

**Regular Meeting
Of the Village of Bergen
Board of Trustees
September 23rd, 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 Anna Marie Barclay
Trustee Paul Cooper

Also present were: Stacey Brown, Joe Chimino, Tom Williamson, Kevin Donovan and Ralph Marsocci.

APPROVAL OF BILLS

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

APPROVAL OF MINUTES

A motion to approve the Regular meeting minutes for September 9th, 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 – aye
Trustee Paul Cooper – aye
Trustee Virginia Adams – aye

TREASURER'S REPORT

Accounting/Bookkeeping:

- ❖ Monday morning the Village office staff had a meeting. Highlights of the meeting are:
 - Daily reconciliations
 - Credit Card Spreadsheet
 - Customer Account Information
 - Grand Opening – Tulley Building
 - Back Office Area

- AUD – PSC report
- **See attached for more details**
- ❖ Taxes collected to date are approximately \$250,676.05. Expected unpaid taxes to be sent to the county in November are: \$9442.65 (provided the customer does not pay their taxes prior to the November date)
- *see attached*

Sewer Project:

- ❖ Certificate of No Referendum has been advertised in the Daily News on September 17th (30 days after first advertisement)
- ❖ Expenditures to date have been sent to Municipal Solutions for their tabulation sheet to be paid with EFC funding

Tulley Building Budget:

As of 8/26/09 the budget is as follows:

Beginning Balance:	\$140,000.00
<u>Less Expenditures:</u>	<u>(\$120,817.51)</u>
Fund balance:	\$19,182.49

Expense report attached.

Electric Depreciation Resolution:

I provided the board with % quotes from two other banks. Those quotes were:

- ❖ Bank of Castile: No fees, .55% interest rate (55 basis points)
- ❖ Five Star Bank: No fees, introductory rate (90 days) .75% interest rate (75 basis points) after 90 days, rate is lowered to 33%
- ❖ J. P. Morgan Chase: No fees, .55% interest rate (55 basis points)

The conclusion to my findings are that we should stay with Chase instead of moving funds from one bank to another for the same interest rate of return.

Research:

I received some changes from the NYSDEC regarding Open Fires. Jim Duval of Genesee County Planning Department was at a GAM meeting discussing the topic of Open Fires and the 6 NYCRR Parts 215, 191, 621 Revised Express Terms. He requested that the Revised Terms be sent to all of the Genesee County Municipalities. *A copy is attached for your records*

DPW SUPERVISOR'S REPORT

Sewer:

- ❖ Average daily flows are: 97,000
- ❖ Month of August total Average flows were 100,000 Gals – no violations
- ❖ Approximately 38 more tanks to pump this season
- ❖ Influent recording meter inside WWTP office building is down – total control systems have been notified for repair
- ❖ Attended sewer camera demonstration at Churchville DPW – “Would Bergen be interested in partnering with Churchville to pay ½ of total cost of camera?” (\$40,000 approx)

DPW:

- ❖ Restoration on Gates Street next to Lawn Medic is complete
- ❖ Restoration work off of Winterberry Lane is complete
- ❖ Storm drainage on Buffalo Street – catch basins have been mortared, sealing the new drain pipes and the road has been patched with blacktop
- ❖ Flower boxes and hanging baskets have been put away for the season
- ❖ Supplied mutual aid to Spencerport (Tues. and Thurs.) to aid in road work
- ❖ Making ready equipment that will be going to auction – (1720 Ford Tractor – Digger Derrick) Auction is October 3rd, 2009
- ❖ Three very large trees on Munger Street were taken down by Terry Tree. These trees were too tall for our truck to handle. In house we have taken down 12 trees

Electric:

- ❖ RAM Consulting – relay setting data for Gibson Place substation has been approved by National Grid and we can now make changes at substation. He is starting to work with National Grid to see what alternatives are possible for Church Street substation.
- ❖ FiberTech Networks – Seeking a pole agreement for attachment on 16 poles
- ❖ Concrete Vault – Pad – Containment Curb is on order for WWTP electric upgrade. Will be delivered next week and will be installed in house.
- ❖ New facilities have been installed to accommodate the upgrade from Rt. 19 back to the location of the new pad mount transformer. Churchville supplied mutual aid for the reconstruction which was done on September 23rd, 2009
- ❖ CFL collection bid – to be furnished at the Village office for bulb disposal
- ❖ Time Warner contacted to switch off of new pole line on Rt. 19 North so Frontier can switch over and pull existing poles

- ❖ 79th MEUA Conference
 - National Grid interconnection agreement to be studied by MEUA prior to any signings
 - No reduction in hydro power for the month of September
 - Extensive reports from NYPA stressing energy conservation (Rich Kessell press release)
 - Extensive reports from the NYISO - manage the flow of power over 11,000 circuit miles of high voltage transmission lines from more than 500 generating units
 - I have been elected to President Elect – thank you to the board for allowing me to serve on the executive committee

CEO/ZEO REPORT

Discussion highlights:

- ❖ Work on Tulley Building continues – project is progressing as planned
- ❖ Re-build of South side wall is near completion
- ❖ Handicapped accessible walk work has begun
- ❖ Burning brush on 14 Gates Street – upon further investigation, the Fire Department was notified to extinguish the fire
- ❖ Mowing at Buffalo Rd. residence – No sign of occupancy within the home, and owner is said to live outside of this county. This means that we need a process server to deliver paperwork to go to court. Also need to contact Village attorney to be able to proceed with further legal action.

