

Town Board Meeting

Town of Bergen

August 12, 2014

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 - Non scheduled.

III Approval of Meeting Minutes for – June24, 2014.

IV Communications:

1. Supervisors Report for July 2014 (pending availability)
2. Summary Spreadsheets for July 2014 (pending availability)
3. Town Clerks Report for July 2014
4. ZEO/CEO Report for July 2014
5. Copy of Letter from Stone Church Presbyterian Church to Bergen Historical Society.
6. Notice from NYDOT, Re: Highway Safety Improvement project
7. Notice from A.O.T., Re: Annual Dues
8. Notice from NYS Dept. Taxation & Finance, Re: Certificate of Final State Equalization Rate for 2014 Assessment Roll
9. Notice from NYSDOT, Re: Paving project on I-490
10. Email from Bergen Fire Dept. Chief Chuck Dodson, Re: Grant award
11. Copy of payment made for sale of Liberty Way Portion, per Resolution #11-2014
12. Copy of closing statement from Lacy Katzen LLP for sale of property to David & Anna Marie Barclay.

V Board Members' items for addition to the agenda

VI Reports:

- Zoning / Code Enforcement
- Highway

-Committees

- Highway & Parks
 - Discuss local law
- Buildings
 - Discuss window in Assessors office door
- Village Relations
 - Next meeting 9/24/14

VII Old Business:

VIII New Business:

- Discussion draft RFP from Comprehensive Plan Committee
- Discuss Proclamation.

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 Tuesday 07/26/14, 7 pm in the courtroom

XII Adjournment:

Supervisors Reports
Pending Availability.

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Summary Spreadsheets Pending Availability.

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Account#	Account Description	Fee Description	Qty	Local Share
	Marriage License	Marriage License	3	52.50
			Sub-Total:	\$52.50
A1255	Clerk Fees	Certified Copies	11	110.00
		Dog Redemption	3	30.00
	Conservation	Conservation	3	3.32
			Sub-Total:	\$143.32
A2544	Dog Licensing	Female, Spayed	31	155.00
		Female, Unspayed	2	36.00
		Male, Neutered	34	170.00
		Male, Unneutered	10	180.00
	Senior Discount	Senior Discount	5	-15.00
			Sub-Total:	\$526.00
B2110	Building & Zoning	Building Permit	2	175.00
		Zoning	2	60.00
			Sub-Total:	\$235.00
B2130	Solid Waste	Garbage Bag	555	1,110.00
		Transfer Sta. 10.00	41	410.00
		Transfer Sta 5.00	4	20.00
			Sub-Total:	\$1,540.00
Total Local Shares Remitted:				\$2,496.82
Amount paid to:	N Y State Department Of Health			67.50
Amount paid to:	NYS Ag. & Markets for spay/neuter program			101.00
Amount paid to:	NYS Environmental Conservation			56.68
Total State, County & Local Revenues:		\$2,722.00	Total Non-Local Revenues: \$225.18	

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

8-1-14
Date

Cash Receipts Report

07/31/2014
10:03:13PM

From: 07/01/2014 To: 07/31/2014

For User: All

4

Payment Date: 07/22/2014

Module: Permit

Transaction: BP-0020-2014

Type: Permit App

Payor: agl homes

Payment Amount: \$145.00

Payment Type:

Payment #:

Payment Detail:

Check #31465

00065

\$145.00

Fee Type	Fee Amount
1-2 Family Dwelling	\$145.00

Permit Group Totals: \$145.00

07/22/2014 Group Totals: \$145.00

Payment Date: 07/23/2014

Module: Permit

Transaction: BP-0021-2014

Type: Permit App

Payor: Kristine Banister

Payment Amount: \$60.00

Payment Type:

Payment #:

Payment Detail:

Check #899

00066

\$60.00

Fee Type	Fee Amount
Zoning Permit	\$30.00
Deck	\$30.00

Permit Group Totals: \$60.00

07/23/2014 Group Totals: \$60.00

Payment Date: 07/29/2014

Module: Permit

Transaction: BP-0019-2014

Type: Permit App

Payor: Robyn Brookhart

Payment Amount: \$30.00

Payment Type:

Payment #:

Payment Detail:

Check #3728

00064

\$30.00

Fee Type	Fee Amount
Zoning Permit	\$30.00

Permit Group Totals: \$30.00

07/29/2014 Group Totals: \$30.00

Totals:	
Check	\$235.00
Grand Total:	<u>\$235.00</u>



Stone Church Presbyterian Church

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7549 S. Lake Road • PO Box 128

Bergen, New York 14416-0128

Telephone: (585) 494-1847

Pastor Mark Ross

July 15, 2014

Dear Members of the Bergen Historical Society;

We congratulate you on your work on the Harford House Barn History Museum in a style that has come to be expected of a museum today! We were told in 2003 by Mrs. Denton that you would be using both the barn and the schoolhouse/museum. This does not seem to be the case.

