

The Bergen Town Board convened in a regular session at 7:00 p.m. in the Town Hall with Supervisor Cunningham presiding.

**PRESENT:**

Supervisor Donald Cunningham  
Councilman Joe Nenni  
Councilman Brian Stone  
Councilwoman Belinda Grant

**ALSO PRESENT:**

Michele M. Smith, Town Clerk  
David Mason, ZEO/CEO

**ABSENT:**

Councilman Hugh McCartney

**OTHER ATTENDEES:**

Steven Sharpe  
Ken Steinmetz

**MOMENT OF SILENCE** for Dick Partridge who passed away February 9<sup>th</sup>, who volunteered many hours with the Town & the Historian's offices.

**PRAYER**

**PLEDGE OF ALLEGIANCE TO THE FLAG**

**PEACHEY ROAD ADDRESS CHANGES** Steve Sharpe, Director of Emergency Communications, from the Genesee County Sheriff's Dept. presented a plan to correct out of sequence or inaccurate addresses. *Councilman Nenni made a motion for resident informational meeting to be held February 23<sup>rd</sup> at 9:00 am at the Town Hall; Councilwoman Grant and it carried by a vote 4-0.*

**MINUTES:** *Councilman Nenni made a motion to approve the minutes of January 22, 2013; seconded by Councilwoman Grant and it carried by a vote 4-0.*

**COMMUNICATIONS:**

Supervisors Report for January 2013 – Delayed  
January 2013 Summary Report Spreadsheet – Delayed  
Town Clerk's January 2013 Report  
Zoning & Code Enforcement January 2013 Report  
Genesee United Way Day of Caring Project Request & associated Info.  
Notice from Genesee County Planning Dept., Re: Ag District 4  
Proposal from Ryan Plumbing Heating & Fire Protection, Re: Highway Garage Sprinkler System Service  
Request from Monroe County, Re: Lead Agency for Proposed Mill Seat Landfill Expansion  
Legal Notice from Town of Sweden, Re: Subdivisions on Reed Road  
Invitation to Annual GCEDC Luncheon  
Draft RFP for Weed-N-Feed at Robins Brook Park & 10 Hunter Street recreational field  
Travel request from Town Clerk Smith for 2013 Town Clerk's Conference  
Quote from Falcone Electric to convert remaining fixtures at 13 S. Lake Ave.  
Notice of 2013 Local Government Conference  
Sample resolution, Re: Water District Exemption for Pre-Existing Connection  
Draft RFP for roof replacement at 15 S. Lake Ave.  
Notifications from NYS Dot Re: NYS DOT Undertaking charges

**REPORTS:**

**HIGHWAY:** Councilman Nenni reported in Mike's absence: New Truck was delivered February 7<sup>th</sup>; Mike ordered ¾ ton pickup approx. \$26,000 from State bid; new a decal for the Highway trucks. A committee should be formed to negotiate the Union Contract that is up this year. *Councilman Nenni made a motion to accept the proposal from Ryan Plumbing Heating & Fire Protection for the sprinkler system pressure gauges be replaced at \$1,185.00 to be coordinated with Dave Mason's inspection; seconded by Councilwoman Grant and it carried by a vote 4-0.*

**ZEO/CEO** *Councilman Nenni made a motion to approve Metalico's Junkyard permit on recommendation of Dave Mason; seconded by Councilman Stone and carried by a vote 4-0.* **Seven Eleven** preliminary plans have been sent to the County and an area variance will be presented to the Zoning Board February 21<sup>st</sup>.

**TOWN CLERK'S JANUARY 2013 REPORT:** *Councilman Nenni made a motion to file the Town Clerk's January 2013 report; seconded by Councilman Stone and it carried by a vote 4 -0.*

**COMMITTEES:**

**BUILDINGS:** Councilman Stone reported discussion on: Roof & gutter replacement for 15 S. Lake, outside signage of 13 S. Lake, reviewed cleanliness of 13 S. Lake, exterior lights for Town Hall. Next meeting scheduled for March 11, 2013 at 5:00 pm in the conference room at the Town Hall. *Councilman Nenni made a motion to advertise RFP for roof & gutter replacement for 15 S. Lake Ave. for opening March 11th at 4:00 pm; seconded by Councilwoman Grant and it carried by a vote 4-0.*

