

**Town Board Meeting  
Town of Bergen  
July 9<sup>th</sup>, 2013**

**I Audit of the bills 6:45pm, Call to Order 7:00pm.**

**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 – June 25<sup>th</sup> 2013**

**IV Communications:**

1. Supervisors Report for June 2013 (Pending Availability)
2. June 2013 Summary Spreadsheet
3. Town Clerks Report for June 2013
4. Zoning & Code Enforcement Log Sheet for June 2013
5. Notification from Genesee County Youth Bureau
6. Notice of Planning Board resignation from Anne Sapienza
7. Cover letter from Monroe Co. Dept. of Environmental Services, Re: Final Scoping Documents for Proposes Millseat Landfill Expansion.
8. Payment Application # 6 for Peachey Road Water District

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

**VI Reports:**

-Zoning / Code Enforcement

-Highway

- Discuss Cornell University Local Roads Program
- Update on fuel tank.

**-Committees**

- Highway & Parks
- Buildings
- Village Relations

**VII Old Business:**

- Peachey Rd. Water District
  - Connections complete. Driveway finishing & restoration to be subcontracted.
  - Project meeting scheduled for July 10<sup>th</sup> @ 9:00 am.
- Discuss Property Tax Disability Exemption. (Information provided separately)

**VIII New Business:**

- Discussion / Approval of Payment Application #6 for Peachey Road Water District
- Discussion / Action on Planning Board resignation from Anne Sapienza.

**IX Reports & Bills:** - Action to file Town Clerks and Supervisors reports

- Detailed budget reports provided separately due to size.
- Approve payment of the bills.

**X Next Meeting Day:** Next meeting Tuesday 07/23/13, 7:00 pm in the courtroom

**XII Adjournment**

Supervisors Report for  
June 2013  
Pending Availability.







(3)

Account#	Account Description	Fee Description	Qty	Local Share
	Building & Zoning	Minor Subdivision	1	50.00
	Marriage License	Marriage License	1	17.50
		<b>Sub-Total:</b>		<b>\$67.50</b>
A1255	Clerk Fees	Copier Copies	4	1.00
		Genealogy	2	22.00
	Conservation	Conservation	2	3.20
		<b>Sub-Total:</b>		<b>\$26.20</b>
A2544	Dog Licensing	Female, Spayed	12	60.00
		Female, Unspayed	4	72.00
		Male, Neutered	8	40.00
		Male, Unneutered	5	90.00
		<b>Sub-Total:</b>		<b>\$262.00</b>
A8810.4	Cemeteries	Cemetery - Interment	1	450.00
		<b>Sub-Total:</b>		<b>\$450.00</b>
B2110	Building & Zoning	Building Permit	4	205.00
		Zoning	3	90.00
		<b>Sub-Total:</b>		<b>\$295.00</b>
B2115	Building & Zoning	Public Hearing	1	50.00
		Rec. Site Waiver Fee	1	100.00
		<b>Sub-Total:</b>		<b>\$150.00</b>
B2130	Solid Waste	Garbage Bag	703	1,406.00
		Transfer Sta. 10.00	39	390.00
		Transfer Sta. 5.00	6	30.00
		<b>Sub-Total:</b>		<b>\$1,826.00</b>

**Total Local Shares Remitted: \$3,076.70**

Amount paid to: N Y State Department Of Health ..... 22.50  
 Amount paid to: NYS Ag. & Markets for spay/neuter program ..... 47.00  
 Amount paid to: NYS Environmental Conservation ..... 54.80

**Total State, County & Local Revenues: \$3,201.00**

**Total Non-Local Revenues: \$124.30**

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*  
 Town Clerk

\_\_\_\_\_  
 Date



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# Genesee County Youth Bureau

Jocelyn Sikorski  
Executive Director  
jsikorski@co.genesee.ny.us

2 Bank St.  
Batavia, NY 14020

(585) 344-3960  
Fax: (585) 345-3063

June 27, 2013

Re: Adopted Changes to Statutes Affecting Youth Bureaus

Dear City, Town and Village Officials,

This letter is to inform you of changes to the statutes and regulations governing the Youth Bureau which impacts the funding that historically has been awarded in the form of State Aid to localities. The adopted 2013-2014 State Budget makes amendments to Section 420 and repeals Section 412 of the state law for Youth Development Delinquency Prevention (Recreation and Service Programs) which will take effect January 1, 2014.

Amendments to the statute will streamline and consolidate Youth Bureau funding beginning January 1, 2014. This includes funding for municipalities and youth serving programs. ***Under these new provisions, localities (cities, towns and villages) will no longer receive designated funding. Instead, localities will be required to apply competitively to the Youth Bureau for funding of local programs.*** The Genesee County Youth Bureau/Board will be required to develop and adopt a process to accommodate these changes. The allocation process will be defined in the County's Comprehensive Plan currently known as the Child and Family Services Plan.