As your landlord of the schoolhouse/museum, Session is concerned about your intentions for the building and the remaining contents.

We are requesting and welcome a face to face meeting with representatives of your organization and the Session of Stone Church Presbyterian Church. You may make arrangements for such a meeting by contacting Pastor Mark Ross (356-4847) or Clerk of Session Ruth Stewart (494-2567).

Yours Truly,

Session

Stone Church Presbyterian Church

Don,
I have forwarded
this letter to Tom. He said,
"I will take care of it."

7/28/14
DSE



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STATE OF NEW YORK
DEPARTMENT OF TRANSPORTATION
REGION FOUR
1530 JEFFERSON ROAD
ROCHESTER, NEW YORK 14623-3161
www.dot.ny.gov

KEVIN BUSH, P.E.
REGIONAL DIRECTOR

JOAN MCDONALD
COMMISSIONER

June 20, 2014

Honorable Donald Cunningham
Town of Bergen
45 Rochester Street
Bergen, NY 14416

Dear Mr. Cunningham

**RE: Highway Safety Improvements
PIN 4T51.15**

This Safety Improvement Project will install centerline rumble strips on 450 miles of State highway in Genesee, Livingston, Monroe, Ontario, Orleans, Wayne, and Wyoming counties in high-speed locations. Centerline rumble strips have been shown to reduce head-on collisions on high-volume, non-divided, high-speed roads. This work will be done during 2015 and drivers should expect only minor delays due to construction on the affected roadways. The work zone will be similar to what drivers encounter when meeting a striping crew, with the exception that flaggers will be stationed with the work zone to allow an alternating single lane of traffic to pass while the work is done.

If you have any questions or concerns, you can contact me, Ed Gregor, at (585) 272-3723, or Noel Kurth at (585) 272-3307.

In an effort to communicate more efficiently, we are expanding our email database. Please send your email address to us at R4Projects@dot.ny.gov so that we may reach you without paper or postage in the future. Please include the following number in the subject line: 475

7/26/14
DSE



**THE ASSOCIATION OF TOWNS
of the State of New York**

150 State Street, Albany, New York 12207

"Service and Representation for the 932 Town Governments of New York"

Gerry K. Geist, Executive Director - PHONE: [518] 465-7933 - FAX: [518] 465-0724
Website: www.nytowns.org

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August 1, 2014

Supervisor
Town of Bergen
10 Hunter Street
Bergen, NY 14416

Dear Supervisor:

I write to advise you of the amount of your Town's dues for membership in the Association for 2015. As required by our Constitution, the Executive Committee, at its May 2014 meeting, established the dues structure for 2015. They recommended that the formula for 2015 remain the same as it was in 2014. A town's dues are based upon its "total revenues" (excluding one-time federal and state grants and enterprise funds).

The State Comptroller has supplied us with each town's "total revenues" for 2012, the latest year for which his office has complete information. According to the State Comptroller, "total revenues" for the **Town of Bergen** in 2012 were **\$1,572,851.00**. Applying the formula, which is reproduced and enclosed with this letter, your Town's dues for the year 2015 will be **\$800.00**. I trust this information will be helpful to you in preparing your 2015 town budget.

We cannot stress too strongly the importance of membership in the Association to the 932 towns of the State and their 8 million residents. Association membership for every town in the State is evidence to the legislative and executive branches of government, as well as the various departments with which we are in contact on your behalf, of the solidarity of town officials and how important they consider the needs of town government. Your Association has worked strenuously to stay in touch with key members of the Legislature and the Governor's office. Our access to these people is vital to the maintenance and restoration of programs and the opposition to many pieces of legislation injurious to town government. Without your support we cannot continue to work at this level. Our power is drawn from the strength of our membership.

We have also worked diligently to make available to you technical and legal support at a moments notice. Your membership insures that we will be able to continue to provide legal and technical assistance on a day-to-day basis for all of our towns – large and small. We will continue to expand our educational efforts – such as our Town Management School and new Summer Schools on Planning and Zoning which have been warmly received. Your town's membership is vital to the continuance of these programs

Your Town's continued support of our endeavors during 2015 is vital to town government and will be very much appreciated.

