

**Town Board Meeting
Town of Bergen
February 26th, 2021
Town Hall- 10 Hunter Street, Bergen New York
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:

III. Approval of meeting Minutes for: Regular Meeting 2/9//2021

IV. Communications included with this agenda:

1. Mercy EMS report for January 2020
2. Resolution for cellular telephone stipend for ZEO-CEO
3. Changes to Employee Handbook regarding Cellular Telephone Stipend
4. Proposed Schedule of Fees for Zoning and Planning Fees

V. Board Members' items for addition to the agenda

VI. Reports:

Supervisor

Clerk

Board Members

Zoning / Code Enforcement:

Highway

Committees

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

VII. Old Business:

- Town of Bergen Water Improvement Benefit Area #1 project- Update
- Discussion on proposed building and zoning fees

VIII. New Business:

- Resolution to approve changes to Employee Handbook regarding Cellular Telephone Stipend
- Resolution for Cellular Telephone Stipend for ZEO-ZEO
- Approval of Zoning and Planning Fees to be effective 3/1/2021
- Discussion of study, commissioned by the Genesee County Legislature regarding the Monroe County Water Authority having one retail rate for Water

IX. Meeting and Other Upcoming Dates:

-Town Board Meeting: 3/9/2021: 6:45 pm Audit of Bills, 7:00 pm Town Board Meeting

X. Adjournment

Genesee County 911
Response Times Report

Mercy Flight EMS

Report includes Emergent First On Scene Responses.

GEN BERGEN FIRE

Report Date Range from: 1/1/2021 to 1/31/2021

Response Time Minutes	Call Count	Cumulative Call Count	Percentage of Total Calls	Cumulative Percentage
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Response Zone: GEN BERG 17

15:00 - 15:59	1	1	7.69%	7.69%
16:00 - 16:59	4	5	30.77%	38.46%
17:00 - 17:59	2	7	15.38%	53.85%
18:00 - 18:59	3	10	23.08%	76.92%
19:00 - 19:59	3	13	23.08%	100.00%
Total Calls:	13	13	100%	

Response Zone: GEN BERG 22

19:00 - 19:59	1	1	16.67%	16.67%
21:00 - 21:59	1	2	16.67%	33.33%
22:00 - 22:59	2	4	33.33%	66.67%
23:00 - 23:59	1	5	16.67%	83.33%
24:00 - 24:59	1	6	16.67%	100.00%
Total Calls:	6	6	100%	

Call Source Total Calls: 19

DRAFT

FEBRUARY 9, 2021

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 Ernie Haywood
Councilwoman Belinda Grant
Councilwoman Anne Sapienza
Councilman Jim Starowitz
Councilman Mark Anderson

ALSO PRESENT:

Michele M. Smith, Town Clerk
Mike Johnson, Highway Superintendent
Gerry Wood, ZEO/CEO

OTHER ATTENDEES:

Dave Mason

PRAYER

PLEDGE OF ALLEGIANCE TO THE FLAG

MINUTES: *Councilwoman Sapienza made a motion to approve the minutes of January 26, 2021; seconded by Councilman Starowitz and carried by a vote 5-0.*

COMMUNICATIONS:

Supervisor Report for January 2021
Summary Spreadsheet for January 2021
Town Clerk Report for January 2021
ZEO/CEO Report for January 2021
Resolution for removal of EDU charge for WIBA#1 for 6422 W. Sweden Rd. Tax ID #11.-1-26
Resolution to Authorize Bids for the of Bergen WIBA#1 Water District
Town of Bergen Historical Property Collections Policy – Final Draft
City and County Youth Bureaus request for nominations

REPORTS:

SUPERVISOR: 2021 Audit; County call on Saturday with Supervisors and Mayors
TOWN CLERK: Tax Collection in January 2.3 million; requesting \$25 a month cell phone stipend
ZEO REPORT: working on a couple building permits
HIGHWAY: Bridge-NY Grant Application through the county
TOWN CLERK'S REPORTS: *Councilwoman Grant made a motion to file the Town Clerk's January 2021 Report seconded by Councilman Starowitz and it carried by a vote 5-0.*
SUPERVISOR REPORT *Councilwoman Sapienza made a motion to file the Supervisor's January 2021 Report; seconded by Councilwoman Grant and it carried by a vote 5-0.*

COMMITTEES:

