

**Regular Meeting
Of the Board of Trustees
Of the Village of Bergen at
6:30pm on December 10, 2025**

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

Trustee Robert Capurso
Trustee Todd Cargill
Trustee Michael Fleming
Trustee Bernadette Thompson

Also present: Village Administrator Cortney Gale

Approval of Bills

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

Approval of Minutes

A motion to approve the meeting minutes of November 12th, 2025, was made by Trustee Fleming and seconded by Trustee Capurso. The motion was carried by a unanimous vote.

Mayor

Grants

- The Consolidated Funding Application (CFA) Awarded Park Grant. I am happy to report that construction of the pavilion was completed last week. The pavilion will be stained in the spring of 2026. It is truly a great addition to Hickory Park.
- NYSERDA PON 5737 Grant \$200,000. For electric infrastructure upgrades. Awaiting notification.
- Labella Associates- Applied to the CFA on behalf of the village and town for grant funding of a joint comprehensive plan study/update. We await notification.
- The Fast New York Grant, that was awarded to the village in the amount of 1.26 million dollars for electric infrastructure, continues being administered by Municipal Solutions with assistance from PLM engineering and Cortney Gale.
- Northern Border Regional Council (NBRC) Grant- U.S. Senator Chuck Schumer and U.S. Senator Kirsten Gillibrand have announced a federal grant in the amount of 1,000,000.00 dollars has been awarded to the Village of Bergen to address inflow and infiltration issues. The village is moving forward in applying for a Community Development Block Grant (CDBG). This economic development grant will assist in financing our phase 2 wastewater infiltration and inflow project to increase the Villages WWTP capacity for new commercial development located in the Appletree Industrial Park and OXBO International. This CDBG grant would cover the Village's matching grant requirement.

Miscellaneous

- Awaiting correspondence for approval to install Hickory Way Street sign at the park
- I attended the Genesee Association of Municipalities meeting held in Batavia on November 20th the topics of discussion were smart growth for housing and the amount of farmland being taken over by solar fields in Genesee County.

- I attended the Bergen Fire Department monthly meeting on Monday December 01 where they held their election of officers Thanks to the entire membership for your never-ending service to our community.
- I, along with PLM engineer Mike Barrett, who is overseeing our electric substation project, met with contractors on site to discuss the site plans for the project. This meeting was to answer any questions they might have to be better enabled to submit a sealed bid for the site work. Sealed bids will be opened at the village office on January 8th at 2:00pm These bids will be reviewed by the village board at their January 14th meeting. Following discussion, a vote to award or reject the bids will take place.
- Temporary equipment has been installed in the Church Street substation enabling us to deliver the higher voltage (12,470V) onto our village circuits. This will enable the complete shutdown and removal of existing equipment inside the Gibson Place substation in the spring. Having this station completely deenergized will greatly aid the contractors' time in the rebuilding of the station.
- Meeting with Chris Suozzi of the Genesee County Economic Development Center in early January to discuss topics of interest, for example housing and how (GCEDC) may be able to assist as we look to the near future.

Administrator

Sewer Department

- The annual sludge permit to transport waste to Monroe County's sewer facility has been approved.
- We received a grant from the Northern Borders Regional Commission in the amount of \$1 million dollars for repair to our sewer system to reduce ground water infiltration. We are seeking additional funding to cover the Village's matching fund requirement.
- Besides the \$1 Million NBRC award, we are currently working through the \$1.26 Million grant from Empire State Development, \$100,000 NYS Parks for the pavilion, and \$190,000 from NYSERDA for engineering costs for the substation totaling \$2,550,000 that we received. We are still waiting to hear on the grant for the joint comprehensive plan.

Department of Public Works

- The new rear pavilion is completed and looks wonderful. The DPW put Christmas lights on it Friday.
- With the recent snowfall the DPW has been busy plowing and cleaning up snow. They also have been busy putting up lights and making the Village look festive.
- I contacted Suit-Kote to get a quote for the budget on work we would like to do next summer.

Electric Department

- The paperwork to be reimbursed by NYS DOT for relocation of the pole line on Route 19 is underway.
- Testing was conducted on the electric department's vehicles with booms on December 3rd, they all passed.

Office

- Per the Village Board's approval \$6,153.60 in delinquent tax payments were sent to Genesee County for collections.
- I am working on the issue found during our PESH inspection. The last item is training on several topics. This will be completed before December 17th.
- The Annual Financial Report for the Office of the State Comptroller will be completed by the end of the calendar year.
- Next meeting we will begin working on the 2026-2027 budget. The main issue will be how to make the sewer fund solvent.

Miscellaneous

- Because of the government shutdown, HEAP was delayed causing some of our electric customers to fall behind in payments. HEAP reopened on December 1st, hopefully they will be sending funds soon.
- The metal from the old back pavilion sold at auction for \$740.
- I have received two quotes for new security cameras for Hickory Park; I am waiting for a third before I present them to the Board.

- The business tenant in the rear of the Tulley Building has left. There are three organizations that are interested in the space and have put in an application.

