

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:

John Murray
Sgt. Ron Meides , Genesee County Sheriff
Sgt. Ron Lobur, NYSP
Tim Donovan
Beverly Donovan
Kellie Donovan

Jeff Thompson, Byron Councilman
Harold Austin, Byron Councilman
Grace Gallivan
Eileen Sherman-Dries
Coleen Cliff
Jeremy Rich

PRAYER

PLEDGE OF ALLEGIANCE TO THE FLAG

Genesee County Sheriff Dept. & NYS Police discussed activity and concerns related to West Shore Trail use: they are considering doing spot checks for helmets, licensed and insurance. The board recommended that law enforcement be given a copy of West Shore keys.

MINUTES: *Councilman Stone made a motion to approve the minutes of May 28, 2013; seconded by Councilman McCartney and it carried by a vote 5 -0.*

COMMUNICATIONS:

Supervisors May 2013 Report
May 2013 Summary Spreadsheet
Town Clerk's May 2013 Report
Zoning & Code Enforcement May 2013 Log Sheet
Notice of Training from NYS GFOA
Assessor Appointment Report from NYS Dept. of Tax & Finance ORPTS
Memo requesting reappointment as Assessor from Anne Sapienza
Information on Uniform Notice of Claims designee
Letter & Payment Application #5 details for Peachey Road Water District
Memo from Labella Associates Re: 2013 NYS Consolidated Funding Opportunities
Surveys from Day of Caring participants
Email notice from ORPTS, Re: 2013 Tentative Equalization Rate

REPORTS:

HIGHWAY/TRANSFER STATION: Replacement of two gates on West Shore planned at Rt. 19; new mower is in; Transfer Station part time person hired; new sign at Transfer Station with summer hours.

ZEO/CEO: Firing Pin Site Plan was approved. Nothing new to report on 7-Eleven.

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

COMMITTEES:

BUILDINGS: Next meeting June 17th 5:00 pm at 13 S. Lake Ave.

HIGHWAY/PARKS: Next meeting Scheduled for September 3, 2013.

VILLAGE RELATIONS: June 3rd meeting summary: village does not offer disability exemption; Country Deli is still moving forward; next meeting planned for September 9th at 6:30 at the Village Hall.

OLD BUSINESS:

Peachey Road Water District Residential connections continuing on Rt. 19 & Peachey Rd; Project meeting scheduled for June 12th at 9:00 am at the Highway Garage.

Computer Maintenance Service Agreement *Councilman Nenni made a motion to approve Computer Maintenance Service Agreement with LevelIPC for \$14.99 per computer (9)per month; seconded by Councilman Stone and it carried by a vote 5-0.*

NEW BUSINESS:

Time Capsule will be buried Friday, June 14th at 5:00 pm.

Peachey Rd. Water District Payment Application #5 *Councilman Nenni made a motion for the Peachey Road Water District payment application #5 for \$37,800.69 to Mar-Wal Construction included in the June bills; seconded by Councilwoman Grant and carried by a vote 5 -0.*

Assessor Reappointment *Councilman Nenni made a motion to reappoint Anne Sapienza as Assessor for another 6 year term; seconded by Councilwoman Grant and it carried by a vote 5 -0.*

Uniform Notice of Claims Designee *Councilman Nenni offered Resolution #13-2013 to designate Town Clerk Michele M. Smith as Uniform Notice of Claims Designee; seconded by Councilman Stone and it carried by a vote 5-0.*

**TOWN OF BERGEN
RESOLUTION #13-2013
NYS NOTICE OF CLAIMS DESIGNEE**

WHEREAS, General Municipal Law, §53 requires towns to file a certificate with the Secretary of State designating the Secretary of State as an agent for service of a notice of claim; and

WHEREAS, General Municipal Law, §53 requires the certificate to include the applicable time limit for filing the notice of claim and the name, post office address and electronic mail address, if available, of an officer, person, for the transmittal of notices of claim served upon the Secretary as the town's agent; and

WHEREAS, pursuant to General Municipal Law, §50-e(1)(a), the applicable time limit for the filing of a notice of claim upon a town is 90 days after the claim arises, or in the case of a wrongful death action, 90 days from the appointment of a representative of the decedent's estate; **Now therefore Be It**

RESOLVED, that the Town Board of the Town of Bergen, County of Genesee designates Michele M. Smith, in her capacity as Town Clerk to receive notices of claims served upon the Secretary of State by mail at P.O. Box 249 Bergen, NY 14416 and email at bergenclerk@bergenny.org .

BE IT FURTHER RESOLVED, that the Town Board hereby directs the Town Clerk to file the required certificate with the Secretary of State informing him or her of the town's designation and applicable time limitation for filing a notice of claim with the town on or before July 14, 2013.

BILLS: The bills were presented for audit and totaled General A Fund \$17,716.12 vouchers #152-175 , General B Fund \$1,155.08 vouchers #39-48; Highway DB \$10,774.87 vouchers #49-63 ; H5-Peachey Rd. Water \$48,485.69 voucher #10-12; PA-A6 \$15,799.67 vouchers #10-16; PA-A7 \$986.20 voucher #17&18; PA-B2 \$981.08 voucher #2; PA-DB3 \$7,029.15 voucher #3. *Councilman McCartney made a motion to pay the June bills; seconded by Councilman Stone and it carried by a vote 5 -0.*

REGULAR MEETING – Tuesday, June 25, 2013 at 7:00 pm in the Courtroom

ADJOURNMENT was at 8:14 p.m. on a motion by Councilman Nenni; seconded by Councilwoman Grant and carried by a vote 5 -0.

Respectfully submitted

Michele M. Smith

Michele M. Smith,
Town Clerk