

**Town Board Meeting
Town of Bergen
Bergen NY
June 8th, 2021
Meeting to be held in Town Hall**

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 of 5/11/2021 and 5/25/2021

IV. Communications included with this agenda:

1. Supervisor Report for May 2021
2. Summary spreadsheets for May 2021
3. Town Clerk Report for May 2021
4. ZEO/CEO Report for May., 2021
5. Charter Communications of 5/11/2021 and 5/28/2021
6. NYS Board of Electric Generation Siting and the Environment – Notice of Statement, Hearing and Soliciting Comments issued 4/13/2021- Regarding Town of Byron Solar Project by Excelsior Energy LLC.
7. Sixth Amended Towns of Batavia and Bergen Assessment Services Agreement

V. Board Members' items for addition to the agenda

VI. Reports:

Supervisor-
Clerk
Highway Superintendent
Board Members

Committees

- Building, Grounds, and Facilities (cemeteries) - Plumbing at/ Painting/Siding at Historian Office
- Parks
- Local History & Museum- inventory
- Policy and Personnel
- Transfer Station

VII. Old Business:

- Town of Bergen Water Improvement Benefit Area #1 project- Update:
- Request to maintain the Anniversary Garden at the Cemetery
- ATV on Town Property
- Complaint at 6558 Lake Road

VIII. New Business:

- Approval of the Sixth Amended Towns of Batavia and Bergen Assessment Services Agreement

IX- Reports & Bills:

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

X. Executive Session

XI. Meeting and Other Upcoming Dates:

- Town Board Meeting: 6/22/2021 at 7 pm in the town hall.

XII. Adjournment

DRAFT

May 11, 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

ALSO PRESENT:

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

ABSENT:

Councilman Mark Anderson

OTHER ATTENDEES:

Paul Chatfield
Tim Donovan

PRAYER

PLEDGE OF ALLEGIANCE TO THE FLAG

Paul Chatfield of MRB Group gave updates on the WIBA#1 Water District and bids for Contracts A & B came in over budget due to COVID, hurricanes and other events with supply and demand of PVC pipe. Paul presented options on how to handle the approximately \$1,422,717 over budget as bid. *Councilwoman Sapienza made a motion to proceed to file an application with USDA Rural Development for additional funding to increase project cost for WIBA#1; seconded by Councilman Starowitz and carried by a vote 4-0.*

Tim Donovan complaints of cars on property at 6558 N. Lake Rd. on a residential property and ATV traffic from out-of-town users on West Shore Trail.

MINUTES: *Councilwoman Sapienza made a motion to approve the minutes of April 13, 2021; seconded by Councilwoman Grant and carried by a vote 4-0.*

COMMUNICATIONS:

Supervisor Report for April 2021
Summary Spreadsheet for April 2021
Town Clerk Report for April 2021
ZEO/CEO Report for April 2021
Charter Communications Correspondence
Updated Financial Services Agreement with BPD for WIBA#1
Mercy EMS report for March 2021

REPORTS:

SUPERVISOR: evaluating upgrade Server and internet issues with Time Warner for offices outside Town Hall; GAM - sales tax revenue distribution; renewed insurance policies; new signs for cemeteries; Water District #2 paid off in tonight's meeting; Transfer station RFP for waste disposal; audit preparation.

TOWN CLERK: Nothing to report

HIGHWAY: 2005 Sterling truck auctioned for \$21000; CHIPS money increase and receiving 20% back from last year; in discussion with the village on their storage needs; the old garage should be torn down by the end of the year.

TOWN CLERK'S REPORTS: *Councilman Starowitz made a motion to file the Town Clerk's April 2021 Report seconded by Councilwoman Grant and it carried by a vote 4-0.*

SUPERVISOR REPORT *Councilwoman Sapienza made a motion to file the Supervisor's April 2021 Report; seconded by Councilwoman Grant and it carried by a vote 4-0.*

COMMITTEES:

Building and Grounds:

Parks: Rugby groups all set with certificates of insurance

Local History & Museum: Nothing to report

Policy and Personnel: Union Contract negotiation commencing

OLD BUSINESS:

Water improvement Benefit Area #1: meetings to figure out options how to move forward with bids over budget.

West Shore Trail out of town ATV traffic and accident 5/8/21 – looking into options on how to handle the influx of city riders and traffic, Councilwoman suggested shutting down the trail to all motorized vehicles until further notice, another suggestion to issue permits to use the trail.

NEW BUSINESS:

Revised Financial Agreement with BPD for WIBA#1 Councilwoman Sapienza made a motion to approve Supervisor Haywood to sign the revised Financial Agreement with Bernard P. Donegan for WIBA#1; seconded by Councilman Starowitz and carried by a vote 4-0.

BILLS: The bills were presented for audit and totaled General A Fund \$43,654.54; General B Fund \$11,358.83; Highway DA \$2,919.04; Highway DB \$364.14; HH (Water District) \$36,591.86; SM (Fire District) \$99,652.15; SW (Water District #2 final Bond Payment) \$80,000; PA-A \$4,085.61; PA-DA \$2,321.82 and PA-DB \$2,515.30. Councilman Starowitz made a motion to pay the May bills; seconded by Councilwoman Sapienza and it carried by a vote 4-0.

REGULAR MEETING – Tuesday, May 25, 2021 at 7:00 pm in the Courtroom

ADJOURNMENT was at 8:14pm on a motion by Councilwoman Sapienza; seconded by Councilman Starowitz and carried by a vote 4-0.

Respectfully submitted
Michele M. Smith

Michele M. Smith, Town Clerk

DRAFT

MAY 25, 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 Supervisor Haywood presiding.

PRESENT:

Supervisor Ernest Haywood
Councilwoman Belinda Grant
Councilman Mark Anderson

ALSO PRESENT:

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

ABSENT:

Councilwoman Anne Sapienza
Councilman James Starowitz

OTHER ATTENDEES:

Teresa Whalin
Tim Donovan (arriv. 7:30)

PRAYER

PLEDGE OF ALLEGIANCE TO THE FLAG

MINUTES: No quorum will be approved at next meeting

COMMUNICATIONS:

Mercy EMS report April 2021

Communication from Charter Communications

Transfer Station Refuse removal services

Correspondence from Timothy McGill bond council in regard to issuance of BAN renewal for WIBA#1

REPORTS:

SUPERVISOR: Robin Brook Park grounds maintenance with Gillam Grant meeting scheduled; Ryan Cummings in interested in working on a master plan for Drews Nature Center.

