

**Town Board Meeting
Town of Bergen
October 23, 2012**

I Call to order.

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 – October 9th 2012

IV Communications:

1. Mercy EMS Report for September 2012
2. Letter from Time Warner, Re: Cable Internet Restructuring
3. Notice from CSX, Re: CSX RR Crossing ID #'s
4. Black Creek Watershed Coalition October Agenda
5. Genesee/Finger Lakes Regional Planning Council Workshop Information
6. Notice from Genesee Co. Dept. of Planning, Re: Change in Referral Deadline Day
7. Memo from Genesee Co. Dept. of Planning, Re: Genesee Co. Smart Growth Plan Review
8. Information on USDA Rural Development Loan / Grant Program
9. Local Law #1,2011 Tax Cap Override & related Public Notice

V Board Members' items for addition to the agenda

VI Reports:

- Zoning / Code Enforcement
- Highway
 - Update on new truck
- Committees
 - Highway
 - Parks -- meeting scheduled Nov. 6th.
 - Buildings
 - Update on work at 13 So. Lake

VII Old Business:

- Peachey Rd. Water District
 - o Construction expected to begin in December.
 - o B.A.N. awarded at a rate of 1.07%.
 - o Action on Resolution for NYSDOT Undertaking
- Standard Workday Resolution (data collected)

VIII New Business:

- Introduce & Discuss Tax Cap Override Law, set public hearing date
- Discuss Modified 2013 Budget and adopt as Preliminary Budget
- Set Budget Hearing Date & Time (Weds 11/7 or Thurs 11/8)
- Discuss purchase offer for portion of town property

IX Next Meeting Day:

- Public Hearing for Local Law # 1 ____? ____, 6:00 pm, & Budget Hearing, ____? ____, 6:30 PM
- Tuesday, November 13, 7:30 pm Courtroom, Audit of the bills at 7:15 pm

X Adjournment

Genesee County 911
Response Times Report

Mercy EMS

①

Trip Date IS BETWEEN 09/01/2012 AND 09/30/2012; AND Call Source IS FD GEN BERGEN - EB

FD GEN BERGEN - EB

Total number of responses including additional ambulance resources sent to scene and including additional patient contacts or refusals evaluated by crews on scene

21

The total number of Emergency Responses: 16
The total number of Non-Emergency Responses: 5

The total number of ALS (Paramedic) Responses or Evaluations: 15
The total number of BLS (Basic or Intermediate) Responses or Evaluations: 6

The total number of "Cancelled Enroute"

1

The total number of Responses that had a "Significant Weather Occurance"

0

8270	9/2/2012	10:33:27	MEDIC4	A-MEMS 911 Response 1st Unit	911 EMERGENCY
7582 W BERGEN RD				STRONG MEMORIAL HOSPITAL	Response Time: 00:11:55
8300	9/3/2012	12:51:15	BLS-3	A-MEMS 911 Response 1st Unit	911 EMERGENCY
6619 N LAKE RD				BERGEN MEADOWS 5	Response Time: 00:21:05
NO TRANSPORT CANCELLED AT 13:21:24 Code 4 Patient Not Found					
8302	9/3/2012	13:25:43	BLS-3	A-MEMS 911 Response 1st Unit	911 EMERGENCY
8285 PEACHEY RD					Response Time: 00:05:09
NO TRANSPORT CANCELLED AT 14:01:00 Code 4 Transport by Other Mean					
8303	9/3/2012	13:25:43	MEDIC2	B-MEMS 911 Resp Addl Unit Resp	911 EMERGENCY
8285 PEACHEY RD				STRONG MEMORIAL HOSPITAL	Response Time: 00:19:12
8330	9/4/2012	09:07:16	MEDIC4	A-MEMS 911 Response 1st Unit	911 EMERGENCY
6917 W BERGEN RD				BERGEN CENTRAL SCH	STRONG MEMORIAL HOSPITAL
Response Time: 00:16:03					
8425	9/7/2012	10:02:35	BLS-2	A-MEMS 911 Response 1st Unit	911 EMERGENCY
7231 LYMAN RD				STRONG MEMORIAL HOSPITAL	Response Time: 00:15:58
8429	9/7/2012	11:56:06	BLS-3	A-MEMS 911 Response 1st Unit	911 EMERG-NLS
18 RICHMOND AVE				STRONG MEMORIAL HOSPITAL	Response Time: 00:19:39
8430	9/7/2012	12:12:26	MEDIC1	A-MEMS 911 Response 1st Unit	911 EMERGENCY
N LAKE RD & PEACHEY RD					Response Time: 00:20:45
NO TRANSPORT CANCELLED AT 12:46:24 C4 Patient Refused					
8438	9/7/2012	14:42:46	MEDIC2	A-MEMS 911 Response 1st Unit	911 EMERGENCY
6090 N LAKE RD					Response Time: 00:05:27
NO TRANSPORT CANCELLED AT 14:53:18 C4 Patient Refused					
8484	9/8/2012	20:19:49	MEDIC3	A-MEMS 911 Response 1st Unit	911 EMERGENCY
6578 N LAKE RD				STRONG MEMORIAL HOSPITAL	Response Time: 00:07:19
8554	9/10/2012	17:04:55	MEDIC3	A-MEMS 911 Response 1st Unit	911 EMERGENCY
N LAKE RD & CREAMERY RD				STRONG MEMORIAL HOSPITAL	Response Time: 00:18:34
8596	9/12/2012	08:02:35	MEDIC1	A-MEMS 911 Response 1st Unit	911 EMERGENCY
7520 CHILI RIGA CENTER RD				STRONG MEMORIAL HOSPITAL	Response Time: 00:13:55
8759	9/16/2012	18:33:58	MEDIC2	A-MEMS 911 Response 1st Unit	911 EMERGENCY
395 JOHNSON RD				STRONG MEMORIAL HOSPITAL	Response Time: 00:16:17

