

**Town Board Meeting
Town of Bergen
April 13th, 2021
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: 3/23/2021 meeting

IV. Communications included with this agenda:

1. Supervisor Report for March 2021 – if available
2. Summary spreadsheets for March 2021- if available
3. Town Clerk Report for February 2021
4. ZEO/CEO Report for March 2021
5. Charter Communication correspondence of 3/29/2021
6. Proposed Town of Bergen On-Line Banking Policy
7. Proposed Town of Bergen Cash Management Policy
8. Resolution is support of NYS Senate Bill S.4717B and NYS Assemble Bill A.06223A regarding reporting of county revenue Sharing
9. Request of Sheds of Stafford for permission to keep marked trail system for the 2021-2022 season

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

-Transfer Station

VII. Old Business:

- Town of Bergen Water Improvement Benefit Area #1 project- Update: (easements/permits)

VIII. New Business:

- Town of Bergen On-Line Banking Policy
- Proposed Town of Bergen Cash Management Policy
- Resolution is support of NYS Senate Bill S.4717B and NYS Assemble Bill A.06223A regarding reporting of county revenue sharing
- Request of Sheds of Stafford for permission to keep marked trail system for the 2021-2022 season

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- 4/27/21 -7 pm in the Town Hall

XI. Adjournment

DRAFT

MARCH 23, 2021 **BERGEN TOWN BOARD** **REGULAR 2nd MEETING**

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

PRESENT:

Councilwoman Belinda Grant
Councilman Mark Anderson
Councilwoman Anne Sapienza
Councilman James Starowitz

ALSO PRESENT:

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

ABSENT:

Supervisor Ernest Haywood

PRAYER

PLEDGE OF ALLEGIANCE TO THE FLAG

MOMENT OF SILENCE FOR FIREFIGHTER BRYAN HOLLAND

MINUTES: *Councilwoman Sapienza made a motion to approve the March 9, 2021 Town Board minutes; seconded by Councilman Starowitz and it carried by a vote 4-0.*

COMMUNICATIONS:

Mercy EMS report February 2021

Communication from Charter Communications

Resignation of Teresa Whalen as Deputy Town Clerk effective 3/17/2021

Resolution to remove EDU charges for two properties

Resolution to accept easements for WIBA#1

REPORTS:

SUPERVISOR: provided the members of the transfer station group the details on expenditures and revenue so if they can review and present their recommendation

CLERK: appointing Lori Kellogg as Deputy Town Clerk; request to declare old (10 yrs old flip) ZEO cell phone as surplus. *Councilwoman Sapienza made a motion to declare the old ZEO cell phone as surplus; seconded by Councilman Starowitz and carried by a vote 4-0.*

HIGHWAY/SOLID WASTE: compiling information on revenue/expenses and users with Clerk Smith for transfer station. MCWA completing water main down Bissell Rd to Rt. 19; Request to declare 2005 sterling dump truck as surplus and place in the May auction. *Councilman Starowitz made a motion to declare the 2005 Sterling dump truck as surplus and place in the May auction; seconded by Councilwoman Sapienza and carried by a vote 4-0.*

COMMITTEES:

BUILDINGS: Councilwoman Sapienza: BBKA sponsored Easter Egg Hunt 3/27 Hickory Park at 1:00pm

PARKS: complaint about incident on West Shore with a resident walking a dog and ATV harassment on 3/16/21

LOCAL HISTORY AND MUSEUM: Nothing to report

POLICY AND PERSONNEL: Nothing to report

OLD BUSINESS:

Water improvement Benefit Area #1: I have been working on finalizing the easements and we are only waiting on one on Clinton St. Rd.

Update of the proposal submitted on behalf of Genesee County Legislature regarding the Monroe County Water Authority having on retail rate for Water for all of Genesee County – GAM passed resolution on 3/18/21 that no action will be taken.

NEW BUSINESS:

Approval of Manufactured Housing Permits ZEO recommends renewal of permits for Hidden Meadows, Mar-Lu and Affordable Great Locations Manufactured Housing permits. *Councilwoman Sapienza made a motion to approve the Manufactured Housing permits for Hidden Meadows, Mar-Lu and Affordable Great Locations as recommended by ZEO Gerry Wood; seconded by Councilman Starowitz and it carried by a vote 4-0.*

Resolution to remove EDU's from WIBA#1 Councilman Starowitz offered Resolution #17-2021 to make EDU change to WIBA#1 retroactive to the formation of the Water District with 12.-1-48 and 12.-1-28 removed; seconded by Councilwoman Sapienza and carried by vote 4 -0.