Further guidance will be forthcoming from the NYS Office of Children and Family Services in the form of regulations, but the intention is to provide you with information as it becomes available, allowing you to plan and budget for these changes. If you have any questions or wish to see copies of the statutes, please send your e-mail request to [jsikorski@co.genesee.ny.us](mailto:jsikorski@co.genesee.ny.us) or contact me at 585-344-3960.

Best regards,

Jocelyn Sikorski  
Executive Director

Cc: Genesee County Legislature

*Youth Development is Delinquency Prevention*

07/01/13  
ASC



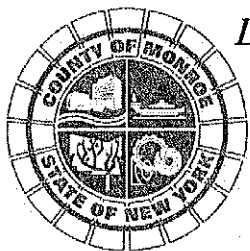
Sent: Wednesday, June 26, 2013 5:30 PM  
To: Don Cunningham  
Subject: Planning board

Don,

It is with regret that I resign from the Planning Board. Mr Gerhardy resigned because he felt I had too much power. I had told Gary that if this occurred I would resign knowing that Gary depends heavily on Mr. Gerhardy's expertise. I question how I would have too much power and he has no problem with Gary who can overrule my assessments, but be that as it may. I would like to participate on the Comprehensive plan committee.

Thank you,

Anne



*Department of Environmental Services*

Monroe County, New York

**Maggie Brooks**  
*County Executive*

**Michael J. Garland, P.E.**  
*Director*

July 3, 2013

Honorable Donald Cunningham, Supervisor  
Town of Bergen  
10 Hunter Street  
P.O. Box 249  
Bergen, New York 14416

**SUBJECT: Transmittal of Final Scoping Document for the  
Proposed Mill Seat Landfill Expansion  
Town of Riga, New York  
Facility ID No. 8-2648-00014**

Dear Supervisor Cunningham:

*Don*

As permittee and owner of the Mill Seat Landfill, Monroe County is seeking a permit modification for a Proposed Mill Seat Landfill Expansion in the Town of Riga, New York. As Lead Agency, Monroe County has prepared a Final Scoping document.

This document is enclosed for your use. If you have any questions, please contact Russell Rutkowski at (585) 753-7515 or [rrutkowski@monroecounty.gov](mailto:rrutkowski@monroecounty.gov).

Sincerely,

*MIKE*

Michael J. Garland, P.E.  
Director of Environmental Services

Attachments

*07/08/13  
DSC*



ENGINEERS JOINT CONTRACT DOCUMENTS COMMITTEE

**Contractor's Application for Payment No. 6**

Application Period: May 31, 2013 to June 28, 2013	Application Date: 7/1/2013
From (Contractor): Mar-Wal Construction Co. Inc. 440 Gould Avenue Depew, NY 14043	Via (Engineer): Chatfield Engineers, P.C. 2800 Dewey Avenue Rochester, NY 14616
Contract:	Engineer's Project No.: 07-823
Contractor's Project No.:	
To: Town of Bergen 10 Hunter Street Bergen, NY 14416	
Project: Peachey Road Water District	
Owner's Contract No.:	

**Application For Payment  
Change Order Summary**

Approved Change Orders Number	Additions	Deductions
TOTALS	\$0.00	\$0.00
NET CHANGE BY CHANGE ORDERS	\$0.00	

1. ORIGINAL CONTRACT PRICE..... \$ 906,565.20
2. Net change by Change Orders..... \$ -
3. Current Contract Price (Line 1 ± 2)..... \$ 906,565.20
4. TOTAL COMPLETED AND STORED TO DATE  
(Column F on Progress Estimate)..... \$ 786,001.75
5. RETAINAGE:
  - a. 5% X \$ 786,001.75 Work Completed..... \$ 39,300.09
  - b. 5% X \$ - Stored Material..... \$ -
  - c. Total Retainage (Line 5a + Line 5b)..... \$ 39,300.09
6. AMOUNT ELIGIBLE TO DATE (Line 4 - Line 5c)..... \$ 746,701.66
7. LESS PREVIOUS PAYMENTS (Line 6 from prior Application)..... \$ 646,177.13
8. AMOUNT DUE THIS APPLICATION..... \$ 100,524.53
9. BALANCE TO FINISH, PLUS RETAINAGE  
(Column G on Progress Estimate + Line 5 above)..... \$ 159,863.54

**Contractor's Certification**

The undersigned Contractor certifies that to the best of its knowledge: (1) all previous progress payments received from Owner on account of Work done under the Contract have been applied on account to discharge Contractor's legitimate obligations incurred in connection with Work covered by prior Applications for Payment; (2) title of all Work, materials and equipment incorporated in said Work or otherwise listed in or covered by this Application for Payment will pass to Owner at time of payment free and clear of all Liens, security interests and encumbrances (except such as are covered by a Bond acceptable to Owner indemnifying Owner against any such Liens, security interest or encumbrances); and (3) all Work covered by this Application for Payment is in accordance with the Contract Documents and is not defective.

