

**Town Board Meeting  
Town of Bergen  
August 11<sup>th</sup>, 2020  
Town Hall- 10 Hunter Street, Bergen New York  
Agenda**

**I. Audit of the Bills 6:45 pm, 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:**

**III. Approval of meeting Minutes for: Regular Meeting 7/28/2020**

**IV. Communications included with this agenda:**

1. Supervisor Report for July 2020- if available
2. Summary spreadsheets for July 2020- if available
3. Town Clerk Report for July 2020
4. ZEO/CEO Report for July 2020
5. Letter of interest in Planning/Zoning Board of Appeals Secretary Position from Kimberlie Donley
6. Lateral Restrictions Resolution
7. Local Government record retention- LGS-1 Retention Schedule
8. Correspondent from Charter Communication dated 7/31/2020

**V. Board Members' items for addition to the agenda**

**VI. Reports:**

**Supervisor**

**Clerk**

**Board Members**

**Zoning / Code Enforcement:**

- Update on Permits
- Follow up on Appletree concern
- Mowing Ordinance

**Highway**

- Evan's Road -request for gate

**Committees**

- Building, Grounds, and Facilities (cemeteries)
- Parks
- Local History & Museum
- Policy and Personnel: Negotiations
- Transfer Station

**VII. Old Business:**

- Town of Bergen Water Improvement Benefit Area #1 project- Update:

**VIII. New Business:**

- Appointment of Kimberlie Donley as Secretary for the Planning and Zoning Board of Appeals.
- Lateral Restriction Resolution for Water Improvement Benefit Area #1
- Date for possible ZOOM meeting for residents of Water Improvement Benefit Area #1 9/8 or 9/15

**IX- Reports & Bills:**

- Action to file Town Clerks Report
- Action to file Supervisors Report
- Approve payment of the bills

**X. Meeting and Other Upcoming Dates:**

- Town Board Meeting: 8/22/2020 at 7 pm in the town hall.

**XI. Executive Session**

**XII. Adjournment**

JULY 28, 2020 BERGEN TOWN BOARD REGULAR 2<sup>nd</sup> MEETING

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

**PRESENT:**

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

**ALSO PRESENT:**

Michele M. Smith, Town Clerk  
Mike Johnson, Highway Superintendent

**PRAYER**

**PLEDGE OF ALLEGIANCE TO THE FLAG**

**MINUTES:** *Councilman Anderson made a motion to approve the July 14, 2020 minutes; seconded by Councilman Starowitz and it carried by a vote 4 -0. Councilwoman Grant abstained.*

**COMMUNICATIONS:**

Correspondence from NYS DOT regarding Traffic Study on Townline Road  
Correspondence from Charter One Communications  
Genesee County Legislature Distribution payments July 2020 update  
2021 Town of Bergen Budget timeline

**REPORTS:**

**SUPERVISOR:** Budget request forms due August 12<sup>th</sup>; preparing RFP for Financial services; possible Federal Stimulus package; DASNY payment received for Library renovation; union negotiations; graffiti on county roads in Bergen; Leonard bus complaint about dust and traffic; Census -Bergen currently at 71%; cleaning contract voluntary reductions sent thank you letter to Gary Dewind.

**TOWN CLERK:** What is happening with Bookkeeper computer - Assessor needs new computer – possible after files removed from bookkeeper computer

**HIGHWAY/SOLID WASTE:** graffiti issue taken care of on N. Bergen and W. Sweden; high traffic on Evans road resident is requesting a gate and college is working on invasive species; working at park and helping school on a project.

**COMMITTEES:**

**BUILDINGS AND CEMETERIES:** Nothing to report

**PARKS:** Nothing to report

**LOCAL HISTORY AND MUSEUM:** Nothing to report

**POLICY AND PERSONNEL:** Union negotiations – met with highway crew and Union Rep. on July 21<sup>st</sup>

**OLD BUSINESS:**

Water Benefit Improvement area #1 – official statement received closing on bond August 19<sup>th</sup>  
Continued discussion of revised spending plan due to potential loss of state and county funding – review of Planning/Zoning Board Secretary Appointment

**EXECUTIVE SESSION:** *Councilman Starowitz made a motion to enter into executive session to discuss Union Negotiations at 7:31 pm; seconded by Councilwoman Sapienza and it carried by a vote 5-0. Councilwoman Sapienza made a motion to exit Executive Session at 8:07 pm; seconded by Councilman Anderson and it carried by a vote 5-0.*

**NEXT MEETING:**

Regular – Tuesday, August 11, 2020 at 7:00pm at the Town Hall with the audit of the bills at 6:45

**ADJOURNMENT** was at 8:08pm on a motion by Councilwoman Grant; seconded by Councilman Starowitz and carried by a vote 5-0.

Respectfully submitted,

*Michele M. Smith*

Michele M. Smith, Town Clerk

**TOWN OF BERGEN**  
**JULY 2020**  
**EXECUTIVE SUMMARY**

**BALANCE SHEET**

- Bank accounts were reconciled as of 7/31/20.
- The Town has \$1,463,601.41 in the bank.

**REVENUES AND EXPENSES**

• **REVENUES**

- Total receipts for the month were: \$248,151.77
- Major receipts were:
  - Town Clerk Report (June) - \$1,580.00
  - Justice Fees - \$5,392.00
  - County Solid Waste Tonnage - \$13,055.95
  - County Voluntary Distribution - \$54,447.80
  - DASNY - \$173,428.40
  - Other - \$247.62

• **EXPENSES**

Expenditures through June on average should equal 58.33% of the annual budget.

General Fund Townwide:

- Year to date expenses are \$426,850.72 compared to the annual budget of \$891,291 or 47.89% of the budget.

General Fund Outside Village:

- Year to date expenses are \$49,872.31 compared to the annual budget of \$543,409 or 9.18% of the budget.

Highway Outside Village:

- Year to date expenses are \$342,112.54 compared to the annual budget of \$697,6050 or 49.04% of the budget.

