

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

**PRESENT:**

Supervisor John Specht  
Councilman Donald Cunningham  
Councilman Hugh McCartney  
Councilman Barry Miller  
Councilwoman Rachael Millspaugh

**ALSO PRESENT:**

Michele M. Smith, Town Clerk  
David Roggow, Highway Superintendent  
ZEO/CEO Bob Patterson

**OTHER ATTENDEES:**

Joe Nenni  
Bill Maurer  
Tally Almquist  
Chuck Dodson  
Grace Gallivan

**PRAYER**

**PLEDGE OF ALLEGIANCE TO THE FLAG**

**MINUTES:** *Councilman Cunningham made a motion to approve the minutes of July 28, 2009; seconded by Councilman McCartney and it carried by a vote 5-0.*

**COMMUNICATIONS:**

Budget Report thru July

Bob Patterson's July Report

Letter of thanks from Barbara Cudney of East Bergen Cemetery work

Proposed Mercy EMS 3-year agreement *Councilman McCartney made a motion to table any action until the next Board meeting; seconded by Councilman Cunningham and it carried by a vote 5-0.*

1st estimate of 2010 NYS Retirement payment & the Supervisor's worksheet for Fund breakdown

**REPORTS:**

**HIGHWAY:** Highway Department received a letter from the Woodworths from West Sweden Road about rocks they have gathered on their property and Dave inquired what the Board what his response should be; the Board decided to there is no use for rocks on their property. Trailer Bid award *Councilman Miller made a motion to accept the withdrawal from Tracey Road Equipment of their trailer bid; seconded by Councilwoman Millspaugh and it carried by a vote 5-0. Councilman Miller made a motion to accept the trailer bid from George and Swede for \$11,562.00; seconded by Councilman Cunningham and it carried by a vote 5-0. Councilman McCartney made a motion to deem the 1994 Interstate trailer surplus and sell the trailer to Kevin Russell \$2,025.00; seconded by Councilwoman Millspaugh and it carried by a vote 4-0. Councilman Miller abstained.*

**CEO/ZEO:** Bob Patterson inquired about schedule A being sent to the County, Supervisor Specht was notified that the County has received it and will be on their next agenda. Bob also asked about progress of the Town Hall roof, Councilman Miller said they will be finished in the next week after electrical work is done.

**SUPERVISOR'S AND TOWN CLERK'S JULY 2009 REPORTS:** *Councilman McCartney made a motion to file the Supervisor's and Town Clerk's July 2009 reports; seconded by Councilwoman Millspaugh and it carried by a vote 5-0.*

**CEMETERIES:** Councilman Miller is still receiving complaints about the condition of the East Bergen Cemetery from James Adams.

**WEST SHORE TRAIL INTO BERGEN FROM RIGA:** Supervisor Specht has received calls from Genesee County about continuing the trail thru Bergen and told them that the Town is not interested. The Board would like to meet with Town of Riga and explain the Town's decision against the trail.

**OLD BUSINESS:**

Inter-Municipal Agreement with the Town of Byron Councilman Miller made a motion for Supervisor Specht to sign the one year Inter-Municipal Agreement with the Town of Byron for Robins Brook Park for \$1,000.00; seconded by Councilman Cunningham and it carried by a vote 5-0.

Maintenance Job Description Councilman McCartney said he would have the Maintenance Job Description at the next meeting.

**NEW BUSINESS:**

Resolution #18-2009 acknowledging audit of Court for 2008:

**TOWN OF BERGEN**

**RESOLUTION #18-2009**

**Report on Town of Bergen Justice Court Fiscal Activity for 2008**

*Councilman Cunningham presented the following resolution and moved that it be adopted; seconded by Councilman McCartney and it carried by a vote 5-0.*

**WHEREAS**, the Town Board of the Town of Bergen (the "Town Board") did engage the independent accounting firm of Eldredge, Fox & Porretti, LLP (the "Firm") to examine the records of the Bergen Town Court System (the "Court") for the fiscal year of 2008; and

**WHEREAS**, such review was completed and a report was issued on June 3, 2009; **NOW, THEREFORE BE IT**

**RESOLVED**, that the Town Board hereby acknowledges and accepts this report and orders it placed on file with the Bergen Town Clerk.

The following is a true and accurate record of votes cast for this resolution

Supervisor John Specht AYE  
Councilman Hugh McCartney AYE  
Councilman Donald Cunningham AYE  
Councilman Barry Miller AYE  
Councilwoman Rachael Millspaugh AYE

**BILLS:** The bills were presented for audit and totaled General A Fund \$6,913.10 vouchers #209-231, General B Fund \$4,549.61 vouchers #66-77, Highway DB \$22,630.74 vouchers #96-115, Town Hall Relocation \$64,614.95 voucher #2 & 3, PA-A7 \$5,506.06 vouchers #12-17, PA-DB2 \$3,785.02 voucher #2, and PA-Town Hall Relocation1 \$5,213.00 vouchers # 1 & 2. *Councilman Cunningham made a motion to pay the August bills; seconded by Councilwoman Millspaugh and it carried by a vote 5-0.*

**NEXT MEETING:** Tuesday, August 25, 2009 at 7:30 PM in the Courtroom

**ADJOURNMENT** was at 9:53 p.m. on a motion by Councilman Miller; seconded by Councilman Cunningham and carried by a vote 5-0.

Respectfully submitted,

***Michele M. Smith***

Michele M. Smith,  
Town Clerk