

**Town Board Meeting
Town of Bergen- Town Hall
November 27, 2018
Agenda**

I. Call to Order 7:00 pm

Prayer Almighty God, as we meet today to conduct matters of Town business, grant us the wisdom to remember as we work that we are servants of our constituency. Assist us to be sure our decisions should be in the best interests of the Town and its citizens, entirely unblemished by any thoughts of personal benefit. Amen.

Pledge to the flag

II. Privilege of the Floor- Felipe A. Oltramaria, Director Genesee County Planning—Smart Growth

III. Approval of meeting Minutes for- 11/13/18 Board Meeting

IV. Communications included with this agenda:

1. Mercy EMS summary report for Oct. 2018
2. GAM presentation – alternatives to Sales Tax proposals

V. Board Members' items for addition to the agenda

VI. Reports:

- Supervisor
- Clerk
- Board Members
- Zoning / Code Enforcement: - Update on Haunted House property and property on Town line road-
Conversation with attorney
- Update on 1203 Form
- Follow up to request for changes in Town Law for compliance with 1203.15 Code and square footage. 144 instead of 150

- Highway
 - Update on Town Barn
 - Request for Traffic Study
 - Year- end truck purchase

Committees

- Building, Grounds, and Facilities - Follow up to Architect Walk through of Historian office/Museum

- Parks- Park Renovations- time line –Update on plans for improvements
 - List of items to purchase for the Park
 - Kiosk for Drew's Nature Center- BOCES

- Local History & Museum-
- Policy and Personnel-
- Village /Town-

VII. Old Business:

- Sales Tax Agreement- update and Discussion of GAM's two alternative proposals to County's proposal on sales tax.
- Update on Water Improvement Benefit Area

VIII. New Business

- Request from employee of Veteran's Administration to park car at town hall parking lot.

IX. Meeting and Other Upcoming Dates

- 12/11/18 – 7 pm Town Board meeting at Town Hall- Possible quest- Town Attorney
- 12//19/18- Holiday party at Fire Hall
- 12/29/18- 10 am Town Board meeting at Town Hall

XI. Adjournment

NOVEMBER 13, 2018 BERGEN TOWN BOARD REGULAR MEETING

The Bergen Town Board convened in a regular session at 7:00 pm in the Town Hall with Supervisor Haywood presiding.

PRESENT:

Supervisor Ernest Haywood
Councilwoman Belinda Grant
Councilwoman Anne Sapienza
Councilman James Starowitz

ALSO PRESENT:

Michele M. Smith, Town Clerk
Mike Johnson, Highway Superintendent
Dave Mason, ZEO/CEO

ABSENT:

Councilman Mark Anderson

OTHER ATTENDEES:

Gary Traver	Eileen Mason
Ron Stark	Kathy McLaughlin
Mark Gerhardy	Andrew Fink
Lou Romano	Gary Fink

PRAYER

PLEDGE OF ALLEGIANCE TO THE FLAG

Gary Traver Assistant Director of Oversight for the Department of State with Ron Stark – discussed Training on roles and responsibilities in regard to uniform code 1203

MINUTES: *Councilman Starowitz made a motion to approve the minutes of October 23, 2018; seconded by Councilwoman Sapienza and carried by a vote 4-0. Councilman Starowitz made a motion to approve the minutes of November 8, 2018 2019 Budget Public Hearings; seconded by Councilwoman Sapienza and carried by a vote 3-0. Councilwoman Grant abstained*

COMMUNICATIONS:

Supervisor Report for October 2018

Summary Spreadsheets for October 2018

Town Clerk's Report for October 2018

ZEO/CEO Report for October 2018

2019 Association of Towns Annual meeting and Training School

2019 Fire Protection contract between the Bergen Fire Department and the Bergen Fire District

2019 Excellus Notice of Renewal and 2019 Premium Rates

Pipitone quote for HVAC work at Town Hall building

REPORTS:

SUPERVISOR: Working on Sales Tax Agreement recommendations with Supervisors from Leroy and Pavilion; met with the Byron Supervisor on water at State and Old School House Roads; SAM Grant for Library.

