

**Town Board Meeting  
Town of Bergen  
June 12, 2012**

**I Audit of the bills 7:15pm, Call to Order 7:30pm.**

**Prayer** Almighty God, grant us wisdom that we may remember as we work, that we are servants of our constituency and all our decisions should be in the best interests of the Town and its citizens, entirely unblemished by any thoughts of personal benefit. Bless us with tolerance and understanding for opinions differing from our own and help us keep an open mind in gathering information before voting on all issues. Help us overcome any ignorance of our duties and enable us to learn more of the intricacies of the roles we have assumed. May we rest assured to know You are with us and will guide us through all we do. Amen.

**Pledge to the flag**

**II Privilege of the Floor** – None scheduled.

**III Approval of Meeting Minutes for** – May 22<sup>nd</sup>, 2012

**IV Communications:**

1. Supervisors Report for May 012 (Pending availability)
2. May2012 Summary Spreadsheet (Pending availability)
3. Town Clerks Report for May 2012
4. Zoning/Code Enforcement Log Sheet for April 2012
5. Memo from Hwy. Superintendent Johnson, Re: Metal & Electronics Scrap
6. Copy of Meeting Minutes from the Bergen Historical Society
7. Transfer Station Activity Report for May 2012
8. Copy of County Resolution # 213, Contract – Highway / Shared Services
9. Letter & Membership form from National Grid, Re: Tree Planting Program
10. Letter from NYS Dept. of Public Service, Re: Lifeline Telephone Program
11. Response letter from Monroe County Water Authority, Re: Peachey Rd. Water District Main

**V Board Members' items for addition to the agenda**

**VI Reports:**

- Zoning / Code Enforcement
  - Update on Swamp Rd. property
- Highway
  - New 4 / 10hr day work schedule
- Committees
  - Highway
  - Parks
    - Discuss Fence at Robins Brook Park
- Buildings
  - Update on demolition & abatement of 17 So. Lake
  - Plan for Door replacement at 13 So. Lake
  - Discuss / Approve \$340 expenditure for perennials
- Village Relations

**VII Old Business:**

- Peachey Rd. Water District
  - Discuss response from MCWA regarding water main material.
- Discuss Standard Workday Resolution for 2012.
- Discuss request for Marriage Officer appointment
- Discuss request for Local Law for Peddlers & Solicitors
- Discuss lease of former Highway Garage space

**VIII New Business:**

- IX Reports & Bills:**
- Action to file Supervisors & Town Clerks reports
    - Detailed budget reports provided separately due to size.
  - Approve payment of the bills.

**X Next Meeting Day:** Wednesday, June 26 2012, 7:30 PM in the Fire Department Meeting Room.

**XI Adjournment**

Supervisors Report for  
May 2012  
(pending completion)

May 2012 Summary  
Spreadsheet  
(pending completion)

3

Account#	Account Description	Fee Description	Qty	Local Share
	Building & Zoning	Minor Subdivision	1	50.00
	Marriage License	Marriage License	2	35.00
		<b>Sub-Total:</b>		<b>\$85.00</b>
A1255	Clerk Fees	Certified Copies	9	90.00
		Copier Copies	8	2.00
	Conservation	Conservation	8	22.39
		<b>Sub-Total:</b>		<b>\$114.39</b>
A2544	Dog Licensing	Female, Spayed	21	125.00
		Female, Unspayed	2	36.00
		Male, Neutered	19	95.00
		Male, Unneutered	3	54.00
		Replacement Tags	1	3.00
		<b>Sub-Total:</b>		<b>\$313.00</b>
B2110	Building & Zoning	Building Permit	4	125.00
		Zoning	5	150.00
		<b>Sub-Total:</b>		<b>\$275.00</b>
B2115	Building & Zoning	Rec. Site Waiver Fee	1	100.00
		<b>Sub-Total:</b>		<b>\$100.00</b>
B2130	Solid Waste	Garbage Bag	469	906.00
		Transfer Sta. 10.00	20	200.00
		Transfer Sta. 5.00	3	15.00
		<b>Sub-Total:</b>		<b>\$1,121.00</b>