**RESOLUTION # 17-2021
ADOPTION OF WIBA #1 EDU CHANGE**

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

Tax ID	Address	Initial EDU /Rate	Proposed EDU
12.-1-48	Sacket Road	.5	0- land is land locked (owner Marc Skirvin)
12.-1-28	West Sweden Rd.	.5	0- land is land locked (owner Susan Olander)

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.

Acceptance of Easements for WIBA#1 Councilman Starowitz offered Resolution #18-2021 Acceptance of Easements for WIBA#1; seconded by Councilwoman Sapienza and it carried by a vote 4-0.

**RESOLUTION #18-2021
AUTHORIZING ACCEPTANCE OF EASEMENTS FOR WATER BENEFIT IMPROVEMENT AREA #1**

WHEREAS the Town of Bergen previously formed Water Benefit Improvement Area #1 in the Town of Bergen for the purpose of providing of public water to the residents of the Town (the "Project") ; and

WHEREAS the plans and specifications for the Project prepared by MRB Group required the Town and the Monroe County Water Authority to secure temporary and permanent easements from property owners over certain properties within the Town of Bergen; and

WHEREAS the following easements have been offered to the Town of Bergen (the "Easements")

Owner Name	Address of Easement	Tax ID No.	Easement Type
Steven Goodman	7589 Swamp Road	12.-1-114	Permanent
David Huntoon	7573 Swamp Road	12.-1-115	Permanent
Martha Hargarther	6570 West Sweden Road	12.-1-24.2	Permanent
Richard Sands	6490 West Sweden Road	12.-1-24.1	Permanent
Robert Patterson	West Sweden Road	11.-1-23	Permanent
Benjamin Sandow	7460 Evans Road	11.-1-25.1	Permanent
Benjamin Sandow	7463 Evans Road (105)	11.-1-28.1	Permanent
Richard Sands	7450 Warboys Road	11.-1-2	Permanent
Richard Sands	7450 Warboys Road	11.-1-2	Permanent
Jennifer VanValkenburg	7471 Warboys Road	9.-1-46.11	Permanent
Jennifer VanValkenburg	7471 Warboys Road	9.-1-46.11	Permanent
David Miller	7497 Creamery Road	9.-1-40	Permanent
Mary Beth O'Connell	7545 Creamery Road	9.-1-87.1	Permanent
Shari Loewke	5860 West Sweden Road	9.-1-20.1	Permanent
Benjamin Strong	7460 North Bergen Road	9.-1-84.11	Permanent
Benjamin Strong	7460 North Bergen Road	9.-1-84.11	Permanent
CSX Railroad	West Bergen Road	15.-1-26	Permanent
CSX Railroad	West Bergen Road	15.-1-23	Permanent
Holly Gambino	7076 West Bergen Road	15.-1-22.2	Permanent
Bethel Baptist Church	7484 West Bergen Road	16.-1-29.12	Temporary
Jeffrey Keller	7404 West Bergen Road	16.-1-32	Permanent
Jacob Pocock	7231 Lyman Road	16.-1-2	Temporary
David Baker	7308 Maple Street	14.-1-17.21	Permanent
Jay Whalin	7212 Jerico Road	17.-1-56.11	Permanent
Jay Whalin	7212 Jerico Road	17.-1-56.11	Temporary
Dennis Ladd	7743 Clinton Street Road	17.-1-4	Permanent
Martin Diicher	7762 Clinton Street Road	17.-1-6	Temporary
Deanna M. Page	Connelly Road	16.-1-14	Permanent
D.C. Wright, Inc.	7530 Maple Avenue	16.-1-12	Permanent
D.C. Wright, Inc.	7530 Maple Avenue	16.-1-12	Permanent
Stacy Properties, LLC	7857 Maple Avenue	17.-1-45	Temporary
Jacob Peters	7178 West Bergen Road	15.-1-19	Permanent
Jacob Peters	7178 West Bergen Road	15.-1-19	Permanent
Gary Donofrio	7181 West Bergen Road	15.-1-8.111	Permanent
Wayne Keller	7404 West Bergen Road	16.-1-1.113	Permanent
Jacob Pocock	7231 Lyman Road	16.-1-2	Permanent

