

JULY 7, 2009

BERGEN TOWN BOARD

REGULAR MEETING

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

OTHER ATTENDEES:

Linda Camelio
Grace Gallivan
Karen Ely

PRAYER

PLEDGE OF ALLEGIANCE TO THE FLAG

LIBRARY Library Board President, Karen Ely informed the Town Board that the Library Trustees of the Byron-Bergen Public Library are actively pursuing options to keep both the Village location and Gillam-Grant Community Center open, in the interest of serving both communities. They are currently seeking bridge funding from a variety of sources and have received a grant in the amount of \$8,000 from Nioga Library System to start the process.

MINUTES: *Councilman Cunningham made a motion to approve the minutes of June 23, 2009; seconded by Councilwoman Millspaugh and it carried by a vote 5-0.*

COMMUNICATIONS:

BUDGET REPORT THU JUNE

BOB PATTERSON'S JUNE REPORT

NOTICE OF SALE OF BOND ANTICIPATION NOTES

MEMO ANNOUNCING MEETING WITH MERCY EMS

REPORTS:

HIGHWAY: *Councilman Cunningham authorized Superintendent Roggow to continue road striping as in the past; seconded by Councilman Miller and it carried by a vote 5-0.*

TOWN CLERK'S JUNE 2009 REPORT: *Councilman McCartney made a motion to file the Town Clerk's June 2009 report, seconded by Councilman Miller and it carried by a vote 5-0.*

EAST BERGEN CEMETERY: *Councilman Miller received a proposal from Derrick Monuments of \$1,000 a year for five years for cemetery rehab. Councilman McCartney made a motion to accept the proposal from Derrick Monuments not exceeding \$1,000 a year for five years for cemetery rehabilitation for the East Bergen Cemetery; seconded by Councilman Cunningham and carried by a vote 5-0.*

FIRE HALL RENOVATION: *Councilman Miller updated the board on the renovation - an automatic transfer switch is not needed, Fire Dept. is getting quotes on Grease trap kitchen and hallway flooring. Village CEO/ZEO, Tom Williamson is requesting copper plumbing, awaiting a quote. A larger Transformer may be needed. Councilwoman Millspaugh made a motion authorize 50% of the expense not to exceed \$3,000.00 for the transformer vault including labor and necessary electrical equipment wiring conduit and trenching; seconded by Councilman Cunningham and it carried by 3-0. Councilmen Miller and McCartney abstained. **INTERIOR DESIGN** Councilman Miller made a motion to accept the proposal from Revisions Interior Design not to exceed \$3965.00; seconded by Councilman Cunningham and carried 3-2. Councilwoman Millspaugh and Supervisor Specht voted no and Councilmen Miller, Cunningham and McCartney voted yes.*

OLD BUSINESS:

LOCAL LAW #1-2009 TO ESTABLISH SYSTEM OF TRUCK ROUTES: *Councilman Cunningham made a motion to schedule the public hearing on Local Law #1-2009 to establish a system of truck routes for July 28, 2009 at 7:30; seconded by Councilwoman Millspaugh and it carried by a vote 5-0.*

NEW BUSINESS:

Justice Court Grant *Councilman McCartney offered Resolution #16-2009 in support of a grant application and to authorize Supervisor Specht to sign the application for 2009 Justice Court Assistance Program; seconded by Councilman Cunningham and is it carried by a vote 5-0.*

**TOWN OF BERGEN
2009 Resolution No. 16**

WHEREAS, the 2009 Justice Court Assistance Program (“JCAP”) has made a total of \$4.7 million in grants available to local Justice Courts throughout New York State, and

WHEREAS, Town of Bergen Justice Donald Kunego has made application on-line on behalf of the Town of Bergen Justice Court with the JCAP for such a grant, and

WHEREAS, the Town of Bergen Town Board fully supports this grant application **NOW, THEREFORE BE IT**

RESOLVED, that the Town Board of the Town of Bergen authorizes the Supervisor to endorse this application on behalf of the Town of Bergen this 7th day of July, 2009.

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

Supervisor John Specht	<u> Aye </u>
Councilman Hugh McCartney	<u> Aye </u>
Councilman Donald Cunningham	<u> Aye </u>
Councilman Barry Miller	<u> Aye </u>
Councilwoman Rachael Millspaugh	<u> Aye </u>

SEQR/Adopt Zoning Schedule A *Councilman Cunningham made a motion to adopt the SEQR to amend Zoning Law Schedule A as Resolution #17-2009 as prepared by Chatfield Engineers and authorizes Supervisor Specht to sign the SEQR; seconded by Councilman McCartney and carried by a vote 5-0.*

**TOWN OF BERGEN
RESOLUTION #17-2009**

RESOLVED, that in accordance with the New York State Environmental Quality Review (SEQR) procedures, the Town Board of the Town of Bergen hereby expresses its intent to serve as lead agency to comply with SEQR. In accordance with the likelihood that the Town Board will serve as lead agent, the Board has prepared an environmental assessment of the significance of and potential impact of the modifications to Zoning Schedule A.

WHEREAS the Town of Bergen intends to adopt Zoning Schedule A in the Zoning Law.

WHEREAS the Zoning Schedule A has been recommended by the Town of Bergen Planning Board and adopted by the Bergen Town Board and shall be inserted in the Zoning Law.

RESOLVED, that the Town Board hereby accepts the Environmental Assessment of this project, prepared by Chatfield Engineers, P.C. The Town Board further declares that, based on the Environmental Assessment, it finds that the action will result in no significant adverse impacts to the environment. Therefore, the Town Board does not anticipate the preparation of an Environmental Impact Statement for the project.

BE IT FURTHER RESOLVED, the Town Board declares that, based on the Environmental Record which had been prepared, the project will result in no major adverse impacts and, therefore, will not cause significant damage to the environment. The Negative Declaration is therefore issued for this project.

LOCAL LAW #2 -2009 TO AMEND ZONING LAW SCHEDULE A *Councilman Cunningham made a motion to schedule a public hearing for local Law #2-2009 to amend the Zoning Law Schedule A for July 28, 2009 at 7:45; seconded by Councilwoman Millspaugh and carried by a vote 5-0.*

WASTE MANAGEMENT OPEN HOUSE Thursday, July 30, 2009 – Town representation needed.

BILLS: The bills were presented for audit and totaled General A Fund \$85,895.36 vouchers #180-208, General B Fund \$8,295.59 vouchers #55-65, Highway DB \$129,043.51 vouchers #85-95, Town Hall Relocation \$13,901.40 voucher #1, PA-A5 \$13,838.45 vouchers #7-10 and PA-A6 \$4,136.00 voucher #11 and PA-DB1 \$2,495.00 voucher #1. *Councilman McCartney made a motion to pay the June bills; seconded by Councilman Cunningham and it carried by a vote 5-0.*

NEXT MEETING: Tuesday, July 28, 2009 at 7:30 PM in the Courtroom

ADJOURNMENT *was at 8:58 p.m. on a motion by Councilman McCartney; seconded by Councilman Miller and carried by a vote 5-0.*

Respectfully submitted,

Michele M. Smith

Michele M. Smith,
Town Clerk