

**Town Board Meeting
Town of Bergen
October 22, 2013**

I 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 - October 9, 2013
- Budget Workshops on 10/15/2013 and 10/19/2013.

IV Communications:

1. Letter & notice from A.O.T. on available training.
2. Travel request from Justice & Court Clerk Kunego
3. Resolution to authorize Town Clerk to execute License Issuing Agent Agreement with NYSDEC
4. Invitation to Workers Compensation Seminar from Genesee Co. Self Ins.
5. Mercy EMS report for Sept. 2013
6. Local Law for Tax Cap Override & related Public Notice

V Board Members' items for addition to the agenda

VI Reports:

- Zoning / Code Enforcement
- Highway

-Committees

- Highway & Parks
 - Next meeting 11/5.
- Buildings
 - Discuss Proposals for Cleaning.
 - Discuss applicants for building maintenance
- Village Relations
 - Next meeting 12/9

VII Old Business:

- Peachey Rd. Water District
 - B.A.N. Renewed to December
- Discuss revoking Constable appointment of Garrett Dean
- Make appointments Comprehensive Plan Review Board

VIII New Business:

- Award contract for cleaning
- Select candidate for building maintenance
- Introduce Tax Cap Override Law, set public hearing date
- Discuss Modified 2014 Budget and adopt as Preliminary Budget
- Set Budget Hearing Date, Time, & location (Weds. 11/6 or Thurs 11/7)
- Select health insurance plan for 2014

IX Next Meeting Day: - Public Hearing for Local Law # ____, ____/____, 6:00 pm, & Budget Hearing, ____/____, 6:30 PM
-Tuesday, November 12, 7:30 pm Courtroom, Audit of the bills at 7:15 pm

X Adjournment:

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THE
ASSOCIATION OF TOWNS
OF THE
STATE OF NEW YORK

GERALD K. GEIST
Executive Director / Treasurer

KIMBERLY A. SPLAIN
Deputy Director

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Albany, NY 12207

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LORI A. MITHEN-DeMASI
Counsel

MICHAEL E. KENNEALLY, JR.
Associate Counsel

SARAH B. BRANCATELLA
Associate Counsel

MURRAY M. JAROS
Special Counsel

October 9, 2013

Dear Supervisor:

We wrote you this past August as to the amount of the town's dues for your use in budget formulation. There was also an explanation of how these dues were computed. If your town has not yet paid their dues, your town clerk will be receiving a voucher along with an explanation of the dues within the next couple of weeks.

There is no doubt that town government continues to be the most responsive, efficient and "closest to the people" provider of services to residents in New York State today. It is, however, continually challenged by critical issues that arise. Such issues are both programmatic and fiscal, and they impact a town's ability to provide services to their residents at a reasonable cost. To deal with such challenges, the Association has added staff and expanded services for its members. Your support of these efforts through membership in the Association is a direct, invaluable benefit to the residents of your town.

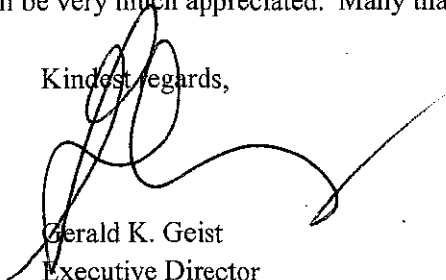
One of the ways in which the Association provides assistance is by training town officials, and the most comprehensive effort in this area is our Training School and Annual Meeting. The **2014 Training School and Annual Meeting** will be held at the New York Hilton Midtown, New York City, **February 16-19, 2014**. Under General Municipal Law, §77-b, the actual and necessary expenses of officers and employees of your town attending the Annual Meeting are proper town charges. A registration form has been enclosed along with information on booking your own hotel room (NEW THIS YEAR) and can also be found in your November/December "Talk of the Towns & Topics". *We encourage you to register for the meeting and make room reservations online through our Web site: www.nytowns.org by following the links.*

We will also be having our **Newly Elected Officials Schools** in January. The Newly Elected Schools will be **January 8-10, 2014 at the DoubleTree in Rochester, NY and January 15-17, 2014 at the Desmond Hotel in Albany, NY**. A registration form has been enclosed along with hotel information. You can also find the information in your November/December "Talk of the Towns & Topics".