10/19/12
DSC

Genesee County 911
Response Times Report

Mercy EMS

①

Trip Date IS BETWEEN 09/01/2012 AND 09/30/2012; AND Call Source IS FD GEN BERGEN - EB

FD GEN BERGEN - EB

8824	9/19/2012	10:39:35	BLS-3	A-MEMS 911 Response 1st Unit	911 EMERGENCY
22 TOWNLINE RD NO TRANSPORT CANCELLED AT 10:49:37 Code 4 Cancelled Enroute Response Time: Negative Time					
8841	9/19/2012	18:44:15	BLS-2	A-MEMS 911 Response 1st Unit	911 EMERG-NLS
18 RICHMOND AVE STRONG MEMORIAL HOSPITAL Response Time: 00:18:30					
8874	9/20/2012	19:53:01	MEDIC1	A-MEMS 911 Response 1st Unit	911 EMERGENCY
38 S LAKE AVE first presbyterian church/be UNITED MEMORIAL MEDICAL CENTER Response Time: 00:12:46					
8919	9/22/2012	06:01:30	MEDIC1	A-MEMS 911 Response 1st Unit	911 EMERG-NLS
90 S LAKE AVE LAKESIDE MEMORIAL HOSPITAL Response Time: 00:22:12					
8930	9/22/2012	12:53:50	MEDIC1	A-MEMS 911 Response 1st Unit	911 EMERG-NLS
54 S LAKE AVE LOWER STRONG MEMORIAL HOSPITAL Response Time: 00:17:55					
8977	9/23/2012	17:49:24	MEDIC2	A-MEMS 911 Response 1st Unit	911 EMERG-NLS
18 RICHMOND AVE STRONG MEMORIAL HOSPITAL Response Time: 00:22:18					
9185	9/30/2012	16:35:25	MEDIC3	A-MEMS 911 Response 1st Unit	911 EMERGENCY
8285 PEACHEY RD APT 1 STRONG MEMORIAL HOSPITAL Response Time: 00:18:12					
9193	9/30/2012	20:33:53	MEDIC3	A-MEMS 911 Response 1st Unit	911 EMERGENCY
10 RICHMOND AVE UNITY-PARK RIDGE HOSPITAL Response Time: 00:18:02					

FD GEN BERGEN - EB

Trip Date IS BETWEEN 09/01/2012 AND 09/30/2012; AND Call Source IS FD GEN BERGEN - EB

Response Time Minutes	Call Count	Cumulative Call Count	Percentage of Total Calls	Cumulative Percentage
- 05:00 - 05:15	1	1	7.00%	7%
- 05:16 - 05:30	1	2	7.00%	14%
07:00 - 07:59	1	3	7.00%	21%
11:00 - 11:59	1	4	7.00%	29%
12:00 - 12:59	1	5	7.00%	36%
13:00 - 13:59	1	6	7.00%	43%
- 15:46 - 15:59	1	7	7.00%	50%
16:00 - 16:59	2	9	14.00%	64%
18:00 - 18:59	3	12	21.00%	86%
- 20:31 - 20:45	1	13	7.00%	93%
21:00 - 21:59	1	14	7.00%	100%

Total Calls: **14**



October 10, 2012

***Certified Mail
Return Receipt Requested***

Supervisor John Specht
Town of Bergen, NY
P.O. Box 249
Bergen, NY 14416

Re: *Time Warner Cable Internal Restructuring*

Dear Supervisor Specht:


We wrote to you earlier this year about an internal reorganization whereby the cable system operations of Time Warner Cable will be conducted through seven regional entities designed to simplify management reporting and create a more geographically rational structure. We are pleased to advise that the transaction closed on September 30, 2012 and Time Warner Cable Northeast LLC now directly owns the cable system in your community, and will abide by the terms of all relevant cable franchises, subject to applicable law.

As explained in the prior correspondence, this internal transaction will have absolutely no impact on our cable system, its operations or our local staff or management. In particular, there will be no change in our commitment to provide our customers with the best variety and quality in entertainment and information services, all at competitive rates and with excellent customer care.

We look forward to continuing to serve our customers in your community. As always, if you have any questions or concerns about this or any other matter, please contact me at rory.whelan@twcable.com or (518) 640-8569.

Sincerely,

TIME WARNER CABLE INC.

