

MARCH 25, 2014 BERGEN TOWN BOARD REGULAR 2nd MEETING

The Bergen Town Board convened in a regular session at 6:30 pm in the Town Hall with Supervisor Cunningham presiding.

PRESENT:

Supervisor Donald Cunningham
Councilman Joe Nenni
Councilman Brian Stone (6:39)
Councilwoman Belinda Grant

ALSO PRESENT:

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

ABSENT

Councilman Hugh McCartney

OTHER ATTENDEES:

Mayor Ralph Marsocci
Deputy Mayor Paul Cooper
Trustee Virginia Adams
Trustee Anne Marie Barclay
Trustee Scott Morgante
John Murray
Donnelly
Dennis Burke
Hope Hersom
Sarah Streeter
Rhonda Streeter
Jennifer Zastrocky
Vicky Shallenberger
Chiara Grippo
Annabella Vurraro

Cortney Gale, Village Administrator
Ken Steinmetz, Village DPW
Norm Pawlak
Kevin Donovan
Cheryl Hersom
Rene' Vurraro
Vickie Almquist
Grace Gallivan
Michael Streeter
Alayna Streeter
Emily VanEenwyk
Kaitlyn Zastrocky
Sam Grippo
Cary Bergeron
Brian Meister

PRAYER

PLEDGE OF ALLEGIANCE TO THE FLAG

MINUTES: *Councilman Nenni made a motion to approve the March 11, 2014 minutes; seconded by Councilman Stone and it carried by a vote 3 -0.*

COMMUNICATIONS:

Letter from Nioga Library System requesting action on state funding
Follow up letter from New York Life, Re: Whole life Ins.
Mercy EMS Report for February 2014
Training Seminar information from NYMIR
Town of Byron letter & Survey for Public Water
Sample Resolution opposing expansion of Native American Casino Gambling
Sample Resolution from Town of Pembroke opposing free collegiate education to incarcerated individuals
Revised Computer Service Agreement

REPORTS:

HIGHWAY/SOLID WASTE: New Truck is in and being serviced, snow fences are coming down
ZEO/CEO: 7-Eleven demolition scheduled for mid April, Liberty Pumps is moving along

COMMITTEES:

BUILDING COMMITTEE: Sign placement & parking for 13 S. Lake Ave.; Town Hall HVAC 2nd quote from Turnbull the committee recommended going with Triple-O Mechanical; replacement window scheduled for April 10th for courtroom; Nancy Bailey will be representing the library on the committee. *Councilman Stone made a motion to accept Triple-O Mechanical's proposal of \$3902.43 to upgrade the HVAC in the Town Hall; seconded by Councilman Nenni and carried by a vote 4-0.* Next meeting is scheduled for April 21st

HIGHWAY/PARKS COMMITTEE: Next meeting scheduled for April 7, 2014

VILLAGE RELATIONS COMMITTEE: Next meeting scheduled for April 14th

OLD BUSINESS:

New York Life Insurance Program - No interest expressed

Computer Service Agreement *Councilman Stone made a motion to accept the Computer Service Agreement option A from Level1 PC at \$14.99 per computer (there are currently 10); seconded by Councilman Nenni and carried by a vote 4-0.*

NEW BUSINESS:

North Bergen survey for public Water a letter will be drafted to send to residents affected.

Resolution in Opposition to Expanding Native American Casino Gaming *Councilman Nenni offered Resolution #7-2014 opposing expansion of Native American Casino Gambling; seconded by Councilman Stone and it carried by a vote 4-0.*

**RESOLUTION #7-2014
OPPOSITION TO EXPANDING NATIVE AMERICAN
CASINO GAMBLING IN WESTERN NEW YORK**

WHEREAS, the Town of Bergen, New York is a picturesque and diverse town in Genesee County with a population of approximately 5,000, and

WHEREAS, Bergen is a vibrant community with an outstanding quality of life, beautiful scenery, rich history and strong sense of community, and

WHEREAS, Bergen also enjoys a reputation for excellent services, including a first rate educational system, and

WHEREAS, maintaining of high quality of life expected by the residents of the Town of Bergen is of the utmost importance to this board, and

WHEREAS, Batavia Downs Gaming and Western Region Off Track Betting Corporation are located in the City of Batavia in Genesee County, and

WHEREAS, Genesee County is one of 15 counties in Western New York that own Western Region Off Track Betting Corporation, and

