Town Board Meeting Town of Bergen June 10, 2014

I Audit of the bilis 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 May 27, 2014.
- IV Communications:
 - 1. Supervisors Report for April & May 2014 (pending availability)
 - 2. Summary Spreadsheets for April & May 2014
 - 3. Town Clerks Report for May 2014
 - 4. ZEO/CEO Report for May 2014
 - 5. Summary of Water Surveys
 - 6. Letter from Bernard P. Donegan, Inc., Re: Organizational Changes
 - 7. Notification from A.O.T. for Planning & Zoning Summer Schools
 - 8. Cover letter & Resolution from Genesee Co. Legislature, Re: Contract Highway / Shared Services
 - 9. Cover letter & Resolution from Genesee Co. Legislature, Re: Opposing Expansion of Federal Control Under the Clean Water Act
- V Board Members' items for addition to the agenda
- VI Reports:
- -Zoning / Code Enforcement -Highway
- -Committees -Highway & Parks

 - -Buildings
 - -Village Relations
 -Next meeting TBA
- VII Old Business:
- Discussion / Approval of land use request from Sleds of Stafford.
- VIII New Business:
- Discussion / Approval of Resolution Opposing Expansion of Federal Control Under the Clean Water Act
- IX Reports & Bills: Action to file Town Clerks & Supervisors Reports.
 - Detailed budget reports provided separately due to size
 - Approve payment of the bills.
- X Next Meeting Day: Next meeting Monday 06/24/14, 7pm in the courtroom
- XII Adjournment:

Supervisors Reports Pending Availability.

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Account#	Account Description	Fee Description	Qty	Local Share
	Marriage License	Marriage License	2	35.00
			Sub-Total:	\$35.00
A1255	Clerk Fees	Dog Redemption	3	30.00
/ 	Conservation	Conservation	7	12.70
			Sub-Total:	\$42.70
A2630	Racing & Wagering	Bell Jar License	1	10.00
			Sub-Total:	\$10.00
A2544	Dog Licensing	Exempt Dogs	1	0.00
	, ,	Female, Spayed	22	110.00
		Female, Unspayed	2	36.00
		Male, Neutered	22	110.00
		Male, Unneutered	3	54.00
	Late Fees	Late Fees	3	15.00
	Senior Discount	Senior Discount	3	-6.00
			Sub-Total:	\$319.00
B2110	Building & Zoning	Building Permit	1	30.00
	·		Sub-Total:	\$30,00
B2130	Solid Waste	Garbage Bag	656	1,312.00
		Transfer Sta. 10.00	24	240.00
		Transfer Sta. 5.00	4	20.00
			Sub-Total:	\$1,572.00
		Total Loc	al Shares Remitted:	\$2,008.70
Amount paid to:	N Y State Department Of Health			45.00
Amount paid to:	New York State Comptroller's Office			15.00
Amount paid to:	NYS Ag. & Markets for spay/neuter program			
Amount paid to:	NYS Environmental Conservation			
	ty & Local Revenues: \$2,345.00		n-Local Revenues:	\$336.30

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.

		Mickel M Smth	6/2/14
Supervisor	Date	Town Clerk	Date

06/03/2014 6:37:37AM

Cash Receipts Report

From: 05/01/2014 To: 05/31/2014

For User: All

Payment Date: 05/23/2014

Module: Permit

Transaction: OP-2014-001

Payor: James B Phillips

Payment Type: Check #221

Zoning Permit

Type: Permit App

Payment Amount:

\$30.00

Payment Detail:

\$30.00

Fee Type

Payment #: 00056

Fee Amount \$30.00

Permit Group Totals:

\$30.00

05/23/2014 Group Totals:

\$30.00

Totals:

Check

\$30.00

Grand Total:

\$30.00

# in favor # opposed	
	Clinton St. Rd.
2 2	Cook Rd.
15 9	Creamery Rd.
1	Evans Rd.
10 3	Dublin Rd.
4 2	Gilbert Rd.
1	Jerico Rd.
5 2	Lyman Rd.
6	Maple Ave.
Rd. 4 11	North Bergen Rd.
4	Old State Rd.
10	Warboys Rd.
kd. 19 6	West Bergen Rd.
Rd. 6 3	West Sweden Rd.
178 17	
10 19 6	Warboys Rd. West Bergen R West Sweden



May 30, 2014

Dear Friends and Valued Clients,

We are writing to you to announce two milestones for Bernard P. Donegan, Inc. ("BPD, Inc."). First, after 42 years of leadership, Bernie has announced his retirement. Second, we are happy to announce our new stewardship of BPD, Inc.