Building and Grounds: contracts signed with Triple-O; possible landmark society grant for Historian building -discussion on whether to side or paint the building.
Parks: Nothing to report
Local History & Museum: Historical Property Collection Policy
Policy and Personnel: nothing to report

OLD BUSINESS:

Water improvement Benefit Area #1: working on easements; EDU Changes; received DOT and DEC approvals
Proposed increases to the Town of Bergen Schedule of Fees for Building and Zoning
Town of Bergen Historical Property Collections Policy *Councilwoman Sapienza made a motion to approve the Historical Property Collection Policy; seconded by Councilman Starowitz and it carried by a vote 5-0.*

NEW BUSINESS:

Phone stipend ZEO requesting stipend using his personal phone, question of whether to keep the old ZEO cell phone its an out-of-date flip phone the town pays \$39 a month to Verizon; Town Clerk also requesting \$25 per month stipend phone is used for town business frequently. – tabled for more information

Re-Appointment of Planning board member Dominic Camelio didn't sign the Oath of Office within the 30 days *Councilwoman Sapienza made a motion to reappoint Dominic Camelio to Planning Board; seconded by Councilman Starowitz and it carried by vote 5-0.*

Request to be removed from WIBA#1 property owner of 8479 Peachey Rd, Margaret Drzewiecki requests to be removed from the WIBA#1 due to opting out of the Peachey Road district and doesn't want to be included in the current district. *Councilwoman Grant made a motion to deny the request by Margaret Drzewiecki for 8479 Peachey Rd. to be removed from the WIBA#1; seconded by Councilman Starowitz and it carried by a vote 5-0*

Request to be remove WIBA#1 Dave Roggow is requesting to remove .5 EDU off 12.-1-30 because of wet lands not farmable or buildable. *Councilwoman Sapienza made a motion to deny the request of Dave Roggow to remove the .5 EDU from 12.-1-30; seconded by Councilman Starowitz and carried by a vote 5-0.*

Resolution to remove EDU's from WIBA#1 *Councilwoman Sapienza offered Resolution #8-2021 to make EDU change to WIBA#1 retroactive to the formation of the Water District with 11.-1-26 removed; seconded by Councilman Starowitz and carried by vote 5-0.*

**RESOLUTION #8-2021
ADOPTION OF WIBA #1 EDU CHANGE**

RESOLVED by the Town Board of the Town of Bergen that the following EDU change will be made to the WIBA #1 Water District retroactive to the Formation of the Water District:

Tax ID	Address	Initial EDU	Proposed EDU
11.-1-26	6422 West Sweden Road	.5	0-Property is currently a non-buildable lot

FURTHER RESOLVED,

1. That the Town Assessor is directed to record the EDU changes; and
2. That the Town Engineer and Town Attorney are directed to amend the District Documents as necessary; and
3. That the Town Supervisor is authorized to sign District documents as necessary.

Resolution to Authorize WIBA#1 to Bid *Councilwoman Sapienza made a motion to authorize WIBA#1 to Bid; seconded by Councilwoman Grant and it carried by a vote 5-0.*

**RESOLUTION #9-2021
AUTHORIZE BIDS FOR TOWN OF BERGEN
WIBA # 1 WATER DISTRICT**

WHEREAS, the Town Engineer, MRB Group, has prepared specifications and bid packages for all work pertaining to the construction and installation of water mains and appurtenances for the Water Improvement Benefit Area No. 1.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Bergen Town Board hereby authorizes the bidding of the Town of Bergen Water Improvement Benefit Area No. 1 project as per specifications prepared by the Town Engineer as soon as all permits and approvals have been obtained.

Sec. 2. That a Bid Date will be established by MRB Group.

Sec. 3. That a Bid Notice will be advertised as required by law and USDA Rural Development requirements.

Sec. 4. That the Town Board of the Town of Bergen reserves the right to reject any and all bids.

Bridge NY Grant Application *Councilwoman Sapienza offered Resolution #10-2021 to Authorize Supervisor Haywood to sign the Bridge-NY Grant Application; seconded by Councilwoman Grant and it carried by a vote 5-0.*

**RESOLUTION #10-2021
BRIDGE-NY GRANT APPLICATION**

WHEREAS, THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION IS SOLICITING APPLICATIONS FOR THE BRIDGE-NY PROGRAM WHICH PROVIDES 100% STATE FUNDING FOR UP TO 1 BRIDGE REPLACEMENT AND 3 CULVERT REPLACEMENTS FOR MUNICIPALITY PER YEAR.

