

The Bergen Town Board convened in a regular session at 7:00 p.m. in the Town Hall with Supervisor Cunningham presiding.

**PRESENT:**

Supervisor Donald Cunningham  
Councilman Joe Nenni  
Councilman Hugh McCartney  
Councilman Brian Stone  
Councilwoman Belinda Grant

**ALSO PRESENT:**

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

**OTHER ATTENDEES:**

Tom Tiefel  
James Morton  
Pam Morton  
Peter Lanphear  
John Murray

**PRAYER**

**PLEDGE OF ALLEGIANCE TO THE FLAG**

**Constable Interview** Peter Lanphear was interview for Constable position. *Councilman Stone made a motion to appointment of Peter Lanphear as Court Constable; seconded by Councilman Nenni and it carried by a vote of 5-0.*

**Historian Tom Tiefel** thanked the Town Board for their generosity to accomplish what he has needed to do with the museum & his office this past year. He is asking for clarification for the roles of Town Historian and the Historical Society regarding the museum. The Historical society wants access and the pass code to the museum. Any request for access should be brought to the Town Board for consideration.

**James Morton** discussed pursuing public water for W. Bergen Road; it was suggested to get residents to start a petition in support.

**MINUTES:** *Councilman Stone made a motion to approve the minutes of October 22, 2013; seconded by Councilman Nenni and it carried by a vote 4 -0. Councilman McCartney abstained. Councilwoman Grant made a motion to approve the minutes of Public Hearings of November 4, 2013; seconded by Councilman Nenni and it carried by a vote 5 -0.*

**COMMUNICATIONS:**

Supervisors Report for October 2013

October 2013 Summary Spreadsheet

Town Clerk's Report for October 2013

Zoning & Code Enforcement Log Sheet for October 2013

Information from NYS DEC, Re: Lake Ontario Watershed Mapping

Notice from NYMIR, Re: Insurance Survey Recommendations

Notice from U.S. Dept. of Commerce, U.S. Census Bureau, Re: Suspension of 2014 Boundary & Annexation Survey

Sample Resolution for MCWA Easement

Notice from MCWA, Re: Backflow Prevention Device Annual Test

Letter from NYS Dept. of Taxation & Finance, Office of Real Property Tax Services, Re: Receipt of application for 2013 Cyclical Reassessment Aid

Sample Resolution for Approval of Official Undertaking for Tax Collector Officer

## **REPORTS:**

**ZEO/CEO:** Firing Pin nearing completion, signed up for the FEMA training.

**HIGHWAY/TRANSFER STATION:** Working on *recommendations from NYMIR* survey, Back Flow prevention was checked, No Trespassing signs are up at West Shore, New Truck replacement will be a Mack, Mar-Wal has been back to clean up site. *Councilman Nenni made a motion to purchase the replacement Mack Plow Truck for \$122,808.58; seconded by Councilman McCartney and it carried by a vote 5-0.*

**SUPERVISOR'S AND TOWN CLERK'S OCTOBER 2013 REPORTS:** *Councilman McCartney made a motion to file the Town Clerk's & Supervisor's October 2013 reports; seconded by Councilwoman Grant and it carried by a vote 5 -0.*

## **COMMITTEES:**

**BUILDINGS:** No meeting held – new HVAC thermostats will be checked into for the Town Hall. Town Clerk Smith contacted Simbari Design about the Town Hall vinyl flooring staining, the manufacturer is being contacted.

**HIGHWAY/PARKS:** 5yr plan for Drew's Nature Center is being discussed; the grant was not received for fencing of Baseball field at Robins Brook, next meeting scheduled for December 3<sup>rd</sup>.