By: 
Rory Whelan
Regional Vice President, Government Relations

10/15/12
DSC

BYRON-BERGEN CENTRAL SCHOOL DISTRICT

Transportation Department

6917 West Bergen Road
Bergen, NY 14416-9747
Phone: 585-494-1220 x-5112
Fax: 585-494-0173

CSX RR CROSSING ID #'S

CSX REPORT # 1-800-232-0144

WEST BERGEN	514217-J
TOWNLIN 262	514216-C
RT. 19 BERGEN	514213-G
CASWELL RD.	514223-M
BEAVER MEADOW	514219-X
DUBLIN RD	514218-R
JERICO RD	514215-V
IVISON RD	514220-S



BLACK CREEK WATERSHED COALITION

OCTOBER AGENDA

To: Black Creek Watershed Coalition
From: George Squires, District Manager
Subject: October meeting

Date/time: **October 25, 2012 @ 5:30 PM**

Location: **Chili Town Hall Meeting Room** at 3333 Chili Ave. (Rte. 33A). The entrance to the Town Hall & Library is off Rte. 386 (turn south off Chili Ave.).

	<u>Duration</u>	<u>End Time</u>
1. Introductions; assignment of roles; changes to this agenda; review and approval of minutes	10 min	5:40
Meeting manager: Larry VerWeire	Scribe: _____	
Timekeeper: _____	Facilitator: _____	
2. Map guide printing – funding plans, possible changees	20 min.	6:00
3. Genesee County Erosion & Sediment Control Project	15 min.	6:15
4. Upper Black Creek Watershed Monitoring Progress	5 min.	6:20
5. Sierra Club canoe and kayak trip (October 14, 2012) pictures	5 min.	6:25
6. Watershed Planning – any update??	5 min.	6:30
7. Plan next meeting (Thursday October 25, 2012)	5 min.	6:35
8. Adjourn		

Parking Lot: Churchville-Chili Trail

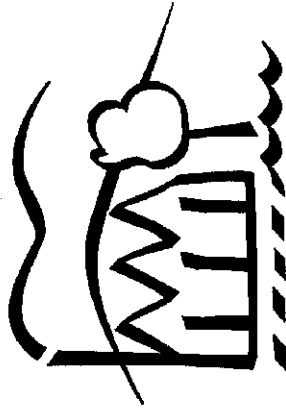
Regarding our website (<http://www.blackcreekwatershed.org/>) – take a look at the fourth “announcement” and click on the video on Riparian Buffers.

If you have questions, please contact me at (585) 343-2362 or george.squires@ny.nacdnet.net

Genesee/Finger Lakes
Regional Planning Council
Presents
**Fall 2012 Regional
Local Government
Workshop**

Friday November 16, 2012

**Clarion Hotel
Batavia, NY 14020**



Cosponsored By:

Genesee County Planning Board
Livingston County Planning Department
Monroe County Planning & Development
Department
Ontario County Planning Department & Board
Orleans County Planning Board
Seneca County Planning Board
Wayne County Planning Board
Wyoming County Planning Board
Yates County Planning Department

WORKSHOP REGISTRATION

\$60 Per Person up to November 6

\$70 Per Person after November 6

Vendor/Exhibitor: \$400 (includes 2.)

Workshop Guide Advertisements Available

All registrations include continental breakfast and lunch

PLEASE PRE-REGISTER BY November 6, 2012

Sorry, no refund after November 6

WHO SHOULD ATTEND

Municipal Board Members and Elected Officials • Planning Board Members • Zoning Board of Appeals Members • County & Municipal Employees • Enforcement Officers • Planners • Public Works and Highway Departments • Engineers and Architects • Land Use Professionals • Attorneys • Consultants • Municipal Commission and Review Board Members • Municipal Committees and Advisory Board Members • Concerned Citizens

For most municipalities the Local Government Workshop fulfills state law requiring training for local planning officials. A Certificate of Participation may be requested for the number of hours of attendance.

GETTING TO THE

Clarion Hotel

8250 Park Road

Batavia, New York 14020

585-344-2100

Via NYS Thruway (I-90): to the Batavia Exit (exit 48). Go straight after toll booth and cross over Route 98 onto Park Road. Clarion Hotel is approximately 1000 feet on the left.

Via Route 98: to first street south of the NYS Thruway (I-90). Go west on Park Road. Clarion Hotel is approximately 1000 feet on the left.

For more information and Workshop updates visit our web site at www.gflrpc.org/fall2012.htm

Member Counties: Genesee, Livingston, Monroe, Ontario, Orleans, Seneca, Wayne, Wyoming & Yates

*Please note there is a separate charge for CLE (Continuing Legal Education) credit that is not covered in the registration fee. It is payable at the session offering the credit.