*Euphras 8/7/2020*

**Town of Bergen  
Cash Summary Report  
July 2020**

FUND Account		6/30/2020			7/31/2020		#9970	#4277	NYCLASS	#9988
		BALANCES	Increases	Decreases	BALANCES	Joint Checking	Joint Savings	Savings	Trust & Agency	
A	200.000	General TW Checking	243,516.17	28,214.05	38,122.97	233,607.25	233,607.25			
A	201.000	General TW Savings	25,222.49	34,344.62	53,731.28	5,835.83		5,835.83		
B	200.000	General OV Checking	4,531.19	59,105.83	4,658.03	58,978.99	58,978.99			
B	201.000	General OV Savings	384,867.49	1,069.57	6,855.91	379,081.15		179,061.58	200,019.57	
DB	200.000	Highway OV Checking	92,827.27	25,673.79	25,673.79	92,827.27	92,827.27			
DB	201.000	Highway OV Savings	221,815.60	-	43,471.58	178,344.02		178,344.02		
HH	200.001	Robins Brook Park Checking	-	-	-	-	-			
HH	201.001	Robins Brook Park Savings	-	-	-	-		-		
HH	200.004	Water District #4 Checking	-	29,214.75	29,214.75	-	-			
HH	201.004	Water District #4 Savings	-	173,428.40	-	173,428.40		173,428.40		
HH	200.050	Nioga Grant Checking	-	-	-	-	-			
HH	201.050	Nioga Grant Savings	(14,136.50)	-	-	(14,136.50)		(14,136.50)		
HH	200.051	Library SAMS Grant Checking	-	-	-	-	-			
HH	201.051	Library SAMS Grant Savings	-	-	-	-		-		
LL	200.000	Library Checking	5,932.00	1,682.86	1,682.86	5,932.00	5,932.00			
LL	201.000	Library Savings	177,740.31	110.01	16,931.49	160,918.83		160,918.83		
SM	200.000	Special District Fire Checking	-	-	-	-	-			
SM	201.000	Special District Fire Savings	1,803.42	-	-	1,803.42		1,803.42		
SW	200.002	Water District Checking	-	-	-	-	-			
SW	201.002	Water District Savings	20,138.80	-	-	20,138.80		20,138.80		
SW	200.003	Water Peachey Rd Checking	-	-	-	-	-			
SW	201.003	Water Peachey Rd Savings	43,712.34	-	-	43,712.34		43,712.34		
TA	200.000	Trust & Agency	67,957.02	45,512.90	40,231.56	73,238.36				73,238.36
VV	200.003	Town Hall Reloc Checking	-	-	-	-	-			
VV	201.003	Town Hall Reloc Savings	15,015.49	-	-	15,015.49		15,015.49		
VV	200.005	Peachey Water Checking	-	-	-	-	-			
VV	201.005	Peachey Water Savings	34,875.76	-	-	34,875.76		34,875.76		
			1,325,818.85	398,356.78	260,574.22	1,463,601.41	391,345.51	798,997.97	200,019.57	73,238.36
		Reconciliation								
		<b>Bank Statement Balances</b>		35,414.19	120,990.26	1,477,741.05	401,658.85	799,201.41	200,019.57	76,861.22
		<b>Deposits In Transit</b>				-	-	(203.44)		203.44
		<b>Outstanding Checks</b>				(14,139.64)	(10,313.34)	-		(3,826.30)
		<b>Balance on General Ledger</b>				1,463,601.41	391,345.51	798,997.97	200,019.57	73,238.36
		Difference				-	-	-	-	-
<p>Pursuant to Section 125 of the Town Law, I hereby render the following detailed statement of all moneys received and disbursed by me during the month of: <u>7/31/2020</u></p>										

**Statement of Activity - MTD and YTD by Fund w/ Variance**  
**Town of Bergen**  
**For 7/31/2020**

	M-T-D Actual	Y-T-D Actual	Annual Budget	Variance	Variance Percentage
<b>Revenues</b>					
AA.1001.000.000 Real Property Taxes	\$ 0.00	\$ 381,389.00	\$ 381,389.00	\$ 0.00	100.00
AA.1081.000.000 Other Payments in Lieu of Taxes	0.00	3,804.94	3,746.00	58.94	101.57
AA.1090.000.000 Interest & Penalties on Real Property Taxes	0.00	2,456.29	2,500.00	(43.71)	98.25
AA.1120.000.000 County Sales Tax Distribution	0.00	0.00	100,000.00	(100,000.00)	0.00
AA.1255.000.000 Clerk Fees	290.00	1,941.58	1,500.00	441.58	129.44
AA.2130.000.000 Landfill Host Revenue	13,055.95	40,106.31	50,000.00	(9,893.69)	80.21
AA.2401.000.000 Interest & Earnings	13.04	209.35	400.00	(190.65)	52.34
AA.2410.000.000 Rental of Real Property	300.00	600.00	1,200.00	(600.00)	50.00
AA.2530.000.000 Games of Chance	0.00	10.00	0.00	10.00	0.00
AA.2544.000.000 Dog Licenses	240.00	1,345.00	2,200.00	(855.00)	61.14
AA.2610.000.000 Fines and Forfeited Bail	5,392.00	30,160.00	65,000.00	(34,840.00)	46.40
AA.2770.000.000 Unclassified Revenues	0.00	1,743.03	0.00	1,743.03	0.00
AA.3001.000.000 State Aid, Revenue Sharing	0.00	0.00	10,000.00	(10,000.00)	0.00
AA.3005.000.000 State Aid, Mortgage Tax	0.00	14,956.42	20,000.00	(5,043.58)	74.78
AA.5031.000.000 Interfund Transfer	0.00	0.00	20,000.00	(20,000.00)	0.00
AA.5999.000.000 Unexpended Balance	0.00	0.00	233,356.00	(233,356.00)	0.00
<b>Total Revenues</b>	<b>19,290.99</b>	<b>478,721.92</b>	<b>891,291.00</b>	<b>(412,569.08)</b>	<b>53.71</b>
<b>Expenses</b>					
AA.1010.100.000 Town Board Personal Services	975.48	8,047.56	12,925.00	4,877.44	62.26
AA.1010.400.000 Town Board Contractual	14.99	507.78	1,500.00	992.22	33.85
AA.1110.100.000 Justices Personal Services	2,333.34	16,333.38	27,258.00	10,924.62	59.92
AA.1110.102.000 Justice Pers Svc, Clerk	1,730.83	11,948.17	21,792.00	9,843.83	54.83
AA.1110.400.000 Justices Contractual	798.70	2,618.66	9,670.00	7,051.34	27.08
AA.1220.100.000 Supervisor Personal Services	758.18	6,255.11	10,046.00	3,790.89	62.26
AA.1220.102.000 Deputy Supervisor Personal Services	96.66	383.23	1,184.00	800.77	32.37
AA.1220.103.000 Supervisor's Secretary Personal Services	336.60	6,327.37	13,170.00	6,842.63	48.04
AA.1220.400.000 Supervisor Contractual	0.00	1,207.80	8,350.00	7,142.20	14.46
AA.1320.400.000 Auditors Contractual	0.00	5,000.00	15,000.00	10,000.00	33.33
AA.1355.200.000 Assessor Contractual	0.00	0.00	300.00	300.00	0.00
AA.1355.400.000 Assessor Equipment	92.80	13,350.08	34,150.00	20,799.92	39.09
AA.1410.100.000 Town Clerk Personal Services	3,295.70	24,717.75	42,844.00	18,126.25	57.69
AA.1410.102.000 Deputy Town Clerk Personal Services	133.90	1,208.45	2,112.00	903.55	57.22
AA.1410.200.000 Town Clerk Equipment	0.00	3,600.00	3,600.00	0.00	100.00
AA.1410.400.000 Town Clerk Contractual	130.00	1,855.46	3,000.00	1,144.54	61.85
AA.1420.400.000 Attorney Contractual	0.00	1,500.00	8,000.00	6,500.00	18.75
AA.1420.401.000 Court Prosecutor	0.00	2,800.00	8,166.00	5,366.00	34.29
AA.1440.400.000 Engineer Contractual	202.50	337.50	7,100.00	6,762.50	4.75
AA.1450.400.000 Elections Contractual	0.00	2,739.56	6,000.00	3,260.44	45.66
AA.1460.400.000 Records Management Contractual	0.00	1,195.00	2,500.00	1,305.00	47.80