CLERK: request purchase of docking station for Laptop with quote from V2D *Councilman Anderson made amotion to approve the purchase of Town Clerk docking station for Dell laptop for \$449.95; seconded by Councilwoman Grant and it carried by a vote 3-0.*

ZEO/CEO: checked property at 6558 N. Lake Rd. being used for storage was told to clean up property and all vehicles are to be registered there was no response if there is a business run on the premises

HIGHWAY/SOLID WASTE: computer crashed worked with Bill for 8 hrs and lost 6 months of information; roadwork. Transfer Station will be closed on Wednesday nights again this year due to budget cuts.

COMMITEES:

BUILDINGS: air conditioning not working in Courtroom Triple-O will be called

PARKS: meeting with Gilliam Grant about grounds maintenance at Robins Brook, school staff helped get the ball fields in shape.

LOCAL HISTORY AND MUSEUM: Nothing to report

POLICY AND PERSONNEL: June 2nd Union Negotiations meeting scheduled

OLD BUSINESS:

Water improvement Benefit Area #1: application was submitted to US Rural Development for additional funding and letter sent to Congressman Jacobs for funding due to bid was over by 1.5 million.

ATVs on West Shore Trail options: No ATVs on the trail, leave it the way it is or issue permits-tabled for more information. Tim Donovan stated there was very little traffic over the last weekend.

NEW BUSINESS:

SAM Grant Renewal Councilman Anderson made a motion to renew the SAM Grant with the town credit card for \$ 349.00; seconded by Councilwoman Grant and carried by a vote 3-0.

200th Anniversary Garden maintenance tabled until next meeting

Noise complaint about individual playing music loudly questioning noise ordinance – problem is on village property

Transfer Station Refuse Removal Bid Award Three bids were received from Waste Management, Casella waste Systems and Suburban Disposal. Councilman Anderson made a motion to award bid to Waste Management for 2yr contract; seconded by Councilwoman Grant and it carried by a vote 3-0

Quotes from V2D for back up servers for Assessors Office/ZEO, Highway Garage update firmware, firewall software and firmware for \$390.00. Councilman Anderson made a motion to approve quote for update firmware, firewall software and firmware for Assessor/ZEO and Highway Garage for \$390.00; seconded by Councilwoman Grant and carried by a vote 3-0.

Increase Bandwidth quote from V2D Councilwoman Grant made a motion to approve the quote from V2D to increase bandwidth to Assessor/ZEO and Highway Garage for \$1,999.65; seconded by Councilman Anderson and carried by a vote 3-0.

NEXT MEETING:

Regular Meeting – Tuesday, June 8, 2021 at 7:00 pm in the Courtroom with the audit of the bills at 6:45 pm

EXECUTIVE SESSION: Councilman Anderson made a motion to enter into executive session at 7 :48 pm for a personnel issue; seconded by Councilwoman Grant and it carried by a vote 3-0. Councilman Anderson made a motion to exit executive session at 8:05 pm; seconded by Councilwoman Grant and carried by a vote 3-0.

ADJOURNMENT was at 8:06 pm on a motion by Councilman Anderson seconded by Councilwoman Grant and it carried by a vote 3-0.

Respectfully submitted,

Michele M. Smith

Michele M. Smith,
Town Clerk

TOWN OF BERGEN
May 2021
EXECUTIVE SUMMARY

BALANCE SHEET

- Bank accounts were reconciled as of 5/31/21.
- The Town has \$2,594,863.79 in the bank.

REVENUES AND EXPENSES

• **REVENUES**

- Total receipts for the month were: \$114,449.84
- Major receipts were:
 - Town Clerk Report (April) - \$2,750.65
 - Justice Fees (April) – \$10,147.00
 - County Voluntary Distribution - \$42,503.00
 - Mortgage Tax - \$24,236.58
 - Franchise Fees - \$5,837.03
 - Refund from NYS Unemployment for Overpayment - \$594.12
 - NYS Snow & Ice - \$6,955.97
 - Sale of 2005 Sterling - \$21,0000.00
 - Library Deposits - \$368.29
 - Other - \$57.20

• **EXPENSES**

Expenditures through May on average should equal 41.67% of the annual budget.

General Fund Townwide (A):

- Year to date expenses are \$323,484.94 compared to the annual budget of \$797,205 or 40.58% of the budget.

General Fund Outside Village (B):

- Year to date expenses are \$35,349.13 compared to the annual budget of \$103,289 or 34.22% of the budget.

Highway Townwide (DA):

- Year to date expenses are \$181,048.32 compared to the annual budget of \$420,116 or 43.09% of the budget.

Highway Outside Village (DB):

- Year to date expenses are \$58,273.62 compared to the annual budget of \$298,294 or 19.54% of the budget.


