

**Regular Meeting  
Of the Village of Bergen  
Board of Trustees  
November 11<sup>th</sup>, 2009 at the Village Hall**

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

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

Also present were: Stacey Brown, Joe Chimino, Kevin Donovan, Ralph Marsocci, Justin Russell and Tally Almquist

Absent: Tom Williamson

**APPROVAL OF BILLS**

A motion to approve the bills 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

**APPROVAL OF MINUTES**

A motion to approve the regular meeting minutes for October 28<sup>th</sup>, 2009 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

**TREASURER'S REPORT**

**Accounting/Bookkeeping:**

Data collection has begun for the PSC Report. I am working with Laura Landers (Freed Maxick) to get the necessary information together in order to input the data collected into the PSC Report form.

The report is due before the end of this month.

**Sewer Project:**

On Friday, November 6<sup>th</sup>, John Alessi (Bond Council – Hodgson Russ, LLP) met me at the Village office to sign the documentation for the bond closing on Thursday, November 12<sup>th</sup>. All pre-closing documentation has been signed, sealed and finalized. The Village will receive a copy of the final documentation once EFC has them completed.

**Tulley Building Project:**

The capital project budget is complete and ready for input into the accounting system.

As of 10/05/2009 the budget is as follows:

Beginning Balance:	\$140,000.00
Less Expenditures:	<u>(\$128,361.58) with corrections</u>
Fund balance:	\$11,638.42

GL# 1641.400A – Tulley Building contractual line item had expenses incurred either incorrectly or not part of the project cost. \*\*For example, the building manager’s salary was charged to this account (x2) \$1800 – this was the correct line item prior to the project, however, it needs to be documented that this amount was NOT part of the over-all project or is “over budget” and thus not part of the \$140,000 allocated for said project.\*\*  
See attached for further details.

**Local Laws:**

If the board decides to move forward with the “Unsafe buildings” law, the board needs to schedule a Public Hearing prior to adopting this law.

I received a copy of the City of Batavia’s local law regarding “overgrown weeds and grass”. I have sent it to Dan Bryson (Lacy Katzen) for review. He has not responded as of yet.

**Budgets – General:**

Joe and I have met to discuss the first draft of the General budget. We have put together a “boiler plate” of possible expense and revenue to be considered.

**DPW SUPERVISOR’S REPORT**

Discussion highlights included:

- ✓ Average flows: 105,932 gallons per day
- ✓ Both flow chart meters – one for influent and the other for return sludge have been repaired and have been put back into service

- ✓ Work has started on replacing pumps – bases – guide rail assemblies at the Rochester Street lift station
- ✓ Snow fence has been installed all along sewer plant driveway to cut down on snow drifting for the winter season
- ✓ ¾ of the foundation exterior walls of the new building at the sewer plant are complete
- ✓ The old electric poles along the sewer plant driveway have been removed
- ✓ Two overhead street lights have been installed on the new poles for area lighting near the main gate
- ✓ Leaf and brush pick-up was heavy this week
- ✓ Tree trimming of power lines continues at the end of Richmond Avenue and South Lake south of the traffic light at Route 19 & 33
- ✓ Pumping down oil in the old substation equipment that was decommissioned after the 2400 volt to 4160 volt conversion
- ✓ NYPA has sent a letter stating they foresee no reduction in firm hydro power through December
- ✓ NAT-GRID – inquiry to the village board if the village would pay the overtime pay expenses vs. straight time pay to shut down the village electric system on a Sunday rather than during the week to enable them to connect the new 34,500 volt transmission line to the substation
- ✓ Tulley Building – remainder of the carpet was installed on Tuesday, November 10<sup>th</sup>
- ✓ The handicap accessible ramp on Buffalo Street was poured today – Tom is working on finishing the railings
- ✓ Conducted a walk-through with the Mayor of the accessible areas of the building and discussed what was in need of repairs
- ✓ A rough estimate of cost to repair the deficiencies will be provided at the next board meeting

### **CEO/ZEO REPORT**

No report

### **Mayor's Report**

Discussion highlights:

- Read a letter from Mercy Flight
  - Agreement between Village of Bergen and Mercy Flight
  - List of calls included with letter
  - Mayor authorized to sign the agreement
  - File to be created to house the quarterly reports (incident)
- Spoke with Don Cunningham (Town of Bergen)
  - Possibility of conducting a special joint meeting between the Village and Town boards
  - Discussion topics include: Commerce and Public Safety

## **Deputy Mayor's Report**

- ❖ Spoke with Don Cunningham regarding his building and the Village of Bergen using his roof during Tulley roof repair project
- ❖ Mr. Cunningham gave his permission to utilize his roof during the project provided the Village provide him with the construction company's proof of insurance
- ❖ Spoke with Senator Gillibrand's office – help with grant information for the Tulley roof repair was discussed
- ❖ Assemblyman Hawley sent a Thank you note for allowing him to have his community open house at our new facility (office)

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

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

## **Privilege of the Floor**

Justin Russell – Plumbing contractor discussion highlights:

- 6575 North Lake Avenue – customer septic system is failing
- Request that the Village of Bergen extend the existing sewer district North
- Expense would not be the responsibility of the Village or Town to incur
- Plumbing contractor would provide all work involved
- Village Board informed Mr. Russell that the issue needs to be brought in front of the Town of Bergen to get their permission to extend the district because it is their sewer district not the Village's
- Village board will contact their village engineer to discuss possibilities if the Town agrees to the extension (political issues could arise however)

## **Trustee Concerns**

### Trustee Adams

Mural on side of Tulley Building – still awaiting a return call from the painter

### Trustee Cooper

- ✓ Leaf pick-up: Why are we making it mandatory to use paper bags for the leaves? I have received numerous complaints.
- ✓ Joe Chimino: We use the paper bags for bio-degradable

purposes. The plastic bags sit and rot and do not compost in a timely fashion.

- ✓ Mayor Bailey: Why can't we have the men pick up the plastic bags and cut each open to empty in the pile?
- ✓ Joe Chimino: We pick up several dozens of bags of leaves and the time it would take to have someone open every single bag is not cost affective

No alternative decision was made for the paper bags and leaf pickup.

### **New Business**

#### 1. Local Law #2 of 2009 – public hearing scheduled

A motion to have a public hearing for the adoption of Local Law #2 of 2009 on November 25<sup>th</sup> at 6:45 was made by Trustee Bausch and seconded by Trustee Cooper. The motion carried by the following votes:

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

#### 2. Affidavit of Collector – Unpaid taxes to County

A motion to accept the Affidavit of Collector was made by Trustee Bausch and seconded by Trustee Adams. The motion carried by the following votes:

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

#### 3. Employee paid leave carry-over

A motion to accept the employee paid leave carry-over amounts was made by Trustee Barclay and seconded by Trustee Bausch. The motion carried by the following votes:

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

**9:50 pm**

A motion to enter executive session to discuss personnel matters 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

Mayor Bailey requested that DPW Supervisor Joe Chimino remain for the executive session. All others present exited at this time.

**10:09 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

**ADJOURNMENT**

A motion to adjourn 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

The meeting was adjourned at 10:10 pm.

Respectfully submitted,

Stacey A. Brown  
Clerk Treasurer

**T & A**  
**\$20,236.27**

**A/P**  
**\$111,299.34**