

**Regular Meeting
Of the Village of Bergen
Board of Trustees
March 25th, 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
Trustee Anna Marie Barclay

Also present: Stacey Brown, Tally Almquist, Joe Chimino, Tom Williamson, and Laura Landers

APPROVAL OF BILLS

A motion to approve the bills was made by Trustee Barclay and seconded by Trustee Bausch. 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 11th, 2009 was made by Trustee Cooper 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

TREASURER'S REPORT

Electric Utility Depreciation Reserve Fund:

Pursuant to General Municipal Law SS6-k, the board of trustees of a village operating an electric utility service must establish, solely from appropriations from the revenues of the service, a depreciation reserve fund. The assets of the fund may be used only for the improvement, extension or replacement of the service, or the payment of indebtedness incurred in relation to the construction, improvement, extension or replacement of the service. There are no referendum requirements. Laura Landers to discuss this with the board.

Tulley Building Budget:

As of March 23, 2009, the available balance for the project is \$27,477.78. An expenditure of \$32,522.22 has been recorded thus far; however, HVAC has not been purchased. This line item is estimated at \$20,000 according to the average bid amount. Laura Landers to discuss possible funding alternatives.

Reserves:

I forwarded the board a message from Jeff Smith regarding the Chase account reserves and the ability to re-establish them. Laura Landers to discuss this.

Accounting practices:

General ledger clean-up continues. In my attempts to further enforce the "internal controls" that I have implemented, I have been able to clean-up much of the General ledger books up to December of 2008. This process will undoubtedly take some time to complete, but will be completed hopefully by end of F/Y 2008-09. I ask that the board be patient with this process as it is delicate in nature.

GFOA:

This is a reminder that I will be attending the GFOA seminar in Albany on April 1 – 3. I will be available via email and my cell phone if anyone needs to contact me. Once again, I would like to thank the Board for allowing me this opportunity to further my understanding of governmental finance.

DPW SUPERVISOR'S REPORT

Sewer

- Average flows were 135,000 gallons.
- No mechanical problems to report at this time

Electric

- ❖ National Grid has been working diligently on 201 transmission line rebuild.
- ❖ All old utility poles have been removed from Buffalo Street.
- ❖ Continued work on the North Lake rebuilds.
- ❖ Mutual aid at Spencerport and Churchville

DPW

With the absence of snow because of the favorable weather conditions, all manpower has gone to the Tulley Building.

Tulley Building

- Drywall is being installed and approximately 30% has been completed.
- Electric and plumbing installation is near completion. In all the work is progressing very well.
- Once approved by the board, the HVAC system will be installed so that drywall installation can continue.

CEO/ZEO REPORT

- Work continues on the plumbing at the Tulley Building.
- NY State Codes will be moved from Department of State office to Office of Fire Prevention and Control

- Town Office Permits – Do we charge them for these permits? Mayor – we didn't charge them for the highway garage so we shouldn't charge them for this.
- Capwell Property: South Lake Street
Owner has not complied with his previous permits to rectify safety issues. Alternative measures may need to be taken such as condemning the property. In order to entertain these measures, the board needs to get the following entities involved:
 - ❖ Attorney
 - ❖ Engineer
 - ❖ Town Court

The board has instructed Stacey Brown to speak with other municipalities that may have taken these steps to ensure public safety.

HISTORIAN'S REPORT

Working on the Triangle Club's 100th Anniversary

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 reduce property taxes by 5% or 5.0825 per \$1000 was made by Trustee Bausch. No one seconded this motion so it was denied.

A motion to tentatively adopt the General and Sewer Budgets was made by Trustee Cooper 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

The official adoption due date for the Sewer and General budgets is April 20th. A public hearing will be held on April 8th, at 6:30 p.m. followed by the regularly scheduled meeting.

A motion to accept the HVAC bid proposal from Triple O Mechanical for the amount of \$19,995 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

A motion to approve a resolution for MEUA Semi-Annual Meeting attendance by Joe Chimino was made by Trustee Adams 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

At a regular meeting of the Board of Trustees of the Village of Bergen, New York, held on March 25th, 2009, the following resolution was adopted:

Moved by Trustee Adams, seconded by Trustee Barclay.

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 April 29 and April 30, 2009 to be held at the Embassy Suites Hotel, 6646 Old Collamer Rd., East Syracuse, New York, 13057 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*,

On roll call: Affirmative: **5** Negative: **0**

I certify that this resolution was adopted by the Village of Bergen, New York on the 25th, day of March, 2009.

Wayne D. Bailey
Village Mayor

Trustee Concerns:

Trustee Adams:

Met with Cindy Jessop of Waste Management to discuss possible funding opportunities the Village of Bergen may have with Waste Management. Although it was determined that the Village did not qualify for funding by way of grants, it was discussed that a viable project could receive "donation" type funding. Trustee Adams to look into this further.

Trustee Barclay:

- ❖ Carpenter Park: the bricks have been taken to be engraved
- ❖ Letter from F. Johnson regarding the fountain explained his opinion on the size and placement and that he thought the fountain was too large for the park.

- ❖ Archival Storage: Spoke with Jim Tamaro of NYS Archives and received information on where to purchase storage boxes. The board suggested she purchase 5 boxes at \$10.95 each.
- ❖ Spoke with representatives from "Go-Art". A possible donation type arrangement was discussed regarding hanging art in the new Village office.

Trustee Cooper: Will look into pricing on awnings for in front of the Tulley Building.

Mayor's Report:

- ❖ Met with Eric Wies – he suggested that we go out to bid for the sewer project soon.
- ❖ We should get funds from the Stimulus package

Privilege of the Floor

Laura Landers of Freed Maxick & Battaglia discussed several issues with the board.

1. Electric utility Depreciation Reserve Fund:
 - ❖ As of the last PSC report our rate of return is at 6%
 - ❖ The depreciation expense amount should be placed into a reserve fund.
 - ❖ Do not have to put in the "full" depreciated amount
 - ❖ Can lend cash to other funds, but must pay back within a reasonable amount of time and consideration
 - ❖ Need a solid Capital Plan in place first
2. Tulley Building Budget:
 - ❖ Assess the remaining amount needed to complete the project
 - ❖ Use a 1/3-1/3-1/3 approach to allocate the expenses

- ❖ General Fund has already spent approximately \$38,000 so once the final amount needed has been decided, the other two funds should be used first
- ❖ Electric Fund has enough in the fund balance to incur the expense
- ❖ Sewer Fund has \$188,000 in its Capital Projects reserve fund to incur the expense

3. Reserves in Chase Account:

- ❖ The board should place the \$115,000 that is in the Chase account simply as an opening balance arrangement into its main account at the Bank of Castile
- ❖ Suggested that the board look into other banks to get better % rates of returns

A motion to enter executive session to discuss 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

9:30 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

10:05 pm

ADJOURNMENT

A motion to adjourn was made by Trustee Barclay 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

The meeting was adjourned at 10:06 pm

Respectfully submitted,

Stacey A. Brown
Clerk Treasurer

T & A
\$19,068.70

A/P
\$81,544.62