

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 Brian Stone
Councilwoman Belinda Grant

ALSO PRESENT:

Michele M. Smith, Town Clerk
Dave Mason, ZEO/CEO

ABSENT

Councilman Hugh McCartney

OTHER ATTENDEES:

PRAYER

PLEDGE OF ALLEGIANCE TO THE FLAG

MINUTES: *Councilwoman Grant made a motion to approve the minutes of January 28, 2014; seconded by Councilman Nenni and it carried by a vote 3-0. Councilman Stone abstained*

COMMUNICATIONS:

Town Clerk's Report for January 2014
Town Clerk's Annual Report
ZEO/CEO Report for January 2014
Sample Resolution MCWA Easements on Bissell Road
Travel Request from Justice Swapceinski
Travel Request from ZEO/CEO David Mason
Travel Request from Town Clerk Smith
Resolution for Peachey Road Budget Modification

REPORTS:

ZEO/CEO: Planning Board approved the site plan review for Liberty Pumps
HIGHWAY: Supervisor Cunningham read an email from Mike Johnson: the old truck was sent to Valley Fab and the new truck should be delivered around March 7th, salt deliveries are slow, road inventory is complete.
TOWN CLERK'S DECEMBER 2013 REPORT: *Councilman Nenni made a motion to file the Town Clerk's January 2014 report; seconded by Councilwoman Grant and it carried by a vote 4-0.*

COMMITTEES:

BUILDINGS: Next meeting scheduled for 2/24/2014
HIGHWAY & PARKS: Steve lock from the swamp Society attended February 10th meeting and presented preliminary plans for Drew's Nature Center and was very supportive of the of the plan. Plans have been drawn up for Robins Brook Park. Next meeting is scheduled for March 10th.
VILLAGE RELATIONS: Joint Board Meeting planned for March 25th

NEW BUSINESS:

MCWA Resolution for Easements *Councilman Nenni offered Resolution #4 -2014 MCWA Bissell Road Easements; seconded by Councilman Stone and it carried by a vote 4-0.*

RESOLUTION #4 -2014
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 frontage easements 15 feet in width across the frontages of the parcels with Tax Account Nos. 6.-1-59 (8470 Bissell Road), 6.-1-16.12 (8477 Bissell Road), 6.-1-61 (8482 Bissell Road), 6.-1-63 (8484 Bissell Road), 6.-1-19.224 (8492 Bissell 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 Pembroke, New York.

NOW, THEREFORE, let it be

RESOLVED, that the Town hereby approves the Water Authority's acquisition of five (5) easement 15 feet in width to be located at 8470 Bissell Road (Tax Account No. 6.-1-59), 8477 Bissell Road (Tax Account No. 6.-1-16.12), 8482 Bissell Road (Tax Account No. 6.-1-61), 8484 Bissell Road (Tax Account No. 6.-1-63), 8492 Bissell Road (Tax Account No. 6.-1-19.224), in accordance with §1096(6-a) of the New York Public Authorities Law.

Resolution for Peachey Road Budget Modification *Councilman Stone offered Resolution # 5-2014 for Peachey Road Budget Modifications; seconded by Councilman Nenni and it carried by a vote 4-0.*

Resolution #5 -2014
Peachey Road Water District
Budget Modification

WHEREAS, the Town of Bergen developed the budget for the Peachey Road Water District project based on estimates for the costs for various budget line items, and

WHEREAS, the budgets for Legal Services and Bonding were based on not-to-exceed contracts; and

WHEREAS, the Town has received final bills for legal and bond counsel services for this project which bring the total costs for these services under budget, and

WHEREAS, the total costs for Land, ROW and Miscellaneous expenses were higher than expected.

BE IT RESOLVED that the Town Board hereby authorizes adjustments to the project budget as follows:

| Budget Item | Approved Budget | Increase (Decrease) | Modified Budget |
|---------------|-----------------|---------------------|-----------------|
| Legal | \$15,000.00 | (\$150.00) | \$14,850.00 |
| Bonding | \$8,050.00 | (\$210.11) | \$7,839.83 |
| Land, ROW | \$350.00 | \$615.00 | \$965.00 |
| Miscellaneous | \$3,900.00 | \$81.71 | \$3,981.71 |
| Contingency | \$45,916.08 | (\$45,916.08) | \$0.00 |

BE IT FURTHER RESOLVED that the Town Board hereby reduces the total project cost from \$1,103,000 to \$1,059,420.52, including \$420.52 in Town funds to complete the project

Travel Request from Justice Swapceinski Councilman Stone made a motion to approve the Travel Request of Justice Swapceinski to Association of Towns Conference; seconded by Councilwoman Grant and it carried by a vote 4-0.

Travel Request from ZEO/CEO David Mason Councilman Nenni made a motion to approve the Travel Request of ZEO/CEO David Mason to FLBOA Conference; seconded by Councilwoman Grant and it carried by a vote 4-0.

Travel Request from Town Clerk Smith Councilman Nenni made a motion to approve the Travel Request of Town Clerk Smith for Town Clerk's Conference; seconded by Councilwoman Grant and it carried by a vote 4-0.

BILLS: The bills were presented for audit and totaled General A Fund \$14,819.31 vouchers #26-52, General B Fund \$1,328.42 vouchers #12-19; Highway DB \$16,162.13 vouchers #14-24; Peachey Road Water District \$8,624.14 voucher #2-4; PA-A1 \$6,421.08 vouchers 1 & 2. Councilman Nenni made a motion to pay the February bills; seconded by Councilman Stone and it carried by a vote 4 -0.

REGULAR MEETING – Tuesday, February 25, 2014 at 7:00 pm in the Courtroom

EXECUTIVE SESSION: Councilman Nenni made a motion to enter into Executive Session at 7:47 pm to discuss Collective Bargaining Agreement; seconded by Councilman Stone and it carried by a vote 4-0. Councilwoman Grant made a motion to exit Executive Session at 9:01pm; seconded by Councilman Stone and it carried by a vote 4 -0.

ADJOURNMENT was at 9:02 pm on a motion by Councilman Stone; seconded by Councilwoman Grant and carried by a vote 4-0.

Respectfully submitted

Michele M. Smith

Michele M. Smith,
Town Clerk