Ernest J. Saperstein
Treasurer
6/4/2021

**Town of Bergen
Cash Summary Report
May 2021**

FUND Account		4/30/2021 BALANCES	Increases	Decreases	5/31/2021 BALANCES	#9970 Joint Checking	#5616 Library Checking	#4277 Joint Savings	#1040-0001 NYCLASS Savings	#1040-0002 NYCLASS WIBA	#9988 Trust & Agency	
A	200.000	General TW Checking	139,724.76	84,170.42	84,170.42	139,724.76						
A	201.000	General TW Savings	40,710.85	250,032.87	104,881.76			185,861.96				
A	230.000	NYS Class Savings	382,340.73	14.65	382,355.38				382,355.38			
B	200.000	General OV Checking	41,054.70	11,358.83	11,358.83	41,054.70						
B	201.000	General OV Savings	16,233.79	8,102.03	14,025.35			10,310.47				
B	230.000	NYS Class Savings	200,202.70	7.67	200,210.37				200,210.37			
DA	200.000	Highway TW Checking	128,927.73	5,240.86	5,240.86	128,927.73						
DA	201.000	Highway TW Savings	108,103.65	27,955.97	5,240.86			130,818.76				
DB	200.000	Highway OV Checking	115,803.96	2,879.44	2,879.44	115,803.96						
DB	201.000	Highway OV Savings	425,008.55	21,041.34	20,527.42			425,522.47				
HH	200.004	Water District #4 Checking	-	36,591.86	36,591.86	-						
HH	201.004	Water District #4 Savings	-			-						
HH	230.004	Water District #4 NY Class	479,724.70	17.61	31,817.82	447,924.49				447,924.49		
HH	231.000	Water District #4 NY Class	-			-						
HH	200.051	Library SAMS Grant Checking	-			-						
HH	201.051	Library SAMS Grant Savings	-			-						
LL	200.000	Library Checking	-	3,330.36	3,330.36	-						
LL	200.001	Library Checking (NEW)	-	145,287.39	-	145,287.39		145,287.39				
LL	201.000	Library Savings	148,299.46		148,299.46	-						
SM	200.000	Special District Fire Checking	-	99,652.15	99,652.15	-						
SM	201.000	Special District Fire Savings	101,456.27		99,652.15	1,804.12		1,804.12				
SW	200.002	Water District Checking	-	80,000.00	80,000.00	-						
SW	201.002	Water District Savings	79,999.80		80,000.00	(0.20)		(0.20)				
SW	200.003	Water Peachey Rd Checking	-			-						
SW	201.003	Water Peachey Rd Savings	52,035.34			52,035.34		52,035.34				
SW	200.004	Water WIBA#1 Checking	-			-						
SW	201.004	Water WIBA#1 Savings	140,140.00			140,140.00		140,140.00				
TA	200.000	Trust & Agency	172,625.43	42,007.59	202,426.69	12,206.33					12,206.33	
VV	200.005	Peachey Water Checking	-			-						
VV	201.005	Peachey Water Savings	34,875.76			34,875.76		34,875.76				
			2,807,268.18	817,691.04	1,030,095.43	2,594,863.79	425,511.15	145,287.39	981,368.68	582,565.75	447,924.49	12,206.33
		Reconciliation										
		Bank Statement Balances			2,707,397.72	534,365.64	145,287.39	981,572.12	582,565.75	447,924.49	15,682.33	
		Outstanding Transfer			-	-	-	-	-	-	-	-
		Deposits In Transit			-	-	(203.44)				203.44	
		Outstanding Checks			(112,533.93)	(108,854.49)					(3,679.44)	
		Balance on General Ledger			2,594,863.79	425,511.15	145,287.39	981,368.68	582,565.75	447,924.49	12,206.33	
		Difference			-	-	-	-	-	-	-	-

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:

5/31/2021

Statement of Activity - MTD and YTD by Fund w/ Variance
Town of Bergen
For 5/31/2021

Run: 6/03/2021 at 7:48 AM

	M-T-D Actual	Y-T-D Actual	Annual Budget	Variance	Variance Percentage
Revenues					
AA.1081.000.000 Other Payments in Lieu of Taxes	\$ 0.00	\$ 6,424.30	\$ 6,095.00	\$ 329.30	105.40
AA.1090.000.000 Interest & Penalties on Real Property Taxes	0.00	2,996.18	0.00	2,996.18	0.00
AA.1255.000.000 Clerk Fees	302.65	1,615.10	2,000.00	(384.90)	80.76
AA.2130.000.000 Landfill Host Revenue	0.00	30,038.65	55,000.00	(24,961.35)	54.62
AA.2401.000.000 Interest & Earnings	31.92	165.44	300.00	(134.56)	55.15
AA.2410.000.000 Rental of Real Property	0.00	0.00	1,220.00	(1,220.00)	0.00
AA.2530.000.000 Games of Chance	0.00	10.00	10.00	0.00	100.00
AA.2544.000.000 Dog Licenses	183.00	981.00	2,500.00	(1,519.00)	39.24
AA.2610.000.000 Fines and Forfeited Bail	10,147.00	45,030.00	65,000.00	(19,970.00)	69.28
AA.2701.000.000 Refund of Prior Year Expense	13,061.62	13,061.62	0.00	13,061.62	0.00
AA.2770.000.000 Voluntary Distribution	42,503.00	213,640.65	360,000.00	(146,359.35)	59.34
AA.2770.001.000 Miscellaneous	0.00	1,105.00	0.00	1,105.00	0.00
AA.3001.000.000 State Aid, Revenue Sharing	0.00	0.00	8,000.00	(8,000.00)	0.00
AA.3005.000.000 State Aid, Mortgage Tax	24,236.58	24,236.58	25,000.00	(763.42)	96.95
AA.5999.000.000 Unexpended Balance	0.00	0.00	272,080.00	(272,080.00)	0.00
Total Revenues	90,465.77	339,304.52	797,205.00	(457,900.48)	42.56
Expenses					
AA.1010.100.000 Town Board Personal Services	1,219.32	6,096.60	14,632.00	8,535.40	41.67
AA.1010.400.000 Town Board Contractual	0.00	475.00	1,200.00	725.00	39.58
AA.1110.100.000 Justices Personal Services	2,333.34	11,666.70	28,000.00	16,333.30	41.67
AA.1110.102.000 Justice Pers Svc, Clerk	1,745.55	9,335.19	21,792.00	12,456.81	42.84
AA.1110.200.000 Justice Equipment	0.00	0.00	600.00	600.00	0.00
AA.1110.400.000 Justices Contractual	761.35	2,236.01	14,150.00	11,913.99	15.80
AA.1220.100.000 Supervisor Personal Services	947.75	4,738.75	11,373.00	6,634.25	41.67
AA.1220.102.000 Deputy Supervisor Personal Services	120.83	604.15	1,450.00	845.85	41.67
AA.1220.103.000 Supervisor's Secretary Personal Services	499.80	3,192.60	8,320.00	5,127.40	38.37
AA.1220.400.000 Supervisor Contractual	103.20	2,480.81	8,500.00	6,019.19	29.19
AA.1310.400.000 Bookkeeper, Contr Expend	0.00	0.00	24,300.00	24,300.00	0.00
AA.1320.400.000 Auditors Contractual	1,400.00	4,200.00	0.00	(4,200.00)	0.00
AA.1355.400.000 Assessor Contractual	168.12	13,494.12	32,801.00	19,306.88	41.14
AA.1410.100.000 Town Clerk Personal Services	3,295.60	18,125.85	42,844.00	24,718.15	42.31
AA.1410.102.000 Deputy Town Clerk Personal Services	40.17	1,606.81	2,785.00	1,178.19	57.70
AA.1410.200.000 Town Clerk Equipment	0.00	0.00	500.00	500.00	0.00
AA.1410.400.000 Town Clerk Contractual	173.76	2,167.07	4,000.00	1,832.93	54.18
AA.1420.400.000 Attorney Contractual	0.00	0.00	6,000.00	6,000.00	0.00
AA.1420.401.000 Court Prosecutor	800.00	4,000.00	10,100.00	6,100.00	39.60
AA.1440.400.000 Engineer Contractual	0.00	0.00	4,000.00	4,000.00	0.00
AA.1450.400.000 Elections Contractual	0.00	2,887.00	5,000.00	2,113.00	57.74
AA.1460.400.000 Records Management Contractual	1,195.00	1,195.00	2,500.00	1,305.00	47.80