**Registration for CLE and CEO (Code Enforcement Officer) credit is done at the Workshop itself within the session.

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Registration Form

Fall Local Government Workshop

Registration Fee: \$60,
(\$70 after November 6)

Name: _____ Organization: _____

Address: _____ State: _____ Zip: _____

City: _____ County: _____

Area Code: _____ Phone: _____

Email Address: _____

Please Return By November 6, 2012

Please Circle which concurrent sessions you will be attending (only one per time slot):

Session A	1	2	3	4
Session B	1	2	3	4
Session C	1	2	3	4

Please Check for Vendor Registration
Please Check if you would like to place an advertisement in the Workshop Guide

Please include voucher or payment with all registrations

Make Checks Payable To: G/FLRPC,
50 West Main Street, Suite 8107,
Rochester, New York 14614

Questions and Information Contact:
David S. Zorn, 585-454-0190 x14
dave.zorn@gflrpc.org

Sorry, no refunds provided after November 6

Registration, Continental Breakfast and Exhibit Area

C1 Successful Grant Writing. Margit Brazda Poirier, Grants4Good
Workshop participants will learn the skills needed to write compelling foundation, state and federal grants. Topics will include: 1) How to find funding sources; 2) Preparing information commonly asked for in grant applications (e.g. work plans, budgets); and 3) Tips for developing state and federal grant applications

C2 The Invasive Species Threat. Miranda Reid, Conesus Lake Watershed Manager, Livingston County Planning Department and Dr. Eric Randall, Botanist, Professor of Biology, SUNY College of Buffalo
The session will be an overview of the impacts of invasive species, the vectors through which they spread and how to address both with a focus on Hydrilla and Emerald Ash Borer.

C3 Observed Impacts of the Natural Gas Drilling Industry in PA. George R. Franz, AICP, Dept. City & Regional Planning, Cornell University
Over the past several years the implications of a potential natural gas drilling boom in Upstate New York have been debated. This presentation will focus on the impacts of the industry in Bradford County, PA, where intensive drilling has been ongoing since 2009, and what Upstate planners should be doing to prepare for the potential boom, and to minimize potential adverse impacts of the industry on their residents and public infrastructure.

C4 Fundamentals of SEQAR with a Case Study. Alan Knauf, Esq., Knauf Shaw LLP, Jerry Goldiman, Esq., FX Spindelman Provitiz & Goldman, PC, and Peter Vars, BME Associates, P.C.
This session will review the fundamental steps in evaluating a land use application under SEQAR. A case study will be used to show "SEQAR in action". Additionally, new developments in SEQAR (such as the new Environmental Assessment Forms) will be reviewed.

B1 Town Farmland Protection Programs and the Comprehensive Plan - Twice the Bang for your Buck! Arthur J. Buckley, AICP, Wyoming County Planning Department and David Bojanowski, Genesee Valley Conservancy
The Comprehensive Plan is a town's most important local law. Its strongest statement of public policy regarding land use and requires a detailed community asset inventory. A town Farmland Protection Plan (FPP) can help define significant community land assets and land protection goals - all key elements of a good Comp Plan. The presenters will discuss how completing a FPP in conjunction with updating your Comprehensive Plan is a good way to double the value of your town's planning effort and stretch your planning budget more efficiently. NYS Dept. of Ag and Markets provides grants up to \$25,000 for towns to develop a Farmland Protection Plan which can be a terrific starting point or addition for a town comprehensive plan.

B2 Updating Local Codes and Ordinances to Promote Green Infrastructure. Jayme Thomann, G/FLRPC
Runoff from roads, buildings, parking lots, sidewalks, and driveways during rain events and snow melt collects trash, bacteria, and heavy metals. These pollutants end up in our rivers and lakes through pipes. Green infrastructure uses soil and plants to absorb and filter the rainwater where it falls instead. A municipality may be interested in promoting green infrastructure, but existing requirements in comprehensive plans, zoning codes, and building standards may be silent on, unclear about, or even in conflict with the principles of green infrastructure. Clearing and grading provisions, parking ratios, and road specifications are just a few of the requirements that can limit opportunities for green infrastructure. This session will discuss the Center for Watershed Protection's Better Site Design "Codes and Ordinances Worksheet" as a tool to help municipal officials and staff identify the barriers to green infrastructure and collaboratively develop solutions such as conservation subdivisions and cluster developments, permeable pavements, and green streets.

B3 Financing Tools for Brownfield Opportunity Areas Implementation Projects. Paul Beyer and Christopher Bauer, NYSDOS; Bob Murray, Esq, Harris Beach PLLC, and Bob McNary
Learn how municipalities can utilize Tax Increment Financing, and other financing tools, to support and promote private investment in BOA areas and other sites in your community using Smart Growth principles and BOA as a guide. A panel discussion will include topics surrounding the recent changes to the TIF law in New York State and how they may be utilized to revitalize brownfield areas, and how Smart Growth can help guide investment decisions.

B4 Oversight Responsibilities of the Governing Board. Joseph Kersten, NYS Comptroller's Office, Division of Local Government and School Accountability
Overview of important oversight responsibilities of the governing board. Topics will include discussion of good fiscal practices, policies, and fiscal monitoring responsibilities.

Lunch and Exhibit Area

B5 What the Digital Revolution can do for Your Government. Katie Evans, Town Planner, Town of Penfield and a representative from the Penfield Planning Board
The presenters will take us through the transformation that brought the Town of Penfield from a paper review process to an electronic one. Learn how with little investment, the Planning Department has revolutionized how it does business. Game changing windows and hours preparing documents for Planning Board review. Learn how the four to six week staff review has been reduced to two weeks without purchasing the quarter million dollar software programs!