**Statement of Activity - MTD and YTD by Fund w/ Variance**  
**Town of Bergen**  
**For 7/31/2020**

Run: 8/07/2020 at 12:54 PM

	M-T-D Actual	Y-T-D Actual	Annual Budget	Variance	Variance Percentage
AA.1480.400.000 Public Info Services OARS Contractual	0.00	981.75	1,200.00	218.25	81.81
AA.1620.100.000 Buildings Personal Services	237.42	2,387.41	4,800.00	2,412.59	49.74
AA.1620.400.000 Building Operation Contractual	3,227.34	25,581.52	65,000.00	39,418.48	39.36
AA.1620.401.000 Building Operation Lease Fire Hall	0.00	18,650.62	18,651.00	0.38	100.00
AA.1660.400.000 Central Storeroom Contractual	37.53	137.75	500.00	362.25	27.55
AA.1670.400.000 Central Printing & Mailing Contractual	279.19	2,947.99	5,000.00	2,052.01	58.96
AA.1680.200.000 Computers Equipment	0.00	0.00	4,000.00	4,000.00	0.00
AA.1680.400.000 Computers Contractual	0.00	2,333.58	7,000.00	4,666.42	33.34
AA.1910.400.000 Unallocated Insurance	(105.00)	33,137.61	34,000.00	862.39	97.46
AA.1920.400.000 Municipal Association Dues	0.00	900.00	900.00	0.00	100.00
AA.1950.400.000 Taxes and Assessments on Property	0.00	6,015.59	6,500.00	484.41	92.55
AA.1990.400.000 Contingency	20.00	20.00	83,979.00	83,959.00	0.02
AA.3120.100.000 Constables Personnel Services	24.11	393.73	3,525.00	3,131.27	11.17
AA.3120.400.000 Constables Contractual	0.00	0.00	200.00	200.00	0.00
AA.3310.400.000 Traffic Control Contractual	0.00	0.00	8,000.00	8,000.00	0.00
AA.3510.400.000 Control of Dogs Contractual	0.00	0.00	250.00	250.00	0.00
AA.5010.100.000 Supt. of Highways Personal Services	4,880.30	36,602.25	63,444.00	26,841.75	57.69
AA.5010.102.000 Supt. of Highways, Pers Svc, Deputy	115.38	865.35	1,500.00	634.65	57.69
AA.5010.200.000 Superintendent of Highways Equipment	0.00	0.00	840.00	840.00	0.00
AA.5010.400.000 Superintendent of Highways Contractual	733.48	200.00	760.00	560.00	26.32
AA.5132.400.000 Garage Contractual	489.77	8,201.26	23,000.00	14,798.74	35.66
AA.5182.400.000 Street Lighting Contractual	0.00	2,456.15	5,650.00	3,193.85	43.47
AA.6410.400.000 Publicity - Newsletter Contractual	0.00	0.00	5,000.00	5,000.00	0.00
AA.6420.400.000 Promotion of Industry Contractual	0.00	275.24	3,000.00	2,724.76	9.17
AA.7410.400.000 Library Contractual	(9,440.60)	86,901.08	82,600.00	(4,301.08)	105.21
AA.7510.100.000 Historian Personal Services	0.00	1,377.00	2,930.00	1,553.00	47.00
AA.7510.200.000 Historian Equipment	0.00	0.00	500.00	500.00	0.00
AA.7510.400.000 Historian Contractual	0.00	0.00	250.00	250.00	0.00
AA.7550.400.000 Celebrations Contractual	641.80	641.80	700.00	58.20	91.69
AA.8810.100.000 Cemetery Services	0.00	0.00	1,000.00	1,000.00	0.00
AA.8810.400.000 Cemetery Contractual	0.00	0.00	6,000.00	6,000.00	0.00
AA.9010.800.000 NYS Retirement	0.00	23,340.00	23,340.00	0.00	100.00
AA.9030.800.000 Social Security & Medicare	428.20	9,162.34	17,000.00	7,837.66	53.90
AA.9040.800.000 Worker's Compensation	0.00	11,170.00	13,086.00	1,916.00	85.36
AA.9055.800.000 Disability Insurance	75.60	151.20	150.00	(1.20)	100.80
AA.9060.800.000 Medical Insurance	2,164.52	15,151.64	23,434.00	8,282.36	64.66
AA.9720.600.000 Debt Principal Highway Garage	0.00	0.00	75,000.00	75,000.00	0.00
AA.9720.601.000 Debt Principal on Court/Town Offices	0.00	0.00	35,000.00	35,000.00	0.00
AA.9720.700.000 Interest on Debt Highway Garage	0.00	19,125.00	19,125.00	0.00	100.00
AA.9720.701.000 Interest on Debt Court/Town Offices	0.00	5,810.00	5,810.00	0.00	100.00
<b>Total Expenses</b>	<b>14,708.72</b>	<b>426,850.72</b>	<b>891,291.00</b>	<b>464,440.28</b>	<b>47.89</b>



Statement of Activity - MTD and YTD by Fund w/ Variance  
Town of Bergen  
For 7/31/2020