Kindest regards,

Gerry K. Geist

GKG/kas



**Association of Towns of the State of New York
Dues Schedule for 2015**

FY2012 Revenues:

FY2015 Dues:

Between:	\$0	and	\$149,999	=	\$200
Between:	\$150,000	and	\$249,999	=	\$300
Between:	\$250,000	and	\$424,999	=	\$400
Between:	\$425,000	and	\$799,999	=	\$500
Between:	\$800,000	and	\$999,999	=	\$600
Between:	\$1,000,000	and	\$1,249,999	=	\$700
Between:	\$1,250,000	and	\$1,699,999	=	\$800
Between:	\$1,700,000	and	\$2,099,999	=	\$900
Between:	\$2,100,000	and	\$2,699,999	=	\$1,000
Between:	\$2,700,000	and	\$4,999,999	=	\$1,100
Between:	\$5,000,000	and	\$7,499,999	=	\$1,200
Between:	\$7,500,000	and	\$9,999,999	=	\$1,350
Between:	\$10,000,000	and	\$19,999,999	=	\$1,500
Between:	\$20,000,000	and	\$49,999,999	=	\$1,650
Between:	\$50,000,000	and	\$99,999,999	=	\$1,800
Over:			\$100,000,000	=	\$1,950

Note: Towns for which data is not available from the OSC ("unreported") will be billed the 2014 amount for 2015 dues.

Questions and Answers:

- Q. Why is my dues amount based on FY2012 revenues?**
A. FY2012 revenue data are the latest available from the Office of the State Comptroller
- Q. Why isn't my dues amount the round number listed across from my revenue amount on the schedule?**
A. The dues of any town with less than \$7.5 Million revenue may not increase more than \$99.00 in any one year. An increase "cap" of \$99.00 has been applied in many cases resulting in non-rounded amounts approaching, but not reaching, the new rounded amounts



Certificate of the Final State Equalization Rate
for the 2014 Assessment Roll

Mr. Donald Cunningham , Supervisor
Town of Bergen
P.O. Box 249
Bergen, NY 14416 0249

County of Genesee
Town of Bergen
Municipal Code: 182600 *****
Final State Equalization Rate: * 100.00 *

I, Brian F. Moon, hereby certify that on July 30, 2014 the State Office of Real Property Tax Services established a final State equalization rate of 100.00 for the above named municipality.

Brian F. Moon
Real Property Analyst 2

Note: Since your municipality did not file a complaint with respect to the tentative rate, the final equalization rate is the same as the tentative rate. Notice of the final rate will be filed with the clerk of the county legislative body and in the office of the State Comptroller.

Ms. Anne M. Sapienza , Appointed Assessor
Town of Bergen
13 South Lake Ave - Box 73
Bergen, NY 14416

08/06/14
DSC



Municipal Code	Municipal Name	(A) 2013 State Equalization Rate	(B) 2014 State Equalization Rate and Status	(C) Percentage Change in Estimate of Full Value
182000	Town of Alabama	97.00	97.00 Final	0.00%
182200	Town of Alexander	100.00	100.00 Final	0.00%
182600	Town of Bergen	100.00	100.00 Final	0.00%
183400	Town of Elba	100.00	100.00 Final	0.00%
184400	Town of Stafford	100.00	100.00 Final	0.00%
189901	Genesee County C.A.P. #1 Town of Bethany Town of Darien Town of Pembroke	100.00	100.00 Final	2.30%
189902	Genesee County C.A.P. #2 City of Batavia Town of Batavia	100.00	100.00 Tentative	0.00%
189903	Genesee County C.A.P. #3 Town of Le Roy Town of Pavilion	100.00	100.00 Final	0.00%
189904	Genesee County C.A.P. #4 Town of Byron Town of Oakfield	100.00	100.00 Final	0.00%

Column C is the percentage change in the estimate of full value between the 2013 State equalization rate and the 2014 State equalization rate due to the change in full value standard.

This percentage change is important because county and school taxes are apportioned according to a municipality's share of the full value of the county or the school. A municipality will be apportioned a larger share of the tax levy if its full value increases by a larger percentage than others, or if its full value decreases less than the decrease for other municipalities in the county or school.