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

	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	313.26	1,642.15	4,800.00	3,157.85	34.21
AA.1620.400.000 Building Operation Contractual	2,665.82	15,147.02	47,800.00	32,652.98	31.69
AA.1620.401.000 Building Operation Lease Fire Hall	0.00	19,023.63	19,024.00	0.37	100.00
AA.1660.400.000 Central Storeroom Contractual	26.01	74.77	500.00	425.23	14.95
AA.1670.400.000 Central Printing & Mailing Contractual	265.01	1,716.36	4,100.00	2,383.64	41.86
AA.1680.200.000 Computers Equipment	0.00	0.00	2,000.00	2,000.00	0.00
AA.1680.400.000 Computers Contractual	130.00	1,017.00	1,000.00	(17.00)	101.70
AA.1910.400.000 Unallocated Insurance	35,689.69	36,952.69	34,500.00	(2,452.69)	107.11
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	6,000.94	6,500.00	499.06	92.32
AA.1990.400.000 Contingency	12,467.50	42.75	13,153.00	13,110.25	0.33
AA.3120.100.000 Constables Personnel Services	116.51	265.16	4,225.00	3,959.84	6.28
AA.3120.400.000 Constables Contractual	0.00	0.00	400.00	400.00	0.00
AA.3310.400.000 Traffic Control Contractual	0.00	0.00	6,000.00	6,000.00	0.00
AA.3510.400.000 Control of Dogs Contractual	0.00	0.00	1,200.00	1,200.00	0.00
AA.5010.100.000 Supt. of Highways Personal Services	4,880.40	26,842.15	63,444.00	36,601.85	42.31
AA.5010.102.000 Supt. of Highways, Pers Svc, Deputy	115.50	635.25	1,500.00	864.75	42.35
AA.5010.200.000 Superintendent of Highways Equipment	51.60	251.60	750.00	498.40	33.55
AA.5010.400.000 Garage Contractual	0.00	0.00	750.00	750.00	0.00
AA.5132.400.000 Street Lighting Contractual	742.77	7,654.81	37,500.00	29,845.19	20.41
AA.5182.400.000 Publicity - Newsletter Contractual	157.08	2,577.53	5,500.00	2,922.47	46.86
AA.6410.400.000 Promotion of Industry Contractual	0.00	0.00	2,500.00	2,500.00	0.00
AA.6420.400.000 Library Contractual	0.00	1,160.37	2,000.00	839.63	58.02
AA.7510.100.000 Historian Personal Services	0.00	57,323.74	66,080.00	8,756.26	86.75
AA.7510.200.000 Historian Equipment	0.00	688.50	2,930.00	2,241.50	23.50
AA.7510.400.000 Celebrations Contractual	0.00	0.00	500.00	500.00	0.00
AA.7550.400.000 Cemetary Contractual	0.00	539.62	1,000.00	(39.62)	107.92
AA.8810.400.000 NYS Retirement	0.00	0.00	5,000.00	5,000.00	0.00
AA.9010.800.000 Social Security & Medicare	0.00	25,347.00	25,347.00	0.00	100.00
AA.9030.800.000 Worker's Compensation	1,712.73	8,952.89	16,000.00	7,047.11	55.96
AA.9040.800.000 Disability Insurance	0.00	7,833.00	7,833.00	0.00	100.00
AA.9055.800.000 Medical Insurance	0.00	75.60	150.00	74.40	50.40
AA.9060.800.000 Debt Principal Highway Garage	2,267.40	11,337.00	27,209.00	15,872.00	41.67
AA.9720.600.000 Debt Principal on Court/Town Offices	0.00	0.00	75,000.00	75,000.00	0.00
AA.9720.601.000 Interest on Debt Highway Garage	0.00	0.00	35,000.00	35,000.00	0.00
AA.9720.700.000 Interest on Debt Court/Town Offices	0.00	0.00	15,938.00	15,938.00	0.00
AA.9720.701.000 Transfer to Capital Project	0.00	0.00	4,358.00	4,358.00	0.00
AA.9950.900.000 Total Expenses	0.00	0.00	8,267.00	8,267.00	0.00
Total Expenses	80,757.40	323,484.94	797,205.00	473,720.06	40.58

Statement of Activity - MTD and YTD by Fund w/ Variance
 Town of Bergen
 For 5/31/2021

Run: 6/03/2021 at 7:48 AM

	M-T-D Actual	Y-T-D Actual	Annual Budget	Variance	Variance Percentage
Excess Revenue Over (Under) Expenditures	\$ (9,708.37)\$	(15,819.58)\$	0.00 \$	931,620.54 \$	0.00

Statement of Activity - MTD and YTD by Fund w/ Variance
Town of Bergen
For 5/31/2021

	M-T-D Actual	Y-T-D Actual	Annual Budget	Variance	Variance Percentage
Revenues					
BB.1001.000.000 Property Taxes	\$ 0.00	8,239.00	8,239.00	\$ 0.00	100.00
BB.1170.000.000 Franchise Fees	5,837.03	12,222.78	23,000.00	(10,777.22)	53.14
BB.1560.000.000 Safety Inspection Fees	0.00	0.00	50.00	(50.00)	0.00
BB.2110.000.000 Zoning Fees	755.00	1,985.00	1,800.00	185.00	110.28
BB.2115.000.000 Planning Board Fees	100.00	100.00	200.00	(100.00)	50.00
BB.2130.000.000 Refuse & Garbage Charges	1,410.00	6,870.00	20,000.00	(13,130.00)	34.35
BB.2401.000.000 Interest & Earnings	7.67	41.77	0.00	41.77	0.00
BB.2590.000.000 Permits, Others	0.00	90.00	0.00	90.00	0.00
BB.5999.000.000 Unexpended Balance	0.00	0.00	50,000.00	(50,000.00)	0.00
Total Revenues	8,109.70	29,548.55	103,289.00	(73,740.45)	28.61
Expenses					
BB.1355.400.000 Board of Assessment Review, Contr	0.00	0.00	450.00	450.00	0.00
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	2,000.00	2,000.00	0.00
BB.1990.400.000 Contingency	0.00	0.00	20,000.00	20,000.00	0.00
BB.6772.400.000 Programs for the Aging Contractual	4,000.00	4,000.00	4,000.00	0.00	100.00
BB.7110.400.000 Parks Contractual	200.00	280.00	6,000.00	5,720.00	4.67
BB.7310.400.000 Youth Programs Contractual	4,000.00	4,000.00	4,000.00	0.00	100.00
BB.8010.100.000 Zoning Pers Svc	137.83	361.15	836.00	474.85	43.20
BB.8010.400.000 Zoning Contractual	246.00	273.60	1,250.00	976.40	21.89
BB.8020.100.000 Planning Personal Services	272.92	1,364.60	4,500.00	3,135.40	30.32
BB.8020.400.000 Planning Contractual	769.20	1,039.20	3,000.00	1,960.80	34.64
BB.8160.100.000 Refuse & Garbage Personnel Services	769.20	3,916.52	10,000.00	6,083.48	39.17
BB.8160.400.000 Refuse & Garbage Contractual	1,906.83	7,024.59	17,500.00	10,475.41	40.14
BB.8664.100.000 Code Enforcement Personnel Services	1,408.54	7,746.97	18,311.00	10,564.03	42.31
BB.8664.400.000 Code Enforcement Contractual	236.80	1,036.23	3,000.00	1,963.77	34.54
BB.9010.800.000 NYS Retirement	0.00	2,671.00	2,671.00	0.00	100.00
BB.9030.800.000 Social Security & Medicare	78.03	364.27	2,500.00	2,135.73	14.57
BB.9040.800.000 Workers Compensation	0.00	1,271.00	1,271.00	0.00	100.00
Total Expenses	14,025.35	35,349.13	103,289.00	67,939.87	34.22
Excess Revenue Over (Under) Expenditures	\$ 5,915.65	\$ 5,800.58	\$ 0.00	\$ 141,680.32	\$ 0.00