WHEREAS, GENESEE COUNTY MAINTAINS ALL BRIDGES AND CULVERTS OVER 5 FEET IN DIAMETER FOR EACH MUNICIPALITY IN THE COUNTY.

WHEREAS, THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION ALLOWS MUNICIPALITIES TO SPONSOR APPLICATIONS TO THE BRIDGE-NY PROGRAM FOR ALL BRIDGES AND CULVERTS WITHIN THEIR COMMUNITY REGARDLESS OF OWNERSHIP.

WHEREAS, GENESEE COUNTY IS LOOKING TO MAXIMIZE THE USE OF STATE AID TO HELP ALLEVIATE ITS BACKLOG OF BRIDGE AND CULVERT REPLACEMENTS.

WHEREAS, GENESEE COUNTY WILL PREPARE BRIDGE-NY APPLICATIONS, PROVIDE INTERIM FUNDING AND ADMINISTER THE PROGRAM AT NO COST TO THE TOWN.

WHEREAS, TOWNS ARE REQUIRED TO AUTHORIZE BRIDGE-NY APPLICATIONS AS THE SPONSOR OF THE PROJECT.

RESOLVED, THE TOWN BOARD DOES HEREBY AUTHORIZE THE TOWN SUPERVISOR TO SUBMIT THE APPLICATIONS FOR THE BRIDGE-NY PROGRAM AS RECOMMENDED BY GENESEE COUNTY

BILLS: The bills were presented for audit and totaled General A Fund \$15,808.83; General B Fund \$1,533.18; Highway DA \$25,736.81; Highway DB \$3,535.14; HH (Water District) \$26,916.66; PA-A \$3,839.51; PA-DA \$2,321.82 and PA-DB \$2,515.30. *Councilwoman Sapienza made a motion to pay the February bills; seconded by Councilman Starowitz and it carried by a vote 5-0.*

Executive Session *Councilwoman Sapienza made a motion to enter into executive session at 7:56 pm for a personnel issue with ZEO Gerry Wood in attendance; seconded by Councilman Starowitz and it carried by a vote 5-0. Councilman Anderson made a motion to exit executive session at 8:25pm; seconded by Councilwoman Sapienza and carried by a vote 5-0.*

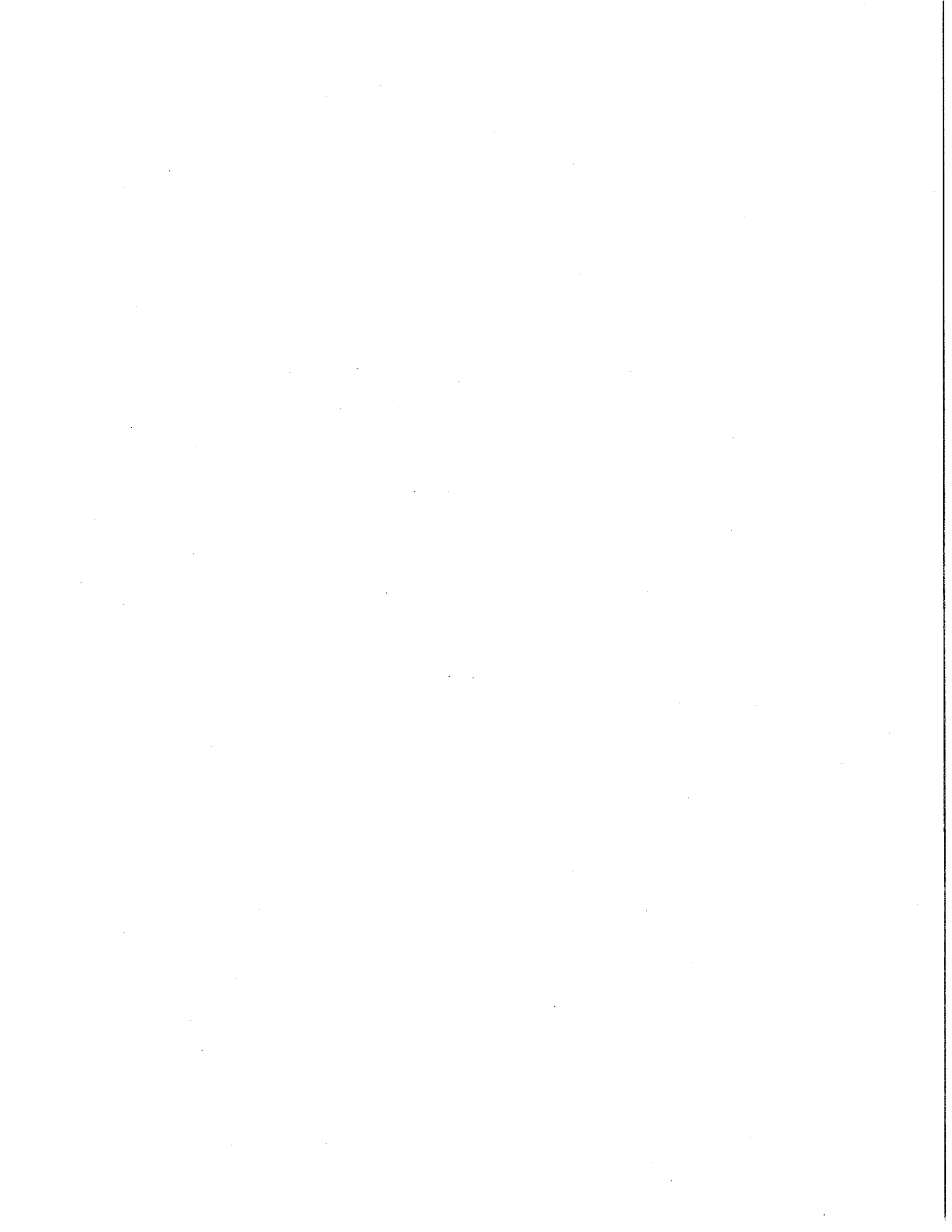
REGULAR MEETING – Tuesday, February 23, 2021 at 7:00 pm in the Courtroom