Metalico Rochester, Inc.	7652 Clinton Street Road	17.-1-2	Permanent
Zuber Brothers, LLC	Townline Road	14.-1-7	Permanent
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Gary Donofrio	71881 West Bergen Road	15.1.8.11	Permanent and Temporary
James Oehler	West Sweden Road	12-1-84.11	Permanent
Lee Capomaccio	7652 Dublin Road	17.1-1.112	Permanent
Zuber Brothers, LLC	Townline Road	14.1-10.1	Permanent
Wayne Keller	7404 West Bergen Road	16.-1-1.113	Temporary

WHEREAS the Town Board of the Town is desirous of accepting said offered Easements on behalf of the Town of Bergen.

WHEREAS the Town Board has examined the Easements and finds the consideration described and recited therein to be fair and reasonable for the value of such taking.

NOW, BE IT THEREFORE RESOLVED that the Town Board of the Town of Bergen hereby accepts the Easements as granted in accordance with the terms and conditions contained in said instruments and directs that the Easements be recorded in the Genesee County Clerk's Office and that the fees for said recording be borne solely by the Town of Bergen.

NEXT MEETING:

Regular Meeting – Tuesday, April 13, 2021 at 7:00 pm in the Courtroom with the audit of the bills at 6:45 pm

ADJOURNMENT was at 7:27 pm on a motion by Councilwoman Sapienza seconded by Councilman Starowitz and it carried by a vote 4-0.

Respectfully submitted,

Michele M. Smith

Michele M. Smith,
Town Clerk

Account#	Account Description	Fee Description	Qty	Local Share
	Marriage License	Marriage License	2	35.00
			Sub-Total:	\$35.00
A1255	Clerk Fees	Certified Copies	2	20.00
		Laminator	1	1.00
	Conservation	Conservation	2	2.76
			Sub-Total:	\$23.76
A2544	Dog Licensing	Female, Spayed	17	85.00
		Female, Unspayed	3	54.00
		Male, Neutered	11	55.00
		Male, Unneutered	1	18.00
	Late Fees	Late Fees	7	35.00
	Senior Discount	Senior Discount	5	-15.00
			Sub-Total:	\$232.00
B2110	Building & Zoning	Building Permit	4	180.00
		Variance	1	50.00
		Zoning	1	30.00
			Sub-Total:	\$260.00
B2130	Solid Waste	Garbage Bag	221	1,105.00
		Transfer Sta. 10.00	3	30.00
		Transfer Sta. 20.00	14	280.00
		Transfer Sta. 5.00	8	40.00
			Sub-Total:	\$1,455.00
Total Local Shares Remitted:				\$2,005.76

Amount paid to: N Y State Department Of Health 45.00
Amount paid to: NYS Ag. & Markets for spay/neuter program 40.00
Amount paid to: NYS Environmental Conservation 47.24

Total State, County & Local Revenues: \$2,138.00

Total Non-Local Revenues: \$132.24

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.

Supervisor

Date

Town Clerk

Date

Michele M. Smith

3/31/21

Town of Bergen
Permit Status Report

01/01/2021 - 04/09/2021
 Permit Type: All

Permit #	Applicant	Parcel Location	SBL#	Permit Type	Issued	Status
BP-0003-2021	Leslie Armstrong	46 Hidden Meadows Dr	17.-1-16.11/RR	Res-Generator	01/27/2021	Open
BP-0004-2021	Jacob Peters	7178 West Bergen Rd	15.-1-19	Res-Solar Panels	02/04/2021	Open
BP-0005-2021	R.J. PROPERTIES, LLC	7000 Apple Tree Ave	13.-1-57.1	Comm-Renovation	02/04/2021	Open
BP-0006-2021	colin willis	5961 West Sweden Rd	9.-1-45.2	Res-Acc Structure	03/04/2021	Open
BP-0007-2021	david anderson	5995 North Lake Rd	7.-1-24	Other	03/11/2021	Open
BP-0008-2021	michael shanley	6688 West Sweden Rd	12.-1-110	Res-Swimming Pool	03/11/2021	Open
BP-0009-2021	Mark J. Giovino	7609 Townline Rd	12.-1-80	Res-Deck	03/11/2021	Open
SD-2021-001	steve hohn	Townline Rd	10.-2-41.1	Subdivision	02/18/2021	Open
SD-2021-002	Zuber Brothers Partnership	6864 Jerico Rd	12.-1-78.113	Subdivision	03/25/2021	Open
					Total #	9



Mark Meyerhofer
Senior Director
Government Affairs

March 29, 2021

Re: Charter Communications – Upcoming Changes

Dear Municipal Official:

Spectrum Northeast, LLC, (“Spectrum”), locally known as Spectrum, has become aware that on or around April 15, 2021, Cheddar, located on Spectrum channel 221, will rebrand to Cheddar News on the lineup serving your community.