TOWN CLERK: Holiday Party December 19th at the Fire Hall Noon – 1:00pm. *Councilwoman Grant made a motion not to exceed \$500 for the Town Holiday party planned for December 19th at noon at the Fire Dept. Recreation Hall out of the Celebrations account; seconded by Councilman Starowitz and it carried by a vote 4-0. Village Tree Decorating Councilwoman Sapienza made a motion to decorate a Village Christmas tree not to exceed \$20; seconded by Councilman Starowitz and it carried by a vote 4-0.*

ZEO/CEO: Attended training in Leroy with Gary Fink; ISO Report by January; Haunted House on W. Sweden Rd. discussed with Planning Board to issue a special Use Permit or operating permit - contacting town attorney for opinion; Charlie Cook requesting speed limit reduced to 35 mph on Rt. 33-Superintendent Johnson will look into it.

HIGHWAY/SOLID WASTE: Bridge NY 4 in the County none in the Town Bergen; roadside mowing and snow fence.

TOWN CLERK'S OCTOBER REPORT: *Councilman Starowitz made a motion to file the Town Clerk's October 2018 report; seconded by Councilwoman Grant and it carried by a vote 4-0.*

SUPERVISOR'S OCTOBER REPORT: *Councilwoman Sapienza made a motion to file the October 2018 Supervisors Report; seconded by Councilman Starowitz and it carried by a vote 4-0.*

COMMITTEES:

Building Committee: Triple-O maintenance agreement - letter to end agreement and contacting Luke; update on renovation at 13 S. Lake Ave. – moving along

Parks/Transfer Station: on target with spending

Local History & Museum: building condition study of 15 S. Lake & the Barn feasibility study for \$975 Dave Strabel. *Councilwoman Sapienza made a motion to accept proposal from Architect Dave Strabel for a feasibility study for the Harford Barn and Historian building for \$975; seconded by Councilwoman Grant and it carried by a vote 4-0.*

OLD BUSINESS:

Proposed Water District #4 - preparing for filing with USDA

NEW BUSINESS

Adopt 2019 Town Budget *Councilwoman Sapienza made a motion to adopt the preliminary budget as the Final 2019 Budget; seconded by Councilwoman Grant and it carried by a vote of 4 -0*

Approve 2019 Fire Protection Contract *Councilwoman Sapienza made a motion to approve the 2019 Fire Contract of \$207; seconded by Councilman Starowitz and it carried by a vote 4-0.*

HVAC Quote from Pipitone *Councilwoman Sapienza made a motion to accept the \$720 quote from Pipitone for the Town Hall HVAC repairs; seconded by Councilman Starowitz and it carried by a vote 4-0*

2019 Health Insurance renewal *Councilwoman Grant made a motion to accept the 2019 Excellus insurance plan and rates; seconded by Councilman Starowitz and it carried by a vote 4-0.*

Official Undertaking for Tax Collection Officer *Councilwoman Sapienza made a motion to approve Resolution #19-2018 for Official Undertaking for Tax Collection Officer by Town Clerk, Michele M. Smith; seconded by Councilwoman Grant and it carried by a vote 4-0.*

**APPROVAL OF OFFICIAL UNDERTAKING
FOR TAX COLLECTION OFFICER
APPROVAL OF THE BERGEN TOWN BOARD
RESOLUTION # 19-2018**

We, the undersigned members of the Town Board of the Town of Bergen, County of Genesee, State of New York, do hereby approve the attached undertaking or bond as to its form, manner of execution, amount and sufficiency thereof, and to the sureties named thereon. Said undertaking or bond shall be conditioned that the collector of the taxes shall well and truly keep, pay over and account for all moneys and property coming into Tax Collector, Michele M. Smith's hand as such collector.

Gary Fink Planning Board Chairman read a letter of support of David Mason as ZEO/CEO to not remove him from position, the letter was also signed by the entire Planning Board.