**HIGHWAY/PARKS:** Councilman Nenni reported discussion on: Hydro-seed from County for baseball diamond, guide rail over creek, comprehensive plan for parks, cleanup of Drew's Nature Center, port-a-john rental for Fire Hall soccer field same as last year. Next Meeting March 5, 2013. *Councilman Nenni made a motion to advertise the RFP for weed & feed for Robins Brook Park & 10 Hunter St. recreational fields; seconded by Councilman Stone and it carried by a vote 4-0.*

**VILLAGE RELATIONS:** Councilwoman Grant reported discussion on: Mowing Town Hall, not interested in old Highway Garage, Emergency Preparedness Plan, Village Community Action Day May 18<sup>th</sup>, Comprehensive Plan checking on grant writer, next meeting April 2, 2013.

**OLD BUSINESS:**

**Peachey Road Water District** – Supervisor Cunningham reported from the recent project meeting: finishing Peachey Road today; starting Rt. 19 heading north from Peachey. *Councilman Nenni offered Resolution #5-2013 for Water District Exemption for Pre-Existing Connection; seconded by Councilman Stone and it carried by a vote 4 -0.*

**RESOLUTION #5-2013**

**WATER DISTRICT EXEMPTION FOR PRE-EXISTING CONNECTION**

**WHEREAS**, the Town of Bergen (the "Town") has formed the Peachey Road Water District (the "District" consisting of the installation of approximately 12,600 linear feet of 12" diameter water main along Lake Road (NYS Route 19) from 6630 North Lake Road to approximately 1,300 linear feet north of Creamery Road; and approximately 3,200 linear feet of 8" diameter water main easterly from North Lake Road along Peachey Road to bring the Monroe County Water Authority's (the "Authority") potable water supply and fire protection to the residents of Genesee County, New York, and the Town of Bergen (the "Project"); and

**WHEREAS**, the district includes property tax map #6.-1-23 (the "Property"); and

**WHEREAS**, the Property has public water connection from an existing public water supply to the Village of Bergen; and

**WHEREAS**, the Town has set an annual rate of \$25.00 for properties within the District with existing connection to the public water supply;

**NOW THEREFORE BE IT RESOLVED**, that the Town Council of the Town of Bergen, hereby declares the Property exempt from the annual debt service charge, in lieu of the \$25.00 annual fee.

**NEW BUSINESS:**

Travel Request: *Councilman Stone made a motion to approve the travel request of Town Clerk Smith to attend 2013 NYS Town Clerk's Conference; seconded by Councilman Nenni and it carried by a vote 4 -0.*

Lead Agency Mill Seat Landfill *Councilman Nenni made a motion to authorize Monroe County as Lead Agency for Proposed Mill Seat Landfill Expansion; seconded by Councilman Stone and it carried by a vote 4-0.*

Falcone Electric Proposal *Councilman Nenni will check on proposal rebates.*

Ag District 4 *Councilman Nenni made a motion to remove Robins Brook Park from the Ag District 4; seconded by Councilwoman Grant and it carried by a vote 4-0.*

GCEDC – *Councilwoman Grant was in contact with Rachael Tabela and thanked them for their presentation and was informed that they are putting together re-location guide to attract businesses and would like to be included in the Town Newsletter.*

NYS DOT Undertaking *tabled for research*

**BILLS:** *The bills were presented for audit and totaled General A Fund \$10,696.73 vouchers #23-51, General B Fund \$1,527.17 vouchers #9-16; Highway DB \$78,253.08 vouchers #5-14 & PA-1 \$8,970.83 vouchers #1-3 Councilman Stone made a motion to pay the February bills; seconded by Councilwoman Grant and it carried by a vote 4-0.*

**Executive Session** *Councilman Nenni made a motion to enter into Executive Session for Town Board only at 9:15 pm to discuss employment history of a particular person; seconded by Councilwoman Grant and it carried by a vote 4-0. Councilman Nenni made a motion to exit Executive Session at 9:45 pm; seconded by Councilwoman Grant and it carried by a vote 4-0.*

**REGULAR MEETING** – Tuesday, February 26, 2013 at 7:00 pm in the Courtroom  
- Local #1-2013 Public Hearing, February 26, 2013 at 7:00 pm in the Courtroom

**ADJOURNMENT** *was at 9:46 p.m. on a motion by Councilman Nenni; seconded by Councilwoman Grant and carried by a vote 4-0.*

Respectfully submitted

*Michele M. Smith*

Michele M. Smith,  
Town Clerk