A1 Planning Board Overview. John-David Wood and Natasha Phillip, Esq., NYSDOS
This basic course addresses the powers and duties of town, village, and city planning boards and commissions; the administrative and regulatory roles of the planning board, including its review of site plans, special use permits, and subdivision plats are discussed, along with the planning board's role in the municipal comprehensive plan. The importance of board procedures, referral to the county planning agency, and making findings are also covered. (2 CLE and 2 CLE credits)

A2 Joint Boards: Village/Town Planning Boards and Zoning Boards of Appeals. John-David Wood and Christopher Eastman, NYSDOS
Several villages and towns across New York have partnered to write village/town comprehensive plans together. Some have collaborated even further by creating one planning board to review applications in the village and in the town outside the village and one zoning board of appeals to hear appeals in both the village and in the town outside the village. This course will describe the process of creating joint village/town planning boards and village/town zoning boards of appeals and the advantages of joining village and town review boards, as well as some of the other efficiencies of intermunicipal planning.

A3 Zoning Board of Appeals Overview. Christopher Eastman and Natasha Phillip, Esq., NYSDOS
This introductory course to the zoning board of appeals focuses on the statutory tests boards must follow to grant use and area variances and proper handling of zoning interpretations. Meeting procedures and notice requirements will also be discussed, along with the ZBA's relationship with enforcement officials and the planning board, and the importance of making good findings. (2 CLE and 2 CLE credits)

A4 Case Law Update for Planning and Zoning. Natasha Phillip, Esq., NYSDOS
Recent cases that pertain to land use will be summarized and the implications of them on land use regulation at the local level explored. Opinions by the New York State Attorney General, Office of State Comptroller, and Comptroller of Open Government that pertain to land use and planning government will also be reviewed. (1 CLE and 1 CLE credit)

Break and Exhibit Area



GENESEE COUNTY DEPARTMENT OF PLANNING

Felipe A. Oltramari – Senior Planner

Jill M. Babinski – Senior Planner

Holly M. McAllister– Secretary

Melvin J. Wentland – Planning Board Chairperson

MEMORANDUM

TO: Town Supervisors, Village Mayors, Planning Board Chairpersons, ZBA Chairpersons, Municipal Administrators, Municipal Clerks and Zoning Enforcement Officers

FROM: Felipe Oltramari, Senior Planner

DATE: October 4, 2012

RE: Change in Referral Deadline Day

Please be advised that the Genesee County Planning Board voted at its September 13, 2012 meeting to change the deadline for submittal of GML Section 239 Referrals from 5:00 p.m. on the Thursday a week prior to their meeting to 5:00 on the Wednesday a week prior to their meeting. This change becomes effective for the County Planning Board's January 2013 meeting so the deadline for submittal of GML Section 239 Referrals for that meeting will be Wednesday, January 2, 2013 at 5:00 p.m. As has been the case in the past, to meet the deadline date/time, the referrals must have actually been received in our office, not placed in the mail. Changes in the United States Postal Service delivery schedule make it no longer possible for us to continue to receive submittals on the Thursday before the meeting. In order for us to get the packets to our Board members in time for them to review the materials before the meeting we now need to mail them on Thursday. We have enclosed a schedule of County Planning Board meeting dates/times and the appropriate referral deadline dates/times for 2013.

We have also enclosed a copy of the most up-to-date referral application form we require. Please throw out any previous forms you may have and make as many copies of the new form as you need.

Thank you in advance for your assistance with these issues. If you have any questions regarding these issues, please do not hesitate to contact our office.

Enc.

cc: County Planning Board
County Legislature

3837 West Main Street Road Batavia, New York 14020-9404

Phone: (585) 344-2580 Ext. 5467 Fax: (585) 345-3062 Email: planning@co.genesee.ny.us

On the web at: www.geneseeny.org/dpt/planning/

SEND OR DELIVER TO:

GENESEE COUNTY DEPARTMENT OF PLANNING
3837 West Main Street Road
Batavia, N.Y. 14020-9404
Phone: (585) 344-2580 Ext. 5467

DEPARTMENT USE ONLY:

G.C.D.P. Referral # _____

Date Received _____

6



**GENESEE COUNTY
PLANNING BOARD REFERRAL**

Required According to:
GENERAL MUNICIPAL LAW ARTICLE 12B, SECTION 239 L, M, N

(Please answer ALL questions as fully as possible)

1. REFERRING BOARD(S) INFORMATION

Board(s) _____

Address _____

2. APPLICANT INFORMATION

Name _____

Address _____

Phone _____ Email _____

MUNICIPALITY: City Town Village of _____

3. TYPE OF REFERRAL: (Check all applicable items)

Area Variance
Use Variance
Special Use Permit
Site Plan Review

Zoning Map Change
Zoning Text Amendments
Comprehensive Plan/Update
Other: _____

Subdivision Proposal

Preliminary
Final

4. LOCATION OF THE REAL PROPERTY PERTAINING TO THIS REFERRAL:

A. Address _____

B. Nearest intersecting road _____

C. Tax Map Parcel Number _____

D. Total area of the property _____ Area of property to be disturbed _____

E. Present zoning district(s) _____

5. REFERRAL CASE INFORMATION:

A. Has this referral been previously reviewed by the Genesee County Planning Board?

NO YES If yes, give date and action taken _____

B. Special Use Permit and/or Variances refer to the following section(s) of the present zoning ordinance and/or law

C. Please describe the nature of this request _____

6. ENCLOSURES – Please enclose copy(s) of all appropriate items in regard to this referral

Local application
Site plan
Subdivision plot plans
SEQR forms

Zoning text/map amendments
Location map or tax maps
Elevation drawings
Agricultural data statement

