DECEMBER 30, 2010 Bergen Town Board Yearend Meeting/Local Law #2-2010 & Fire Contract Public Hearings

The Bergen Town Board convened in a special session at 6:00 p.m. in the Courtroom with Supervisor Donald Cunningham presiding.

PRESENT:

ALSO:

Supervisor Donald Cunningham Councilman McCartney Councilman Barry Miller Councilman Joe Nenni Michele M. Smith, Town Clerk Dave Roggow, Highway Superintendant

OTHER ATTENDEES:

James Phillips

PRAYER

PLEDGE OF ALLEGIANCE TO THE FLAG

<u>LOCAL LAW #2-2010 DOG CONTROL</u> Councilman Nenni made a motion to open the Public Hearing for Local Law #2-2010 for Dog Control at 6:00 pm; seconded by Councilman Miller and carried by 4-0. Councilman Miller made a motion to close the Public Hearing at 6:28; seconded by Councilman McCartney and it carried by a vote 4-0.

<u>FIRE CONTRACT PUBLIC HEARING</u> Councilman Miller made a motion to open the Fire Contract Public Hearing at 6:28; seconded by Councilman McCartney and carried by 4-0. Councilman Nenni made a motion to close the Fire Contract Public Hearing at 6:50; seconded by Councilman Miller and it carried by vote 4-0.

YEAR END MEETING The purpose of the special session is to pay bills, make transfers and take care of any unfinished business for 2009. The notice for special meeting was published in the *Daily News* and posted on the Clerk's bulletin board. The Fire Contract Hearing remained open for any additional comments.

MINUTES: Councilman Nenni made a motion to approve the minutes of December 14, 2010; seconded by Councilman Miller and it carried by a vote 3 -0. Councilman McCartney abstained.

COMMUNICATIONS:

Year end budget transfer summary

2010 Fire Contract from the Village of Bergen

Mercy EMS Response Times Report

Notification from MCWA on User Lease Agreement for Merriman Rd. Project

<u>List of Unpaid Obligation from Town Clerk, Encumber Grant Funds for 2011 payment</u>

Sample Resolution for Dog License Fees

ZEO/CEO Log sheet for December 2010

Travel Request for Justice & Court Clerk Kunego

Travel Request from Justice Swapceinski

Letter from Tompkins Insurance to Update Loader endorsement

Letter of interest for town board vacancy from Brian Stone

Letter of interest for town board vacancy from Ernest Haywood

NYS Mileage rates for 2011

Sample Resolution to authorize sign & execute application submissions for USDA funding, Re: Peachey Rd. Water District Copy of notice from NYS Comptroller's Office to Dan Bryson recognizing Establishment of Peachey Rd. Water District Accounting/Audit proposal from Bob Fox, EFP Rotenberg

NEW BUSINESS:

<u>PAINTING AT OLD TOWN HALL</u> Councilman Nenni inquired about painting the Old Town Hall with the availability of county prisoners. *Councilman McCartney made a motion to authorized Councilman Nenni to schedule painting at old Town Hall by County prisoners to include hallway, bathrooms and kitchen; seconded by Councilman Miller and it carried by a vote 4-0.*

<u>BUDGET MODIFICATION</u> Councilman Nenni made a motion to encumber grant funds of \$1954.00 for payment in 2011; seconded by Councilman Miller and it carried by a vote 4-0.

TRAVEL REQUESTS Councilman Miller made a motion to approve the travel requests for the Justice's Kunego, Swapceinski and Court Clerk Kunego to attend the Association of Towns Annual meeting in NYC; seconded by Councilman Nenni and it carried by a vote 4-0.

<u>LOCAL LAW #2-2010</u> James Phillips had questions about the law at the hearing. *Councilman Nenni made a motion to adopt Local Law #2-2010 for Dog Control; seconded by Councilman McCartney and it carried by a vote 4-0.*

<u>NEW DOG LICENSE FEES RESOLUTION</u> Councilman Nenni offered Resolution #25-2010 to set Dog License and Control fees; seconded by Councilman McCartney and it carried by vote 4-0.

