

**Regular Meeting  
Of the Board of Trustees  
Of the Village of Bergen at  
6:15pm on Wednesday, February 10<sup>th</sup>, 2021**

The regular meeting of the Board of Trustees was called to order by Mayor Barclay at 6:15pm with the following present:

Trustee Joseph Chimino  
Trustee Kevin Donovan  
Trustee Paul Robinson  
Trustee Emily VanEenwyk

Also present: Village Administrator Cortney Gale, Donald Donnelly, Diane Donnelly, Rene' Vurraro, Julie Fee, Sheila Butler, Jeff Parnapy, Bob Fedele, Tim Quirk, John Prospero, Denise Prospero, Tom Holtz, Colleen Holtz, Grace Gallivan, Barb Zinter, Dr. Peter Celentano, Steve Rapalee, Racheal Best, Jason Best, Rich Strzelecki, and Molly Morrison.

**Approval of Bills**

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

**Approval of Minutes**

A motion to approve the meeting minutes of January 13<sup>th</sup>, 2021 was made by Trustee Robinson and seconded by Trustee Chimino. The motion was carried by a unanimous vote.

A motion to approve the meeting minutes of January 27<sup>th</sup>, 2021 was made by Trustee VanEenwyk and seconded by Trustee Robinson. The motion was carried by a unanimous vote.

**Mayor**

**Grants**

- Main Street – paperwork has been submitted to the state for project disbursement for 23 N Lake Ave and 10 S Lake Ave. Mike Cocquyt (Labella) and I met to complete photos of the projects.
- FEMA – FEMA has been allowed to increase support of COVID project funding to 100% from 75%; this will increase the village funding for the Covid Meal Program.
- A Genesee Valley Rural Revitalization grant is being offered for WNY, the Tulley Building is an eligible project. I will be applying to have the bricks repaired and preserved, and for the building to be painted.

**Planning Board** – Work continues on the Zoning Law update; at the February 9<sup>th</sup> zoom meeting the committee reviewed articles 1-6.

**Traffic/Safety**

- It has been determined through the town attorney that fines for illegal parking in the village cannot be collected through the town court based on town parking laws. An amendment to the village parking law to add \$75 fine will need to be approved for fines to be collected.
- I was asked about signage to curtail the use of jake brakes on Route 19 in the village. NYSDOT Transportation Analyst: “no engine brake” (Jake Brake) signs are not allowed on the state highway system. New York State does not allow the use of a sign to ban the use of a “Jake Brake”.

**COVID-19**

- Genesee County remains under a State of Emergency, the county meetings are starting in person with guests attending by zoom.
- Vaccines given at the hospital are only for hospital employees, pharmacies will focus on the 1B group, county clinics will continue to provide vaccines for the 1A and 1B groups as defined by the governor.

**Sage Pavilion**

- We are taking reservations for the pavilion (March) with the understanding that folks will need to follow protocols (\$15000 fine if reported for not complying) The building is being cleaned before events begin, a cleaning schedule will need to be set up following COVID prevention guidelines.
- Several estimates have been obtained for the repair work for ceiling at Sage.

**GAM**

- The partnership call took place 2/6 – Senator Ed Rath discussed state legislature and assembly participating in decision making with the governor, shared grant opportunities available through the state.
- Updates from Tim Hens on NY3 program for bridges, Matt Landers notified group that the draft police collaborative report is available on the sheriff office page at the county website for public comment.

**Flood Plain Management** – I attended the workshop on Jan 21<sup>st</sup> which provided a review of the 2-year project for flood mapping in WNY Region 2. Vickie Almquist and I participated in a FEMA workshop in Nov of 2019 to establish maps of WNY Region 2. These maps, based on surveys, will be available to all communities in the fall.

**Meetings, ETC**

- Chris Fay, Cortney Gale and I met with Rick Albright on Feb 3; he has a 4A WWTP operator license and has been hired as a back-up for our plant.
- Attended planning/zoning update meetings 1/14, 1/20, and 2/9.
- John Steinmetz of Barton & Loguidice met with Rene Vurraro on 1/18 to discuss progress on the Zoning Law updates.
- Cortney Gale and I met with Genesee County Economic Development Council members to discuss possible development in the village. A survey has concluded that Genesee County is short 4200 residences to house employees for planned economic development.
- Cortney and I had a call with NYS Solar advisors who shared guidance for a possible village solar project on 1/29. We also discussed a possible project with TJA Solar looking for sites in the area.
- I have received a proposal from the Teamsters Union which I would like to discuss in executive session.
- Weekly staff meetings continue Wednesday mornings.