Statement of Activity - MTD and YTD by Fund w/ Variance
Town of Bergen
For 5/31/2021

Run: 6/03/2021 at 7:48 AM

	M-T-D Actual	Y-T-D Actual	Annual Budget	Variance	Variance Percentage
Revenues					
DA.1001.000.000 Property Taxes	\$ 0.00	\$ 285,068.00	\$ 285,068.00	\$ 0.00	100.00
DA.2300.000.000 Services to Other Gov't	6,955.97	133,737.87	126,781.00	6,956.87	105.49
DA.2650.000.000 Sale of Scrap Material	0.00	988.94	0.00	988.94	0.00
DA.2665.000.000 Sale of Equipment	21,000.00	21,000.00	0.00	21,000.00	0.00
DA.5031.000.000 Interfund Transfers	0.00	0.00	8,267.00	(8,267.00)	0.00
Total Revenues	27,955.97	440,794.81	420,116.00	20,678.81	104.92
Expenses					
DA.5130.100.000 Machinery, Pers Serv	0.00	3,098.40	11,860.00	8,761.60	26.12
DA.5130.200.000 Machinery, Equip & Cap Outlay	0.00	0.00	85,000.00	85,000.00	0.00
DA.5130.400.000 Machinery, Contr Expend	2,665.09	27,429.04	30,000.00	2,570.96	91.43
DA.5140.100.000 Brush & Weeds, Pers Serv	0.00	0.00	11,860.00	11,860.00	0.00
DA.5140.400.000 Brush & Weeds, Contr Expend	0.00	0.00	1,500.00	1,500.00	0.00
DA.5142.100.000 Snow & Ice, Pers Serv	0.00	73,112.56	123,037.00	49,924.44	59.42
DA.5142.400.000 Snow & Ice, Contr Expend	253.95	35,355.82	90,000.00	54,644.18	39.28
DA.9010.800.000 NYS Retirement, Empl Bnfts	0.00	19,541.00	19,541.00	0.00	100.00
DA.9030.800.000 Social Security & Medicare, Empl Bnfts	0.00	5,682.40	10,508.00	4,825.60	54.08
DA.9040.800.000 Workers Compensation, Empl Bnfts	0.00	5,220.00	5,220.00	0.00	100.00
DA.9055.800.000 Disability Insurance, Empl Bnfts	0.00	0.00	110.00	110.00	0.00
DA.9060.800.000 Hospital & Medical (Dental) Ins, Empl Bnfts	2,321.82	11,609.10	31,480.00	19,870.90	36.88
Total Expenses	5,240.86	181,048.32	420,116.00	239,067.68	43.09
Excess Revenue Over (Under) Expenditures	\$ (22,715.11)	\$ (259,746.49)	\$ 0.00	\$ 218,388.87	0.00

Statement of Activity - MTD and YTD by Fund w/ Variance
Town of Bergen
For 5/31/2021

	M-T-D Actual	Y-T-D Actual	Annual Budget	Variance	Variance Percentage
Revenues					
DB.1001.000.000 Property Taxes	\$ 0.00	\$ 100,579.00	\$ 100,579.00	\$ 0.00	100.00
DB.3501.000.000 Consolidated Highway Aid	0.00	0.00	40,500.00	(40,500.00)	0.00
DB.5999.000.000 Unexpended Balance	0.00	0.00	157,215.00	(157,215.00)	0.00
Total Revenues	0.00	100,579.00	298,294.00	(197,715.00)	33.72
Expenses					
DB.5110.100.000 General Highway Repairs Personal Services	16,524.80	22,721.60	90,134.00	67,412.40	25.21
DB.5110.400.000 General Highway Repairs Contractual	199.19	2,659.30	85,000.00	82,340.70	3.13
DB.5112.200.000 Permanent Highway Improvements	0.00	0.00	40,500.00	40,500.00	0.00
DB.9010.800.000 NYS Retirement	0.00	14,741.00	14,741.00	0.00	100.00
DB.9030.800.000 Social Security & Medicare	1,123.18	1,603.29	7,900.00	6,296.71	20.29
DB.9040.800.000 Workers Compensation	0.00	3,739.00	3,853.00	114.00	97.04
DB.9055.800.000 Disability Insurance	0.00	67.98	65.00	(2.98)	104.58
DB.9060.800.000 Medical Insurance	2,680.25	12,741.45	34,275.00	21,533.55	37.17
DB.9785.600.000 Installment Purchase Debt, Principal	0.00	0.00	20,326.00	20,326.00	0.00
DB.9785.700.000 Installment Purchase Debt, Interest	0.00	0.00	1,500.00	1,500.00	0.00
Total Expenses	20,527.42	58,273.62	298,294.00	240,020.38	19.54
Excess Revenue Over (Under) Expenditures	\$ 20,527.42	\$ (42,305.38)	\$ 0.00	\$ 437,735.38	\$ 0.00

Statement of Activity - MTD and YTD by Fund w/ Variance
Town of Bergen
For 5/31/2021