**Total Local Shares Remitted: \$2,008.39**

Amount paid to: N Y State Department Of Health	45.00
Amount paid to: NYS Ag. & Markets for spay/neuter program	55.00
Amount paid to: NYS Environmental Conservation	811.61
<b>Total State, County &amp; Local Revenues: \$2,920.00</b>	<b>Total Non-Local Revenues: \$911.61</b>

To the Supervisor:  
Pursuant to Section 27, Sub 1, of the Town Law, I hereby certify that the foregoing is a full and true statement of all fees and monies received by me, Michele M. Smith, Town Clerk, Town of Bergen during the period stated above, in connection with my office, excepting only such fees and monies, the application of which are otherwise provided for by law.

\_\_\_\_\_  
Supervisor

\_\_\_\_\_  
Date

*Michele M. Smith* 6/1/12  
\_\_\_\_\_  
Town Clerk

\_\_\_\_\_  
Date



**Town of Bergen  
Highway Department**

**Memorandum**

5

**To:** Supervisor Cunningham  
Town Board Members

**From:** Mike Johnson, Hwy Superintendent

**Date:** June 6, 2012

**Re:** **METAL SCRAP & ELECTRONICS SCRAP**

With the Town Board's approval, I would like to dispose of the following pieces of equipment that are either obsolete or cannot be used due to age and/or condition:

**SCRAP METAL**

1984 Harder Sander  
1985 Harder Sander  
1986 Harder Sander  
1970 HSE9 Plow  
1970's? V Plows (2) RV80's  
1986 Viking P135 Plow  
1988 Jacobsen Mower  
1986 Brush Hog 6'  
1988 Brush Hog 6'  
Old Loading dock (across from salt storage)  
Misc. Items (Bent Fence Posts, Old tailgates)

**E-SCRAP**

1970-1989 Low Band 2 Way Radios (10)  
1983 Regency 10 Channel Monitor  
1987 & 1989 Uniden 16 Channel Monitors  
1990 & 1992 Motorola Mobile Phones  
1984 Glenaire Mobile Phone  
Copier from Village (drum bad will not make copies)

Can the monies from scrapping of these items be put into an equipment reserve for the Highway Department?

Please render a decision regarding the disposal of these items.

Thank you.

## BERGEN HISTORICAL SOCIETY MEETING

May 3, 2012

**ATTENDEES:** Theresa and Willard Pengelly, Myrna and Paul List, Beverly Wooton, Jean Stewart, Tracy Miller, Tom Tiefel, Marian and Dick Partridge, Nancy Charcholla, Henry Hastings, Ann Rogger, Vicky Almquist, Tally Almquist, Marilyn and Dick Fisher, Gloria Stein, Frank and Dolores Perry, Wilda and Jim Keller and Jennie Starowitz

The meeting was called to order at 7 p.m. by President Theresa Pengelly, who led the group in the pledge of allegiance. The program for the evening was a presentation by Nellie Gardner regarding agriculture and industry of the Erie Canal. A brief reception followed with refreshments. The business meeting began with a motion made by Myrna List and seconded by Paul List to approve the minutes of the April 12, 2012 meeting. Voted and carried.

### COMMITTEE REPORTS:

**Treasurers Report:** Treasurer Lisa Teremy was unable to attend the meeting but she submitted her report and it was read by the secretary. The report covers all financial transactions that took place during the month of April. Total income/deposits were \$631.16 (includes reimbursement from the Town for National Grid and insurance). Total expenses were \$140.66, which leaves a balance of \$8,210.18.

**Nominating Committee:** The current President, Theresa Pengelly, and Vice President, Tracy Miller agreed to remain in their positions; therefore, there was no further action needed on the part of the Nominating Committee.

### OLD BUSINESS:

**Park Day (June 9)** - Tom Tiefel looked into our sponsoring a car show that day, but after speaking to the organizer it was determined he was not interested in our sponsorship. Mr. Tiefel stated that a permanent sign with the Bergen Historical Society logo printed on it would cost approximately \$100-\$125. At the April meeting it was agreed that the BHS should purchase such a sign. The Barn Museum will be open on Park Day to visitors. President Pengelly reported that the Swans Company did not follow through on their offer of a donation as a result of sales should they set up a booth at Park Day.