	M-T-D Actual	Y-T-D Actual	Annual Budget	Variance	Variance Percentage
Excess Revenue Over (Under) Expenditures	\$ (4,582.27)\$	(51,871.20)\$	0.00 \$	877,009.36 \$	0.00

**Statement of Activity - MTD and YTD by Fund w/ Variance**  
**Town of Bergen**  
**For 7/31/2020**

	M-T-D Actual	Y-T-D Actual	Annual Budget	Variance	Variance Percentage
<b>Revenues</b>					
BB.1120.000.000 County Sales Tax Distribution	\$ 0.00	\$ 329,012.70	\$ 500,000.00	\$ (170,987.30)	65.80
BB.1170.000.000 Franchise Fees	0.00	12,510.78	18,000.00	(5,489.22)	69.50
BB.1560.000.000 Safety Inspection Fees	0.00	0.00	50.00	(50.00)	0.00
BB.2110.000.000 Zoning Fees	0.00	865.00	1,800.00	(935.00)	48.06
BB.2115.000.000 Planning Board Fees	0.00	0.00	200.00	(200.00)	0.00
BB.2130.000.000 Refuse & Garbage Charges	1,050.00	10,880.00	21,000.00	(10,120.00)	51.81
BB.2389.000.000 Revenue Other Governments	54,447.80	54,447.80	0.00	54,447.80	0.00
BB.2401.000.000 Interest & Earnings	19.57	19.57	0.00	19.57	0.00
BB.5999.000.000 Unexpended Balance	0.00	0.00	2,359.00	(2,359.00)	0.00
<b>Total Revenues</b>	<b>55,517.37</b>	<b>407,735.85</b>	<b>543,409.00</b>	<b>(135,673.15)</b>	<b>75.03</b>
<b>Expenses</b>					
BB.1355.400.000 Board of Assessment Review, Contr	390.00	390.00	450.00	60.00	86.67
BB.1420.400.000 Attorney, Contractual	0.00	0.00	2,000.00	2,000.00	0.00
BB.1440.400.000 Engineer Contractual	0.00	0.00	5,000.00	5,000.00	0.00
BB.1990.400.000 Contingency	0.00	0.00	20,645.00	20,645.00	0.00
BB.6772.400.000 Programs for the Aging Contractual	0.00	5,000.00	5,000.00	0.00	100.00
BB.7110.400.000 Parks Contractual	160.00	3,960.00	10,000.00	6,040.00	39.60
BB.7310.400.000 Youth Programs Contractual	0.00	5,000.00	5,000.00	0.00	100.00
BB.8010.100.000 Zoning Pers Svc	55.83	390.81	836.00	445.19	46.75
BB.8010.400.000 Zoning Contractual	0.00	0.00	2,500.00	2,500.00	0.00
BB.8020.100.000 Planning Personnel Services	272.92	1,910.44	4,000.00	2,089.56	47.76
BB.8020.400.000 Planning Contractual	985.25	1,283.65	4,000.00	2,716.35	32.09
BB.8160.100.000 Refuse & Garbage Personnel Services	693.06	5,689.86	11,715.00	6,025.14	48.57
BB.8160.400.000 Refuse & Garbage Contractual	2,232.84	8,905.29	22,500.00	13,594.71	39.58
BB.8664.100.000 Code Enforcement Personnel Services	1,031.26	9,998.13	15,670.00	5,671.87	63.80
BB.8664.400.000 Code Enforcement Contractual	889.94	1,484.59	4,000.00	2,515.41	37.11
BB.9010.800.000 NYS Retirement	0.00	2,585.00	2,585.00	0.00	100.00
BB.9030.800.000 Social Security & Medicare	144.81	1,361.54	2,745.00	1,383.46	49.60
BB.9040.800.000 Workers Compensation	0.00	1,913.00	2,241.00	328.00	85.36
BB.9901.900.000 Interfund Transfers	0.00	0.00	422,522.00	422,522.00	0.00
<b>Total Expenses</b>	<b>6,855.91</b>	<b>49,872.31</b>	<b>543,409.00</b>	<b>493,536.69</b>	<b>9.18</b>
<b>Excess Revenue Over (Under) Expenditures</b>	<b>\$ (48,661.46)</b>	<b>\$ (357,863.54)</b>	<b>0.00</b>	<b>\$ 629,209.84</b>	<b>0.00</b>

**Statement of Activity - MTD and YTD by Fund w/ Variance**  
**Town of Bergen**  
**For 7/31/2020**

	M-T-D Actual	Y-T-D Actual	Annual Budget	Variance	Variance Percentage
<b>Revenues</b>					
DB.2300.000.000 Service to Other gov't	\$ 0.00	\$ 160,254.46	\$ 137,909.00	\$ 22,345.46	116.20
DB.2665.000.000 Sale of Equipment	0.00	26,014.00	0.00	26,014.00	0.00
DB.3501.000.000 Consolidated Highway Aid	0.00	0.00	55,275.00	(55,275.00)	0.00
DB.5031.000.000 Interfund Transfers	0.00	0.00	422,522.00	(422,522.00)	0.00
DB.5999.000.000 Unexpended Balance	0.00	0.00	81,899.00	(81,899.00)	0.00
<b>Total Revenues</b>	0.00	186,268.46	697,605.00	(511,336.54)	26.70
<b>Expenses</b>					
DB.5110.100.000 General Highway Repairs Personal Services	16,524.81	16,524.81	90,134.00	73,609.19	18.33
DB.5110.400.000 General Highway Repairs Contractual	51.08	3,438.46	82,270.00	78,831.54	4.18
DB.5112.200.000 Permanent Highway Improvements	20,695.42	25,732.38	55,275.00	29,542.62	46.55
DB.5130.100.000 Machinery Personal Services	0.00	3,098.40	11,860.00	8,761.60	26.12
DB.5130.200.000 Machinery Equipment	0.00	32,858.00	85,000.00	52,142.00	38.66
DB.5130.400.000 Machinery Contractual	241.67	6,124.53	30,000.00	23,875.47	20.42
DB.5140.100.000 Brush & Weeds, Pers Serv	0.00	10,947.68	11,860.00	912.32	92.31
DB.5140.400.000 Brush & Weeds, Contr	0.00	0.00	1,750.00	1,750.00	0.00
DB.5142.100.000 Snow and Ice Control Personal Services	0.00	99,732.12	123,340.00	23,607.88	80.86
DB.5142.400.000 Snow & Ice Control Contractual	0.00	33,567.72	90,120.00	56,552.28	37.25
DB.9010.800.000 NYS Retirement	0.00	33,382.00	33,382.00	0.00	100.00
DB.9030.800.000 Social Security & Medicare	1,272.98	9,698.94	17,572.00	7,873.06	55.20
DB.9040.800.000 Workers Compensation	0.00	12,694.00	14,871.00	2,177.00	85.36
DB.9055.800.000 Disability Insurance	67.98	135.96	300.00	164.04	45.32
DB.9060.800.000 Medical Insurance	4,617.64	32,323.48	49,871.00	17,547.52	64.81
DB.9785.600.000 Installment Purchase Debt, Principal	0.00	20,325.45	0.00	(20,325.45)	0.00
DB.9785.700.000 Installment Purchase Debt, Interest	0.00	1,528.61	0.00	(1,528.61)	0.00
<b>Total Expenses</b>	43,471.58	342,112.54	697,605.00	355,492.46	49.04
<b>Excess Revenue Over (Under) Expenditures</b>	\$ 43,471.58	\$ 155,844.08	\$ 0.00	\$ 866,829.00	\$ 0.00