On or around May 3, 2021, Spectrum Northeast, LLC (“Spectrum”), New York 1 News, located on Spectrum Channel 215, will move from SPP Tier 1 to SPP Basic.

To view a current Spectrum channel lineup visit www.spectrum.com/channels.

If you have any questions, please feel free to contact me at 716-686-4446 or via email at Mark.Meyerhofer@charter.com.

Sincerely,

A handwritten signature in black ink that reads "Mark Meyerhofer". The signature is written in a cursive, flowing style.

Mark Meyerhofer
Senior Director, Government Affairs
Charter Communications

Town of Bergen On-Line Banking Policy –

The Supervisor of the Town of Bergen has entered into a written agreement with designated banks and trust companies for online banking and electronic or wire transfers, which includes the implementation of a security procedure for all transactions.

The Supervisor has designated the Village of Bergen, through an intermunicipal agreement, to conduct normal on-line banking transactions. Normal on-line banking transactions include the moving of funds between Town of Bergen Bank Accounts, ACH Debits and Wire Transfers for limited and pre-approved purposes.

The printed record of each of these transactions will be filed with the monthly bank statements. The bank statements are reconciled by the Town Accountant (EFPR) and reviewed and initialed by the Supervisor.

Account transfers, ACH Debits and Wire Transfers are automatically approved for the purpose of payment of Payroll, payment of Employee Benefits, the payment of approved Abstracts, the payment of approved Capital Purchases, and the payment of Bond Interest and Principal.

Wire Transfers are limited to \$25,000 without individual written approval by the Supervisor or Deputy Supervisor. Designated Wire Recipients are the Depository Trust, Rural Development, Environmental Facilities Corporation. Any additional Designated Wire Recipients must be pre-approved, in writing, by the Supervisor or Deputy Supervisor.

Wire Transfers are also automatically approved between Town of Bergen bank accounts at different institutions.

Town of Bergen Cash Management Policy

Cash Receipt Policy
Cash Disbursement Policy
Claims Processing Policy
Credit Card Use Policy
Bank Reconciliation Policy
Petty Cash Policy

Cash Receipt Policy

- Cash and checks collected by the Town of Bergen shall be kept secured at all times until deposited.
- Checks shall be restrictively endorsed as soon as received.
- Personal or payroll checks cannot be cashed from money in cash drawers.
- Checks must be for exact amount due; no "cash back" is permitted
- For customer-based transactions, pre-numbered duplicate receipts (or other acceptable evidence for auditing) will be given for any cash, checks or money orders received. One copy shall be provided to the customer, the other shall be retained for audit purposes. Receipts shall be given in order and voided receipts kept on file.
- Office copies of receipts shall be periodically reviewed by the chief fiscal officer or designee and any missing forms shall be investigated.
- Deposits shall be made timely, in accordance with State Comptroller guidelines.
- Detailed deposit slips shall be prepared and maintained.
- Copies of deposit slips shall be kept on file.
- An NSF charge of \$35 may be assessed for checks returned for non-sufficient funds. Notification of the NSF check charge should be included on all billings and posted in public view.
- Receipts shall be recorded in the accounting system in a timely manner.
- Daily cash collection records shall be reconciled to the amount of cash on hand at the end of each business day.

Cash Disbursement Policy

- Checks issued shall be pre-numbered and in sequence.
- Blank checks and check stock shall be secure at all times.
- Checks must be made payable to a specific payee.
- The official responsible for check preparation and signing shall not have the authority to solely or individually audit and approve claims for payment.
- The official responsible for signing checks shall compare prepared checks to an audited and approved warrant or a payroll register prior to releasing such checks.
- Signing a blank check is not permitted.
- After checks are printed, someone outside the check processing function shall account for all checks printed, voided or returned to stock unused.
- Supervisory review of all journal entries and financial transactions shall be performed periodically.