**Scholarship Fund** - Tracy Miller reported for Aggie Redinger regarding progress on setting up the scholarship fund at Byron-Bergen School. After some discussion, a motion was made by Tracy Miller and seconded by Beverly Wooton to increase the scholarship from \$200 to \$500 for this year. Voted and carried.

Last month Dick Partridge had presented his list of items to be repaired or refurbished in the museum, one being the rebinding of the historical Atlas of 1876. Tom Tiefel reported on the

cost and the process to refurbish the Atlas. A motion was made by Myrna List and seconded by Vicki Alquist to go forward with the rebinding of this book. Voted and carried.

**NEW BUSINESS**

President Pengelly read the letter she is proposing to send to area churches, Town and Village offices and Gillam-Grant Center for publication in their newsletters. The letter was about the Stone Church Museum being restored to its original use, that of a school house, and asking residents if they had any items of that era that would fit into the school house theme.

Historian Tom Tiefel stated that the 4<sup>th</sup> grade class from Byron-Bergen is going to tour the Barn Museum. There are Civil War exhibits set up to coincide with the 150<sup>th</sup> Anniversary of the Civil War. He has purchased some Civil War games to distribute to the students.

The next meeting will be held on September 6 at 7 p.m. No further business, Jean Stewart moved to adjourn the meeting. Tracy Miller seconded the motion. Voted and carried.

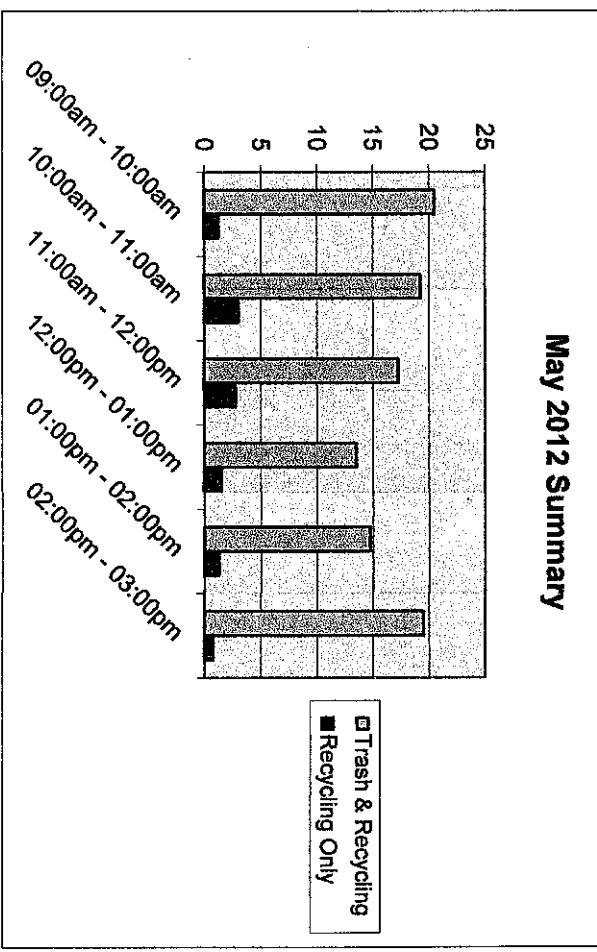
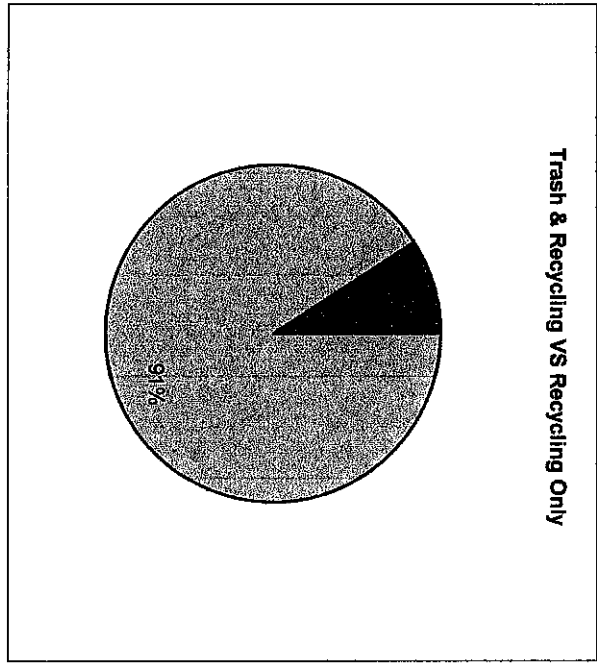
Respectfully submitted,