On behalf of the entire staff, I promise that we will continue in our efforts to provide updated education training for you and your staff and to represent strongly the views of town government both in Albany and Washington.

Your cooperation in processing your dues voucher will be very much appreciated. Many thanks in advance.

Kindest regards,


Gerald K. Geist
Executive Director

GKG:pak

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TOWN OF BERGEN

TRAVEL REQUEST FORM (revised 1/90)

PURPOSE OF TRIP (ATTACH COPY OF CONFERENCE AGENDA IF AVAILABLE):

Association of Towns - Meeting and Training request for T/J and C/C Kunego

LOCATION: New York City

MEETING START: DATE: TIME:

MEETING END: DATE: TIME:

WILL YOU BE STAYING THE ENTIRE PROGRAM: YES: NO:

IF NO, STATE PLANNED:
ARRIVAL TIME: AND DEPARTURE TIME:

MEANS OF TRANSPORTATION: Car

ESTIMATED EXPENSES:	REGISTRATION:	<input type="text" value="\$200"/>	\$100 ea.
	TRANSPORTATION:	<input type="text" value="\$396"/>	700 miles@ .565 ea
	LODGING:	<input type="text" value="\$592"/>	\$296.00 - 2 nights
	MEALS:	<input type="text" value="\$521"/>	approx.
	OTHER (EXPLANATION BELOW) :	<input type="text" value="\$0"/>	

TOTAL:

SUBMITTED ON: October 10, 2013

REQUESTED BY (NAME):	Donald R. Kunego	Bargara A. Kunego
POSITION:	Town Justice	Court Clerk

TOWN CLERK USE ONLY

BUDGET ACCOUNT NO. _____

MONEY AVAILABLE IN BUDGET: YES _____ NO _____

ACTION OF TOWN BOARD: APPROVED _____ DENIED _____ DATE ____/____/____

BOARD COMMENTS: _____

COPY OF COMPLETED FORM MUST BE ATTACHED TO VOUCHER FOR PAYMENT

10/14/13
DSC

RESOLUTION NO.

DATED: OCTOBER 22, 2013

**NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
LICENSE ISSUING AGENT AGREEMENT**

WHEREAS, the Town Clerk's Office is an agent authorized by New York State Department of Environmental Conservation (NYSDEC) to issue licenses for the privilege of hunting and fishing in New York State; and

WHEREAS, the NYSDEC is in the process of using a new electronic issuing system; and

WHEREAS, each authorized licensing agent is required to enter into a NYSDEC License Issuing Agent Agreement.

NOW, THEREFORE, BE IT

RESOLVED the Bergen Town Board hereby authorizes the Town Clerk to execute the License Issuing Agent Agreement between the NYSDEC and the Town of Bergen, a copy of which is annexed hereto and made part of the Town Board Minutes.

Offered by:

Second by:

GENESEE COUNTY SELF-INSURANCE PLAN Workers Compensation Seminar

Wednesday, November 6, 2013
County Building No. 2, 3837 West Main St. Rd.
Batavia, New York
2:00 p.m. - 4:00 p.m.

All participants of the Self-Insured Plan (Towns, Villages, School Districts, Volunteer Fire, Batavia Housing Authority, GCC and County) are invited to join us for an informational seminar on Workers Compensation. This is a chance for you to meet your "Workers' Compensation Team".

Presenters Include:

- Kathy Jasinski, Executive Secretary, Genesee County Self-Insured Plan
- Gian Giandomenico, Claims Supervisor - First Niagara Risk Management
- Patricia Wisniewski, Claims Examiner, First Niagara Risk Management
- Edward Nicosia, Esq., Partner - Law Firm Buckner & Kourofsky
- Bill Fritts, Lawley Insurance Company
- Judy Minunni RN, Certified Case Manager - Professional Medical Management Services

After a short presentation we will take questions but will not talk about specific cases. If you have a specific case you want to discuss, please call me ahead and we will set some time for you alone.