BILLS: The bills were presented for audit and totaled General A Fund \$51,601.33; General B Fund \$5,760.78; Highway DB \$9,717.55; PA-A \$3,053.13; PA-DB \$3,831.52. *Councilman Starowitz made a motion to pay the November bills; seconded by Councilwoman Grant and it carried by a vote 4-0.*

NEXT MEETING: Tuesday, November 27, 2018 at 7:00 pm in the Courtroom

ADJOURNMENT: *Councilwoman Sapienza made a motion to adjourn at 8:55pm; seconded by Councilwoman Grant and carried by a vote 4-0.*

Respectfully submitted,

Michele M. Smith

Michele M. Smith,
Town Clerk

FD GEN BERGEN

Trip Date IS BETWEEN 10/01/2018 AND 10/31/2018; AND Call Types IS A-MEMS 911 Response 1st Unit OR A-MEMS Squad Resp 1st Unit; AND Initial Priorities IS 911 EMERGENCY

Response Time Minutes	Call Count	Cumulative Call Count	Percentage of Total Calls	Cumulative Percentage
FD GEN BERGEN				
Response Zone:GEN BERG 17				
02:00 - 02:59	1	1	9%	9%
10:00 - 10:59	1	2	9%	18%
13:00 - 13:59	1	3	9%	27%
15:00 - 15:59	1	4	9%	36%
16:00 - 16:59	1	5	9%	45%
17:00 - 17:59	1	6	9%	55%
18:00 - 18:59	1	7	9%	64%
19:00 - 19:59	1	8	9%	73%
21:00 - 21:59	3	11	27%	100%
Total Calls:	11	11	100%	

Response Zone:GEN BERG 22				
15:00 - 15:59	1	1	8%	8%
17:00 - 17:59	1	2	8%	17%
18:00 - 18:59	2	4	17%	33%
19:00 - 19:59	4	8	33%	67%
21:00 - 21:59	3	11	25%	92%
22:00 - 22:59	1	12	8%	100%
Total Calls:	12	12	100%	

Call Source Total Calls: 23

GENESEE COUNTY

SALES TAX SHARING

THE NEXT AGREEMENT
SHARING IN THE COSTS
SHARING IN THE REVENUE

Proposal A

- ▶ Town/Village share of sales tax reduced from 34% to 30%
- ▶ Agreement for forty (40) years – mirrors City agreement
- ▶ County realizes additional 6% revenue from what currently shared with C/T/V

Proposal B

- ▶ Town/Village share of sales tax capped at 2018 rate
- ▶ Agreement for fifteen (15) years – allows for review of economics/mandates/etc. in 2032*
- ▶ County realizes additional revenue from all sales tax growth (compounded)

Acknowledging a shared set of assumptions, these alternative proposals...

- ▶ Recognize that the County is limited by NYS Raise the Age funding mandates as to tax levy cap
- ▶ Recognize that the County is mandated by NYS to construct a new jail facility
- ▶ Recognize that towns/villages are significant sources of sales tax revenue generated in the County
- ▶ Recognize that towns/villages rely upon sales tax revenue sharing for substantial portion of annual budget revenue
- ▶ Recognize that there may be no legal statutory authority for counties to share revenue with towns/villages other than through sales or property taxes
- ▶ Recognize that the current method of how sales tax revenue shared is distributed among each town/village (formula) has been effective
- ▶ Recognize that the average annual rate of sales tax growth over the last twenty-five (25) years has been 3.24%

These alternate proposals...

- ▶ Provide a significant increase in revenue for County jail mandate
- ▶ Provide a measure of predictability of revenue for towns/villages
- ▶ Minimize the negative impact to towns/villages by taking into consideration both short-term and long-term County revenue needs simultaneously
- ▶ Allow for the continuation of towns/villages (as named recipients) in a sales tax revenue sharing agreement with the County

GENESEE COUNTY SALES TAX REVENUE WORKSHEET

Estimated Sales Tax Growth	2.50%
Additional Dollars Needed by County	\$60,000,000
40 Year Loan Interest	4.15%
% of Additional Sales Tax Rev to County	6.00%

Yearly Loan Payment	\$3,099,407.35
County Cash Flow Positive Year	2029
Cumulative Cash Flow Positive Year	2037
Maximum Deficit During Repayment	-\$3,013,782
Total Repayment of Loan (40 Years)	\$123,976,294
Total Additional County Revenue (40 Years)	\$175,180,930
Percent of Reduction To Towns / Villages	17.65%