*Beverly Woodton*  
Beverly Woodton  
Secretary

**Please Note:** Ray McConnell has volunteered to bring refreshments to the September 6 meeting. The annual picnic is August 26, 3 p.m. at Bergen Park. The Christmas Party is scheduled for December 5 - time and place to be announced.



May 2012 Transfer Station Activity										
Hours of Operations	Week 01		Week 02		Week 03		Week 04		May 2012 Summary	
	T & R	R/Only	T & R	R/Only	T & R	R/Only	T & R	R/Only	T & R	R/Only
09:00am - 10:00am	23	1	20	0	25	3	14	1	20.5	1.25
10:00am - 11:00am	17	4	25	3	21	2	14	3	19.25	3
11:00am - 12:00pm	15	2	18	4	20	3	16	2	17.25	2.75
12:00pm - 01:00pm	12	0	15	2	14	2	13	2	13.5	1.5
01:00pm - 02:00pm	10	1	18	0	20	2	11	2	14.75	1.25
02:00pm - 03:00pm	18	0	20	0	23	2	17	1	19.5	0.75
<b>Total</b>	<b>95</b>	<b>8</b>	<b>116</b>	<b>9</b>	<b>123</b>	<b>14</b>	<b>85</b>	<b>11</b>	<b>104.75</b>	<b>10.5</b>



**RESOLUTION NO. 213      CONTRACT -HIGHWAY/SHARED SERVICES-APPROVAL OF**

Legislator Clattenburg offered the following resolution:

**WHEREAS**, The Genesee County Superintendent of Highways reported that the Genesee County Highway Department currently shares equipment, materials and services with other Genesee County municipalities and neighboring counties on an informal basis and to be in compliance with New York State Highway Law and General Municipal Law, Genesee County is required to adopt an agreement formalizing this arrangement, and

**WHEREAS**, The Superintendent of Highways reported that municipalities, including the County of Genesee, have the power and authority to contract for the purpose of renting, leasing, exchanging, borrowing or maintaining of machinery and equipment, with or without operators, with other municipalities, and

**WHEREAS**, The Superintendent of Highways reported that it has been determined that the County of Genesee and other municipalities have machinery and equipment which are not used during certain periods and have stored materials and supplies which are not immediately needed, and

**WHEREAS**, It is hereby determined that by renting, borrowing, exchanging, leasing or maintaining highway machinery and equipment and the borrowing or lending of materials and supplies, the County of Genesee and other municipalities may avoid the necessity of purchasing certain needed highway machinery and equipment and the purchasing of or storing a large inventory of certain extra materials and supplies, thereby saving the taxpayers money, and

**WHEREAS**, It is the intent of the County of Genesee to give the Superintendent of County Highways the authority to enter into renting, exchanging, borrowing, lending or maintaining arrangements with the persons serving in similar capacities in other municipalities without the necessity of obtaining approval of the City/County/Town/Village governing board prior to the making of each individual arrangements, and

**WHEREAS**, Genesee County authorized such arrangements with other municipalities on February 27, 2006 and the Superintendent of Highways is requesting that such an arrangement be continued through an extension of the original agreement, and