**Statement of Activity - MTD and YTD by Fund w/ Variance**  
**Town of Bergen**  
**For 7/31/2020**

	M-T-D Actual	Y-T-D Actual	Annual Budget	Variance	Variance Percentage
Revenues					
HH.3089.000.004 NYS Grants	\$ 173,428.40	\$ 173,428.40	0.00	\$ 173,428.40	0.00
Total Revenues	173,428.40	173,428.40	0.00	173,428.40	0.00
Expenses					
HH.1380.200.004 Fiscal Agents Capital Outlay	1,239.75	11,882.09	0.00	(11,882.09)	0.00
HH.1420.200.004 Legal, Capital & Equip	0.00	4,900.04	0.00	(4,900.04)	0.00
HH.1440.200.004 Engineering Cap Outlay, Water #4	19,125.00	213,562.50	0.00	(213,562.50)	0.00
HH.8310.200.004 Water Administration	8,850.00	9,060.60	0.00	(9,060.60)	0.00
Total Expenses	29,214.75	239,405.23	0.00	(239,405.23)	0.00
Excess Revenue Over (Under) Expenditures	\$ (144,213.65)	\$ 65,976.83	0.00	\$ (412,833.63)	0.00

Statement of Activity - MTD and YTD by Fund w/ Variance

Town of Bergen  
For 7/31/2020

	M-T-D Actual	Y-T-D Actual	Annual Budget	Variance	Variance Percentage
Revenues					
Total Revenues	0.00	0.00	0.00	0.00	0.00
Expenses					
HH.1620.200.050 Building Cap Outlay, Library	0.00	103,406.00	0.00	(103,406.00)	0.00
Total Expenses	0.00	103,406.00	0.00	(103,406.00)	0.00
Excess Revenue Over (Under) Expenditures	\$ 0.00	\$ 103,406.00	\$ 0.00	\$ (103,406.00)	\$ 0.00

**Statement of Activity - MTD and YTD by Fund w/ Variance**  
**Town of Bergen**  
**For 7/31/2020**

	M-T-D Actual	Y-T-D Actual	Annual Budget	Variance	Variance Percentage
<b>Revenues</b>					
Total Revenues	0.00	0.00	0.00	0.00	0.00
<b>Expenses</b>					
HH.1620.200.051 Building Cap Outlay, Library	0.00	155,035.75	0.00	(155,035.75)	0.00
Total Expenses	0.00	155,035.75	0.00	(155,035.75)	0.00
<b>Excess Revenue Over (Under) Expenditures</b>	<b>\$ 0.00</b>	<b>\$ 155,035.75</b>	<b>\$ 0.00</b>	<b>\$ (155,035.75)</b>	<b>\$ 0.00</b>

Account#	Account Description	Fee Description	Qty	Local Share
A1255	Clerk Fees	Certified Copies	8	80.00
			<b>Sub-Total:</b>	<b>\$80.00</b>
A2544	Dog Licensing	Exempt Dogs	1	0.00
		Female, Spayed	23	115.00
		Male, Neutered	18	90.00
		Male, Unneutered	3	54.00
	Late Fees	Late Fees	1	5.00
	Senior Discount	Senior Discount	5	-15.00
			<b>Sub-Total:</b>	<b>\$249.00</b>
B2110	Building & Zoning	Building Permit	7	285.00
		Zoning	4	120.00
			<b>Sub-Total:</b>	<b>\$405.00</b>
B2130	Solid Waste	Garbage Bag	375	1,875.00
		Transfer Sta. 10.00	4	40.00
		Transfer Sta. 20.00	8	160.00
		Transfer Sta. 5.00	3	15.00
			<b>Sub-Total:</b>	<b>\$2,090.00</b>

**Total Local Shares Remitted: \$2,824.00**

Amount paid to: NYS Ag. & Markets for spay/neuter program 50.00

**Total State, County & Local Revenues: \$2,874.00**

**Total Non-Local Revenues: \$50.00**

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.

		<i>Michele M. Smith</i>	8/1/20
_____ Supervisor	_____ Date	_____ Town Clerk	_____ Date

# Cash Receipts Report

From: 07/01/2020 To: 07/31/2020

For User: All

**Payment Date: 07/06/2020**

Module: Permit

Transaction: BP19-20

Type: Permit App

Payor: Randy K Besaw

Payment Amount: \$45.00

Payment Type:

Payment #:

Payment Detail:

Cash

00000305

\$45.00

Fee Type	Fee Amount
Acc Structure Attach	\$45.00

Permit Group Totals: \$45.00

07/06/2020 Group Totals: \$45.00

**Payment Date: 07/14/2020**

Module: Permit

Transaction: BP20-20

Type: Permit App

Payor: Aces energy

Payment Amount: \$40.00

Payment Type:

Payment #:

Payment Detail:

Check

00000306

\$40.00

Fee Type	Fee Amount
Solar Panels	\$40.00

Permit Group Totals: \$40.00

07/14/2020 Group Totals: \$40.00

**Payment Date: 07/22/2020**

Module: Permit

Transaction: BP21-20

Type: Permit App

Payor: Verity Moore

Payment Amount: \$85.00

Payment Type:

Payment #:

Payment Detail:

Check #103

00000307

\$85.00

Fee Type	Fee Amount
Zoning Permit	\$30.00
Acc Structure	\$55.00

Permit Group Totals: \$85.00

07/22/2020 Group Totals: \$85.00

Totals:	
Check	\$125.00
Cash	\$45.00
<b>Grand Total:</b>	<u><u>\$170.00</u></u>



FROM THE DESK OF  
**Kimberlie Donley**

July 9, 2020

Michele Smith

RE: Letter of Intent  
Planning/Zoning Board of Appeals Secretary Position

Dear Michele, and Board Members,

I am writing to express my interest in the position of secretary for this sitting board.