Run: 6/03/2021 at 7:48 AM

	M-T-D Actual	Y-T-D Actual	Annual Budget	Variance	Variance Percentage
Revenues					
HH.2401.000.004 Interest & Earnings, Water Capital #4	\$ 17.61	\$ 115.73	0.00	\$ 115.73	0.00
Total Revenues	17.61	115.73	0.00	115.73	0.00
Expenses					
HH.1380.200.004 Fiscal Agents Capital Outlay	0.00	10,764.58	0.00	(10,764.58)	0.00
HH.1420.200.004 Legal, Capital & Equip	58.40	4,617.66	0.00	(4,617.66)	0.00
HH.1440.200.004 Engineering Cap Outlay, Water #4	36,533.46	112,164.20	0.00	(112,164.20)	0.00
HH.8310.200.004 Water Administration	0.00	112.12	0.00	(112.12)	0.00
HH.9730.700.004 BAN Interest Payment	0.00	3,445.28	0.00	(3,445.28)	0.00
Total Expenses	36,591.86	131,103.84	0.00	(131,103.84)	0.00
Excess Revenue Over (Under) Expenditures	\$ 36,574.25	\$ 130,988.11	0.00	\$ (131,219.57)	0.00

Statement of Activity - MTD and YTD by Fund w/ Variance
Town of Bergen
For 5/31/2021

Run: 6/03/2021 at 7:48 AM

	M-T-D Actual	Y-T-D Actual	Annual Budget	Variance	Variance Percentage
Revenues					
SM.1001.000.000 Real Property Taxes	\$ 0.00	\$ 199,305.00	\$ 199,305.00	\$ 0.00	100.00
Total Revenues	0.00	199,305.00	199,305.00	0.00	100.00
Expenses					
SM.3410.400.000 Fire Contract Contractual	99,652.15	199,304.30	199,305.00	0.70	100.00
Total Expenses	99,652.15	199,304.30	199,305.00	0.70	100.00
Excess Revenue Over (Under) Expenditures	\$ 99,652.15	(0.70)	0.00	0.70	0.00

Statement of Activity - MTD and YTD by Fund w/ Variance
 Town of Bergen
 For 5/31/2021

	M-T-D Actual	Y-T-D Actual	Annual Budget	Variance	Variance Percentage
Revenues					
SW.1001.000.002 Real Property Taxes - District 2	\$ 0.00	\$ 59,861.00	\$ 59,861.00	\$ 0.00	100.00
SW.5999.000.002 Unexpended Balance - District 2	0.00	0.00	20,139.00	(20,139.00)	0.00
Total Revenues	0.00	59,861.00	80,000.00	(20,139.00)	74.83
Expenses					
SW.9720.600.002 Debt Principal, Install Bonds Water Dist 2	80,000.00	80,000.00	80,000.00	0.00	100.00
Total Expenses	80,000.00	80,000.00	80,000.00	0.00	100.00
Excess Revenue Over (Under) Expenditures	\$ 80,000.00	\$ 20,139.00	\$ 0.00	\$ 20,139.00	0.00

Statement of Activity - MTD and YTD by Fund w/ Variance
Town of Bergen
For 5/31/2021

	M-T-D Actual	Y-T-D Actual	Annual Budget	Variance	Variance Percentage
Revenues					
SW.1001.000.003 Real Property Taxes - Peachey Rd District 3	\$ 0.00	\$ 42,253.00	\$ 42,253.00	\$ 0.00	100.00
SW.5031.000.003 Interfund Transferr - Peachey Road	0.00	0.00	5,000.00	(5,000.00)	0.00
SW.5999.000.003 Unexpended Balance - District 3	0.00	0.00	2,000.00	(2,000.00)	0.00
Total Revenues	0.00	42,253.00	49,253.00	(7,000.00)	85.79
Expenses					
SW.9720.600.003 Debt Principal, Install Bonds - Peachey Rd District 3	0.00	0.00	18,000.00	18,000.00	0.00
SW.9720.700.003 Debt Interest, Install Bonds - Peachey Rd District 3	0.00	0.00	31,253.00	31,253.00	0.00
Total Expenses	0.00	0.00	49,253.00	49,253.00	0.00
Excess Revenue Over (Under) Expenditures	\$ 0.00	\$ (42,253.00)	\$ 0.00	\$ 56,253.00	\$ 0.00

Statement of Activity - MTD and YTD by Fund w/ Variance
Town of Bergen
For 5/31/2021

	M-T-D Actual	Y-T-D Actual	Annual Budget	Variance	Variance Percentage
Revenues					
SW.1001.000.004 Property Taxes	\$ 0.00	\$ 140,140.00	\$ 140,140.00	\$ 0.00	100.00
SW.2401.000.004 Interest & Earnings	0.00	0.00	250.00	(250.00)	0.00
SW.5999.000.004 Appropriated Fund Balance	0.00	0.00	999,750.00	(999,750.00)	0.00
Total Revenues	0.00	140,140.00	1,140,140.00	(1,000,000.00)	12.29
Expenses					
SW.9710.600.004 Bond Principal, Water #4	0.00	0.00	105,000.00	105,000.00	0.00
SW.9710.700.004 Bond Interest, Water #4	0.00	0.00	35,140.00	35,140.00	0.00
SW.9730.600.004 BAN Principal	0.00	0.00	1,000,000.00	1,000,000.00	0.00
Total Expenses	0.00	0.00	1,140,140.00	1,140,140.00	0.00
Excess Revenue Over (Under) Expenditures	\$ 0.00	\$ (140,140.00)	\$ 0.00	\$ 2,140,140.00	0.00

Permit Monthly Report

05/01/2021 - 05/31/2021

Permit #	Issue Date	Owner	Permit Type	Property Location	Valuation	Amount
May 2021						
BP-0017-2021	05/06/2021	Adam Hoopengardner	Res-Swimming Pool	7338 Warboys Rd SBL#: 11.-1-1.21		\$50.00
BP-0018-2021	05/17/2021	R.J. PROPERTIES, LLC	Comm-Renovation	7000 Apple Tree Ave SBL#: 13.-1-57.1		\$250.00
BP-0019-2021	05/20/2021	Carol Giblin	Res-Acc Structure	7601 Creamery Rd SBL#: 9.-1-35.1		\$35.00
BP-0020-2021	05/27/2021	Margaret Sheard	Subdivision	7543 South Lake Rd SBL#: 17.-1-21.111		\$340.00
BP-0021-2021	05/27/2021	James Morrison	Res-Acc Structure	7561 West Bergen Rd SBL#: 16.-1-15.12		\$35.00
May 2021 Total:					\$0.00	\$710.00
Reporting Period Total:					\$0.00	\$710.00



Mark Meyerhofer
Senior Director
Government Affairs

May 14, 2021

Re: Charter Communications – Upcoming Changes

Dear Municipal Official:

This letter will serve as notice that effective on or around June 15, 2021, Spectrum Northeast, LLC, ("Spectrum"), is making changes to its Spectrum TV Choice package. With the Spectrum TV Choice package a **new** customer can pick up to 15 networks (previously 10 networks) out of 75 available networks (in addition to SPP Basic). The new package will allow customers to pick more channels from a different list of networks, including one (1) regional sports network, where available. Pricing for new Spectrum TV Choice 15 package will increase by \$5.00 for **new** customers. Existing Spectrum TV Choice customers will be grandfathered with no changes made; however, customers may upgrade into the new Spectrum TV Choice 15 package.

