

**Regular Meeting  
Of the Village of Bergen  
Board of Trustees  
October 14<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 Robert Bausch  
Trustee Virginia Adams  
Trustee Paul Cooper

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

Absent: Trustee Anna Marie Barclay

**APPROVAL OF BILLS**

A motion to approve the bills 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

**APPROVAL OF MINUTES**

A motion to approve the Regular meeting minutes for September 23<sup>rd</sup>, 2009 as amended 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 Paul Cooper – aye  
Trustee Virginia Adams – aye

Meeting minutes for September 30<sup>th</sup> and October 5<sup>th</sup> were tabled due to inefficient amount of board members present to approve.

## **TREASURER'S REPORT**

### **Accounting/Bookkeeping:**

- ❖ PPAC State Assessment Tax Allocation – The Village received approximately \$63,000 this summer from the National Grid Transmission case. (Refund)
- ❖ \$45,000 is due before October 31<sup>st</sup> for the NY State Assessment tax (2% NY State Gov. Patterson Approved) of which the Village has been encouraged by Village Accountant to use their (Refund) to cover this year's payment. The remaining \$18,000 should be used to off-set the PPAC portion of customer bills during the winter months when their usage is higher.
- ❖ The NY State Assessment tax is in affect until 2014 in which the Village is authorized to charge the 2% in the PPAC calculations.
- ❖ The PPAC increase should take place once the \$18,000 has been fully expended.

### **Sewer Project:**

I am working with Laura Landers (Freed Maxick) and Vince DiMoro (Enhanced Accounting Software) to put together the capital project budget and GL #'s. These will be set up in our system so that we can track the project expenditures.

### **Tulley Building Project:**

- ❖ Certified copies of the Bond Resolution have been sent to bond council and Municipal Solutions as well as published in the Daily News
- ❖ Copies of the Affidavits of Posting have been sent out to bond council and Municipal Solutions
- ❖ Certified copies of Affidavit of Publication have been sent to bond council and Municipal Solution
- ❖ Certificate of No Referendum will be advertised in the Daily News (30 days after first advertisement) November 9<sup>th</sup>, 2009

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

Beginning Balance:	\$140,000.00
Less Expenditures:	(\$128,866.24)
Fund balance:	\$13,133.76

## **DPW SUPERVISOR'S REPORT**

### Sewer:

- ❖ Average flows to date are 99,440 gallons per day
- ❖ Removed and repaired a 4" lateral sanitary sewer pipe that was broke at Allen Foods
- ❖ No problems to report at the WWTP
- ❖ Excavation for the new footers for the addition to the WWTP began on October 7<sup>th</sup>.
- ❖ Frontier installed a new phone service on our new poles from the West side of Rt. 19 to the WWTP on October 14<sup>th</sup>.

### DPW:

- ❖ Replaced playground equipment that was identified as being hazardous to the public at Hickory Park
- ❖ Trimmed branches on all trees in the village right of way that run parallel with the sidewalks so as not to interfere with the snow plowing of the walkways
- ❖ Village crew removed one small tree on N. Lake Ave and one on S. Lake Ave
- ❖ There are 2 trees on 20 South Lake Ave that need to be removed. A quote for \$308 each was received and I seek board approval for removal. The board agreed to have them removed at the price quoted above.
- ❖ Change over of equipment for winter operations has begun
- ❖ Village crew installed 12" drainage pipe at the end of McCabe Court for water runoff to mini-creek
- ❖ D.O.T. to start work on Rt. 19 on August 16<sup>th</sup>.
- ❖ Hickory Park bathrooms to be closed for the season next week

### Electric:

- ❖ New pole line down the sewer plant driveway is energized and supplying power to a new 300kva pad mount transformer
- ❖ A new vault and pad also had to be installed in a new location to facilitate the construction of the new Building (WWTP)
- ❖ Village crew trenched 160 feet on Canterbury Lane and Springdale Lane to install conduit and conductor to replace a circuit that failed, which supplies power to street lights.
- ❖ All work was performed in the village right of way and restoration of the yard is complete
- ❖ Annual stray voltage testing is being conducted this week by Nick, while Anthony is attending line school in Fairport
- ❖ As a result of oil sample tests that were conducted on our in-house transformers we have identified 14 units as being over the limit for PCB contamination. I have quotes forthcoming for the pick-up and disposal of these units.

## **CEO/ZEO REPORT**

### Discussion highlights:

- ❖ New door has been installed at the South side entrance of the Tulley Building
- ❖ The back ½ of the building should be complete within the next 4-6 weeks
- ❖ Met Tuesday regarding the roof repair – Pre-construction meeting – indicated that there are 2 windows on the North Side that are in need of repair as well. These windows were not part of the temporary patch work proposal prepared by Roth Corporation. Tom will gather additional quotes to fix this problem as well.