Having been raised in Bergen, and graduating in 1984 from B-B Central, I did leave the area and lived 25+ years away. In 2017, my husband and I purchased my Family home, and once again call Bergen Home. The best decision we could have made.

I have been a successful licensed Real Estate Professional for over 10 years, I enjoy the both the challenges and rewards that it brings. Before that I worked as an Account Manager for a manufacturing company in Gates NY. I managed my accounts needs from concept of a new part, through production and shipping.

I feel I am both qualified and willing to meet the demands of the position, and look forward to becoming more involved in what's happening locally.

I can be reached on my phone 585-329-7848 or by email at [kimberliedonley@howardhanna.com](mailto:kimberliedonley@howardhanna.com)

Sincerely,

Kim Donley

**TOWN OF BERGEN  
WATER IMPROVEMENT BENEFIT AREA NO. 1**

**LATERAL RESTRICTIONS RESOLUTION**

WHEREAS, the Town Board of the Town of Bergen has created the Town of Bergen Water Improvement Benefit Area No. 1 pursuant to Town Law for the express purpose of serving the remainder of the Town of Bergen where residents do not have access to public water, and

WHEREAS, part of the land area within Water Improvement Benefit Area No. 1 is also within Genesee County Agricultural District Nos. 3 and 4; and

WHEREAS, the Town Board has filed a Notice of Intent to Undertake an Action Within an Agricultural District to evaluate the impact of providing a source of public water supply within this area on lands within Agricultural District Nos. 3 and 4; and

WHEREAS, the New York State Department of Agriculture and Markets ("Department") has expressed concern about the potential adverse impact that said public water supply is likely to have on agriculture within the Agricultural District,

NOW THEREFORE BE IT RESOLVED, that the Town Board, in recognition of the concerns that have been raised, hereby resolves to adopt the "Lateral Restriction - Conditions on Future Service" specified by the New York State Department of Agriculture and Markets as follows:

**Lateral Restriction - Conditions on Future Service**

The Town of Bergen imposes the following conditions, as warranted or recommended on the management of water/sewer lines located within the service area of the Town of Bergen – Water Improvement Benefit Area No. 1 within an agricultural district, as shown on the map attached hereto as Exhibit "A":

- (1) The only land and/or structures which will be allowed to connect to the proposed waterline or sewer within an agricultural district will be existing structures at the time of construction, further agricultural structures, and land and structures that have already been approved for development by the local governing body prior to the filing of the Final Notice of Intent by the municipality.

Land and structures that have been approved for development refer to those properties/structures that have been brought before a local governing body where approval (e.g., subdivision, site plan, and special permit) is needed to move forward with project plans and the governing body has approved the action. If no local approval is required for the subdivision of land and/or the construction of structures, the municipality accepts the limitation under Public Health Law §1115 that defines a "subdivision," in part, as "any tract of land which is divided into five or more parcels." Water and/or sewer service will not be extended to the fifth and subsequent parcels

where no local approval is required and the land is located within a county adopted, State certified agricultural district.

- (2) If a significant hardship can be shown by an existing resident, the lateral restriction to the resident's property may be removed by the municipality upon approval by the Department. It is the responsibility of the resident landowner to demonstrate that a hardship exists relative to his or her existing water supply or septic system and clearly demonstrate the need for public water or sewer service. The municipality shall develop a hardship application to be filed with the municipality, approved by the County Department of Health, and agreed to by the Department of Agriculture and Markets.
- (3) If it can be demonstrated to the Department's satisfaction that the landowner requested the county to remove his or her land from an agricultural district at the time of district review and the county legislative body refused to do so, lateral restrictions may be removed by the municipality if the Department determines that the removal of the restriction for the subject parcel(s) would not have an unreasonably adverse effect on the agricultural district.
- (4) If land is removed from a county adopted, State certified agricultural district and the district has been reviewed by the county legislative body and certified by the Commissioner for modification, lateral restrictions imposed by the municipality are no longer in effect for the parcels of land that have been removed from the agricultural district.

STATE OF NEW YORK:

COUNTY OF GENESEE:     ss

TOWN OF BERGEN:

I, Michelle M. Smith, Town Clerk of the Town of Bergen, Genesee County, New York, DO HEREBY CERTIFY that I have compared the foregoing resolution duly adopted by the Town Board of the Town of Bergen on the\_\_\_\_, day of \_\_\_\_\_, 2020, with the original thereof now on file in my office, and the same is a correct and true copy of said resolution and of the whole thereof.

DATED:

2020

(SEAL)

---

Michelle M. Smith, Town Clerk

## **FACT SHEET**

### **TOWN OF BERGEN LATERAL RESTRICTION RESOLUTION**

The Bergen Town Board intends to adopt a resolution that will prohibit future hookups to Water Improvement Benefit Area #1 on parcels located within a NYS-certified Agricultural District for as long as those parcels are within a NYS-certified Agricultural District, unless the water hookup will be for agricultural use.

#### **Why does the Town Board need to adopt a lateral restriction resolution?**

NYS Agricultural Districts Law required the Town to notify the NYS Department of Agriculture & Markets of its intent to install water lines to serve WIBA #1, as the water system will affect farm operations within a NYS-certified Agricultural District. As a condition of its approval of the Final Notice of Intent, the NYS Department of Agriculture & Markets required that the Town adopt a resolution that prohibits future hookups to the water system for non-agricultural uses on parcels within a state-certified Agricultural District.

This requirement is a standard practice. All Towns in the area that have received public funds for water system expansions are required to adopt similar resolutions.

#### **How does this affect my property?**

If a parcel is within a NYS-certified Agricultural District, the Town will not allow additional hook-ups to the water system for as long as the parcel is included in the Agricultural District, unless the water hook-up is for an agricultural use. Existing structures are not affected by the restriction.

#### **What if I plan to build a house or open a non-agricultural business?**

Landowners who plan to build a house or another non-agricultural structure that will require public water should consider taking their land out of the Agricultural District when the District is renewed.

Landowners who rent land to a farmer should consult with the farmer before removing the land from the Agricultural District, as the Agricultural District provides protections to farmers.