Spectrum Northeast, LLC ("Spectrum"), is making its customers aware that on or around June 30, 2021, Newsy will discontinue its service and Spectrum will drop Newsy, channel 224 from the channel lineup serving your community.

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

May 28, 2021

Re: Charter Communications – Upcoming Changes

Dear Municipal Official:

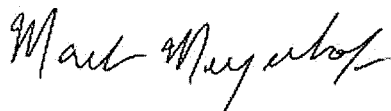
Spectrum Northeast, LLC, (“Spectrum”), locally known as Spectrum, is noticing its customers that on or around June 29, 2021, Spectrum News Channel located on channels 1, 9, 10, 14, 200 or 212 on Basic, Starter TV and Spectrum TV Essentials, will be rebranded in all New York channel lineups:

Spectrum News Buffalo will rebrand to Spectrum News 1 – Buffalo
Spectrum News Western New York will rebrand to Spectrum News 1 - Buffalo
Spectrum News Central New York will rebrand to Spectrum News 1 – Central New York
Spectrum News Rochester will rebrand to Spectrum News 1 - Rochester
Spectrum News Southern Tier will rebrand to Spectrum News 1 – Southern Tier

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,



Mark Meyerhofer
Senior Director, Government Affairs
Charter Communications

NEW YORK STATE BOARD ON ELECTRIC
GENERATION SITING AND THE ENVIRONMENT

CASE 19-F-0299 - Application of Excelsior Energy, LLC for a Certificate of Environmental Compatibility and Public Need Pursuant to Article 10 of the Public Service Law for Construction of a Solar Electric Generating Facility in the Town of Byron, Genesee County

NOTICE OF PUBLIC STATEMENT HEARINGS AND SOLICITING COMMENTS

(Issued April 13, 2021)

Public comment is invited concerning an application (Application) by Excelsior Energy, LLC (Excelsior) for authority to construct the Excelsior Energy Center (the Project), a 280-megawatt (MW) solar energy center and 20 MW / 4-hour duration energy storage system in the Town of Byron, Genesee County. The Project components would include solar arrays, access roads, buried and possibly overhead electric collection lines, energy storage, and electrical interconnection facilities. During construction, the Project would require one or more laydown yards. Additional Project facilities would consist of a new collection substation and 345 kilovolt (kV) switchyard, which would be used to connect to the New York State grid and would be transferred to the New York Power Authority (NYPA) to own, maintain and operate. The proposed collection substation and interconnection facilities would be located on land adjacent to NYPA's 345 kV Line #NR2, between its Niagara and N. Rochester substations. The Project would be located on land leased from owners of private property in the Town of Byron. The Application consists of a filing made on September 28, 2020, supplemented by filings made on December 23, 2020, January 29, 2021, and April 2, 2021.

PLEASE TAKE NOTICE that public statement hearings will be held virtually before the assigned Examiners, as follows:

DATE: June 1, 2021
TIME: 1:00 P.M.
Electronic Access: www.webex.com
Event Number: 129 880 4736
Password: June1-1pm
Phone-Only Access: 518-549-0500
Access Code: 129 880 4736

DATE: June 1, 2021
TIME: 6:00 P.M.
Electronic Access: www.webex.com
Event Number: 129 881 6364
Password: June1-6pm
Phone-Only Access: 518-549-0500
Access Code: 129 881 6364

Those wishing to comment on any aspect of this proceeding will have the opportunity to make a statement on the record at the virtual public statement hearings. **Any person wishing to provide a public statement must pre-register to do so by 5:00 P.M. on May 31, 2021.**

To register electronically: Participants who would like to provide a statement and will login to a hearing electronically may register to do so by visiting www.webex.com, where they should click "Join" at the top right-hand corner of the screen, enter the appropriate event number listed above, and provide all requested information.

On the appropriate date and time of the hearing, please visit www.webex.com to log in to the hearing, click "Join" at the top right-hand corner of the screen, and input the

appropriate event number for the hearing. (You may need to "refresh" the Webex home page if the "Join" button does not at first appear). Participants will be asked to "select audio system." It is recommended that participants opt to have the system "call me" or "call using computer." The "call me" option will require participants to enter their phone numbers.

To register by phone: Any participant who is not able to login to a hearing electronically may participate by phone. Call-in participants wishing to provide a statement may register to do so by calling 1-800-342-3330, where they should follow prompts to the appropriate hearing and provide the following information: first and last name, address, and phone number.

On the appropriate date and time of the hearing, all call-in users should dial (518)549-0500 and enter the relevant access code listed above.

All participants will be muted upon entry into the hearing. The Examiner will call on each person who has asked to make a statement. The public statement hearing will be held open until everyone who has registered to speak has been heard or other reasonable arrangements to submit comments into the record have been made. Time limits may be set for each speaker as necessary. It is recommended that lengthy comments be submitted in writing and summarized for oral presentation. A verbatim transcript of the hearing will be made for inclusion in the record of this case.

To listen to the hearing: Any person who would like to listen to the hearings without making a statement can access the hearings without pre-registering. The hearings will be livestreamed on the internet and available for viewing on the Department of Public Service YouTube channel on the date and time listed above. To access that YouTube channel, visit the Department's website, www.dps.ny.gov, and click on the YouTube

icon at the bottom of the homepage. In addition, any person without internet access may listen to the hearings by phone by calling **(518)549-0500** and entering the applicable access code.

Persons with disabilities requiring special accommodations should call the Department of Public Service's Human Resources Management Office at (518)474-2520 as soon as possible. TDD users may request a sign language interpreter by placing a call through the New York Relay Service at 711. Individuals with difficulty understanding or reading English are encouraged to call the Department at 1-800-342-3377 for free language assistance services regarding this notice.

Other Ways to Comment

Those who prefer not to present comments at a public statement hearing may provide comments in several other ways.

