

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

**PRESENT:**

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

**ALSO PRESENT:**

Michele M. Smith, Town Clerk  
David Mason, ZEO/CEO  
Michael Johnson, Highway Superintendent  
Tina Wilcox, Bookkeeper

**OTHER ATTENDEES:**

Grace Gallivan

**PRAYER**

**PLEDGE OF ALLEGIANCE TO THE FLAG**

**MINUTES:** *Councilman Nenni made a motion to approve the minutes of February 28, 2012; seconded by Councilman McCartney and it carried by a vote 5 -0.*

**COMMUNICATIONS:**

Revised Supervisors Report for December 2011 w/adjustments  
December 2011 Summary Spread sheet  
January 2012 Summary Spread sheet  
Town Clerk's Report for February 2012  
Memorandum from Genesee County Legislature, Re: Outreach Meetings  
Zoning/Code Enforcement Log sheet for February 2012  
Project Request form for United Way Day of Caring  
List of Unused Computer Equipment Located 17 S. Lake Ave.  
Notice of Local Government Workshop for May 17<sup>th</sup>  
Water District Main Extension Agreement from MCWA  
Mowing Bid Specs for 2012

**REPORTS:**

**HIGHWAY:** Backhoe will be on the internet auction with Teitsworth April 6<sup>th</sup> for a week. Mike would like payroll time sheets kept on file other than his office; it was suggested to keep them as an electronic records with the bookkeeper. Mike inquired about hiring a Deputy Highway Superintendent that is not a town employee, what the procedures are for payroll. CSX is requesting permit for work on Dublin Road. Railings for 17 South Lake are \$200 a side by a local vendor. Inquired why there isn't an entrance to Highway Garage off of Gibson due to access by sales reps, possibly having a sign on Rt. 19 directing to Highway Garage.

**BUILDING & ZONING:** Dave made a request to purchase a camera, he will get prices.

**SUPERVISOR'S REVISED DECEMBER 2011 AND TOWN CLERK'S FEBRUARY 2012 REPORT:**

*Councilman Stone made a motion to file the Supervisor's revised December 2011 and Town Clerk's February 2012 reports; seconded by Councilman McCartney and it carried by a vote 5 -0.*

**COMMITTEES:**

**BUILDINGS:** Asbestos Survey Report for 17 S. Lake Ave. offering the demolition bidders a chance to update their bids to comply with the asbestos report. Outside Bulletin Board will be installed with permission of the Fire Department. Surplus computer equipment Councilman McCartney made a motion to declare old computer equipment from 17 S. Lake Ave. as surplus and taken to transfer station as E-waste; seconded by Councilman Nenni and it carried by a vote 5-0. Fire Alarms were tested and the Fire Shutter was connected to the Fire Alarm

at the Town Hall. Conference Room Chairs Councilman Stone made a motion to purchase 12 conference room chairs for \$957.00; seconded Councilman McCartney and carried by a vote 5-0.

PARKS: Nothing report

HIGHWAY: Possible brush pickup in the Town and getting a state permit. Working on the possibility of leasing smaller equipment instead of purchasing. Replacing the 1998 pickup in the future was discussed .

VILLAGE RELATIONS: The library and historian buildings can be included in the Main Street Grant being worked on through the Village per Deputy Mayor Anne Marie Barclay. Next meeting March 21<sup>st</sup>

### **OLD BUSINESS:**

Website is a work in progress and is going to be constantly updated with information from all Town Departments. Peachy Road Water District Bid packets available; Pre-Bid Meeting Friday, March 16<sup>th</sup> at 10:00 am, Bid opening Friday, March 23<sup>rd</sup> at 10:00 am.

MCWA Water District Main Extension Councilman Nenni made a motion for Supervisor Cunningham to sign the agreement with MCWA to execute the Water District Main Extension; seconded by Councilman McCartney and it carried by a vote 5-0.

### **NEW BUSINESS:**

Mercy EMS Contract will be reviewed for discussion at a future meeting. A meeting will be setup to include Village and Fire Department representatives.

Banking Proposals will be reviewed for discussion at a future meeting.

Mowing Bid Specs for 2012 Councilman Nenni made a motion to place the 2012 Mowing Contract out to bid with bid opening for Monday, April 9<sup>th</sup> at 2:00; seconded by Councilman McCartney and it carried by a vote 5-0.

**BILLS**: The bills were presented for audit and totaled General A Fund \$15,590.63 vouchers #58-88, General B Fund \$764.07 vouchers #13-17; Highway DB \$9,444.13 vouchers #15-20; H5-Peachy Rd. Water District \$1,548.75 vouchers #2 & 3; PA-A3 \$5,693.67 voucher #5&6; PA-A4 \$11,965.16 vouchers 7&8; PA-DB1 \$7,979.83 voucher # 1 . Councilman Nenni made a motion to pay the March bills; seconded by Councilwoman Grant and it carried by a vote 5 -0.

**REGULAR MEETING** – Tuesday, March 27, 2012 as a joint meeting with the Village Board of Trustees at 7:00 PM in the Courtroom

**Executive Session:** Councilman Nenni made a motion to enter into Executive Session at 9:26 pm to discuss a Collective Bargaining issue with Highway Superintendent and a Real Estate matter with just the Town Board; seconded by Councilman McCartney and carried by a vote 5-0. Councilman Nenni made a motion to exit Executive Session at 9:45 pm; seconded by Councilwoman Grant and it carried by a vote 5-0.

**Executive Session Action:** Councilman Stone offered Resolution #4-2012 authorizing lease of real property subject to permissive referendum; seconded by Councilman McCartney and it carried by a vote 5-0.

## **RESOLUTION #4-2012 AUTHORIZING LEASE OF REAL PROPERTY SUBJECT TO PERMISSIVE REFERENDUM**

**WHEREAS**, the Town Board has been approached by a private citizen to lease a portion of the property owned by the Town of Bergen located at 18 Gates Street bearing tax account #1-1-35.1, consisting of approximately 1800 square feet (the “Property”) for the sum of eight hundred dollars per month for a term not to exceed ten years; and

**WHEREAS**, the prospective tenant will be solely responsible for completing any improvements to the property for tenant’s intended purpose, as well as payment for all utilities and maintenance thereafter; and

**WHEREAS**, the Property is surplus property to the Town and at the present time not needed by the Town for public use; and

**WHEREAS**, the Resolution to lease the Property is subject to a Permissive Referendum as provided in Section 64(2) and Article VII of Town Law;

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Bergen in a regular session duly convened, does hereby resolve to lease the Property and authorizes the Supervisor, upon consultation with the Town's attorney, to negotiate the remaining additional terms of a written lease agreement in accordance with the subject resolution and further authorizes and directs the Supervisor to execute and deliver any documents to effectuate the lease of the Property; and be it

**FURTHER RESOLVED**, that this Resolution is subject to a Permissive Referendum, as provided in Section 64(2) and Article VII of Town Law.

**ADJOURNMENT** *was at 9:48 pm on a motion by Councilman Nenni; seconded by Councilman McCartney and carried by a vote 5 -0.*

Respectfully submitted

*Michele M. Smith*

Michele M. Smith,  
Town Clerk