We hope everyone will try to send a representative who deals with your municipality and the Workers Comp issue.

Please RSVP via email at kjasinski@co.genesee.ny.us
Or call me at 585-344-2550 Ext. 2203

We look forward to seeing you on November 6th

10/21/13
DSE

Genesee County 911
Response Times Report

Mercy EMS

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Trip Date IS BETWEEN 09/01/2013 AND 09/30/2013; 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 **20**

The total number of Emergency Responses: 17
The total number of Non-Emergency Responses: 3

The total number of ALS (Paramedic) Responses or Evaluations: 18
The total number of BLS (Basic or Intermediate) Responses or Evaluations: 2

The total number of "Cancelled Enroute" **4**
The total number of Responses that had a "Significant Weather Occurance" **0**

8312	9/2/2013	13:49:36	MEDIC2	A-MEMS 911 Response 1st Unit	911 EMERGENCY
200 SHERIDAN RD				ROCHESTER GENERAL HOSPITAL	Response Time: 00:16:29
8357	9/4/2013	07:44:42	MEDIC2	A-MEMS 911 Response 1st Unit	911 EMERGENCY
80 NORTHFIELD DR				STRONG MEMORIAL HOSPITAL	Response Time: 00:18:11
8480	9/6/2013	19:19:52	BLS-2	A-MEMS 911 Response 1st Unit	911 EMERGENCY
6917 W BERGEN RD					Response Time Negative Tir
NO TRANSPORT CANCELLED AT 19:34:43 Code 4 Cancelled Enroute					
8486	9/7/2013	01:22:30	MEDIC2	A-MEMS 911 Response 1st Unit	911 EMERGENCY
6571 W SWEDEN RD					Response Time: 00:17:49
NO TRANSPORT CANCELLED AT 02:03:43 Code 4 Transport by Other Mean					
8494	9/7/2013	08:13:50	MEDIC1	A-MEMS 911 Response 1st Unit	911 EMERGENCY
6619 N LAKE RD				APT 02	Response Time Negative Tir
NO TRANSPORT CANCELLED AT 08:30:45 Code 4 Cancelled Enroute					
8673	9/11/2013	12:24:09	MEDIC2	A-MEMS 911 Response 1st Unit	911 EMERGENCY
8070 CHILI RIGA CENTER RD				REAR STRONG MEMORIAL HOSPITAL	Response Time: 00:15:32
8718	9/12/2013	14:01:17	MEDIC1	A-MEMS 911 Response 1st Unit	911 EMERGENCY
6619 N LAKE RD				BERGEN MEADOWS 5 UNITY-PARK RIDGE HOSPITAL	Response Time: 00:17:19
8906	9/18/2013	08:48:44	MEDIC1	A-MEMS 911 Response 1st Unit	911 EMERGENCY
29 PONDVIEW DR				UNITED MEMORIAL MEDICAL CENTER	Response Time: 00:16:44
8913	9/18/2013	14:35:08	MEDIC2	B-MEMS 911 Resp Addl Unit Resp	911 EMERGENCY
7015 OLD STATE RD					Response Time: 00:11:08
NO TRANSPORT CANCELLED AT 14:56:50 Code 4 Patient Not Found					
8914	9/18/2013	14:35:08	SQUAD1	A-MEMS Squad Resp 1st Unit	911 EMERGENCY
7015 OLD STATE RD					Response Time: 00:09:38
NO TRANSPORT CANCELLED AT 14:56:20 C4 Supervisor Response					
8931	9/19/2013	08:29:45	MEDIC1	A-MEMS 911 Response 1st Unit	911 EMERGENCY
CHILI AVE & BREW RD				UNITED MEMORIAL MEDICAL CENTER	Response Time: 00:14:31
8983	9/20/2013	21:46:54	MEDIC1	A-MEMS 911 Response 1st Unit	911 EMERGENCY
89 WOODSIDE DR				STRONG MEMORIAL HOSPITAL	Response Time: 00:18:28
9058	9/23/2013	10:25:30	MEDIC1	A-MEMS 911 Response 1st Unit	911 EMERG-NLS
12 SPRINGDALE LN				STRONG MEMORIAL HOSPITAL	Response Time: 00:15:20
9125	9/25/2013	09:12:28	MEDIC2	A-MEMS 911 Response 1st Unit	911 EMERGENCY
6619 N LAKE RD				BERGEN MEADOWS UNITED MEMORIAL MEDICAL CENTER	Response Time: 00:18:53