#### **What if I want to develop a portion of the parcel and keep the rest in the Agricultural District?**

As only whole parcels can be included in the Agricultural District, a landowner must complete a formal land separation to remove part of an existing lot from the Agricultural District. As the land separation process may take several months, landowners interested in this approach should begin soon.

#### **How can I remove my land from the Agricultural District?**

If a parcel is within Agricultural District #4 (see green shading on the attached map), landowners can request that their land be removed when it is up for renewal during 2021. Agricultural District #3, which includes a portion of the southeastern part of the Town, is scheduled for renewal in 2027.

At the beginning of the year the Agricultural District is scheduled for renewal (2021 for #4 and 2027 for #3), the Genesee County Planning Department will send a letter to the owner of record asking whether they would like their parcel to be removed from the Agricultural District. If the owner requests to remove a parcel, Genesee County's policy is to honor that request.

#### **How does the lateral restriction resolution relate to Genesee County's Smart Growth policies?**

The Town's lateral restriction resolution will apply to all parcels within a NYS-certified Agricultural District, whether or not that parcel is located within a designated Smart Growth Development Area.

Please contact the Genesee County Planning Department or the Town of Bergen for more information about requesting approvals for water hookups under the Genesee County Smart Growth policy.

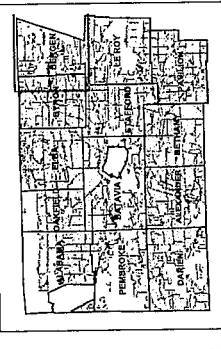


**GENESEE COUNTY DEPARTMENT OF PLANNING**  
 Genesee Building No. 2  
 3837 West Main Street Road  
 Batavia, New York 14020-9404  
 Telephone: (585) 815-7901  
 Fax: (585) 345-3062  
 planning@genesee.ny.gov  
 www.co.genesee.ny.us/departments/planning

**TOWN OF BERGEN**  
 Agricultural District Lands

**Map Key**

- Ag District No. 3
- Ag District No. 4
- 2019 Parcels
- Smart Growth Development Areas
- Town Boundaries



**INFORMATION AND SOURCES**  
 AGRICULTURAL DISTRICTS NO. 3 & 4 IN BERGEN, NY

DISTRICT	PARCELS	ACRES	CREATION DATE	ANNIVERSARY DATE
3	26	1,254.31	AUGUST 14, 1976	NOVEMBER 23, 2027
4	20	8,743.37	FEBRUARY 13, 1991	NOVEMBER 22, 2021

\*Only in the Town of Bergen

BASE MAP: New York State Department of Environmental Conservation  
 200 50' resolution. Geo-referenced digitally scanned at  
 1:25,000 scale.

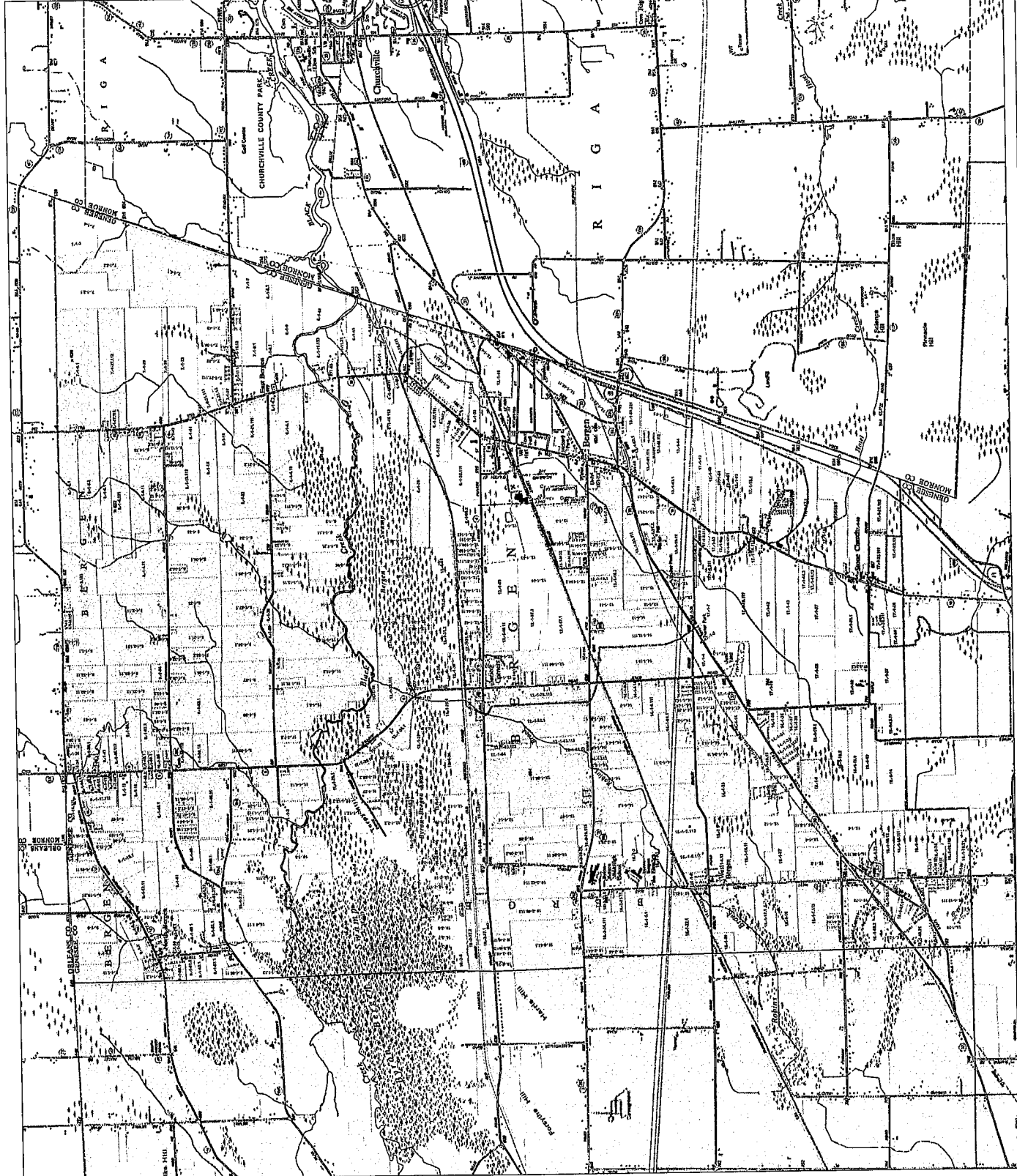
PARCEL BOUNDARIES: Polygons digitized from Real Property Tax Map  
 Mylar.