New or updated comprehensive plan

Other: _____

***** If possible, please provide a reduced version or digital copy of any supporting documentation larger than 11 x 17 in.**

Digital copies may be sent via email to planning@co.genesee.ny.us ***

7. CONTACT INFORMATION of the person representing the community in filling out this form (required information)

Name _____ Title _____ Phone _____

Address _____ Email _____

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GENESEE COUNTY DEPARTMENT OF PLANNING

Felipe A. Oltramari – Senior Planner
Jill M. Babinski – Senior Planner
Holly M. McAllister – Secretary
Melvin J. Wentland – Planning Board Chairperson

County Planning Board Meeting Dates and Submittal Deadlines for 2013

Regular meetings begin promptly at 7:30 p.m. (doors open at 7:00 p.m.)

****PLEASE NOTE: SUBMITTAL DEADLINE DAY HAS BEEN CHANGED TO WEDNESDAY!****

Final Date for Zoning Referral Submittal to County Planning Department	Planning Board Meeting Date
Wednesday, January 2, 2013 – 5:00 PM	Thursday, January 10, 2013
Wednesday, February 6, 2013 – 5:00 PM	Thursday, February 14, 2013
Wednesday, March 6, 2013 – 5:00 PM	Thursday, March 14, 2013
Wednesday, April 3, 2013 – 5:00 PM	Thursday, April 11, 2013
Wednesday, May 1, 2013 – 5:00 PM	Thursday, May 9, 2013
Wednesday, June 5, 2013 – 5:00 PM	Thursday, June 13, 2013
Wednesday, July 3, 2013 – 5:00 PM	Thursday, July 11, 2013
Wednesday, July 31, 2013 – 5:00 PM	Thursday, August 8, 2013
Wednesday, September 4, 2013 – 5:00 PM	Thursday, September 12, 2013
Wednesday, October 2, 2013 – 5:00 PM	Thursday, October 10, 2013
Wednesday, November 6, 2013 – 5:00 PM	Thursday, November 14, 2013
Wednesday, December 4, 2013 – 5:00 PM	Thursday, December 12, 2013

****Please Note: County Building 2 will be closed on Tuesday, January 1, 2013 for New Year's Day****

Note: Referral Recommendations/meeting results are mailed to the municipalities the day after the meeting and are also usually posted on the website the next day.

3837 West Main Street Road Batavia, New York 14020-9404
Phone: (585) 344-2580 Ext. 5467 Fax: (585) 345-3062 Email: planning@co.genesee.ny.us
On the web at: www.geneseeny.org/dpt/planning/



GENESEE COUNTY DEPARTMENT OF PLANNING

Felipe A. Oltramari – Senior Planner
Jill M. Babinski – Senior Planner
Holly M. McAllister – Secretary
Melvin J. Wentland – Planning Board Chairperson

MEMORANDUM

TO: All Chief Elected Officials
FROM: Jill Babinski, Senior Planner
Cc: Planning Board Chairpersons
DATE: October 5, 2012

SUBJECT: GENESEE COUNTY SMART GROWTH PLAN TRIANNUAL REVIEW AND REPORT

In accordance with the Genesee County Smart Growth Plan, the Genesee County Planning Department has begun the preparation of the fifth review report on the Plan and is inviting each municipality in Genesee County to take an active role.




Previously, each municipality has received a copy of the 2010 Review Report as adopted by the Genesee County Legislature on July 14th, 2010. Enclosed is an enhanced map of the Development Area boundaries within your municipality. If your community is interested in suggesting any changes to the map or wishes to offer suggestions to include within the Plan please contact our office by **NOVEMBER 30, 2012** to arrange for a meeting with your municipality.

In order to obtain additional public involvement in this process we anticipate holding public forums on the Plan revision in three locations throughout the County. We anticipate that the same process as previous years will be followed. Meetings will be held in the eastern, central and western portions of the County. An announcement of the dates, times and location of these meetings is forthcoming. The plan and maps are also available on the Genesee County Planning Department's web site at <http://www.co.genesee.ny.us>.