ADJOURNMENT *was at 8:26 pm on a motion by Councilman Starowitz; seconded by Councilwoman Grant and carried by a vote 5-0.*

Respectfully submitted

Michele M. Smith

Michele M. Smith,
Town Clerk



Resolution

February 23, 2021

NOW THEREFORE BE RESOLVED:

Sec. 1. That the Town Board of the Town of Bergen authorizes the payment of a \$20.00 monthly stipend for the use of personal cellphones for Town business in lieu of the issuance of a Town-owned cell phone to the Zoning and Code Enforcement Officer (ZEO-CE0)

Sec. 2. That this stipend shall take effect beginning the month of February 2021.

Motion by

Seconded by

VOTE

NOW THEREFORE BE RESOLVED:

Sec. 1. That the Town Board of the Town of Bergen amends the Employee Handbook Section 6 Cellular Telephone policy as:

Cellular Telephone

Employees in certain positions are issued Town cellular telephones so they may maintain contact with citizens and co-workers when they are out of the office on business.

Employees are encouraged to take appropriate safety precautions when using their cellular telephone. The use of handheld cellular telephones while driving is prohibited. Employees are expected to comply with applicable state laws regarding the use of cellular telephones.

Employees are expected to demonstrate proper care of their cellular telephones. If you lose, break or damage your Town cellular telephone, report it to your Department Head at once. All cellular telephones issued by the Town must be returned upon leaving our Town or upon transferring to a position that does not require a Town cellular telephone.

The use of cellular telephones is not a work requirement for most employees. ~~Employees who are not issued a Town cellular telephone will not be reimbursed for the use of their personal cellular telephone and are expected to make business calls from the office.~~

If an employee whom the Board has determined should have a Town-issued cell phone requests, instead, a stipend for the use of the employee's personal cell phone, the Town Board shall authorize by motion or resolution, a monthly stipend.

Employees who accept the stipend for the use of their personal cell phones for Town business should be mindful that any text messages sent or received involving town business are subject to FOIL. In addition, the Town Board reserves the right to audit the employee's cell phone records to ensure that the employee is actually using their personal cell phone for Town business. Each employee receiving a stipend for the use of their personal cell phone, shall sign an acknowledgement of understanding of these terms and conditions annually. Additionally, the Town shall follow IRS regulations in relation to the reporting of the stipend.

Sec. 3. That this resolution shall take effect immediately.

Motion by

Seconded by

VOTE BY ROLL CALL AND RECORD

Councilperson Anderson

Councilperson Grant

Councilperson Sapienza