

**Public Hearing & Regular Meeting  
Of the Board of Trustees  
Of the Village of Bergen at  
6:15pm on October 9<sup>th</sup>, 2019**

**Public Hearing**

Mayor Barclay opened the Public Hearing at 6:15pm to hear input on proposed Local Law 3 of 2019.

There were no attendees for the Public Hearing.

Mayor Barclay closed the Public Hearing at 6:30pm.

**Regular Meeting**

The regular meeting of the Board of Trustees was called to order by Mayor Barclay at 6:30pm with the following present:

Trustee Vickie Almquist

Trustee Kevin Donovan

Trustee Robert Fedele

Trustee Emily VanEenwyk was absent

Also present was: Village Administrator Cortney Gale

**Approval of Bills**

A motion to approve the bills was made by Trustee Fedele and seconded by Trustee Donovan. The motion was carried by a unanimous vote.

**Approval of Minutes**

A motion to approve the meeting minutes of September 11<sup>th</sup> was made by Trustee Donovan and seconded by Trustee Fedele. The motion was carried by a unanimous vote.

**Mayor's Report**

**Grants**

- **Main Street** –Property owners are beginning to meet with Planning Board for project approvals, Ken Kuter and Cortney Gale are working on code letters requested by Labella (grant administrator). I am continuing to work on the Streetscape plans with property owners.
- Worked with Joe Chimino to provide contacts for lead survey and architect for 12 S Lake Ave. project.

**Committees**

- **Park Committee** – Thank you to Vickie Almquist, Todd Cargill, and Lynn Wilkens (members of Park Committee) for joining me on Sept 14 to paint the Hickory Park playground equipment. Further work will be done to upgrade the walkways, mulch, and cargo nets will be added.
- I am working on the Tree City application for this year.

**WWTP**

- Chris Fay, Cortney Gale, and I met with Mickey Edwards (Superintendent) and Roger Caldwell (Building and Grounds) at BBCS office to discuss the school discharge into our waste water system to keep updated in order to protect both systems. We have requested Safety Data Sheets corresponding to cleaning materials, etc. entering the system, maintenance procedures according to the contract, and system map.

### **Intersection Concerns**

- A letter was received from Kevin Bush, Regional Director DOT, that the Route 33 at I-490 interchange, Apple Tree Avenue, and Route 19 intersection will be evaluated to determine if traffic safety measures would be appropriate. This is in response to the requests made by the village, and the support letters and petitions.

### **Bonduelle**

- Volunteers from Bonduelle were in the village on September 20 as part of the World Wide Clean Up Day collecting trash. This is a project that Bonduelle participates in wherever one of their plants is located.

### **Tree lighting/Community Holiday Luncheon**

- The event will be held on Dec 2 in Ward Park; all arrangements are made with participants, securing 25 trees to be decorated by organizations, and the high school art students are preparing surprise additions to the park for the season.
- The luncheon will be held at the Sage Pavilion on Sunday, December 8, catering by D&R Depot, 4 piece band will entertain, new Sage tree will be decorated, etc.

### **Monday Staff Meetings**

- The spreadsheet of projects planned for April to September has just about been completed. A copy of the spreadsheet is in your packet. Many thanks for the effort put into these projects.

### **Meetings. Etc.**

- Heart Cycle, a Bicycle Touring Club is a non-profit Colorado corporation in its 40th year of providing bicycle tours. The club has the unique distinction of having originally been formed as a cardiac research project. This year's tour brought them through the village, and Cortney Gale and I had the opportunity to share some of their stories while they were here.
- Met with Pastor Wilson Jones of the Methodist Church; we had a great discussion concerning our continuing working relationship with the church.
- Met with Leta Williams, director of the Underground at the Methodist Church; she will be working with the students on the cookie decorating booth at the Tree Lighting, and students helping with the Community Holiday Luncheon.
- The expenditure report for the Summer Recreation program has been completed and submitted
- Sent a letter to Gillam Grant concerning the changes in our contributions due to the adopted 2019-2020 General Budget.
- Contract with [Barton & Loguidice, D.P.C.](#) for the Planning Board project to update the zoning laws was signed and submitted.
- Vickie Almquist and I attended the ribbon cutting ceremony on Saturday, September 28 to celebrate the completion of the Robins Brook Park pavilion.
- Worked with Josh Hawkins from Firing Pin for closing Park View Ave on September 28<sup>th</sup> during their fundraiser 2.2K fun run/walk to raise awareness and funds for Mission 22 to decrease the rate of veteran suicides in the US.
- Met with Imagination Library Committee and Richter Family (sponsoring Foundation) to plan fundraising activities.
- Participated in the Sexual Harassment training with the village staff on Oct 4; we scored 100% on all the quizzes!
- Thursday, Oct 17, will be Clean up day with the 7<sup>th</sup> graders and their teachers from BBCS. Zach Kuter has been working to organize the day.

### **Administrator's**

#### **Sewer**

- Sewer plant operator, Chris Fay is working on pumping septic tanks and fixing the issue at 11 Richmond Street. Chris will also begin setting the trucks up for snow plowing.
- Public Employee Safety and Health Bureau (PESH) inspected the Sewer Plant. There were a couple minor issues. A report will be sent to the Village in a few weeks.

- The quote for the membranes for the sewer plant is about to expire. If it does they will be released and possibly sold to someone else. I asked for a 60 day extension so we can get the funding in place.
- I contacted LeRoy Mayor Greg Rogers about a possible Inter-Municipal Agreement for a back-up sewer plant operator.
- I received the yearly permit renewal from Monroe County that allows us to have sludge hauled to the VanLare sewage treatment plant. Chris Fay and I are working together to complete and return.