Claims Processing Policy

- The procurement guidelines detailed in the Town of Bergen's procurement policy shall be adhered to at all times.
- Prior to authorizing a major purchase and periodically for routine purchases, the availability of budget appropriations shall be verified.
- All vouchers shall include specific details about the items or services to be purchased including quantity, costs, model numbers (if available), terms of sale and approvals to purchase.
- All vouchers shall be sequentially numbered.
- When goods or services are delivered, receiving or packaging slips shall be verified against the quantity, type and condition of the goods received.
- The responsibility for the receipt and verification of items ordered shall be segregated from the employee who requested or authorized the purchase.
- Each department that ordered goods or services shall assemble a voucher package containing: the receiving slip, the original invoice and the signed approval of the department head stating that the goods or services were received and they are a true and just charge. All voucher packages shall be forwarded to the Town Clerk's office.
- Checks shall be mailed directly to the vendor and not returned to the department who made the purchase.
- The criteria for evaluating claims:
 1. Is the claim for a valid and legal purpose?
 2. Was the purchase authorized and approved?
 3. Are there sufficient appropriations to pay the claim?
 4. Is the claim mathematically correct?
 5. Is the claim sufficiently itemized?
 6. Does the claim meet legal and policy requirements in relation to competitive bidding and the Town's procurement policy?
 7. Does the attached documentation support the claim?
 8. Were the goods or services actually received?
- Claims not requiring audit:
 1. Salaries
 2. Principal and interest payments on debt
 3. Retirement contributions
 4. Insurance premiums
- Payments allowed in advance of the audit:
 1. Utilities (water, sewer, telephone, electric and gas)
 2. Postage
 3. Freight and express charges

Credit Card Use Policy

- Credit card use shall be limited to appropriations not payable by voucher method.
- Currently the Town credit card is kept in the Town Clerk's office and issued in the Clerk's name.
- The Supervisor may choose to have additional credit cards issued and must notify the Town Board of their issuance.

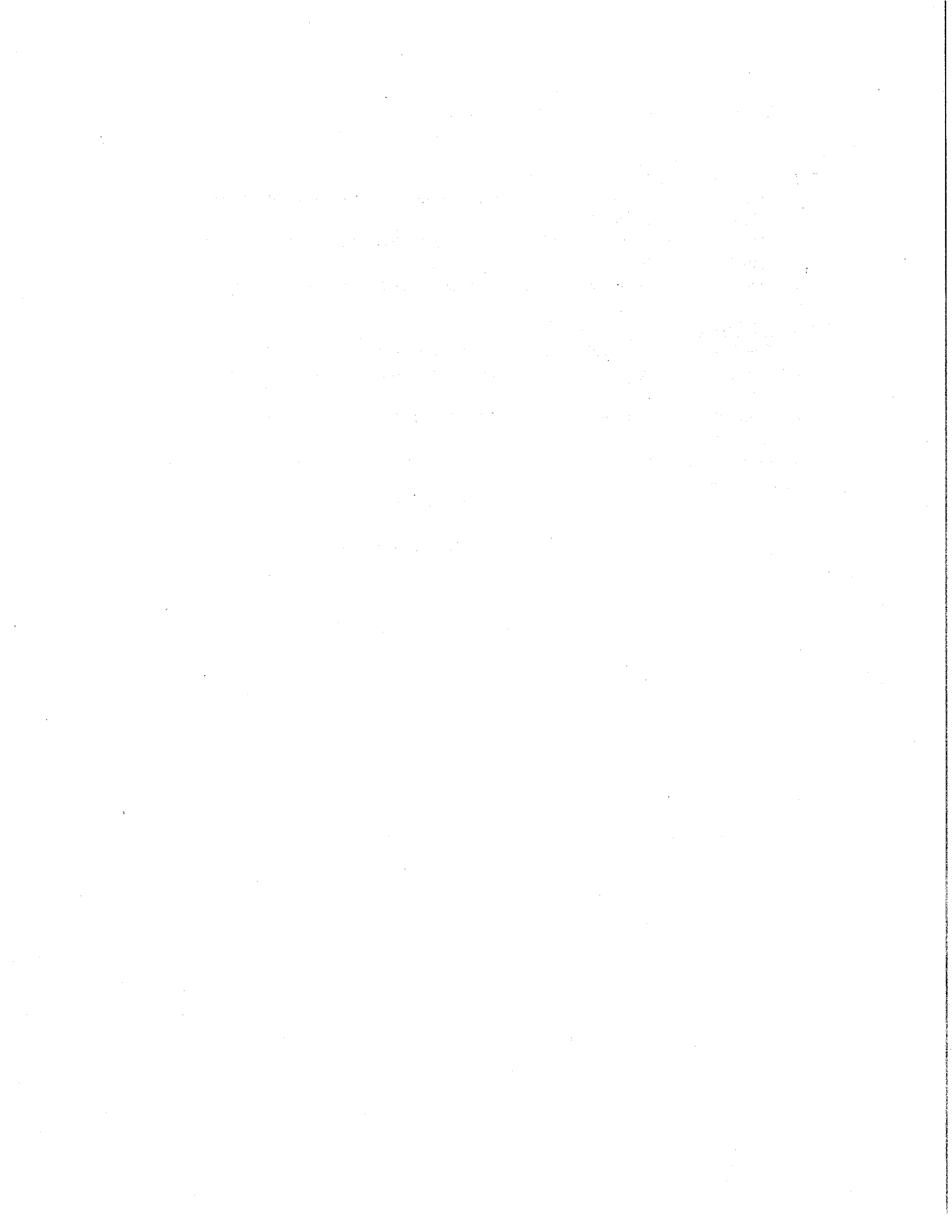
- Credit card receipts must be in original form. Copies of receipts are not acceptable.