By: \_\_\_\_\_ Date: \_\_\_\_\_

Payment of: \$ 100,524.53  
(Line 8 or other - attach explanation of the other amount)

is recommended by: \_\_\_\_\_ (Date)

Payment of: \$ 100,524.53  
(Line 8 or other - attach explanation of the other amount)

is approved by: \_\_\_\_\_ (Date)

Approved by: \_\_\_\_\_ (Date)  
Funding Agency (if applicable)

Contract for Construction  
Town of Bergen  
Peaskey Road Water District  
Water Main Installation

Contractor:  
Max-Wal Construction Co. Inc.  
440 Gould Avenue  
Dover, NY 14643

Pay Application No. 6  
Filed of Application  
May 31, 2013 to June 28, 2013

Item #	Description	Qty	Unit	Unit Price	Amount	This Period		Total To Date	Amount
						Quantity	Amount		
01105	Maintenance & Protection of Traffic	1	LS	\$20,000.00	\$20,000.00	1	\$20,000.00	90%	\$18,000.00
02229	Rock Removal	115	CY	\$0.81	\$93.15	0	\$0.00	0%	\$0.00
02330	Select Fill	150	CY	\$3,250.00	\$487,500.00	0	\$0.00	0%	\$0.00
02318	Test Assembly	2	EA	\$4,000.00	\$8,000.00	0	\$0.00	100%	\$8,000.00
02612A	8" DR-14 PVC Water Main	200	LF	\$20.00	\$4,000.00	200	\$4,000.00	98%	\$3,920.00
02612B	10" DR-14 PVC Water Main	12,800	LF	\$21.50	\$275,200.00	0	\$0.00	100%	\$275,200.00
02612C	Pipe Bedding for PVC Pipe	12,400	LF	\$5.00	\$62,000.00	0	\$0.00	100%	\$62,000.00
02611B	1" Compaction Stone, Top & Saddle	54	EA	\$418.00	\$22,572.00	54	\$22,572.00	100%	\$22,572.00
02632A	1" Sheet Pile Service	280	LF	\$5.00	\$1,400.00	66	\$330.00	100%	\$330.00
02632B	1" Long Side Service	1,830	LF	\$5.50	\$10,065.00	594	\$3,267.00	100%	\$3,267.00
02633	1" Catch Stop and Box	54	EA	\$348.00	\$18,816.00	16	\$5,568.00	100%	\$5,568.00
02643A	Hydrant Assembly	22	EA	\$342.00	\$7,524.00	0	\$0.00	0%	\$0.00
02643B	6" Long Hydrant Extension	1	EA	\$342.00	\$342.00	0	\$0.00	0%	\$0.00
02643C	12" Long Hydrant Extension	1	EA	\$342.00	\$342.00	0	\$0.00	0%	\$0.00
02643D	18" Long Hydrant Extension	1	EA	\$342.00	\$342.00	0	\$0.00	0%	\$0.00
02650	Direct Water Main Connection	1	EA	\$4,000.00	\$4,000.00	0	\$0.00	100%	\$4,000.00
02654	2" Tapped Tee Above-Off	1	EA	\$250.00	\$250.00	0	\$0.00	100%	\$250.00
02660A	10" Gate Valve, Box and Marker	15	EA	\$7,000.00	\$105,000.00	0	\$0.00	100%	\$105,000.00
02660B	10" Gate Valve, Box and Marker	1	EA	\$32,000.00	\$32,000.00	0	\$0.00	100%	\$32,000.00
02670	Horizontal Highway Boring at Peaskey Road	1	LS	\$52,000.00	\$52,000.00	0	\$0.00	100%	\$52,000.00
02671A	10" HDPE Water Main Directional Drilled	900	LF	\$59.00	\$53,100.00	0	\$0.00	100%	\$53,100.00
02671B	10" E.D. Water Main Directional Drilled	175	LF	\$150.00	\$26,250.00	38	\$5,700.00	100%	\$5,700.00
02720	12" S/CPP Culvert w/ End Sections	60	LF	\$40.00	\$2,400.00	60	\$2,400.00	100%	\$2,400.00
02920A	Asphalt Driveway Restoration	130	LF	\$50.00	\$6,500.00	65	\$3,250.00	100%	\$3,250.00
02920B	Crushed Stone Driveway Restoration	350	LF	\$32.00	\$11,200.00	0	\$0.00	75%	\$8,400.00
02920C	Crushed Stone Driveway Restoration	623	LF	\$2.00	\$1,246.00	0	\$0.00	90%	\$1,121.40
02934	Removal and Disposal of Existing Trees	3	EA	\$800.00	\$2,400.00	0	\$0.00	100%	\$2,400.00
02936	Seeding Restoration	0	LS	\$50,000.00	\$0.00	0	\$0.00	0%	\$0.00