**VILLAGE RELATIONS:** Next meeting scheduled for December 9<sup>th</sup>

## **OLD BUSINESS:**

**Peachey Road Water District** – Waiting to close on the USDA financing in December.

## **NEW BUSINESS:**

**MCWA Easement Resolution** *Councilman Nenni offered Resolution # 19-2013 MCWA Acquisition of Easement of 15ft frontage of 6630 N. Lake Rd.; seconded by Councilwoman Grant and it carried by a vote 5-0.*

### **RESOLUTION #19-2013**

### **APPROVAL OF ACQUISITION OF EASEMENTS BY THE MONROE COUNTY WATER AUTHORITY PURSUANT TO §1096(6-a) OF NEW YORK'S PUBLIC AUTHORITIES LAW**

**WHEREAS**, The Monroe County Water Authority (the "Water Authority") intends to acquire a frontage easement 15 feet in width across the frontage of the parcel with Tax Account No. 6.-1-37.2 (6630 North Lake Road, Bergen) for future water main maintenance, replacement and/or installation.

**WHEREAS**, Section 1096(6-a) of New York's Public Authorities Law requires the Water Authority to obtain the prior approval of the above-referenced acquisitions by resolution of the Town Board of the Town of Bergen, New York.

**NOW, THEREFORE**, let it be

**RESOLVED**, that the Town hereby approves the Water Authority's acquisition of one (1) easement 15 feet in width to be located at 6630 North Lake Road, Tax Account No. 6.-1-37.2) in accordance with §1096(6-a) of the New York Public Authorities Law.

**Christmas Party** *Councilman Nenni made a motion to continue the annual Christmas Party using Brandan Smith not to exceed \$1,000.00; seconded by Councilman McCartney and it carried by a vote 5-0.*

**Adoption of Local Law #2-2013** *Councilman Nenni made a motion to adopt Local Law #2-2013 to Override the Tax Cap Limit; seconded by Councilman McCartney and it carried by a vote 5 -0.*

**2014 Fire Contract** *Councilman Stone made a motion to approve the 2014 Fire Contract of \$142,432.41; seconded by Councilman Nenni and it carried by a vote 4 -0. Councilmen McCartney abstained*

**2014 Final Budget** *Councilman McCartney made a motion to adopt the preliminary budget as the Final 2014 Budget; seconded by Councilman Nenni and it carried by a vote of 5 -0.*

**Official Undertaking for Tax Collection Officer** A letter was received from County Treasurer Scott German regarding filing a Bond or Certificate of Insurance and a resolution by the Town Board approving of Official Undertaking for Tax Collection Officer. *Councilman Nenni made a motion to approve and sign the following Resolution #1-2013 for Official Undertaking for Tax Collection Officer by Town Clerk, Michele M. Smith; seconded by Councilwoman Grant and it carried by a vote 5 -0.*

**TOWN OF BERGEN  
APPROVAL OF OFFICIAL UNDERTAKING FOR  
TAX COLLECTION OFFICER  
RESOLUTION #20-2013**

We, the undersigned members of the Town Board of the Town of Bergen, County of Genesee, State of New York, do hereby approve the attached undertaking or bond as to its form, manner of execution, amount and sufficiency thereof, and to the sureties named thereon. Said undertaking or bond shall be conditioned that the collector of the taxes shall well and truly keep, pay over and account for all moneys and property coming into Tax Collector, Michele M. Smith hands as such collector.

**BILLS:** The bills were presented for audit and totaled General A Fund \$50,128.31 vouchers #271-300, General B Fund \$4,427.90 vouchers #102-107; Highway DB \$31,510.07 vouchers #112-126; H5-Peachey Rd. Water \$2,067.58 vouchers #25-27; PA-A14 \$38.94 voucher #28 ; PA-A15 \$809.53 voucher #29; PA-B3 \$225.00 voucher # 3; PA-DB8 \$6,282.90 voucher #8. *Councilman Stone made a motion to pay the November bills; seconded by Councilwoman Grant and it carried by a vote 5-0.*

**REGULAR MEETING** – Tuesday, November 26, 2013 at 7:00 pm in the Courtroom

**ADJOURNMENT** was at 8:41 pm on a motion by Councilman McCartney; seconded by Councilwoman Grant and carried by a vote 5-0.

Respectfully submitted

*Michele M. Smith*

Michele M. Smith,  
Town Clerk