Bank Reconciliation Policy

- Bank and cash reconciliations shall be performed monthly to compare bank balances to balances in the general ledger cash accounts.
- The records shall be reviewed by personnel other than the employee who prepared them.
- The bank statements and cash reconciliations shall be on file and available for review.

Petty Cash Policy

- The Town Clerk is provided with a small amount of cash for immediate purchases.
- All requests for replenishment of petty cash shall be made through the monthly claim process.
- Requests for replenishment of petty cash shall be made in the period incurred unless less than \$10.
- Requests for replenishment shall have an original paid receipt. Copies of receipts are not acceptable.
- Under no circumstances shall petty cash be used for other than legitimate Town expenses.
- Petty cash is subject to audit by the Chief Fiscal Officer or designee.



RESOLUTION NO.

RESOLUTION IN SUPPORT OF S.4717B & A.06223A

WHEREAS, Genesee County authorized voluntary revenue distribution payments to towns and villages within the County and it was the understanding of the county and towns and villages that the county would make voluntary distribution payments when fiscally possible and presumed the payments would be allocated and spent in the same way as would funds paid (previously) pursuant to a tax sharing agreement, and

WHEREAS, It has been determined that funds made pursuant to voluntary contributions cannot be used in the same way as funds received through a tax sharing agreement in towns that contain a village, and

WHEREAS, Genesee County requested Senator Edward Rath and Assemblyman Steve Hawley introduce legislation to address this and allow funds to be allocated as was intended by both Genesee County and the towns and villages within the county, Now therefore, Be it

RESOLVED, That the Town of _____ supports S.4717B and A.06223A and urges the New York State Senate and Assembly to pass this legislation during this 2021 Legislative Session.



Sleds of Stafford

Stafford, NY 14143

LANDOWNER PERMISSION FOR LAND USE FOR S.O.S. TRAILS 2021 – 2022 SEASON

- I would like to talk with a Sleds of Stafford Trail Representative about a change of trail or a problem I had.
- Yes, I will give S.O.S. permission to keep the marked trail system in previously terms set and used for the 2020 - 2021 season.
- Yes, I will give a verbal permission to the S.O.S. to keep the marked trail system in previously terms set and used for the 2020 - 2021 season.

PLEASE PRINT:

Name _____

Address _____

Phone _____

Email _____

LANDOWNER'S SIGNATURE: _____ **DATE:** _____

PLEASE CHECK HERE IF YOU NEED A VOUCHER FOR DMV/SNOWMOBILE

REGISTRATION _____ (*\$35.00 Membership Fee for landowners is waived*)

(Address on Permission Slip must match application & sled registration for voucher to be valid)

*Please return the Sleds of Stafford Snowmobile Club's permission paper to
Jeanne Freeman at 6679 Hessenthaler Road, Byron, NY 14422
Using the stamped – self addressed envelope, provided for you.*

Or

*You can also give the permission paper to the person that delivers your Chicken Dinners.
Again a heartfelt thank you from the Sleds of Stafford Members.*