

MAY 1, 2009

BERGEN TOWN BOARD

SPECIAL MEETING

The Bergen Town Board convened in a special session at 4:00 p.m. in the Town Clerk's Office with Supervisor John Specht presiding.

PRESENT:

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

ALSO PRESENT:

Michele Smith, Town Clerk

PRAYER

PLEDGE OF ALLEGIANCE TO THE FLAG

Simbari Design Architecture recommended that the Bergen Town Board consider passing a resolution awarding the Town of Bergen Court and Town Office Relocation project to Sickles Corporation Commercial, LLC from Caledonia, New York for a total contract amount of \$425,500.00.

**RESOLUTION 13-2009
Fire Hall Renovation Bid Award**

Councilman Donald Cunningham presented the following resolution and moved that it be adopted. It was seconded by Councilwoman Rachael Millspaugh

WHEREAS, on April 1, 2009, the Town Board of the Town of Bergen, New York (the "Board") did consider a bond resolution to finance certain capital improvements consisting of rebuilding a portion of the interior of the Bergen Fire Department building at 10 Hunter Street, Bergen, New York to create offices for the Town of Bergen and a new courtroom/town meeting hall, together with various site and incidental improvements thereto (the "Project") subject to permissive referendum; and

WHEREAS, no petition for referendum was received prior to the close of business on May 1, 2009; and

WHEREAS, bids for the Project from fourteen construction firms were received and opened on March 17, 2009; and

WHEREAS, the Low Bidder for the Project was Sickles Corporation Commercial, LLC based in Caledonia, New York (the "Contractor") with a Base Bid amount of \$425,500 (the "Bid"); and

WHEREAS, the qualifications of the Contractor have been reviewed; and

WHEREAS, the Contractor has indicated that they are familiar with the requirements of Public Works Projects, including the applicable Prevailing Wage Rates; and

WHEREAS, the Board feels the Bid is balanced and is a true representation of costs to complete the Project **NOW, THEREFORE BE IT**

RESOLVED, that the Board authorizes the Project to be completed by the Contractor at a Total Contract Amount of \$425,500.

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

RESOLUTION 14-2009 Zoning Change SEQR

Councilman Hugh McCartney presented the following resolution and moved that it be adopted. It was seconded by Councilman Donald Cunningham

WHEREAS, The Town of Bergen (the “Town”) intends to eliminate the classification “Interchange Zoning INT-R” and replace it with “Interchange Zoning INT-I” in the Town’s Zoning Law (the “Law”); and

WHEREAS, Section 409 “Interchange INT-R” and Section 409A “Interchange INT-I” in the Law have been eliminated; and

WHEREAS, the revised Section 409 “Interchange INT-I” in the Law has been recommended by the Town of Bergen Planning Board (the “Planning Board”) and adopted by the Town of Bergen Town Board (the “Town Board”) and shall be inserted in the Law **NOW, THEREFORE BE IT**

RESOLVED, that in accordance with the New York State Quality Review Act (“SEQRA”) procedures the Town Board hereby expresses its intent to serve as lead agency to comply with SEQRA. In accordance with the likelihood that the Town Board will serve as lead agency, the Town Board has prepared an environmental assessment of the significance of and potential impact of the rezoning to Interchange INT-I; and **BE IT FURTHER**

RESOLVED, that the Town Board hereby accepts the Environmental Assessment of this project, prepared by Chatfield Engineers, PC. The Town Board further declares that, based on the Environmental Assessment, it finds that the project will result in no significant adverse impacts to the environment. The Town Board hereby authorizes Chatfield Engineers, P.C. to complete the coordinated review process on behalf of the Town of Bergen in accordance with 6 MYCRR Part 617 SEQRA Regulations.

This resolution shall take effect immediately.

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

Peachey Road Water District *Councilman Cunningham made a motion to engage the services of Grant Writer Stu Brown for Peachey Rd. Water District not to exceed \$1,000; seconded by Councilman McCartney and it carried by a vote 5-0.*

Fire Hall Lease *Councilman Cunningham made a motion subject to attorney approval that the town will engage a lease agreement retroactive to the original agreed upon date of March 1, 2009; Seconded by Councilwoman Millspaugh and it carried by a vote 3-0. Councilmen Miller and McCartney abstained*

NEXT MEETING: Tuesday, May 12, 2009 at 7:30 PM in the Courtroom with the audit of the bills at 7:15 PM.

ADJOURNMENT *A motion to adjourn at 4:15 PM was made by Supervisor Specht; seconded by Councilman Cunningham and it carried by a vote 5 – 0.*

Respectfully submitted,

Michele M. Smith,
Town Clerk