## **Historian's Report**

- ❖ Danny Sheldon asked for help in finding a grant for a study of the Presbyterian Church. There are issues with the foundation.
- ❖ We do not qualify for State funding due to new siding on the building.
- ❖ Attended the fall meeting of the Government Appointed Historians of Western New York in Dansville on October 3<sup>rd</sup>.
- ❖ There was discussion about the New Deal Art Program in Livingston County. This is the biggest collection of such art in the country.
- ❖ We also discussed "Women at Work". It was about the roles of women during WWII. Women worked here in the Village at such places as: Miller's Elevator, the Canning Factory and taking turns spotting airplanes at the outpost on the hill

## **Mayor's Report**

### Discussion highlights:

- ❖ Tulley Roof project can not start until Spring of 2010 due to weather conditions
- ❖ Roth Corporation gave a separate quote to do some patch work to fix the leaks until the primary project can begin
- ❖ Quote was for \$1868, of which Roth Corporation has agreed to pay 50%. This would make the Village's portion: \$939.92.

A motion to accept the quote from Leo J. Roth Inc. as written (\$939.92) 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 – absent  
Trustee Virginia Adams – aye  
Trustee Paul Cooper – aye

A motion to accept officer's reports 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 – absent  
Trustee Virginia Adams – aye  
Trustee Paul Cooper – aye

### **New Business**

- ❖ The Mayor read through the NYPA agreement for "Municipal or rural electric system cooperative customer concerning energy services expanded measures".

A motion to sign this agreement was made by Trustee Adams and seconded by Trustee Bausch. The motion carried by the following votes:

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

- ❖ Clark Patterson Lee – Inter-municipal agreement between the Village of Bergen and the District – Tabled (Eric W. was unable to be present to explain this agreement)
- ❖ Discussed the Pole Attachment Agreement between the Village and Fibertech Networks, LLC

A motion to approve the Pole Attachment Agreement 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

- ❖ 2% State Assessment Tax – PPAC allocation: Mayor asked if we are legally obligated to "collect" the 2% from the customers or can we simply pay it from our fund balance? Clerk Brown to ask Accountant Laura Landers and report back to the board.
- ❖ Resourceful Bags/Tags – The board discussed the necessity of purchasing the small yellow refuse bags. We are almost out of the bags and Clerk Brown needed board approval to either

purchase more yellow refuse bags or to discontinue them altogether.

A motion to discontinue use of the small yellow refuse bags 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

### **Old Business**

- ❖ Carpenter Park – Trustee Adams inquired on how to “winterize” the fountain. Joe Chimino to look into this and report back to the board.

A motion to remove Carpenter Park from the agenda was made by Mayor Bailey 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

- ❖ Tulley Building Open house – The date has been removed from the November month. Discussed possibly having it in December or early January. More discussion on this at next board meeting.

### **Trustee Concerns**

1. Trustee Adams
  - ❖ Resident (Charlene White) on Buffalo Street – what can we do about the excess trash piling up near the house? (several bags or garbage are piled up) Tom Williamson to look into this and report back to the board
  - ❖ Corner of Buffalo and Rochester Street – are we still mowing the residents lawn? Joe Chimino replied yes.
  - ❖ What can we do about enforcing the law to maintain the property? T. Williamson replied – we need to issue another letter and then get our attorney involved.
2. Mayor Bailey
  - ❖ What’s going on with the property on the corner by the railroad tracks? What have you (Tom Williamson) done to ensure that the owner fix the issue? Tom Williamson replied – we don’t have

the proper local law in place to do anything at this time. Clerk Brown interjected to say that the Attorney (Dan Bryson) has been contacted and we are working on getting the local law together for the board's approval.

- ❖ Clerk Brown to put "Unsafe Buildings" back on the agenda for next meeting.
- ❖ Joe Chimino asked about the barricades in front of the building. Mayor Bailey indicated that they need to remain there until the issues have been resolved and it's safe for the community to walk through there again.
- ❖ Instructed DPW Supervisor J. Chimino and Clerk Brown to be prepared by the first meeting in November to discuss 10-11 budgets

3. Trustee Cooper

- ❖ Please put the following items on the agenda for next meeting:
  - a.) Christmas Tree Lighting
  - b.) Open house – Tulley Building
  - c.) Annual Safety Meeting

Executive Session entrance was tabled

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

The meeting was adjourned at 8:36 p.m.

Respectfully submitted,

Stacey A. Brown  
Clerk Treasurer

**T & A**  
**\$19,659.38**

**A/P**  
**\$91,837.85**