### **DPW**

- The F450 I ordered hasn't been built yet. Ford is way behind on orders. After the truck is completed it will go to Tenco to have the body put on. I have not listed the old F450 yet in case we need it this winter. There is no estimated delivery date at this time.
- DPW employee Zach Kuter along with Lineman Matt Sluberski worked on the drainage project at 14 Gates Street. The homeowner is happy with the progress.
- Zach is preparing for the Fall Clean Up Day which will be with kids from the Byron-Bergen School on October 17<sup>th</sup>.
- On September 23<sup>rd</sup> BC Excavating chipped our brush pile. Waste Management will be removing the chips to use at the landfill. Bollards will be installed next week to prevent anyone from dumping brush at the sewer plant.

### **Electric**

- The linemen continue to replace transformers and are also testing meters, which is required by the Public Service Commission.
- Hank Parker Tents in the Industrial Park would like a larger transformer than they asked for originally. Since we already received the transformer they wanted we asked them to pay for the new one.

### **Office**

- Deputy Clerk Barb Zinter completed and submitted both the Annual Update Document and the Public Service Commission Report. She has closed the 2018-2019 fiscal year. Barb reconciled the bank statements and filed the regular reports.
- Deputy Treasurer Rene' Vurraro continues to organize the archive room and other files in the office. She is reconciling the Purchase Power Adjustment Calculation (PPAC) for the Public Service Commission.
- To date we have received 98% of property tax payments. There is only \$11,558.69 left to receive from ten property owners.
- The pole attachment agreement between the Village and Firstlight Fiber has been completed and signed by both parties.
- The issue with an easement on the West Sweden electrical line has been resolved. The attorney agreed that a letter from me saying the home is ok in its current foot print would suffice.
- The renter of apartment two has moved out and left the unit in great shape. I will be listing the apartment in the next few days.
- Village employees along with Mayor Barclay completed Sexual Harassment Training on October 4<sup>th</sup>.

### **CEO/ZEO**

Number of Inspections	18
Number of Building Permits Issued	4
Number of Building C.0 / C.0 Issued	2
Number of Zoning Complaints Filed	1
Number of Zoning Complaints Resolved	1
Number of Appearance Tickets Issued	0
Number of Fire Inspections	3

Court date for the property owner at 39 Buffalo Street for numerous property maintenance violations has been canceled. The owner has brought the property into compliance.  
Have sent notice of violation to owner of property at 40 South Lake Avenue, overgrown grasses and weeds.

### **Privilege of the Floor**

None

### **Trustee Concerns**

None

### **New Business**

#### **Local Law 3 of 2019**

A LOCAL LAW changing the residency requirements to allow the Village Board of Trustees to appoint officers, except members of administrative boards, that may reside outside of the Village within the County of Genesee, New York or an adjoining county

**BE IT ENACTED** by the Board of Trustees of the Village of Bergen as follows:

#### **Section 1 - Purpose**

The Village of Bergen Board of Trustees is desirous of changing the residency requirements of Appointed Village Officers, such as the Administrator/Clerk-Treasurer, Deputy Clerk, Deputy Treasurer, and Superintendent of Public Works. All appointed officials are required to be residents of Genesee County or an adjoining county. All appointed administrative board members, including Zoning Board Members and Planning Board Members, are required to be residents of the Village of Bergen.

#### **Section 2 - Authority**

The proposed local law is enacted pursuant to §3-300 of the New York Village Law and Municipal Home Rule Law §§10(1)(ii)(a)(1), and 10(1)(ii)(e)(3).

#### **Section 3 – Eligibility for office; residency requirements**

No person shall be eligible to be appointed to or to hold any Village office who: is not a citizen of the United States; is not at least 18 years of age; except as may otherwise be provided by law, is not a resident of Genesee County or an adjoining county; and, if eligibility to or holding of such office is subject to regulation under the Civil Service Law or any other law, does not meet the requirements of such law or laws. Notwithstanding any other provisions of law to the contrary, the Board of Trustees may appoint, in lieu of any other residency requirement imposed by law that an appointed officer may reside within the County of Genesee or an adjoining county. For the purposes of this section, the term "officer" shall not be construed to include elected officers or appointed members of Village administrative boards.

#### **Section 4 - Effective Date**

This local law shall take effect upon filing with the Secretary of State pursuant to Municipal Home Rule Law.

**A motion was made by Trustee Donovan and seconded by Trustee Fedele to pass Local Law 3 of 2019. The motion was passed by a unanimous vote.**

**2018-2019 Financial Review**

Mr. Gale reviewed the 2018-2019 fiscal year with the Board.

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**Resolution 13 of 2019**

WHEREAS, the Trustees of the Village of Bergen, New York, is a municipal member of the New York Municipal Power Agency, and

WHEREAS, in accordance with the bylaws of New York Municipal Power Agency, each municipal member may cast one vote on each transaction properly brought before this meeting,

NOW THEREFORE BE IT RESOLVED, that Cortney Gale be and is hereby designated as the accredited delegate of the Village of Bergen, New York.

**A motion was made by Trustee Donovan and seconded by Trustee Fedele to approve Resolution 13 of 2019. The motion was carried by a unanimous vote.**

**Old Business**

**Traffic Study**

Mayor Barclay informed the Board that she has been notified by the NYS Department of Transportation that they will be performing a traffic study on the intersection of routes 19 and 33 per the Village’s request.

**Back up Sewer Operator**

Mr. Gale contacted the Mayor of LeRoy to discuss an inter-municipal agreement for a back-up sewer operator.

**Adjournment**

A motion was made by Trustee Fedele and seconded by Trustee Almquist to adjourn the meeting. The motion was carried by a unanimous vote:

The meeting was adjourned at 7:37pm

Respectfully submitted,

Cortney W. Gale  
Village Administrator