at the letter to sign up.

- ❖ 2010 Census: Will be conducted from April 2009 until July of 2009. Representatives will be coming to the community to conduct this census. A reminder and explanation will be put in the upcoming newsletter.

A motion to enter executive session to discuss personnel matters and the sewer negotiations with Byron-Bergen School was made by Trustee Bausch and seconded by Trustee Cooper. The motion carried by the following vote:

Trustee Robert Bausch – aye  
Trustee Anna Marie Barclay – aye  
Trustee Virginia Adams – aye  
Trustee Paul Cooper – aye

8:15 pm

A motion to exit executive session was made by Trustee Bausch and seconded by Trustee Cooper. The motion carried by the following vote:

Trustee Robert Bausch – aye  
Trustee Anna Marie Barclay – aye  
Trustee Virginia Adams – aye  
Trustee Paul Cooper – aye

8:35 pm

### **ADJOURNMENT**

A motion to adjourn was made by Trustee Bausch and seconded by Trustee Cooper. The motion carried by the following vote:

Trustee Robert Bausch – aye  
Trustee Anna Marie Barclay – aye  
Trustee Virginia Adams – aye  
Trustee Paul Cooper – aye

The meeting was adjourned at 8:36 pm

Respectfully submitted,

Stacey A. Brown  
Clerk Treasurer

**T & A**  
**\$17,847.91**

**A/P**  
**\$31,006.16**