

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

PRESENT:

Supervisor Donald Cunningham
Councilman Hugh McCartney
Councilman Joe Nenni
Councilman Brian Stone

ALSO PRESENT:

Susan Brownell, Deputy Town Clerk
David Roggow, Highway Superintendent
David Mason, ZEO/CEO

ABSENT:

Michele Smith, Town Clerk
Councilman Barry Miller

OTHER ATTENDEES:

Belinda Grant

PRAYER

PLEDGE OF ALLEGIANCE TO THE FLAG

MINUTES: *Councilman Nenni made a motion to approve the October 11, 2011 and October 18, 2011 minutes; seconded by Councilman McCartney and it carried by a vote 4-0.*

COMMUNICATIONS:

Schedule Notice from Genesee Co. Planning Dept. on Zoning Law review
Intermunicipal Agreement for CEO/ZEO with Byron
Notice of staffing change at Tompkins Insurance
Email notice of Government Workshop from Genesee Regional Planning Council
Local Law #3, 2011 tax Cap Override & related Public notices

REPORTS:

HIGHWAY: Dave Roggow suggested the Town review the detour routes for the Rt. 19 detour and review what effect it will have on local roads. *Councilman McCartney makes a motion to put weight limit signs on Sackett Road; seconded by Councilman Nenni and carried by a vote 4-0*

ZONING/CODE ENFORCEMENT: Dave Mason requested approval of permit for Demos application for running a junkyard. *Councilman Nenni made motion for approval; seconded by Councilman McCartney and carried by vote 4-0.* Swamp Road property complaints were discussed.

PARKS COMMITTEE: Councilman Nenni requested to continue the July & August hours of transfer station again next year.

BUILDING COMMITTEE: Supervisor Cunningham reported that there is a contact person for Carrier now for the Town Hall HVAC. Councilman McCartney presented an estimate for Grippo to stripe the Town Hall parking lot for \$1,575.00. *Councilman McCartney made a motion for Grippo to do the striping of the parking lot using the Capital Construction Project for \$1575.00; seconded by Councilman Nenni and carried by a vote 4-0.*
Councilman Nenni relayed message from Councilman Miller that the Ruth-Chapel house is about 90% complete.

OLD BUSINESS:

Peachey Road Water District: One easement has been gained and still working on the others.

Local Law amending Zoning Law County Planning Board November 10, 2011

2012 BUDGET MODIFICATIONS/PRELIMINARY BUDGET *Councilman McCartney made a motion to adopt the preliminary budget with changes; seconded by Councilman Nenni and carried by vote 4-0.*

2012 BUDGET HEARING: Councilman Stone made a motion to schedule the Public Hearing for November 2, 2011 at 6:30 pm at the Meeting Room at 13 South Lake Avenue; seconded by Councilman Nenni and carried by a vote 4-0.

NEW BUISINESS:

CEO/ZEO Intermunicipal Agreement with the Town of Byron Councilman McCartney made a motion to approve Supervisor Cunningham to sign the ZEO/CEO Intermunicipal Agreement with the Town of Byron; seconded by Councilman Nenni and it carried by a vote 4-0.

ZEO/CEO Intermunicipal Agreement with Town of Byron

THIS AGREEMENT IS ENTERED INTO THE 25TH DAY OF OCTOBER, 2011 BETWEEN THE TOWN OF BYRON WHICH MAINTAINS ITS OFFICE AT 7028 RTE. 237, BYRON, NEW YORK 14422 AND THE TOWN OF BERGEN, WHICH MAINTAINS ITS OFFICE AT 10 HUNTER STREET, BERGEN, NEW YORK 14416, BOTH BEING MUNICIPAL CORPORATIONS.

IN THE BEST INTEREST OF BOTH MUNICIPALITIES AND TO PROMOTE THE MOST EFFICIENT AND ECONOMICAL USE OF MANPOWER WHILE PROVIDING SERVICE TO BOTH THE TOWN OF BYRON AND THE TOWN OF BERGEN, THE SIGNING PARTIES MUTUALLY AGREE AS FOLLOWS:

THE TOWN OF BYRON AND THE TOWN OF BERGEN HAVE AGREED TO HAVE THEIR RESPECTIVE CODE ENFORCEMENT OFFICER/ZONING ENFORCEMENT OFFICER TAKE ON THE RESPONSIBILITIES FOR ONE ANOTHER WHEN THEY ARE ON VACATION OR UNABLE TO DO THEIR DUTIES. NO MONETARY COMPENSATION WILL BE RECEIVED. THIS AGREEMENT WILL BE CONSIDERED MUTUAL AID.

IT IS AGREED THAT EITHER PARTY MAY TERMINATE THIS AGREEMENT AT ANY TIME WITH WRITTEN NOTIFICATION TO THE OTHER PARTY.

DISCUSSED TAX CAP OVERRIDE LAW: Councilman Nenni agreed to hold the hearing for Local Law #3-2011 November 2, 2011 at 6:00pm at 13 South Lake Ave. seconded by Councilman McCarthy and it carried by a vote 4-0

DISCUSSED HVAC MAINTENANCE: Supervisor Cunningham shared a proposal from Triple-O Mechanical, Inc to do maintenance and preventive maintenance 2 times per year on the HVAC system at the Town Hall and Court at 10 Hunter Street. Councilman Stone made a motion to approve the contract for Triple O Mechanical, Inc for \$629.24/year; seconded by Councilman Nenni and it carried by a vote 4-0.

DISCUSSED DRAFT OF AMENDED AND RESTATED HOST COMMUNITY AGREEMENT FOR MILLSEAT LANDFILL: Councilman Nenni made a motion for Supervisor Cunningham to sign the Amended and Restated Host Community Agreement for the Millseat Landfill subject to the review of the Town's attorney; seconded by Councilman Stone and it carried by a vote 4-0. Our lawyers are in communication with the Monroe County Attorneys

NEXT MEETING:

Hearings – November 2, at 6:00 pm – On Local Law #3 at the Meeting Room at 13 South Lake Avenue.

at 6:30 pm – 2012 Town Budget at the Meeting Room at 13 South Lake Avenue.

Regular Meeting – Tuesday, November 8, 2011 at the Meeting Room at 13 South Lake Avenue at 7:30p.m.

with the audit of the bills at 7:15 p.m.

ADJOURNMENT was at 8:30 pm on a motion by Councilman Nenni; seconded by Councilman McCartney and it carried by a vote 4-0.

Respectfully submitted,

Susan Brownell

Susan Brownell,
Deputy Town Clerk