The information shown in columns B and C is subject to change as the other tentative rates are established in the county and as rates are finalized after the completion of rate complaint processing. You will be sent a complete report when we have established 2014 State equalization rates for all municipalities in your county.



STATE OF NEW YORK
DEPARTMENT OF TRANSPORTATION
REGION FOUR
1530 JEFFERSON ROAD
ROCHESTER, NEW YORK 14623-3161
www.dot.ny.gov

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KEVIN BUSH, P.E.
REGIONAL DIRECTOR
August 4, 2014

JOAN MCDONALD
COMMISSIONER

Honorable Donald Cunningham
Supervisor
Town of Bergen
45 Rochester Street
Bergen, NY 14416

Dear Mr. Cunningham,

The New York State Department of Transportation is undertaking a highway paving project this summer to improve the condition of I-490 in the towns of Bergen, Riga, and Chili. A \$1.4 million pavement preservation project along the 6.6 mile section of I-490 between exits two (Routes 33 & 33A – Bergen-Riga Road) and four (Route 259 Union Street) is slated to begin the week of August 18th, weather permitting.

This project was accelerated to address the severe damage caused by last winter's extreme conditions. The project entails the removal of the top three inches of pavement and replacement with a fresh layer of asphalt in the two mile section that is most deteriorated and was closed last winter, as well as the removal and replacement of the top 1" of pavement in the remaining areas between exits two and four.

This paving work is expected to last approximately two months, pending favorable weather and schedule. Traffic will be maintained with the use of single lane closures. Work will likely begin in the right hand lane on the westbound side of the highway. Access to ramps will be maintained.

If you have any questions about this project, please feel free to contact me at 585-272-3340.

Sincerely,

Scott Sullivan
Project Engineer in Charge

We are expanding our email database and would like to add your email address. Please send your email address to us at R4Projects@dot.ny.gov Include the following number in the subject line. 475 Thank you!

08/08/14
DSC

(10)

Don Cunningham

From: "chuck dodson" <bergen307@yahoo.com>
To: <ambarclay@villageofbergen.com>; "Don Cunningham" <supervisor@bergenny.org>
Cc: <je_mac@hotmail.com>
Sent: Saturday, August 09, 2014 8:37 PM
Subject: Bergen FD Assistance to Firefighter Grant

Greetings,

It is my pleasure to pass on to you that we have been successful in receiving a grant from the Assistance to Firefighter program through Homeland Security. The grant was for \$65,000 and will be used to replace our current SCBA fill station at the fire hall. The one we have was provided as part of the original deal with Monroe County when they opened the land fill. Since the unit was installed the fire department has switched from 2216 psi air cylinders to 4500 psi cylinders. These new cylinders provide a lower profile and less weight for today's firefighters. The current unit has struggled to fill our new bottles and because of that we have experienced increased maintenance costs.

As we continue forward we will work to secure any and all grants that the fire department may be eligible. If you have any questions please feel free to contact me.

Chuck Dodson
Chief

8/11/2014

11

RJ PROPERTIES
6970 WARBOYS RD.
BYRON, NY 14422

50-681/223

267

DATE 8/1/14

PAY TO THE ORDER OF

Town of Bergen

\$ 400.00

Four Hundred

DOLLARS



Security Features
Look for
Mark on Back

THE BANK OF
CASTLE

A Tompkins Community Bank

MEMO

SALE OF PORTION OF LIBERTY WAY
PER RESOLUTION #11-2014

[Signature]

HI [REDACTED]

REC'D. FOR THE SALE OF THE PORTION
OF LIBERTY WAY PER
RESOLUTION #11-2014

LACY KATZEN LLP
130 East Main Street, Rochester, NY 14604

SALE

CLOSING STATEMENT for

Client: **Town of Bergen**
Buyer: **David Barclay and Anna Marie Barclay**
Property Address: **Part of 17 South Lake Avenue, Bergen, NY 14416**
Closed: **March 24, 2014**

SELLER'S CREDITS:			
Sale Price		\$	560.00
TOTAL SELLER'S CREDITS		\$	560.00
BUYER'S CREDITS:			
		<u>Buyer's Credits</u>	
Total Buyer's Credits		\$ -	\$ -
BALANCE DUE SELLER		\$	560.00
SELLER'S EXPENSES:			
Legal Fee		\$ 500.00	
TOTAL SELLER'S EXPENSES		\$ 500.00	\$ 500.00
NET PROCEEDS TO CLIENT		\$	<u>60.00</u>

8/8/14
DSC