SOFTWARE: Original parcel boundaries, watershed area and final map  
 production was completed in ArcView GIS 3.10.17 for Windows.  
 DATUM: North American Datum 1983 (NAD83).  
 PROJECTION: State Plane New York West FIPS 3103 (ftm)

0 2,000 4,000 6,000 8,000 Feet  
 0 0.5 1 Miles

N

This map was created by the Genesee County Department of Planning on July 2020



## Adoption of LGS-1 Retention Schedule

**RESOLVED** by the Town Board of the Town of Bergen that the Retention and Disposition Schedule for New York Local Government Records (LGS-1), issued pursuant to Article 57-A of the Arts and Cultural Affairs Law, and containing legal minimum retention periods for local government records, is hereby adopted for use by all officers in legally disposing of valueless records listed therein.

**FURTHER RESOLVED**, that in accordance with Article 57-A:

- a) Only those records will be disposed of that are described in the Retention and Disposition Schedule for New York Local Government Records (LGS-1), after they have met the minimum retention periods described therein;
- b) Only those records will be disposed of that do not have sufficient administrative, fiscal, legal, or historical value to merit retention beyond established legal minimum periods.

**FURTHER RESOLVED**, that the LGS-1 schedule replaces the MU-1 schedule currently used by the Town of Bergen.

Motion for adoption:

Second:

### **VOTE BY ROLL CALL AND RECORD:**

Councilman Anderson

Councilwoman Grant

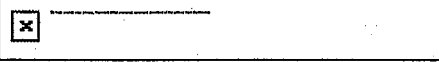
Councilwoman Sapienza

Councilman Starowitz

Supervisor Haywood

Ads

**From:** New York State Archives - Local Government Advisory Services  
<sarah.durling@nysed.gov>  
**Sent:** Thursday, May 21, 2020 10:00 AM  
**To:** supervisor@bergenny.org  
**Subject:** WNY Records Management Newsletter - May 2020 - Retention Schedule Announcement



Western New York  
Newsletter

May 2020

## Announcing the LGS-1 Retention Schedule

**The State Archives is revising and consolidating its local government records retention and disposition schedules and issuing a single, comprehensive retention schedule for all types of local governments on August 1<sup>st</sup>, 2020.**

The new schedule, *Retention and Disposition Schedule for New York Local Government Records* or LGS-1, will supersede and replace:

- *CO-2 Schedule* for use by counties (2006),
- *MU-1 Schedule* for use by cities, towns, villages, and fire districts (2003),
- *MI-1 Schedule* for use by miscellaneous local governments (2006), and
- *ED-1 Schedule* for use by school districts, BOCES, County Vocational Education and Extension Boards, and Teacher Resource and Computer Training Centers (2004)

**Local governments must adopt the LGS-1 prior to using it, even if they adopted and have been using the *CO-2*, *MU-1*, *MI-1*, or *ED-1* Schedules.**

Governing boards of local governments will have a five-month period – between August 1<sup>st</sup>, 2020 when LGS-1 is issued and January 1<sup>st</sup>, 2021 when the four existing schedules expire – to adopt the Schedule by resolution (a model resolution is available on the State Archives' website).

**Local government records may not be legally destroyed after the end of 2020 unless the LGS-1 is formally adopted.**

There is no need to notify the State Archives of LGS-1 adoptions, but local governments should keep a record of the date of adoption and maintain the resolution permanently.

**The organization and formatting of the LGS-1 is similar to the existing four schedules.**

Section heading names have been retained. Because of the consolidation, the LGS-1 contains more sections. Local government can ignore those that are not applicable. As with previous schedules, items that are new or significantly revised have been indicated. Each schedule item has been assigned a new, unique number; however, the unique numbers of the four existing schedules have been provided allowing cross referencing. In addition, each schedule item contains the record series title and description, retention period, and any notes.

**A copy of the LGS-1 will be available on the State Archives website on August 1<sup>st</sup>.**

Additional online resources will include a list of the major revisions to the Schedule and a webinar series to introduce the LGS-1. Local governments are encouraged to check the State Archives website periodically for LGS-1 news and updates.

By consolidating multiple, disparate retention schedules, the LGS-1 helps to ensure consistent retention and disposition guidance for records that are common to various local governments. It also makes it easier to apply revisions necessitated by changes to laws, regulations or other mandates that affect retention.

**Please share this announcement with your local government colleagues and spread the word!**

**Records Management Questions?**

Contact:

Sarah E. Durling  
New York State Archives  
Regional Advisory Officer for Western New York Region  
518.322.2555  
[sarah.durling@nysed.gov](mailto:sarah.durling@nysed.gov)  
[www.archives.nysed.gov](http://www.archives.nysed.gov)

Connect with us



# Charter

COMMUNICATIONS

July 31, 2020

Re: Charter Communications – Upcoming Changes

Dear Municipal Official:

Spectrum Northeast, LLC, locally known as Spectrum, is making its customers aware of the following program changes.

On or around September 1, 2020, El Rey, located on Spectrum channel 145, and Fusion, located on channel 144, will no longer be available on the channel lineup serving your community.

On or around September 1, 2020, Bull Dog Shopping Network located on Spectrum channels 195 and 475, will be rebranded from Bull Dog Shopping Network to ShopHQ Health.

On or around September 1, 2020, Kids Central located on Spectrum channel 917, will be rebranded from Kids Central to Kids Street.

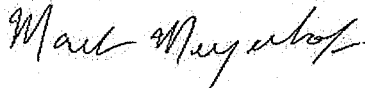
Spectrum was recently informed that Showtime Beyond will be rebranded to SHO BET. We previously informed you on June 18, 2020, that Showtime Beyond would be rebranded to Showtime Showcase.

This letter will also serve as notice that beginning on or around September 15, 2020, through September 24, 2020, Spectrum Northeast, LLC, locally known as Spectrum, will launch NBA TV, channel 308 on Spectrum TV Sports Pack on the channel lineup serving your community.

To view a current Spectrum channel lineup visit [www.spectrum.com/channels](http://www.spectrum.com/channels).

If you have any questions about this change, please feel free to contact me at 716-686-4446 or via email at [mark.meyerhofer@charter.com](mailto:mark.meyerhofer@charter.com).

Sincerely,



Mark Meyerhofer  
Director, Government Affairs  
Charter Communications