Internet or Mail: Go to www.dps.ny.gov, then click on "Search" and enter the case number in the "Search by Case Number" field, and then click on "Post Comments" at the top right of the page or send comments by email to the Secretary to the Siting Board at secretary@dps.ny.gov.

Alternatively, comments may be mailed to the Hon. Michelle L. Phillips, Secretary, New York State Board on Electric Generation Siting and the Environment, Three Empire State Plaza, Albany, New York 12223-1350.¹ All written comments will become part of the record considered by the Siting Board and may be accessed on the Department of Public Service website by searching the case number, as described above, and clicking on the "Public Comments" tab.

Toll-Free Opinion Line: You may call the Siting Board's Opinion Line at 1-800-335-2120. This number is set up to take comments about pending cases from in-State callers, 24-

¹ Due to concerns related to COVID-19, filing electronically is strongly encouraged.

hours a day. These comments are not transcribed verbatim, but a summary is provided to the Siting Board.

All submitted comments should refer to "Case 19-F-0299." **Although comments will be accepted throughout the pendency of this case, to ensure timely consideration by the parties public comments are requested by September 30, 2021.**

(SIGNED)

MICHELLE L. PHILLIPS
Secretary

**SIXTH AMENDED
TOWNS OF BATAVIA AND BERGEN
ASSESSMENT SERVICES AGREEMENT**

THIS AGREEMENT made the _____ day of _____, 2021, by and between the **TOWN OF BERGEN**, a municipal corporation organized and existing under the Laws of the State of New York, having its principal office located at 10 Hunter Street, Bergen, New York 14416, (hereinafter referred to as "Bergen"), and the **TOWN OF BATAVIA**, a municipal corporation organized and existing under the Laws of the State of New York, having its principal office located at 3833 West Main Street Road, Batavia, New York 14020, (hereinafter referred to as "Batavia").

WHEREAS, pursuant to Article 5-G of the General Municipal Law, Bergen and Batavia are authorized to enter into an inter-municipal cooperative agreement for the provision of tax assessment services, and

WHEREAS, Batavia currently is employing an Assessor fully qualified to provide all assessment services as required by law, and

WHEREAS, Batavia intends to continue to maintain the position of Assessor and to provide any support staff necessary to assist her/him to perform assessment duties in both the Towns of Batavia and Bergen.

NOW, THEREFORE, in consideration of the mutual covenants and agreements contained herein, it is agreed as follows:

1. Batavia agrees to provide assessment services to Bergen and shall provide a qualified individual to perform said duties outlined herein. The person appointed as Assessor must satisfy the minimum qualification standards for real property assessors established by the State Board of Real Property Services.
2. The Assessor provided by Batavia shall be responsible for assessing all parcels of real property located in Bergen and in Batavia for the purposes of taxation and special ad valorem levies for town, county, special district and school district. The Assessor shall also oversee all other duties as required for assessors by the Real Property Tax Law and the rules of the State Board of Real Property Services. All real property shall be assessed at the same uniform percentage of market value in all of the assessing units participating in the Agreement throughout the term of the Agreement. Such percentage of market value shall be annually printed on the tentative assessment rolls for the participating assessing units.
3. The dates applicable to the assessment process in each municipality, including taxable status date, and the dates for the filing of the tentative and final assessment rolls, shall be the same.

4. The Assessor personally and/or by employees under his/her direction shall be present for office hours in the Bergen Town Assessors Office for a total of four (4) hours per week. The days and times of these office hours shall be mutually agreed. Additionally the Assessor can be available by appointment or during regular office hours at the City or Town of Batavia offices.

5. The Assessor and any support staff shall for all purposes be deemed employees of Batavia. The Assessor and any support staff shall not in any way be construed as employees of Bergen. Batavia shall pay the salary and make employer's contributions for retirement, social security, health insurance, worker's compensation, unemployment and other similar benefits for the Assessor, as well as for any other individuals employed by Batavia to fulfill the terms and conditions of this Agreement as support staff.

6. Batavia shall indemnify and hold Bergen harmless from any claims made against Bergen by the Assessor, or any third party, arising out of any acts of misfeasance, malfeasance, or non-feasance by the Assessor in the performance of his/her duties while working for Batavia, including costs of settling any action and reasonable attorney's fees for defense. Bergen shall indemnify and hold Batavia harmless from any claims made against Batavia by the Assessor, or any third party, arising out of any acts of misfeasance, malfeasance, or non-feasance by the Assessor in the performance of his/her duties while working for Bergen, including costs of settling any action and reasonable attorney's fees for defense. Each party will provide the other with timely notice of any claims and shall fully cooperate with each other to defend the same.

7. Batavia shall pay all costs and expenses relating to defending any assessment challenge brought in its jurisdiction and Bergen shall pay all costs and expenses related to defending any assessment challenge brought in its jurisdiction.

8. The terms and conditions of this Agreement shall begin on July 1, 2021 and shall end on June 30, 2022. In order to allow both municipalities to make alternative arrangements for assessment duties, if necessary, the rights and duties of both parties shall not extend beyond the termination date, unless on or before April 30, 2020, Bergen and Batavia enter into an additional Agreement to renew or extend this contractual arrangement upon mutually agreed upon terms and conditions.

9. In consideration and for compensation for the services set forth herein, Bergen shall pay to Batavia the total sum of twenty-one thousand, seven-hundred, fifty dollars (\$21,750.00) for this Agreement. This sum shall be paid in two equal installments of ten thousand, eight hundred, seventy-five dollars. The first payment due on or before October 1, 2021 and the second payment due on or before March 1, 2022.

10. In the event that the current Town of Batavia Assessor shall resign or otherwise is no longer able to provide assessment services to Batavia, then Bergen, at its sole option and discretion, may terminate this Agreement with at least thirty (30) days prior written notice to Batavia and thereafter, this Agreement shall be null and void.

11. There are no other agreements or understandings, either oral or written, between the parties affecting this Agreement. No changes, additions or deletions of any portions of this Agreement shall be valid or binding upon the parties hereto unless the same is approved in writing by the parties.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals the day and year first above written.

TOWN OF BATAVIA

By: Gregory H. Post, Town Supervisor

TOWN OF BERGEN

By: Ernest Haywood, Town Supervisor

State of New York}
County of Genesee}ss.

On this _____ day of _____, 2021, before me, the undersigned, personally appeared Gregory H. Post, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public

State of New York}
County of Genesee}ss.

On this _____ day of _____, 2021, before me, the undersigned, personally appeared Ernest Haywood, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public