

The Bergen Town Board convened in a regular session at 7:30 p.m. in the Town Hall with Deputy Supervisor Cunningham presiding.

PRESENT:

Deputy Supervisor Donald Cunningham
Councilman Hugh McCartney
" Barry Miller

ALSO PRESENT:

Michele M. Smith, Town Clerk
Anne Sapienza, Assessor
Robert Patterson, ZEO/CEO

ABSENT:

John Specht, Supervisor

OTHER ATTENDEES:

Charlie Redinger

PRAYER

PLEDGE OF ALLEGIANCE TO THE FLAG

MINUTES: *Councilman McCartney made a motion to approve the minutes of January 22, 2008; Councilman Miller seconded it and it carried by a vote 3 -0.*

Anne Sapienza discussed Countywide assessments & Tax Collecting proposed by Governor Spitzer and asked Town Board to consider potential changes carefully, decide the direction the board wants the community to go towards and then take action through discussions with our State representatives.

COMMUNICATIONS:

December 2007 Supervisors Report
December 2007 Library Statement
Copy of letter to Raul Valderama Re: Townline property violations
Photos of recent Townline property flooding
Letter from Genesee Co. Assessor's Association
Proposal for Town financial statements audit & Justice Court audit from Laura Landers
Informational Fax on Governor Spitzer's 2008-2009 Executive Budget
Official request to join NYS Deferred Compensation plan, submitted by Dave Roggow
Letter & modified contract for City of Batavia Ambulance Service
Proposal for museum work from Fink Construction
Letter & resume from Holden DP Miller, Re: Town Board appointment
Letter from Rachael Millspaugh, Re: Town Board appointment
Letter from Charlie Redinger, Re: Town Board appointment
Letter from U.S. Census Bureau, Re: LUCA Liaison Michele M. Smith
Notice for Steve Hawley Community Outreach meeting on 2/23/08
Mill Seat Landfill Citizens Advisory Board agenda & 11/20/07 minutes
Barbara & Donald Kunego's travel request for Association of Towns
Michele Smith's travel request to Town Clerk's Conference

REPORTS:

BUILDING & ZONING: A certified letter was sent out February 12, 2008 to Mr. Ball for not responding to a letter from the Town Clerk for Mobile Home Park application for Mapledale Estates sent January 9, 2008. Bob Patterson had computer work done to transfer files to his home computer, a voucher will be presented to the board for payment. Town Attorney Dan Bryson contacted Bob about the violations at the Valderama's Towline Road property. There has been no response by Mr. Valderama from a letter sent for him to repair any damages to the detention pond and the pipe, and it was recommended the matter be brought to Bergen Town Court.

Councilman Miller made a motion to have to the Town's Attorney proceed on enforcing Mr. Valderama to abide by the towns request to repair the damage to the detention pond and pipe on his property that has caused flooding and bring the matter before the Bergen Town Court, Councilman McCartney seconded it and it carried by a vote 3-0. Bob presented pictures of the Sutera residence across from Valderama's on Townline Road which was flooded across their driveway on February 6th. Mr. Sutera has indicated that he is willing to do property modifications to improve drainage Bob wanted to know how the Town should proceed. The Board suggested any modification should go in front of the Planning Board.

UNION CONTRACT: Councilman Miller updated the board on the progress of labor negotiations

BUILDING COMMITTEE: Meeting with the Village 2/13/08

SUPERVISOR'S DECEMBER 2007 & TOWN CLERK'S JANUARY REPORTS Councilman McCartney made a motion to file the Supervisor's December 2007 & Town Clerk's January report, seconded by Councilman Miller and it carried by a vote 3-0.

NEW BUSINESS:

Approval of Fire Contract Councilman Miller made a motion to approve the Fire Contract pending the addition of a clause identifying specific amounts to be set aside annually for "vehicle replacement fund and the Major equipment fund" furthermore upon submission of corrected contract to be signed by board members as Fire commissioners for the Town of Bergen Fire District, Councilman McCartney seconded it and it carried by a vote 3-0.

Alternate Planning & Zoning Secretary Councilman McCartney made a motion to appoint Bev Wooton for alternate Planning & Zoning Secretary, Councilman Miller seconded it and it carried by a vote 3-0.

Bill Waldruff's Re-appointment Councilman McCartney made a motion to re-appoint Bill Waldruff as alternate to Zoning Board of Appeals, Councilman Miller seconded it and it carried by a vote 3-0.

Town Board vacancy – Determine date for interviews and appointment notification should be put in the town newsletter with appointment possibly first meeting in April

Town & Justice Court Audits Councilman McCartney made a motion to have Freed Maxick & Bataglia to perform an audit of the Town for the year ended December 31, 2007 including audit of justice court records at fee of no more than \$6,000, Councilman Miller seconded it and it carried by a vote 3-0.

Roof Repairs Councilman Miller made a motion to get 3 bids for roof repairs, Councilman McCartney seconded it and it carried by a vote 3-0.

Travel Requests Councilman McCartney made a motion to approve the Travel Request of Barbara & Donald Kunego's to the Association of Towns training and annual meeting in NYC February 17 – 20 for \$1931.00, Councilman Miller seconded it and it carried by a vote 3-0.

Councilman Miller made a motion to approve the travel request of Michele Smith, Town Clerk for the Town Clerk's Association Conference April 27-30 not to exceed \$1200.00, Councilman McCartney seconded it and it carried by a vote 3-0.

Establishing an Emergency Services Fund Councilman McCartney made a motion to do a Budget Amendment to establish a line item B4540.4 – Emergency Medical Services for the City of Batavia Ambulance Contract for the amount of \$2,904.99, Councilman Miller seconded it and it carried by a vote 3-0.

Transfer from Contingency Fund Councilman Miller made a motion to reduce the Contingency Fund B1990.4 by \$2,904.99 to transfer to B4540.4 for Emergency Medical Services, McCartney seconded it and it carried by a vote 3-0.

BILLS: The bills were presented for audit and totaled General A Fund \$23,090.66 vouchers #21-66, General B Fund \$11,165.09 vouchers #8-15, Highway \$9,948.60 vouchers #8-21, Fire Contract \$63,002.00, Post Audit A-1 \$2,030.73 vouchers # 1 & 2, Post Audit A- 2 \$3,760.33 Vouchers #3-7, Post Audit B-1 \$390.00 voucher #1. Councilman Miller made a motion to pay the February bills, seconded by Councilman McCartney and it carried by a vote 3-0.

NEXT MEETING: Tuesday, February 26 at 7:30 p.m in the Courtroom.

ADJOURNMENT was at 9:03 p.m. on a motion by Councilman McCartney, seconded by Councilman Miller and carried by a vote 3 -0.

Respectfully submitted,

Michele M. Smith,
Town Clerk