As the next generation of management, with over 50 combined years of experience at BPD, Inc., we assure you that the hallmarks of service and commitment you have come to expect from BPD, Inc. will remain unchanged during this transition. We are confident that your individual needs and goals will be met by the continued efforts of the BPD team. As we grow and improve our company, we look forward to earning your continued trust. Please know we do not take for granted a single one of our personal and business relationships. Should you have any questions or concerns regarding this transition, or your existing account, please contact either one of us directly. We may be reached at (585) 924-2145.

We would like to share with you Bernie's thoughts about this milestone:

"It has been my pleasure to serve you and your community over the last forty years. You have helped our company become a vital part of many New York State Municipalities. We can never thank you enough for your patience, support, and understanding of our mission. Our mission has always been to help you be the best leader that you can be in your community.

Part of our responsibility to you and your organization is to continue to provide the highest level of positive support. As I move from the firms' leader to its biggest supporter, I leave you with two highly qualified new leaders, Chuck Bastian and Karen Moon. They are supported every day by an exceptional team of trained professionals at all levels of the BPD, Inc. organization. I am confident that they will continue to provide the highest level of service to you and your community."

All of us at BPD wish Bernie the best in retirement. We are proud to be the new owners of BPD, Inc., and will honor Bernie's life work by making BPD, Inc. our life's work. We look forward to assisting you achieve your financing needs.

Charles A. Bastian

President

Karen J. Moorf Vice President

BERNARD P. DONEGAN, INC.

PO BOX 70 · VICTOR, NEW YORK 14564 585 · 924-2145 · FAX 585 · 924-4636 06/05/19

E-MAIL: team@bpdinc.net







2014 PLANNING AND ZONING SUMMER SCHOOL

Topics Include: Case Law Updates; SEQR; Regulating Signs; Explaining Unfamiliar P&Z Terms; Riverfront Development Planning; Propane Siting; Ethics; Common Site Plan Review Mistakes; etc. Please see our online agendas at www.nytowns.org for the topics at each location.

REGISTRATION FORM
Name
Title
Municipality or Organization
Address
City, State, Zip
E-mail Address
Phone ()
Fax ()
SCHOOLS (Please check the school you will attend)
Town of Malone (Franklin County) Monday, July 28, 2014 The Adirondack Room (at Mo's Pub & Grill) 3357 State Route 11, Malone, NY 12953 (518) 483-3667
City of Kingston (Ulster County) Tuesday, July 29, 2014 Garden Plaza Hotel 503 Washington Ave, Kingston, NY 12401 (845) 338-0400
Town of Colonie (Albany County) Thursday, July 31, 2014 Century House 997 New Loudon Rd. (Route 9) Latham, NY 12110 - (518) 785-0931
City of Batavia (Genesee County) Friday, August 8, 2014 Clarion Hotel 8250 Park Road, Batavia, NY 14020 (585) 344-2100

WWY.

Member Registration: \$80.00 (pre-reg); \$90.00 (at the Non-Member Registration: \$140.00 (pre-reg); \$180.00 (at the door) _

PAYMENT INFORMATION

Online Registration

We encourage you to register online for these schools as space is limited. Town officials can register online at www.nytowns.org. We accept ONLY Visa or Mastercard.

Mail-In Registration

Check enclosed in the amount of \$_ (Make checks payable to Association of Towns of the State of New York)

Mail this completed registration form to: Association of Towns of the State of New York 150 State Street Albany, New York 12207

Registration includes: materials, breakfast and lunch. On-site registration opens at 8:30 AM, classes begin at 9:15 AM and end at 3:45 PM. Each location/date will provide a total of 5 credit hours of training.

IMPORTANT INFORMATION

Note: Please make as many copies of this form as you need to distribute to your supervisor, town board, attorneys, and planning and zoning board members.

Cancellation Notice

For refunds to be given, notice of cancellation must be received 10 days prior to event, less a \$10 processing fee. NO REFUNDS after that deadline.

Questions

Please contact Patty Kebea at (518) 465-7933 with questions.



(8)

Genesee County Legislature

Old Courthouse 7 Main Street Batavia, New York 14020-3199 (585) 344-2550 Ext. 2202 Fax: (585) 345-3078

Raymond Cianfrini, Chair Annie Lawrence, Vice Chair Edward DeJaneiro, 2nd Vice Chair

Sarah Kingdon, Clerk skingdon@co.genesee.ny.us

LEGISLATORS

Ray Ciamaini	Dist. 1
Robert Bausch	Dist. 2
Annie Lawrence	Dist. 3
Andrew Young	Dist. 4
Rochelle Stein	Diet. 5
Стерд Толгеу	Dist. 6
Frank Ferrando	Dist. 7
Marianne Clattenburg	Dist. 8
Edward Dallaneiro ilr	Dist. 9

May 29, 2014

To: Genesee County Supervisors/Mayors/Board Presidents

On behalf of the Genesee County Legislature I am enclosing a certified copy of our Resolution No. 183-14—Contract-Highway/Shared Services-Approval Of

If you have any questions or concerns please feel free to contact me.