Town of Bergen

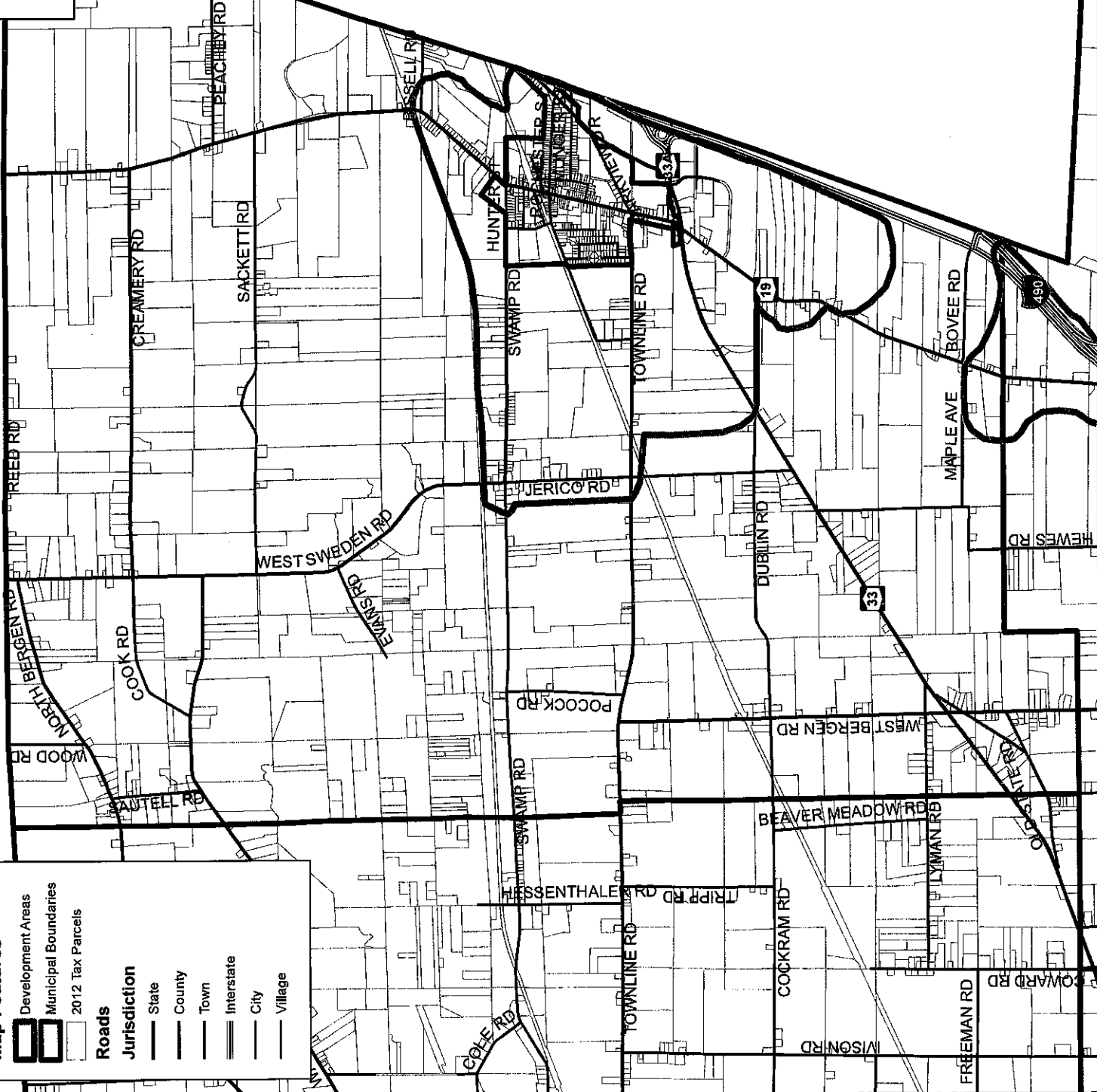
Genesee County Smart Growth Plan

Map Features

-  Development Areas
-  Municipal Boundaries
-  2012 Tax Parcels

Roads

-  State
-  County
-  Town
-  Interstate
-  City
-  Village



8

USDA RURAL DEVELOPMENT



Committed to the future of rural communities.

SECTION 504 HOME REPAIR LOAN/GRANT PROGRAM

SERVICE AREA:

**GENESEE, ERIE,
NIAGARA, ORLEANS,
WYOMING COUNTIES**

Section 504 Loans:

- ◆ The sum of all outstanding Section 504 loans to one borrower or on one dwelling may not exceed \$20,000.
- ◆ When the total Section 504 indebtedness (loans only) is \$7,500 or more, the property will be secured by a mortgage.
- ◆ The term of the loan is determined by repayment ability, which is evidenced by a budget completed with the assistance of a Rural Development representative. Fixed 1% interest rate. Maximum 20 years.

Section 504 Grants:

- ◆ The lifetime total of the grant assistance to any recipient is \$7,500.
- ◆ The full amount of the grant must be repaid if the property is sold less than 3 years from the date the grant was approved.

Rural Development
29 Liberty Street, Suite 2
Batavia, New York 14020

Phone: 585.343.9167 x4
Fax: 585-344-4662

Section 504 Program Objective:

Section 504 loans and grants are intended to assist very low-income owner occupants of modest single family homes in rural areas repair their homes.

Loan Purposes:

Loan funds may be used to make general repairs and improvements to properties or to remove health and safety hazards, as long the dwelling remains modest in size and design.