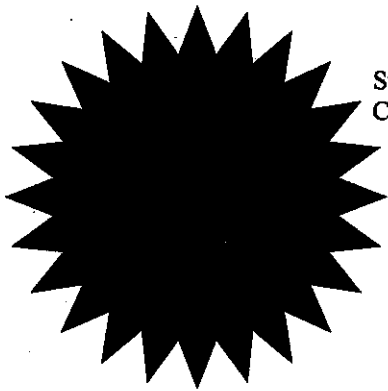
**WHEREAS**, The Committee on Public Service has determined that it will be in the best interests of the County of Genesee to continue to be a party to such shared service arrangements, and does concur with this recommendation. Now, therefore, Be it

**RESOLVED**, That the Chair of the Genesee County Legislature is hereby authorized and directed to execute the Highway Shared Services Agreement which shall be effective immediately through May 31, 2014, with one additional renewal through 2016, and Be it Further

**RESOLVED**, The Legislative Clerk is authorized and directed to file a copy of the contract set forth in this resolution with the Supervisors/Mayors/Board Presidents of the municipalities within Genesee County.

**Budget Impact Statement:** None. Sharing municipal services is a cooperative effort to save money.

Legislator Cianfrini seconded the resolution which was adopted by 326 votes.



State of New York  
County of Genesee

I hereby certify that the foregoing is a true and correct transcript of a resolution duly adopted by the Genesee County Legislature on the 23<sup>rd</sup> day of May 2012.

Dated, Batavia, New York

May 24, 2012

**Carolyn P. Pratt**

*Clark of the Genesee County Legislature*

nationalgrid

10,000 TREES  
...and Growing!



The Spring 2012 tree planting season is almost over. Have you planted street trees, had an Arbor Day or community planting project? Did you or a community advocacy group plant low growing trees under overhead electric lines in the Fall of 2011...or do you plan to do so this coming year? Would you like to receive a **\$50 per tree** reimbursement contribution for planting the **“right tree in the right place”**? Would you like to help offset your tree planting budget and at the same time aid National Grid in avoiding (or reducing) future tree pruning costs with trees that won't conflict with overhead electric lines? Are you removing Ash trees in anticipation of the Emerald Ash borer and looking to fund their replacements?

If you answered **‘YES’** to any of those questions, National Grid wants to help support communities within our New York service territory through our continuing **‘10,000 Trees...and Growing!’** program, with a **\$50 per tree** contribution reimbursement.

If your community has previously participated in our program, simply submit a list of trees that were installed in Fall 2011 or Spring 2012 with a community map of their locations. If you're going to be planting this Fall, submit the data and a map once work is completed. There **MUST** be overhead electric lines above the trees for program qualification and payment.

If your community has not yet participated, please contact me to request an application packet, including a list of suitable trees to choose. We want to support your proper tree planting efforts to assure that the **“right tree is planted in the right place”** and you receive a **\$50 per tree** contribution!

Mail your submittals or requests for information to:

Brian Skinner, Senior Arborist - Central Division  
National Grid – Distribution Forestry  
300 Erie Blvd., West (B-1); Syracuse, NY 13202

Or...contact me at **315-428-5987** or [Brian.Skinner@nationalgrid.com](mailto:Brian.Skinner@nationalgrid.com)

Also...if your community is not yet a member of the **NYS Urban and Community Forestry Council**, I would strongly encourage you to join for the benefits of the educational programs, training opportunities, grant announcements and members' experiences that the Council has to offer to better your community tree assets. An application is enclosed for your convenience. Or...you may even want to consider attending the upcoming **NYS ReLeaf Conference**, July 19-21, 2012 in Buffalo. To view the educational program or to register, visit the Council site at: <http://nysurbanforestrycouncil.com/index.asp>



NEW YORK STATE  
URBAN AND COMMUNITY  
FORESTRY COUNCIL

9

# Membership Form

Responses preferred by February 29, 2012

Individual Name or Primary Designated Representative \_\_\_\_\_

Company or Organization Name \_\_\_\_\_

Address \_\_\_\_\_

Profession/Title \_\_\_\_\_

Telephone \_\_\_\_\_ Fax \_\_\_\_\_

E-Mail \_\_\_\_\_ County \_\_\_\_\_

I'm pleased to enclose my tax-deductible Membership donation to the NYS Urban and Community Forestry Council in the following category\*:

MEMBERSHIP CATEGORIES	
<i>Please check one</i>	
<input type="checkbox"/> \$10 - Student	<input type="checkbox"/> \$20 - Individual
<input type="checkbox"/> \$75 - Non-Profit Organization <i>4 Designated members per membership</i>	<input type="checkbox"/> \$100 - Governmental Agency <i>5 Designated members per membership</i>
<input type="checkbox"/> \$120 - Small Business (1-49 full-time employees) <i>6 Designated members per membership</i>	<input type="checkbox"/> \$200 - Medium Business (50-99 full-time employees) <i>10 Designated members per membership</i>
<input type="checkbox"/> \$500 - Corporate (100 full-time employees or more) <i>12 Designated members per membership</i>	
<input type="checkbox"/> I choose not to join the Council at this time but would like to donate \$ _____	

Member's Additional Tax-Deductible Donation (optional) \$ \_\_\_\_\_

Payment Made By: Check  Money Order  Credit Card

Credit Card Information: Visa  MasterCard

Account Number \_\_\_\_\_

Expiration Date \_\_\_\_\_

3-Digit Security Code on Back of Card \_\_\_\_\_

Signature \_\_\_\_\_

If mailing, please send your payment along with this form to:

The NYS Urban and Community Forestry Council  
C/o Elizabeth M. Shimo  
P.O. Box 535, Port Crane, New York 13833-0535  
or fax to: (607) 204-0244

THANK YOU FOR YOUR CONTINUED SUPPORT!

\* Memberships run January-December and dues are not pro-rated.

# STATE OF NEW YORK DEPARTMENT OF PUBLIC SERVICE

THREE EMPIRE STATE PLAZA, ALBANY, NY 12223-1350

Internet Address: <http://www.dps.ny.gov>

## PUBLIC SERVICE COMMISSION

**GARRY A. BROWN**  
*Chairman*  
**PATRICIA L. ACAMPORA**  
**MAUREEN F. HARRIS**  
**ROBERT E. CURRY JR.**  
**JAMES L. LAROCCA**  
*Commissioners*



**PETER MCGOWAN**  
*General Counsel*

**JACLYN A. BRILLING**  
*Secretary*

June 1, 2012

Dear Consumer Leader:

I am writing to you to let you know about changes to the Lifeline Telephone Program that may affect low-income consumers across the State. Lifeline is a government benefit program that helps eligible consumers maintain telephone service and save money on their monthly telephone bills. The service is offered by many telephone companies, including some wireless phone providers.

Earlier this year, the Federal Communications Commission (FCC) approved a comprehensive overhaul of its Lifeline program to be effective June 1, 2012. The FCC reform is designed to eliminate waste, fraud, and abuse of the program.

As part of the revisions to the Lifeline program, telephone service providers are required to annually certify that their subscribers are eligible for the Lifeline discount. Please be advised that between June and December of this year, providers such as Verizon will be contacting current Lifeline customers to verify their eligibility. As part of the recertification process, the Lifeline service provider may ask for:

- the subscriber's full name,
- the subscriber's residential and billing addresses
- the subscriber's date of birth
- the last four digits of the subscriber's social security number (or Tribal identification number)
- information on how the subscriber meets the eligibility requirements for receiving Lifeline. Subscribers that participate in a qualifying government assistance program will be asked to provide the name of the program. Subscribers that qualify through income-based criteria will be asked to confirm the number of individuals in their household.

Subscribers will be asked to certify that they meet the eligibility requirements for the program, are only receiving one discount for their household and that what they are reporting is accurate to the best of their knowledge.