Code Enforcement Officer

2025 Permits

- 33 Munger St – Addition
- 1 McCabe Court – Shed
- 50 South Lake – New Steps
- 42 Rochester Street – Half Wall
- 37 Canterbury Lane – Addition to Garage
- 39 Canerbury Lane – Prefab Shed
- 29 Canterbury Lane – Prefab Shed
- 47 Buffalo Street - Roof

Number of new permits - 9

Approval of Officer Reports

A motion was made by Trustee Thompson and seconded by Trustee Capurso to approve the officer reports. The motion was carried by a unanimous vote.

Trustee Concerns

Trustee Fleming noted that the Village Staff did a great job on the Tree Lighting Ceremony, having the Fire Department and Sheriff there was wonderful.

Trustee Cargill stated that the DPW staff is doing a great job with snow removal.

New Business

Fire Department Member Approval

A motion was made by Trustee Capurso and seconded by Trustee Fleming to approve Stephen Hakes as a member of the Bergen Volunteer Fire Department. The motion carried by unanimous vote.

Resolution 11 of 2025 – Opposing Large Scale Solar

RESOLUTION OPPOSING LARGE-SCALE SOLAR PROJECTS THAT OVERRIDE LOCAL LAND USE AUTHORITY AND IMPACT AGRICULTURAL LAND IN GENESEE COUNTY

WHEREAS, current and planned large-scale solar energy projects are significantly altering land use patterns and the rural character of Genesee and surrounding Counties; and

WHEREAS, Genesee County, as New York State’s fourth largest agricultural producer, has already experienced the conversion of a substantial portion of its farmland to industrial-scale solar energy infrastructure; and

WHEREAS, this accelerating trend results in the permanent loss of prime agricultural land, placing long-term food production capacity, rural economic stability, and environmental stewardship at increasing risk; and

WHEREAS, developers of large-scale solar projects frequently seek waivers from the State of New York in order to bypass County, City, Town, and Village comprehensive plans, zoning laws, and other locally enacted land use regulations, including those adopted in accordance with New York State Town Law and other applicable statutes, meaning such projects often cannot proceed without overriding or circumventing local legal authority; and

WHEREAS, these projects are consistently sited on highly productive farmland that has historically supported the local economy, food security, and the rural heritage of the region; and

WHEREAS, the conversion of such land to industrial energy production represents an irreversible loss of valuable agricultural resources; and

WHEREAS, the use of state level siting mechanisms to override or circumvent local laws and planning documents, including comprehensive and agricultural protection plans, effectively strips municipalities and residents of their right to self-determination in land use matters; and

WHEREAS, such actions undermine the authority of local governments and erode the principle of "home rule," threatening democratic participation and the ability of communities to plan for their own futures; and

WHEREAS, Article XIV, Section 4 of the New York State Constitution declares that it is a State policy to conserve, protect, and encourage agricultural lands, mandating the legislature create adequate protections for agricultural lands, and

WHEREAS, the Village of Bergen has an interest in application of Article 25-AA of the New York State Agriculture and Markets Law, which states:

Declaration of legislative findings and intent . . . the declared policy of the state [is] to conserve, protect and encourage the development and improvement of its agricultural land for production of food and other agricultural products. It is also the declared policy of the state to conserve and protect agricultural lands as valued natural and ecological resources which provide needed open spaces for clean air sheds, as well as for aesthetic purposes.

The constitution of the state of New York directs the legislature to provide for the protection of agricultural lands. It is the purpose of this article to provide a locally initiated mechanism for the protection and enhancement of New York State’s agricultural land as a viable segment of the local and state economies and as an economic and environmental resource of major importance.

NOW, THEREFORE, BE IT RESOLVED, that the Village of Bergen formally opposes any and all large-scale solar projects that override or disregard local land use policies, zoning regulations, and comprehensive plans;

BE IT FURTHER RESOLVED, that this opposition is based on the projects’ clear and irreversible harm to agricultural lands, their circumvention of local laws, and the broader threat they pose to the integrity and autonomy of municipal planning authority in Genesee County;

BE IT FURTHER RESOLVED, that the Village of Bergen supports legislative efforts to restrict the development of large-scale solar projects on prime soils and soils of Statewide significance, and demands that the Farmland Protection Working Group created by the Renewable citing law be immediately convened to address the issue of the loss of a critical mass of farmland in Genesee County,

BE IT FINALLY RESOLVED, that the Village of Bergen joins with Genesee County in demanding that all current and future solar energy projects comply fully with all applicable local laws, zoning ordinances, and adopted land use plans; and further urges the State of New York to uphold the principles of home rule as guaranteed by Article IX of the New York State Constitution, affirming the right of local governments to control land use and development within their jurisdictions.

A motion was made by Trustee Capurso and seconded by Trustee Cargill to approve Resolution 11 of 2025 Opposing Large Scale Solar. The motion passed unanimously.

Designation of Surplus - Fencing

A motion was made by Trustee Fleming and seconded by Trustee Thompson to designate the old fencing from the community garden as surplus and put it up for auction. The motion was carried unanimously.

Old Business

None

Privilege of the Floor

None

Adjournment

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

The meeting was adjourned at 7:16pm

Respectfully submitted,

Cortney W. Gale
Village Administrator