Genesee County 911
Response Times Report

Mercy EMS

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Trip Date IS BETWEEN 09/01/2013 AND 09/30/2013; AND Call Source IS FD GEN BERGEN - EB

FD GEN BERGEN - EB

9173	9/26/2013	12:04:33	MEDIC1	A-MEMS 911 Response 1st Unit	911 EMERGENCY
6966 W BERGEN RD					
NO TRANSPORT CANCELLED AT 12:06:13 Code 4 Cancelled Enroute					
Response Time: Negative Time					
9199	9/26/2013	19:52:40	MEDIC1	A-MEMS 911 Response 1st Unit	911 EMERGENCY
8070 CHILI AVE					
NO TRANSPORT CANCELLED AT 20:30:30 Code 4 DOA					
Response Time: 00:15:22					
9210	9/27/2013	02:34:06	MEDIC3	A-MEMS 911 Response 1st Unit	911 EMERGENCY
19 S LAKE AVE					
STRONG MEMORIAL HOSPITAL					
Response Time: 00:18:31					
9211	9/27/2013	02:34:06	SQUAD1	B-MEMS 911 Resp Addl Unit Resp	911 EMERGENCY
19 S LAKE AVE					
STRONG MEMORIAL HOSPITAL					
Response Time: 00:55:16					
9265	9/27/2013	21:11:07	BLS-2	A-MEMS 911 Response 1st Unit	911 EMERG-NLS
976 JOHNSON RD					
NO TRANSPORT CANCELLED AT 21:27:26 Code 4 Cancelled Enroute					
Response Time: Negative Time					
9278	9/28/2013	01:10:44	MEDIC3	A-MEMS 911 Response 1st Unit	911 EMERG-NLS
83 LAKE ST					
APT 1					
NO TRANSPORT CANCELLED AT 01:40:58 Code 4 Transport by Other Mean					
Response Time: 00:16:22					

10/21/13
DSC

Genesee County 911
Response Times Report

FD GEN BERGEN - EB

Trip Date IS BETWEEN 09/01/2013 AND 09/30/2013; AND Call Source IS FD GEN BERGEN - EB

Response Time Minutes	Call Count	Cumulative Call Count	Percentage of Total Calls	Cumulative Percentage
09:00 - 09:59	1	1	8.00%	8%
14:00 - 14:59	1	2	8.00%	17%
- 15:16 - 15:30	1	3	8.00%	25%
- 15:31 - 15:45	1	4	8.00%	33%
16:00 - 16:59	2	6	17.00%	50%
17:00 - 17:59	2	8	17.00%	67%
18:00 - 18:59	4	12	33.00%	100%
Total Calls:	12			

Local Law No _____ of the year 20 13

Town of BERGEN, County of GENESSEE

A local law to override the tax levy limit established in General Municipal Law 3-c

Be it enacted by the town board of the town of BERGEN as follows:

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 pursuant to General Municipal Law § 3-c, and to allow the Town of BERGEN to adopt a budget for the fiscal year 2014 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law § 3-c.

~~Add More Justification if you like~~

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 cap 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 GENESSEE is hereby authorized to adopt a budget for the fiscal year 2014 that requires a real property tax levy in excess of the amount otherwise proscribed in General Municipal Law, §3-c.

Section 4. Severability.

If any clause, sentence, paragraph, subdivision, or part of this 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 in its operation to the clause, sentence, paragraph, subdivision, 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.

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 22, 2013, Local Law No. ____ of 2013, entitled "A Local Law To Override the Tax Levy Limit Established In General Municipal Law §3-c For The Fiscal Year 2014."

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 _____ Bergen, New York on November _____, 2013 at _____ p.m., at which time all persons interested will be heard.

By Order of the Town Board

October _____, 2013

Michele Smith, Town Clerk