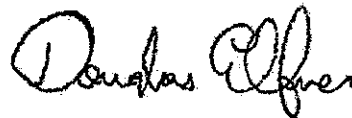
6/10/12  
DSC

In addition to the annual recertification, the FCC initiated other program changes to the program such as limiting Lifeline support to a single discount per household, eliminating the Link-up America program in non-tribal areas and mandating that all states use, at a minimum, the federal Lifeline eligibility criteria. To participate in the program, consumers must either have an income that is at or below 135% of the federal poverty guidelines or participate in one of the following assistance programs: Medicaid, Food Stamps, Supplemental Security Income, Federal Public Housing Assistance (Section 8), Low-Income Home Energy Assistance Program (HEAP), Temporary Assistance to Needy Families or The National School Lunch Program. New York's eligibility criteria also include the Non-service Related Veteran's Disability Pension or Veteran's Surviving Spouse Pension programs.

More information about Lifeline and the new program reforms can be obtained at our website, [www.AskPSC.com](http://www.AskPSC.com). You may also get additional information about Lifeline at the FCC's Consumer & Governmental Affairs Bureau website at [www.fcc.gov/cgb](http://www.fcc.gov/cgb), or by calling the FCC's Consumer Center at 1-888-225-5322 (voice) or 1-888-835-5322 (TTY).

Thank you for your assistance in educating your constituents about the changes to the Lifeline program and encouraging them to enroll. If you have any questions about the Lifeline Program, please feel free to contact Lorna Gillings at (518) 474-1788 or at [lorna.gillings@dps.ny.gov](mailto:lorna.gillings@dps.ny.gov).

Sincerely,



Douglas Elfner  
Director  
Office of Consumer Policy



**MONROE COUNTY WATER AUTHORITY**

P.O. Box 10999 • 475 Norris Drive • Rochester, New York 14610-0999

Phone: (585) 442-2000 Fax: (585) 442-0220

June 8, 2012

The Hon. Donald S. Cunningham  
PO Box 249  
10 Hunter Street  
Bergen, NY 14416

Re: Town of Bergen's Peachey Road Water District

Dear Supervisor Cunningham:

We have reviewed your letter dated May 21, 2012, requesting approval for use of PVC pipe in lieu of ductile iron pipe as specified in the Water Authority's *Uniform Design and Construction Standards*.

Per Article 2.8 of Amendment No. 1 to the Retail Lease Agreement (dated April 12, 2011), the Peachey Road Water District may proceed with the installation of PVC pipe without the Authority's approval; however, it will be the District's sole responsibility for the costs of any future repairs to or replacements of these PVC facilities, and the Water Authority will not participate financially in the construction to resolve any cost differences in pipe material.

The Water Authority offered and Town of Bergen agreed to lease their system under the terms of a standard lease, which stipulates building facilities in accordance with the Authority's existing construction standards. The terms outlined in the Lease Agreement entitle the Town to the benefits associated with a standard rate. The standard rate was established based on a number of factors, one being an extensive review of the costs required to maintain a water system comprised of 16 million linear feet of water main. This rate ranks as one of the lowest in the state for many reasons, one being the high regard placed on material and performance standards that has resulted in a low failure rate when compared to national benchmarking standards. The Water Authority is constantly updating and improving its material and performance specifications to maintain its status as a first class provider of water to the region; providing the best options for long-term quality, reliability and affordability.

If the Town Board is confident that their Town Engineer, Chatfield Engineers, P.C. has produced a design for PVC pipe that will work well for this project, and believes,

06/11/12  
DSC

Hon. Donald S. Cunningham  
Town of Bergen's Peachey Road Water District  
Request for use of PVC Pipe  
June 8, 2012  
Page 2 of 2

(11)

that as stated in the May 21 letter that there is minimal financial risk involved, then the Board has the right to proceed per the terms set forth in the above-referenced Article 2.8.

Please feel free to contact me at 442-2000, ext. 410, or Tod Ferguson at ext. 234, if you have any questions.

Sincerely,



Stephen M. Savage, P.E.  
Director of Engineering

/taf

cc: Nicholas Noce, Executive Director  
Richard J. Metzger, P.E.  
Tod A. Ferguson, P.E.  
Paul R. Chatfield, P.E., Chatfield Engineers, P.C.