**OCTOBER 22, 2019 BERGEN TOWN BOARD REGULAR 2nd MEETING**

The Bergen Town Board convened in a regular session at 7:00 p.m. in the Courtroom with Supervisor Haywood presiding.

**PRESENT:**  **ALSO PRESENT:**

Supervisor Ernest Haywood Michele M. Smith, Town Clerk

Councilman Mark Anderson Mike Johnson, Highway Superintendant

Councilwoman Belinda Grant

Councilwoman Anne Sapienza

**ABSENT:**

Councilman James Starowitz

**PRAYER**

**PLEDGE OF ALLEGIANCE TO THE FLAG**

*Councilwoman Grant made a motion to open the Public Hearing on the 2020 Fire Contract of $205,887.58 at 7:00 pm; seconded by Councilwoman Sapienza and it carried by vote 4-0.* No Public Comments were made

*Councilwoman Grant made a motion to open the Public Hearing on the 2020 Town Budget at 7:15 pm; seconded by Councilman Anderson and it carried by a vote 4-0.* No Public Comments were made

*Councilwoman Sapienza made a motion to open the Public Hearing for Local Law #4-2017 to “Override the Tax Levy Limit Established in General Municipal Law For the Fiscal Year 2018 at 7:30 pm; seconded by Councilman Anderson and it carried by a vote 4-0.* No Public Comments were made

*Councilwoman Sapienza made a motion to close the Public Hearings on the Fire Contract, 2020 Town Budget and Local Law #4-2019 at 7:40; seconded by Councilwoman Grant and it carried by a vote 4-0.*

**MINUTES:** *Councilman Anderson made a motion to approve the minutes of October 8, 2019; seconded by Councilwoman Grant and carried by a vote 4 -0.*

**COMMUNICATIONS:**

Mercy EMS summary report for September 2019

Notice of Town of Bergen acceptance of sealed bids for the Library Renovations

Notice of Association of Towns 2020 Annual Meeting in NYC

NYMIR inspection results of Town properties and Fire Department 10/15/2019 results

Notice from Genesee County regarding water surcharge rates

Supervisors correspondence to Mr. and Mrs. Bowers request to be removed from proposed Water District

**REPORTS:**

SUPERVISOR: NYMIR Audit of buildings; Worked with Assessor on EDU charges for Dublin Rd. property; GAM meeting - legislation reimbursing fair pay ambulance costs.

TOWN CLERK: Carpet cleaning estimates Kleen-All $454.50 and Joey T’s Carpet Cleaning $150.00.  *Councilwoman Anne made a motion to approve Joey T’s Carpet Cleaning for the Town Hall offices and Courtroom not to exceed $200; seconded by Councilwoman Grant and it carried by a vote 4-0.*

HIGHWAY/SOLID WASTE: Getting equipment ready for winter; hired 4 transfer station employees; Highway Superintendent truck is in for repairs; new gas meter was installed at library found a leak to furnace.

**COMMITEES:**

BUILDINGS/CEMETERY: RFP for Vinyl flooring at Town Hall; Historian furnace needs maintenance; library schedule during renovation.

PARKS: final requisition for grant; posters are up in the kiosk at Drews Nature Center

LOCAL HISTORY AND MUSEUM: nothing to report

POLICY AND PERSONNEL: Employee Handbook

SOLAR: met with Brownfield October 17th

TRANSFER STATION: expense and revenue information; Clerk Smith reported that she ordered receipt books and $20 punch cards.

**OLD BUSINESS:**

Water Benefit Improvement Area #1 update– Application has been sent to the State Comptroller; RFPs needed for Bond Council and Auditing firms

Planning/Zoning Board Training will be discussed with Planning Board Chair -per state mandate 4 hours a year

Sexual Harassment Training One employee needs to take training or submit certificate

**NEW BUSINESS:**

BAR Appointment Richard Howard’s term expired in September. *Councilwoman Sapienza made a motion to reappoint Richard Howard to Board of Assessment Review; seconded by Councilwoman Grant and it carried by a vote 4-0.*

Planning Board Appointment *Councilwoman Sapienza made a motion to appoint Cynthia Anderson as a full member to the Planning Board; seconded by Councilwoman Grant and it carried by a vote 4-0*. Councilman Anderson abstained

NYMIR tour of buildings a Risk Control Specialist toured town buildings the board reviewed recommendations of any safety concerns of which were few.

Adoption of Local Law #4-2019 *Councilwoman Sapienza made a motion to adopt Local Law #4-2019 to Override the Tax Cap Limit; seconded by Councilman Anderson and it carried by a vote 4-0.*

**Local Law # 4-2019**

**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 2020**

**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 2020 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 2020 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.

Adopt 2020 Town Budget *Councilwoman Grant made a motion to adopt the preliminary budget as the Final 2020 Budget; seconded by Councilwoman Sapienza and it carried by a vote of 4 -0*

Approve 2020 Fire Protection Contract *Councilwoman Sapienza made a motion to approve the 2020 Fire Contract of $205,887.58; seconded by Councilman Anderson and it carried by a vote 4-0.*

Village Tree Lighting *Councilwoman Sapienza made a motion to purchase a tree for $20 for the Tree lighting in the Village; seconded by Councilwoman Grant and it carried by a vote 4-0.*

**NEXT MEETING:**

Regular Meeting – Tuesday, November 12, 2019 at 7:00 pm at Town Hall with audit of the bills at 6:45 pm

Historian Office Tour – November 9, 2019 at 9:00 am

**ADJOURNMENT** *was at 7:47 pm on a motion by Councilwoman Grant; seconded by Councilman Anderson and it carried by a vote 4-0.*

Respectfully submitted,

**Michele M. Smith**

Michele M. Smith,

Town Clerk