Total Contract Amount (Base Bid Part 1) = \$756,788.15

Total Work Completed to date (Base Bid Part 1) = \$667,572.88

Item #	Description	Qty	Unit	Unit Price	Amount	This Period		Total To Date	Amount
						Quantity	Amount		
01105	Maintenance & Protection of Traffic	1	LS	\$5,500.00	\$5,500.00	1	\$5,500.00	90%	\$4,950.00
02229	Rock Removal	35	CY	\$0.81	\$28.35	0	\$0.00	0%	\$0.00
02330	Select Fill	50	CY	\$25.00	\$1,250.00	0	\$0.00	0%	\$0.00
02612A	8" DR-14 PVC Water Main	3,400	LF	\$18.50	\$62,900.00	0	\$0.00	99%	\$58,266.42
02612C	Pipe Bedding for PVC Pipe	3,400	LF	\$5.00	\$17,000.00	0	\$0.00	0%	\$0.00
02631B	1" Compaction Stone, Top & Saddle	27	EA	\$395.10	\$10,667.70	15	\$5,926.50	100%	\$5,926.50
02632A	1" Sheet Pile Service	870	LF	\$5.00	\$4,350.00	25	\$125.00	100%	\$125.00
02632B	1" Long Side Service	27	EA	\$785.00	\$21,165.00	63	\$4,912.50	100%	\$4,912.50
02650	Direct Water Main Connection	6	EA	\$3,000.00	\$18,000.00	2	\$6,000.00	100%	\$6,000.00
02654	2" Tapped Tee Above-Off	1	EA	\$250.00	\$250.00	0	\$0.00	100%	\$250.00
02660A	10" Gate Valve, Box and Marker	1	EA	\$342.00	\$342.00	0	\$0.00	0%	\$0.00
02660B	10" Gate Valve, Box and Marker	1	EA	\$342.00	\$342.00	0	\$0.00	0%	\$0.00
02660C	12" Gate Valve, Box and Marker	1	EA	\$342.00	\$342.00	0	\$0.00	0%	\$0.00
02660D	18" Gate Valve, Box and Marker	1	EA	\$342.00	\$342.00	0	\$0.00	0%	\$0.00
02654	2" Tapped Tee Above-Off	3	EA	\$950.00	\$2,850.00	0	\$0.00	100%	\$2,850.00
02720	12" S/CPP Culvert w/ End Sections	3	EA	\$1,000.00	\$3,000.00	0	\$0.00	0%	\$0.00
02920B	Crushed Stone Driveway Restoration	20	LF	\$40.00	\$800.00	0	\$0.00	0%	\$0.00
02920C	Crushed Stone Driveway Restoration	190	LF	\$35.00	\$6,650.00	0	\$0.00	75%	\$4,987.50
02934	Removal and Disposal of Existing Trees	25	EA	\$200.00	\$5,000.00	0	\$0.00	0%	\$0.00
02936	Seeding Restoration	0	LS	\$14,000.00	\$0.00	0	\$0.00	0%	\$0.00

Total Contract Amount (Base Bid Part 2) = \$140,785.05

Total Work Completed to date (Base Bid Part 2) = \$138,428.87

Change Order	Amount
C.O. #1	\$0.00
C.O. #2	\$0.00
C.O. #3	\$0.00
Total C.O.'s	\$0.00
Less Previous Estimates	\$98,813.32
Est. # 1	\$61,089.56
Est. # 2	\$215,774.60
Est. # 3	\$238,698.96
Est. # 4	\$37,800.60
Est. # 5	\$646,177.13
Total	\$646,177.13

Change Order	Amount
Original Contract	\$986,565.28
Change Order	\$0.00
Revised Contract	\$986,565.28
Total Materials Stored on Site	\$0.00
Sub-Total To Date	\$786,001.75
Less Retainage Amount (5%)	\$39,300.08
Sub Total	\$746,701.66
Less Previous Estimates	\$646,177.13
Balance to Finish	\$100,524.53