

# MILLBURY COUNCIL

March 26, 2020

The Council of the Village of Millbury met for a special session on the above date at the Millbury Fire Hall at 6:30 p.m. with Michael Timmons, Mayor, presiding.

Council Members present: Clapsaddle, Cowell, Densic, Harpel, Schwamberger and Traver. Bob Desmond, Village Engineer, attended via teleconference, and Bruce Schwamberger, Street Commissioner were also in attendance.

Pledge of Allegiance was said.

The Council discussed the Republic Contract for trash services for the Village. It was decided to drop curbside recycling all together. The Council selected Republic offered option #4 that provides weekly curbside solid waste collection service from resident provided cans and bags. **Motion** by Densic to select option # 4 that provided weekly curbside solid waste collection service from resident provided cans and bags. Seconded by Cowell. Roll Call: all yea! Motion carried.

The Council also discussed the ongoing situation with Bergman on the status of Cedar Lane. Much discussion ensued on this topic.

Solicitor Erik Wineland provided three options to remedy the situation with Bergman concerning Cedar Lane:

1. Litigation
2. Get alternate bids with the surety paying/litigation for remaining costs (the surety will pay up to \$40,000.00)
3. Bergman finish project

Mr. Wineland thinks that the proposal for them to finish the project last fall was reasonable.

Mr. Bergman now would like to see the Village pay \$3,750.00 plus our attorney fees (we were originally paying \$7,500.00 for Bergman to asphalt the whole cul-de-sac). He wants it be at least 60 degrees.

**Motion** by Cowell to pay Bergman \$3,750.00 plus attorney fees for Cedar Lane repair with all the terms and condition of the October change order and the original contract due by June 1, 2020. Seconded by Densic. Roll Call: all yea! Motion carried.

The new contract will be developed by Mr. Wineland. Changes will also be in writing if things change because of COVID-19. Mr. Desmond would also like to see better communication between him and Bergman so he can be in attendance when the work is done.

**Motion** by Densic to adjourn at 7:30 p.m. Second by Cowell. Roll Call: All yea! Motion carried.

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**Mayor**

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**Clerk/Treasurer**