Grant Purposes:

Grant funds may be used *only* to pay the costs for repairs and improvements that will remove identified health and safety hazards or to repair or remodel dwellings to make them accessible for household members with disabilities.

Eligibility Requirements:

Section 504 Loan

- ◆ Must have the legal capacity to incur the obligation.
- ◆ Applicants must demonstrate adequate repayment ability, as demonstrated by a budget completed by a Rural Development representative.
- ◆ Adjusted household income must not exceed the applicable very low-income limit for the area. Your local Rural Development Office can advise you of the income limits for your area.
- ◆ Applicants must be United States citizens or a non-citizen who qualifies as a legal alien.
- ◆ Applicants must agree to and have the ability to occupy the dwelling on a permanent basis.
- ◆ Applicant must be unable to secure the necessary credit from other sources on terms and conditions that the applicant could reasonably be expected to fulfill. Applicant must also lack the personal resources to meet their needs.
- ◆ Must have a credit history that indicates a reasonable ability and willingness to meet debt obligations.

Section 504 Grant

- ◆ Must meet eligibility requirements for Section 504 Loan, except #2 above.
- ◆ Applicant must be 62 years of age or older at the time of application.
- ◆ Must be unable to repay a Section 504 Loan (amortized over the maximum number of years).

Dwelling Requirements

- ◆ Dwelling must be considered modest for the area, must not be designed for income providing purposes, cannot include an in-ground swimming pool or have a value that exceeds the maximum loan limit for the area.
- ◆ Loans may be made only in rural areas designated by RHS. Your local Rural Development Office can advise you of the eligible areas in your county.

(Rev 10/15/12)

USDA Rural Development is an equal opportunity provider, employer and lender.
To file a complaint of discrimination write USDA, Office of Civil Rights,
1400 Independence Avenue, S.W., Washington, DC 20250-9410
or call (800) 795-3272 (voice) or (202) 720-6382 (TDD)



United States Department of Agriculture
Rural Development
 Batavia, NY

504 Loan/Grant Income Eligibility

To be eligible for a Rural Development Section 504 Loan/Grant, an applicant's adjusted annual income must be less than the very low income limit for their household size in the county in which the house is located. See the chart below:

	1	2	3	4	5	6	7	8
Genesee County	\$21,750	\$24,850	\$27,950	\$31,050	\$33,550	\$36,000	\$38,500	\$41,000
Erie County	\$23,150	\$26,450	\$29,750	\$33,050	\$35,700	\$38,350	\$41,000	\$43,650
Niagara County	\$23,150	\$26,450	\$29,750	\$33,050	\$35,700	\$38,350	\$41,000	\$43,650
Orleans County	\$24,050	\$27,500	\$30,950	\$34,350	\$37,100	\$39,850	\$42,600	\$45,350
Wyoming County	\$21,300	\$24,350	\$27,400	\$30,400	\$32,850	\$35,300	\$37,700	\$40,150

⑨

LOCAL LAW NO. ¹ OF THE YEAR ~~2011~~ ²⁰¹²
TOWN OF BERGEN, COUNTY OF GENESEE

**A Local Law To Override The Tax Levy Limit Established
In General Municipal Law §3-c For The Fiscal Year ~~2012~~ 2013**

Section 1. Legislative Intent.

It is the intent of this Local Law to override the limit on the amount of real property taxes that may be levied by the Town of Bergen, County of Genesee pursuant to General Municipal Law §3-c, and to allow the Town of Bergen, County of Genesee to adopt a town budget for the fiscal year 201~~2~~ that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law §3-c.

Section 2. Authority.

This Local Law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes the Town Board to override the tax levy limit by the adoption of a local law approved by vote of sixty percent (60%) of the Town Board.

Section 3. Tax Levy Limit Override.

The Town Board of the Town of Bergen, County of Genesee is hereby authorized to adopt a budget for the fiscal year 201~~2~~ that requires a real property tax levy in excess of the limit specified in General Municipal Law §3-c.

Section 4. Severability.

If any clause, sentence, paragraph, subdivision or part of the Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined to its operation to the clause, sentence, paragraph or part of this Local Law or in its application to the person, individual, firm or corporation, or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Effective Date.

This Local Law shall take effect immediately upon filing with the Secretary of State.

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NOTICE OF PUBLIC HEARING ON LOCAL LAW

PUBLIC NOTICE is hereby given that there has been presented to the Town Board of the Town of Bergen, Genesee County, New York, on October ~~26~~²³, 201~~2~~, Local Law No. ~~3~~⁷ of 201~~2~~, entitled "A Local Law To Override The Tax Levy Limit Established In General Municipal Law §3-c For The Fiscal Year 201~~3~~."

Said Local Law is intended to override the limit on the amount of real property taxes that may be levied in excess of the tax levy limit as defined by General Municipal Law §3-c.

A copy of the proposed Local Law is on file with the Town Clerk.

THEREFORE, the Town Board of the Town of Bergen will hold a public hearing on the Local Law at the Town Hall, 10 Hunter Street, Bergen, New York on November ____, 201~~2~~ at 7:00 p.m., at which time all persons interested will be heard.

By Order of the Town Board

October ____, 201~~2~~

Michele Smith, Town Clerk