Sincerely

Sarah Kingdon, Clerk

Genesee County Legislature

· Larah Kingdon

Enclosure

09/14

RESOLUTION NO. 183 CONTRACT-HIGHWAY/ SHARED SERVICES – APPROVAL OF

Legislator Bausch 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

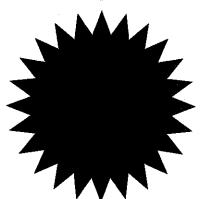
WHEREAS, Genesee County authorized such arrangements with other municipalities on February 27, 2006 and the Superintendent of Highways is requesting that such an arrangement be continued through an extension of the original agreement, and

WHEREAS, The Committees on Public Service and Ways and Means 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 Genesee County Legislature does hereby extend the Highway Shared Services Agreement which shall be effective June 1, 2014 through May 31, 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 Ferrando 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 28th day of May 2014. Dated, Batavia, New York

May 29, 2014

Sawah Ukingdon

Clerk of the Genesee County Legislature

Genesee County Legislature

Old Courthouse 7 Main Street Batavia, New York 14020-3199 (585) 344-2550 Ext. 2202 Fax: (585) 345-3078

Raymond Cianfrini, Chair Annie Lawrence, Vice Chair Edward DeJaneiro, 2nd Vice Chair

Sarah Kingdon, Clerk skingdon@co.genesee.ny.us

LEGISLATORS

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Rochelle Stein	Dist. 5
Gregg Толгеу	Dist. 6
Frank Ferrando	Dist. 7
Marianne Clattenburg	Dist. B
Edward Dallaneiro Jr.	Dist. 9

May 29, 2014

To:

Senator Charles Schumer

Senator Kirsten Gillibrand

Congressman Chris Collins

Environmental Protection Agency

State Senator Michael Ranzenhofer State Assemblyman Stephen Hawley

NYS Assoc. of Counties

InterCounty Assoc. of Western NY

Genesee Association of Municipalities

On behalf of the Genesee County Legislature I am enclosing a certified copy of our Resolution No. 196-2014— Opposing Expansion of Federal Control Under the Clean Water Act

We strongly urge you to consider this resolution.

If you have any questions or concerns please feel free to contact me.

Sincerely

Sarah Kingdon, Clerk Sarah Kingdon, Clerk Genesee County Legislature

Enclosure

9

RESOLUTION NO. 196 OPPOSING EXPANSION OF FEDERAL CONTROL UNDER THE CLEAN WATER ACT

Legislator Stein offered the following resolution:

WHEREAS, The U.S. Environmental Protection Agency (EPA) and the Army Corps of Engineers (Corps) have released a 371 proposed rulemaking defining the Waters of the U.S. under the Clean Water Act, and

WHEREAS, Both agencies are seeking a rule change to give the federal government more authority by expanding the definition of "navigable waters" in the Clean Water Act, and

WHEREAS, The rule change proposed by the EPA and the Corps would subject almost all physical areas with a connection to downstream navigable waters, including features such as ditches, natural or man-made ponds, and flood plains, to the jurisdiction of the Clean Water Act, and

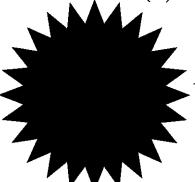
WHEREAS, The proposed rule change, if adopted, will cause significant economic harm to local farmers, stall the development of businesses, take control of land use for sustainable food production out of our local providers' hands, and negatively impact County-owned and maintained infrastructure such as roadside ditches and flood-control channels, and

WHEREAS, The cost to our farms, municipalities and taxpayers will be enormous, and WHEREAS, The New York Farm Bureau opposes the proposed rule change, and WHEREAS, It is impractical for the federal government to regulate every ditch, pond and rain puddle that may have some tenuous connection or "significant nexus", miles away, to a body of water currently defined as "navigable", now, therefore, be it RESOLVED, That the Genesee County Legislature hereby strongly opposes the EPA and Corps proposed rulemaking that changes the Clean Water Act, as proposed, and be it further

RESOLVED, That the Clerk of the Legislature is hereby directed to forward a certified copy of this resolution to Senator Schumer, Senator Gillibrand, Congressman Collins, the Environmental Protection Agency, the U.S. Army Corps of Engineers, the National Association of Counties, State Senator Ranzenhofer, State Assemblyman Hawley, the New York State Association of Counties, and the Western New York Inter-County Association.

Budget Impact: The expansion of federal jurisdiction will add significant cost to the replacement of culverts under county roadways and residential and commercial driveways throughout the county by adding a burdensome permitting process to routine maintenance items.

Legislator Lawrence seconded the resolution which was adopted by 278 votes, Legislator DeJaneiro (28) voted no.



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 28th day of May 2014. Dated, Batavia, New York

Jolah UKingdm

Clerk of the Genesee County Legislature