

**Regular Meeting  
Of the Village of Bergen  
Board of Trustees  
January 28<sup>th</sup>, 2009 at the Village Hall**

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

Also present were: Stacey Brown, Joe Chimino, Tom Williamson, Greg Geer, Ernie Haywood, Lori Nelson, Rick Henry, Eric Wies and Jeff Smith

Absent: Trustee Anna Marie Barclay

**APPROVAL OF BILLS**

A motion to approve the bills 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 – absent  
Trustee Virginia Adams – aye  
Trustee Paul Cooper – aye

**APPROVAL OF MINUTES**

A motion to approve the regular meeting minutes for January 14, 2009, and January 21, 2009 was made by Trustee Robert Bausch and seconded by Trustee Paul Cooper. The motion carried by the following vote:

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

## **TREASURER'S REPORT**

### **Income tax report:**

W2's are finished and ready for mailing. The 1099's are near completion and will be ready for distribution by end of the week.

### **Hand Held Meter Readers:**

The data implementation process is almost complete and will be ready to go "live" for the upcoming meter reading schedule. The software training will continue internally to ensure that all are able to use the software properly.

### **Sewer Reserves:**

At this time our sewer reserves in Chase bank are at \$115,793.72 strong. We need to have a permissive referendum in order to use the funds for the sewer project. I have prepared the resolution necessary to get the process started. We then have to wait 45 days until we are able to use the amount needed for the bill – Clark Patterson. In my conversation with representative Eric Wies, he acknowledges the legal actions the Village must take to use the funds.

### **Budget:**

I have made the requested changes in the General budget to include the concerns with the Social Security and Medicare line items.

### **New "Red Flag" requirements for municipalities goes into effect May 1<sup>st</sup>, 2009:**

In order to combat with the growing problem of identity theft, the Federal Trade Commission (FTC) has issued new "Red Flag" rules which apply to all municipalities nationwide that have utility accounts, such as water, sewer, or electricity and other operations that defer payment for

services on a recurring basis. The rules require that by May 1<sup>st</sup>, 2009, municipalities have in place written programs to identify, detect, and respond to patterns, practices, or specific activities that could indicate identity theft.

Municipalities are encouraged to consult with legal council regarding compliance with the FTC rules, including what types of operations and transactions are covered, as there may be significant consequences for noncompliance.

Once I have received more information regarding this issue from GFOA representatives and our legal council, I will report the same to the board.

### **DPW SUPERVISOR'S REPORT**

DPW Supervisor Joe Chimino gave his oral report

### **CEO/ZEO REPORT**

CEO/ZEO Tom Williamson gave his oral report

### **NEW BUSINESS**

A motion to accept a resolution subject to permissive referendum was made by Trustee Cooper and seconded by Trustee Bausch. The motion carried by the following vote:

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

### **Adoption of resolution subject to permissive referendum**

WHEREAS, the Village of Bergen previously established a capital reserve fund on the 24<sup>th</sup> day of February, 2003, pursuant to the provisions of Section 6-c of the General Municipal Law for the purposes of construction, reconstruction or acquisition of a TYPE of equipment or

services to be used in said Sewer Treatment Plant or collection system, to the end that the operation of the said Sewer Treatment Plant or collection system and/or maintenance, operation, improvement or expansion of the same should be in good and satisfactory operating condition, and that such fund shall be used for such purposes in the future and at such time as the Village Board shall deem to be in the best interest of the Village; and

WHEREAS, the Village Board of Trustees of the Village of Bergen deems it necessary to expend monies for the following purposes:

Professional engineering services for the Waste Water Treatment Facility Upgrade Project

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

That the Village Clerk be and she hereby is directed to remove from the capital reserve fund established on February 24<sup>th</sup>, 2003, the sum not to exceed \$30,052.50 for the purpose of payment for the above items.

This resolution is subject to permissive referendum.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call as follows:

Wayne Bailey	Mayor	AYE
Anna Marie Barclay	Deputy Mayor	ABSENT
Paul Cooper	Trustee	AYE
Robert Bausch	Trustee	AYE
Virginia Adams	Trustee	AYE

The resolution was thereupon declared duly adopted.

By order of the Village of Bergen

Board of Trustees

Stacey A. Brown – Administrator/Clerk Treasurer

A special meeting is scheduled for Monday, February 2<sup>nd</sup>, 2009 at 6:30 p.m. to include sewer budget discussion.

A motion to enter executive session to discuss sewer negotiations with the Byron Bergen School Administration 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 – absent  
Trustee Virginia Adams – aye  
Trustee Paul Cooper – aye

7:20 p.m.

Tom Williamson, Joe Chimino and Stacey Brown exited at this time.

Trustee Barclay entered the discussion via telephone at 7:35 p.m.

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 – absent  
Trustee Virginia Adams – aye  
Trustee Paul Cooper – aye

8:48 p.m.

## **ADJOURNMENT**

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

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

The meeting was adjourned at 9:50 p.m.

Respectfully submitted,

Stacey Brown  
Clerk Treasurer

**A/P\$96,027.47**

**T&A \$16,710.40**