RESOLUTION #25-2010

Resolution to set Dog License and Control fees in the Town of Bergen

WHEREAS, The Town Adopted a Local Law #2-2010, "A Local Law to Amend the Dog Control Law" to be in compliance with the revised New York State Agriculture and Markets Laws; and

WHEREAS, pursuant to Local Law #2-2010 the Town needs to establish dog license and control fees.

NOW, THEREFORE,

BE IT RESOLVED, the Bergen Town Board hereby adopts the following dog license and control fees:

Spayed/Neutered \$6.00/dog/year

(\$5.00 Town / \$1.00 Animal Population Fund (APF) Surcharge

Unspayed/Unneutered \$21.00/dog/year

(\$15.00 Town/\$3.00 APF Surcharge)

Purebred: \$30.00 – up to ten (10) registered purebred dogs/year

Plus the applicable APF surcharges

\$60.00 – 11 to 25 registered purebred dogs/year Plus the applicable APF surcharges

\$100.00 – 26 to 100 registered purebred dogs/year

Plus the applicable APF surcharges

Replacement License Tag \$3.00

Impoundment/Seizure: As set forth in Section 117 in NYS Ag. & Market Law

These fees will be effective as of January 1, 2011.

<u>FIRE CONTRACT</u> There were no comments from the public made at the hearing *Councilman Miller made a motion* to approve the 2011 Fire Contract of \$125,330.86; seconded by Councilman Nenni and it carried by a vote 3-0. Councilman McCartney abstained

<u>AUDIT PROPOSAL</u> Councilman Miller made a motion to accept EFP Rothenberg's proposal of \$8,000 to provide accounting services for year ending December 31, 2010; seconded by Councilman Nenni and it carried by a vote 4-0.

<u>ENGINEERING PROPOSAL</u> Councilman Nenni made a motion to authorize Chatfield Engineers to proceed with engineering services for the Peachey Road Water District; seconded by Councilman McCartney and it carried by a vote 4-0.

<u>USDA REPRESENTATION RESOLUTION</u> Councilman Miller offered Resolution #26-2010 to authorize Supervisor Cunningham as the official USDA representative for the Peachey Road Water District; seconded by Councilman Nenni and it carried by a vote 4-0.

RESOLUTION #26-2010 USDA TOWN REPRESENTATION

RESOLVED, that the Supervisor of the Town of Bergen, Genesee County, New York, is hereby authorized as the official representative of the Town to execute and submit the application for loan and grant assistance to the USDA Rural Development for improvements to the Town of Bergen Peachey Road Water District and is hereby directed and authorized to act in connection with the submission of the application and to provide such additional information as may be required.

<u>BUDGET TRANSFERS:</u> Councilman Miller made a motion to approve the following transfers, seconded by Councilman Nenni and it carried by a vote 4 -0.

2010 BUDGET TRANSFERS

A FUND	FROM	AMOUNT	<u>TO</u>
	A1355.11	\$ 50.00	A1355.4
	A1990.4	\$750.00	A1320.1
	A1990.4	\$820.00	A6410.4

NO TRANSFERS REQUIRED FOR B AND DB FUNDS

BILLS: The bills were presented for audit and totaled General A Fund \$12,225.84 vouchers #366-387; General B Fund \$89.55 vouchers #112-113; Highway DB \$22,782.96 vouchers #155-164; Town Hall Relocation \$305.00 vouchers 26-27. *Councilman Miller made a motion to pay the remaining 2010 bills, Councilman McCartney seconded it and it carried by a vote 4-0.*

ORGANIZATIONAL MEETING: Monday, January 3, 2010 at 6:00 PM in the Courtroom **NEXT REGULAR MEETING**: Tuesday, January 11, 2010 with audit of the bills at 7:15 PM in the Courtroom

<u>ADJOURNMENT</u> was at 6:59 PM on a motion by Councilman McCartney; Councilman Nenni seconded it and it carried by a vote of 4-0.

Respectfully submitted,

Michele M. Smith, Town Clerk