Mayor's Report

Discussion highlights:

- ❖ Meeting scheduled next week with Byron-Bergen's Superintendent regarding the sewer connection update
- ❖ Mayor agreed to request an update schedule from Eric Wies (Clark Patterson) for construction cost

Tulley Building Roof Repair

Discussion highlights

- ❖ Discussed the 4 bids received from various companies and the prices for each
- ❖ Concern regarding the "Truss" and how it is going to be addressed by the construction companies
- ❖ An additional "unofficial" bid was presented to the board as an alternative to the current roofing materials being suggested
- ❖ Trustee Barclay will inquire about the price differences with the now (5) bids and the difference in the roofing materials discussed
- ❖ Trustee Barclay will obtain more information regarding the "Truss" and how it is going to be addressed (Bero Architect)
- ❖ Discussion about what to do with the roof for the winter until the new roof can be put on in the spring of 2010

- ❖ Suggestion of obtaining a few quotes to have a company fix the roof temporarily – no votes recorded

Carpenter Park – No report

Historian's Report

Absent – no report

New Business

1. Tulley Building Roof Bid Award – Tabled
2. Tulley Building Open house – Tentative date for November 13th, 2009 – Clerk Brown to send out “tentative” invitations

Old Business

1. Open Burning and Recreational Fires Local Law of 2009
2. Unsafe Buildings and Collapsed Structures Local Law of 2009
3. Depreciation Investment Resolution of 2009

A motion to remove both the “Open Burning and Recreational Fires Local Law of 2009 and the “Unsafe Buildings and Collapsed Structures Local Law of 2009 from the Agenda pending further research by Village attorney Dan Bryson and Clerk Brown 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 – aye
Trustee Virginia Adams – aye
Trustee Paul Cooper – aye

A motion to adopt the following resolution 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

RESERVE FUND: Resolution Establishing Type Fund

RESOLUTION ESTABLISHING THE “REPAIR, IMPROVEMENT AND/OR ACQUISITION OF FACILITIES AND EQUIPMENT RESERVE FUND OF THE ELECTRIC DEPARTMENT OF THE

VILLAGE OF BERGEN" UNDER SECTION 6-C OF THE GENERAL MUNICIPAL LAW

The Board of Trustees of the Village of Bergen, duly convened in regular session, does hereby resolve as follows:

SECTION 1. That there be and hereby is established a capital reserve fund for the future repairs to, improvement of or acquisition of electric equipment and structures of Electric Department (hereinafter the "Department").

SECTION 2. Such fund is to be known as the "Repair, Improvement and/or Acquisition of equipment/structure Reserve Fund of the Electric Department of the Village of Bergen."

SECTION 3. That out of the surplus monies of said department now on hand for the fiscal year 2009-2010 and not otherwise appropriated, the sum not to exceed 10% of the total amount of depreciation budgeted (hereinafter the "10%") be and the same hereby is appropriated for the "repair, improvement and/or acquisition of equipment/structure reserve fund of the Electric Department of the Village of Bergen," and the Clerk Treasurer of the Village of Bergen is hereby authorized, empowered and directed to transfer from surplus funds of said department the sum not to exceed the 10% to the fund.

SECTION 4. Such additional sums as may hereafter be appropriated shall become part of the fund.

SECTION 5. The monies in the fund shall be deposited in a separate bank account in the JP Morgan Chase Bank.

SECTION 6. The Clerk Treasurer, in her discretion, may invest the monies in the fund in the manner provided in Section 6-F of the General Municipal Law of the State of New York. Any interest earned or capital gains realized on the monies so deposited or invested shall accrue to and become a part of the fund.

SECTION 7. No expenditure shall be made from the fund except by authorization of the Board of Trustees of the Village of Bergen pursuant to the provisions of Section 6-C of the General Municipal Law of the State of New York.

SECTION 8. This resolution shall take effect immediately.

Trustee Concerns

1. Trustee Adams

- Building at end of Lake Avenue – “Unsafe Buildings..” will cover this
 - Sandwich boards – Kevin Donovan (Planning board Chair) – we discussed what the Village of Bergen already has in place in terms of regulations, then we put together possible solutions/ideas at the next meeting
 - Contacted Senator Schumer’s office – informed that the needed information has been sent to our office – no receipt of such information as of yet
 - Special Thank you to DPW Supervisor Joe Chimino and CEO/ZEO Tom Williamson for volunteer clean-up at Carpenter Park for the Roy Hill Dedication ceremony
3. Trustee Barclay:
- Spoke to Rene Vurraro (planning board secretary) and asked that the concerns of the "sandwich boards" be brought to the attention of the planning board for discussion and clarification
 - Letters concerning the matter of grants and stimulus funding for our sewer and Tulley Building projects have been sent to the various government representatives.

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 votes:

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

8:56 p.m.

A motion to exit executive session was made by Trustee Cooper 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

9:15 p.m.

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 9:16 p.m.

Respectfully submitted,

Stacey A. Brown
Clerk Treasurer

T & A
\$22,114.33

A/P
\$345,112.80