Estimated Sales Tax Growth	3.00%
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Yearly Loan Payment	\$3,099,407.35
County Cash Flow Positive Year	2027
Cumulative Cash Flow Positive Year	2034
Maximum Deficit During Repayment	-\$2,262,220
Total Repayment of Loan (40 Years)	\$123,976,294
Total Additional County Revenue (40 Years)	\$199,506,825
Percent of Reduction To Towns / Villages	17.65%

Estimated Sales Tax Growth	3.24%
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Yearly Loan Payment	\$3,099,407.35
County Cash Flow Positive Year	2027
Cumulative Cash Flow Positive Year	2032
Maximum Deficit During Repayment	-\$1,983,306
Total Repayment of Loan (40 Years)	\$123,976,294
Total Additional County Revenue (40 Years)	\$212,540,634
Percent of Reduction To Towns / Villages	17.65%

GENESEE COUNTY SALES TAX REVENUE WORKSHEET

Estimated Sales Tax Growth	2.50%
Additional Dollars Needed by County	\$70,000,000
40 Year Loan Interest	4.15%
% of Additional Sales Tax Rev to County	6.00%

Yearly Loan Payment	\$3,615,975.24
County Cash Flow Positive Year	2035
Cumulative Cash Flow Positive Year	2049
Maximum Deficit During Repayment	-\$9,419,563
Total Repayment of Loan (40 Years)	\$144,639,010
Total Additional County Revenue (40 Years)	\$175,180,930
Percent of Reduction To Towns / Villages	17.65%

Estimated Sales Tax Growth	3.00%
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Yearly Loan Payment	\$3,615,975.24
County Cash Flow Positive Year	2032
Cumulative Cash Flow Positive Year	2043
Maximum Deficit During Repayment	-\$7,397,703
Total Repayment of Loan (40 Years)	\$144,639,010
Total Additional County Revenue (40 Years)	\$199,506,825
Percent of Reduction To Towns / Villages	17.65%

Estimated Sales Tax Growth	3.24%
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Yearly Loan Payment	\$3,615,975.24
County Cash Flow Positive Year	2031
Cumulative Cash Flow Positive Year	2041
Maximum Deficit During Repayment	-\$6,658,337
Total Repayment of Loan (40 Years)	\$144,639,010
Total Additional County Revenue (40 Years)	\$212,540,634
Percent of Reduction To Towns / Villages	17.65%

GENESEE COUNTY SALES TAX REVENUE WORKSHEET

Estimated Sales Tax Growth	2.50%
Additional Dollars Needed by County	\$80,000,000
40 Year Loan Interest	4.15%
% of Additional Sales Tax Rev to County	6.00%

Yearly Loan Payment	\$4,132,543.13
County Cash Flow Positive Year	2041
Cumulative Cash Flow Positive Year	2058
Maximum Deficit During Repayment	-\$18,840,003
Total Repayment of Loan (40 Years)	\$165,301,725
Total Additional County Revenue (40 Years)	\$175,180,930
Percent of Reduction To Towns / Villages	17.65%

Estimated Sales Tax Growth	3.00%
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Yearly Loan Payment	\$4,132,543.13
County Cash Flow Positive Year	2037
Cumulative Cash Flow Positive Year	2051
Maximum Deficit During Repayment	-\$15,061,226
Total Repayment of Loan (40 Years)	\$165,301,725
Total Additional County Revenue (40 Years)	\$199,506,825
Percent of Reduction To Towns / Villages	17.65%

Estimated Sales Tax Growth	3.24%
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Yearly Loan Payment	\$4,132,543.13
County Cash Flow Positive Year	2036
Cumulative Cash Flow Positive Year	2048
Maximum Deficit During Repayment	-\$13,654,531
Total Repayment of Loan (40 Years)	\$165,301,725
Total Additional County Revenue (40 Years)	\$212,540,634
Percent of Reduction To Towns / Villages	17.65%