

**OCTOBER 23, 2012   BERGEN TOWN BOARD   REGULAR 2nd MEETING**

The Bergen Town Board convened from 6:00-7:00 pm for Budget Workshop and regular session at 7:30 p.m. in the Town Hall with Supervisor Cunningham presiding.

**PRESENT:**

Supervisor Donald Cunningham  
Councilman Joe Nenni  
Councilman Belinda Grant  
Councilman Brian Stone

**ALSO PRESENT:**

Michele Smith, Town Clerk  
Mike Johnson, Highway Superintendent  
David Mason, ZEO/CEO

**ABSENT:**

Councilman Hugh McCartney

**OTHER ATTENDEES:**

Grace Gallivan  
John Murray

**PLEDGE OF ALLEGIANCE TO THE FLAG**

**BUDGET WORKSHOP from 6:00 - 7:06 pm** The 2013 Town Budget was discussed

**REGULAR MEETING CONVENED AT 7:30 pm**

**MINUTES:** *Councilman Nenni made a motion to approve the October 9, 2012 minutes; seconded by Councilwoman Grant and it carried by a vote 4-0.*

**COMMUNICATIONS:**

Mercy EMS Report for September 2012  
Letter from Time Warner, Re: Cable Internet Restructuring  
Notice from CSX, Re: CSX RR Crossing ID #'s  
Black Creek Watershed Coalition October Agenda  
Genesee/Finger Lakes Regional Planning Council Workshop information  
Notice from Genesee County Dept. of Planning; Re: Change in Referral Deadline Day  
Memo from Genesee County Dept. of Planning, Re: Genesee County Smart Growth Plan Review  
Information on USDA Rural Development Loan/Grant Program  
Local Law #1-2012 Tax Cap Override & related Public Notice

**REPORTS:**

**HIGHWAY:** Mike reported that the new truck is waiting for body, getting plows ready for winter, found a used mower asking price \$8,900 and new costs \$24,000. *Councilman Stone made a motion for Superintendent Johnson to purchase mower not to exceed \$8,900; seconded by Councilman Nenni and carried by a vote 4-0.*

**ZONING/CODE ENFORCEMENT:** Dave recommends approving the Junkyard Permit for Demo's Truck Parts. *Councilman Nenni made a motion to approve the Junkyard Permit for Demo's Truck Parts; seconded by Councilman Stone and it carried by a vote 4-0.*

**COMMITTEES:**

**HIGHWAY:** Next meeting scheduled for November 6<sup>th</sup>

**BUILDING COMMITTEE:** Councilman Stone reported front and back door installed at 13 S. Lake Ave., French doors and meeting room doors complete.

**OLD BUSINESS:**

Standard Workday Resolution – Bookkeeper is working on data collected  
Peachey Rd. Water District

- Construction expected to begin in December
- B.A.N. awarded at a rate of 1.07%
- Action on Resolution for NYSDOT Undertaking

**NEW BUSINESS:**

Energy Analysis received from the Village of Bergen for 13 S. Lake Ave. cost for changing light bulbs is \$2204.11 after rebates \$804. *Councilman Nenni made a motion to approve the purchase and installation of new energy efficient light bulbs; seconded by Councilwoman Grant and it carried by a vote 4-0.*

Paul List Proclamation Plaque *Councilman Nenni made a motion to take the plaque payment for Paul List's proclamation plaque of \$115 from Supervisors A1220.4; seconded by Councilman Stone and carried by a vote 4-0.*

Adoption of 2013 Preliminary Budget *Councilman Nenni made a motion to adopt the 2013 Preliminary Budget; seconded by Councilman Stone and it carried by a vote 4-0.*

Public Hearings *Councilman Nenni made a motion to set the Public Hearings on November 8, 2012 for 2013 Tax Cap Local Law #1-2012 at 6:00 pm, Fire Contract at 6:15 pm and the 2013 Budget Hearing at 6:30 pm; seconded by Councilman Stone and it carried by a vote 4-0.*

Property Purchase Offer Resolution *Councilman Nenni offered Resolution #16-2012 for Authorizing Transfer of Real Property subject to Permissive Referendum; seconded by Councilman Stone and it carried by a vote 4-0.*

**RESOLUTION #16-2012  
AUTHORIZING TRANSFER OF REAL PROPERTY  
SUBJECT TO PERMISSIVE REFERENDUM**

**WHEREAS**, the Town of Bergen (the "Town"), a municipal corporation organized and existing under the laws of the State of New York, is the owner of a vacant parcel of land consisting of approximately .3 acres situate in the Village of Bergen, located at 17 South Lake Avenue, more particularly identified as tax account #3-1-62 (the "Property"); and

**WHEREAS**, the Town has previously received an offer to purchase a portion of the Property consisting of approximately 560 square feet from David and Anna Marie Barclay (the "Buyer") for fair and adequate consideration;

**WHEREAS**, the Town Board of the Town of Bergen having determined the Property to be surplus and no longer needed for municipal purposes; and

**NOW, THEREFORE, BE IT RESOLVED** that the Town Board of the Town of Bergen, in a regular session duly convened pursuant to Town Law Section 64(2), hereby authorizes and directs the Supervisor of the Town to accept the offer to purchase from the Buyer, and further authorizes, directs and empowers the Supervisor of the Town to execute and deliver to the Buyer the Deed and any other documents necessary and reasonable to convey a portion of the Property recited herein, and

**FURTHER RESOLVED**, that this Resolution is subject to permissive referendum as provided in Article VII of the Town Law.

**NEXT MEETING:**

Public Hearings set for Thursday, November 8, 2012: Local Law #1-2012 at 6:00 pm  
2013 Fire Contract at 6:15 pm  
2013 Budget Hearing at 6:30 pm

Regular Meeting – Tuesday, November 13, 2012 at 7:30 pm with the audit of the bills at 7:15 in the Courtroom

**ADJOURNMENT** *was at 8:11 pm on a motion by Councilman Stone; seconded by Councilman Nenni and it carried by a vote 4 -0.*

Respectfully submitted,

*Michele M. Smith*  
Michele M. Smith,  
Town Clerk