WHEREAS, as one of the municipal "stockholders" in WROTB, Genesee County has a pro-rate financial interest in the \$69 million of net quality re-invested in WROTB's 29-plus corporately-owned branch facilities and the track and gaming at Batavia Downs, and

WHEREAS, since its inception, WROTB has generated over \$215 million in operating and surcharge casino in the region, and

WHEREAS, the Seneca Nation has initiated a process to locate a full Las Vegas-style gaming casino in the region, and

WHEREAS, an additional casino in Western New York will place in great jeopardy the sustainability of Batavia Downs Gaming, thus negatively impacting Genesee County's financial interest and investment in WROTB, and

WHEREAS, the Genesee County Legislature recently passed legislation opposed to the expansion of casino gaming as such an expansion would have likely lead to the reduction or elimination of WROTB's annual payment to Genesee County, and this board does support the county's position on this issue, therefore be it

RESOLVED, that the Bergen Town Board does hereby join the Genesee County Legislature in opposing the location of an additional casino located in the region owned and operated by the Seneca Nation, and be it further

RESOLVED, that copies of this resolution be sent to Senator Ranzenhofer, Assemblyman Hawley, Congressman Collins, US Senator Schumer, US Senator Gillibrand, and US Department of Interior Secretary Jewell and be it further

Resolution opposing free collegiate education to incarcerated individuals Councilman Nenni offered Resolution #8-2014 opposing free collegiate education to incarcerated individuals; seconded by Councilwoman Grant and it carried by a vote 4-0.

**RESOLUTION # 8-2014
OPPOSITION TO FREE COLLEGIATE EDUCATION
FOR INCARCERATED INDIVIDUALS**

WHEREAS, the financial situation of New York State is in such a condition as to cause cutbacks of public programs and services across the state; and

WHEREAS, tuition at educational institutions across the state is continuously increasing at the expense of our state's students; and

WHEREAS, as a result of those tuition increases, students and their families have been forced to take on debt that will likely burden them through most of their adult lives; and

WHEREAS, it already costs the state tens of thousands of dollars to fund the incarceration of the State's prison system enrollees; and

WHEREAS, it is the proposed plan by Governor Andrew Cuomo to offer free tuition to incarcerated individuals under the ward of the state; and

WHEREAS, similar programs are already offered in the prison system through private funding; and

WHEREAS, no conditions are set for inmates to repay the money given for their education nor are they expected to work in one of the prison work programs to be eligible for the tuition; **NOW, THEREFORE, BE IT**

RESOLVED, that the Town Board of the Town of Bergen strongly opposes use of public money to fund a free education for individuals incarcerated for violating the law; and be it further

RESOLVED, that certified copies of this resolution be sent to Governor Andrew Cuomo's office, the Western NY delegates to the State Senate and Assembly, and all other parties deemed necessary and proper.

NEXT MEETING: Tuesday, April 8, 2014 at 7:00 PM in the Courtroom with the audit of the bills at 6:45 p.m.

JOINT SESSION BEGAN AT 6:56 PM

Mr. Schroth, 4th Grade Yogurt Promotion – the students are promoting yogurt at the New York State snack.

Jean Walton, YWCA – discussed services available

DISCUSSION TOPICS:

Mercy EMS Services: Bill Schutt gave an update on response times, currently renting space from South Byron Fire Hall to service Eastern Genesee County.

Comprehensive Plan Committee: Norm Pawlak & Vickie Almquist gave an update on the progress; the committee has decided to update the current plan and not create a new one.

RECESS at 7:47 reconvened at 8:00 pm

Shared Services: Highway services are going well

Recognition Awards presented to Ginny Adam & Ralph Marsocci from the Town Board

JOINT Session ended at 8:07 pm on a motion by Councilman Nenni; seconded by Councilwoman Grant and carried by a vote 4-0.

EXECUTIVE SESSION: Councilman Nenni made a motion to enter into Executive Session at 8:10 pm to discuss Collective Bargaining Agreement with Superintendent Johnson in attendance; seconded by Councilman Grant and it carried by a vote 4-0. Councilman Stone made a motion to exit Executive Session at 8:30 pm; seconded by Councilman Nenni and it carried by a vote 4-0.

Councilman made a motion authorizing Supervisor Cunningham to execute collective bargaining agreement subject to wording in Section 10.1 be revised as below; seconded by Councilwoman Grant and carried by a vote 4-0.

Section 10.1

The hourly rate of each employee shall be increased as follows:

Compensation

\$.34 upon execution of contract with no retroactive pay

2015: \$.39

2016: \$.41

Adjournment at 8:31 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