**Administrator****Sewer**

- The Mayor, Chris Fay and I met with Rick Albright who is the Sewer Operator for the Village of Albion on February 3<sup>rd</sup>. He has agreed to be our backup sewer operator, he currently holds a 4a license.
- Chris will be running the screw press tomorrow and Friday and cleaning the membranes early next week.

**DPW**

- I have contacted a new supplier of fuel for the Village and the account should be set up and in place by the end to the week.
- We were able to discuss the trade in value of our loader with the Caterpillar dealer in Batavia, they have agreed to give us \$6,500 more than originally quoted.
- I received a rough quote from Decca Paving for the work on Richmond Avenue and Gibson Place. The new asphalt prices do not come out until March.
- Zach Kuter is getting estimates for sidewalk repair. I assisted him in preparing documentation for the bidders. It appears the bids will be around what we discussed at the budget meeting.

- We ordered 70 tons of salt this week, its only our third order since November.

**Electric**

- The Governor has extended the moratorium on utility shut offs through February 26<sup>th</sup>. He has proposed legislation that would automatically suspend shut offs any time a region is under a State of Emergency.
- The Mayor and I will meet with the New York Power Authority again on February 17<sup>th</sup> to discuss the solar project at the Wastewater Treatment Plant. The call with Michael Frateschi from TJI energy on January 29<sup>th</sup> was promising.
- Our meeting with the plant manager from Bonduelle was cancelled. We will reschedule for another date.
- I completed the Industrial Economic Development Program Report for Liberty Pumps that is required by the New York Power Authority.

**Office**

- I talked to Patrick Martino from Waste Management about our upcoming refuse bid. He had ideas he feels can save us money. I also reached out to Casella for their input.
- The documentation for the Bond Anticipation Note has been completed. Funds have been received and our payment for the previous BAN was paid.
- Deputy Clerk Barb Zinter reconciled the bank statements and filed the regular reports. She has sent out the end of year documents including 1099s and W-2s. Barb has fully transitioned the Town to the new NYS Retirement reporting.
- Besides her regular duties Deputy Treasurer Rene’ Vurraro continues to work on the Zoning Law update.
- The Office will be closed on Monday, February 15<sup>th</sup> for Presidents Day.

**Privilege of the Floor**

None

**Trustee Concerns**

**Trustee Donovan** asked about the Village’s ability to shut customer’s power off and if they would be liable for their bills when Governor Cuomo’s moratorium on shutoffs expires.

**Mayor Barclay** told the Board that she received compliments from residents for how well snow was cleaned up during storms and from individuals working with the lineman of electric projects.

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**New Business**

**Chickens in the Village – Public Comments**

Mayor Barclay gave an overview of the preceding to this point then opened the floor for public comment. Bob Fedele, John Prospero, Racheal Best, Dr. Peter Celentano, Jeff Parnapy, Rene’ Vurraro, Rich Strzelecki, Donald Donnelly, Julie Fee, Grace Gallivan, Sheila Butler, and Tom Holtz all spoke on the subject.

The board will decide whether to proceed with a Local Law to allow chickens on a future date.

**Solar Regulations by Local Law**

Mayor Barclay discussed Solar Regulations with the Board and how it would be better to address them in the new Zoning Law update rather than the Unified Solar Permit.

A motion was made by Trustee Chimino and seconded by Trustee Robinson to rescind the Unified Solar Permit. The motion was carried by a unanimous vote.

**Old Business**

**Public Employer Health Emergency Plan**

Mr. Gale presented the Public Employer Health Emergency Plan that is required by New York State for approval.

A motion was made by Trustee Robinson and seconded by Trustee Donovan to approve the Public Employer Health Emergency Plan. The motion was carried by a unanimous vote.

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**Equipment Replacement - Loader**

A motion was made by Trustee Robinson and seconded by Trustee VanEenwyk to approve the purchase of a new Cat Loader. The motion was carried by a unanimous vote.

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**Executive Session**

Mayor Barclay requested Executive Session to discuss employee matters and contract negotiations.

A motion was made by Trustee Donovan and seconded by Trustee Robinson to enter Executive Session at 8:00pm. The motion was carried by a unanimous vote.

A motion was made by Trustee Robinson and seconded by Trustee VanEenwyk to exit Executive Session at 9:06pm. The motion was carried by a unanimous vote.

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**Adjournment**

A motion was made by Trustee Chimino and seconded by Trustee Robinson to adjourn the meeting. The motion was carried by a unanimous vote.

The meeting was adjourned at 9:07pm

Respectfully submitted,

Cortney W. Gale  
Village Administrator