Town Board Meeting
Town of Bergen
October 12th, 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: Regular Meeting of September 14th and September 28th and Budget Workshop of 10/9/21

IV. Communications included with this agenda:
1. Supervisor Report for September 2021
2. Summary spreadsheets for September 2021
3. Town Clerk Report for September 2021
4. ZEO/CEO Report for September 2021
5. Preliminary 2022 Town Budget
6. Proposed Local Law for overriding the tax cap for 2022 budget.
7. Budget Transfers
8. Updated legal services agreement with Lack Katzen LLP and the Town of Bergen for legal services for WIBA#1

V. Board Members' items for addition to the agenda

VI. Reports:
Supervisor
Clerk
Board Members
Highway

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

VII. Old Business:
- Town of Bergen Water Improvement Benefit Area #1 project- Update:

VIII. New Business:
- Adoption of Preliminary 2022 Town Budget
- Resolution to set date and time for Public Hearing for local law to override the tax cap—10/26 at 7:00 pm
- Resolution to set date and time for Public Hearing for the 2022 Fire Department Budget- 10/26 at 7:15 pm
- Resolution to set date and time for Public Hearing for the 2022 Town Budget, - 10/26 – 7:30 pm
- Approval of Budget Transfers

- Approval of Junk Yard Permits for Metalico (Clinton Street Road), Demos (Clinton Street Road) and John Cole (S. Lake Road)
- Approval of updated Legal Services Agreement between Town of Bergen and Lacy Katzen LLP for legal services associated with WIBA#1

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 and Public Hearings: 10/26 /2021 at 7 pm in the town hall.

XI. Executive Session

XII. Adjournment

DRAFT

SEPTEMBER 14, 2021 **BERGEN TOWN BOARD** **REGULAR MEETING**

The Bergen Town Board convened in a regular session at 7:03 pm in the Town Hall with Supervisor Haywood presiding.

PRESENT:
Supervisor Ernest Haywood
Councilwoman Anne Sapienza
Councilman Jim Starowitz

ALSO PRESENT:
Mike Johnson, Highway Superintendent
Michele Smith, Town Clerk

ABSENT:
Councilman Mark Anderson
Councilwoman Belinda Grant

PRAYER

PLEDGE OF ALLEGIANCE TO THE FLAG

MINUTES: *Councilwoman Sapienza made a motion to approve the minutes of August 24, 2021; seconded by Councilman Starowitz and carried by a vote 3-0.*

COMMUNICATIONS:
Supervisor Report for August 2021
Summary Spreadsheet for August 2021
Town Clerk Report for August 2021
ZEO/CEO Report
Charter Communications
Bergen Fire Department Budget Report for 2022
Supplemental Fee letter form Timothy R. McGill, bond Council for WIBA#1

REPORTS:
SUPERVISOR: County sales tax update; federal stimulus webinar update on use of funds; 2021 budget; shared services agreement the fire department filed with the county for fuel tank.
TOWN CLERK: Gary Fink needs to be reappointed to BAR for new term
HIGHWAY: Jerico Rd. paving is complete waiting for striping; start work on Town Hall parking lot
TOWN CLERK'S REPORTS: *Councilwoman Sapienza made a motion to file the Town Clerk's August 2021 Report seconded by Councilman Starowitz and it carried by a vote 3-0.*
SUERVISOR REPORT: *Councilman Starowitz made a motion to file the Supervisor's August 2021 Report; seconded by Councilwoman Sapienza and it carried by a vote 3-0.*

COMMITTEES:
Building and Grounds: tree removal at historian building
Parks: Rugby team starts on 9/18/21
Local History & Museum: nothing to report
Policy and Personnel: nothing to report
Transfer Station: nothing to report

OLD BUSINESS:
Water improvement Benefit Area #1: revised schedule, nothing from State Comptroller

NEW BUSINESS:
BAR Appointment: Gary Fink reappointment to BAR. *Councilwoman Sapienza made a motion to appoint Gary Fink to the Board of Assessment Review for a new term; seconded by Councilman Starowitz and it carried by a vote 3-0.*
Tree Removal Approval for tree at Historian Office *Councilwoman Sapienza made a motion to have a tree removed at 15 S. Lake Ave. (Historian Office) for $575; seconded by Councilman Starowitz and it carried by a vote 3-0.*

Supplemental Fee for Timothy McGill Bond Council for WIBA#1 *Councilman Starowitz made a motion to accept the Supplement fee of for Timothy McGill Bond Council for WIBA#1 $10,485; seconded by Councilwoman Sapienza and it is carried by a vote 3-0.*

BILLS: The bills were presented for audit and totaled General A Fund $7,438.67; General B Fund $4,756.04; Highway DA $5,852.03; Highway DB $91,212.33; HH (Water District) $8,631.53; PA-A $4,485.33; PA-DA $2,321.82 and PA-DB $2,515.30. *Councilman Starowitz made a motion to pay the September bills; seconded by Councilwoman Sapienza and it carried by a vote 3 -0.*

REGULAR MEETING – Tuesday, September 28, 2021 at 7:00 pm in the Courtroom.
Budget Workshop – Saturday, September 18, 2021 at 9:00 am in the Courtroom

EXECUTIVE SESSION: *Councilwoman Sapienza made a motion to enter into executive session at 7:35 pm to discuss Union Negotiations; seconded by Councilman Starowitz and it carried by a vote 3-0. Councilwoman Sapienza made a motion to exit executive session at 7:40 pm; seconded by Councilman Starowitz and carried by a vote 3-0.*

ADJOURNMENT *was at 7:41 pm on a motion by Councilman Starowitz; seconded by Councilwoman Sapienza and carried by a vote 3-0.*

Respectfully submitted
Michele M. Smith

Michele M. Smith, Town Clerk

DRAFT

SEPTEMBER 28, 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
Councilwoman Anne Sapienza

ALSO PRESENT:
Michele M. Smith, Town Clerk
Mike Johnson, Highway Superintendent

ABSENT:
Councilman James Starowitz

OTHER ATTENDEES:
Eric Wies
Patrick McGee
Kevin Donaghue
Jason Benefante
Roger Caldwell
Kris Humsinger
Lori Prinz

PRAYER

PLEDGE OF ALLEGIANCE TO THE FLAG

Fire Department presented proposed 2022 Budget President Eric Wies presented 2022 Budget proposal

Byron-Bergen Central School Superintendent Patrick McGee and CPL presented the capital project, vote is October 7th

MINUTES: No Quorum to approve September 14, 2021 minutes tabled until next meeting. *Councilwoman Sapienza made a motion to approve the minutes of September 18, 2021 Budget Workshop minutes; seconded by Councilwoman Grant and carried by a vote 4-0.*

COMMUNICATIONS:
Mercy EMS Report August 2021
Revised Fire Department 2022 Budget proposal
Tentative 2022 Town of Bergen Budget for filling with the Town Clerk

REPORTS:
SUPERVISOR: working on 2022 budget
CLERK: nothing to report
HIGHWAY/SOLID WASTE: Bissell Rd water project started; Town Hall parking lot drainage and resurfacing project started.

COMMITEES:
BUILDINGS: nothing to report
PARKS: nothing to report
LOCAL HISTORY AND MUSEUM: nothing to report

POLICY AND PERSONNEL: union negotiations

OLD BUSINESS:
Water improvement Benefit Area #1: application is in final review with State Comptroller

NEW BUSINESS:
NYS Marijuana Regulation and Tax Act taking no action allows retail sale in the town *Councilwoman Sapienza made a motion to take no action on the NYS Marijuana Regulation and Tax Act; seconded by Councilwoman Grant carried by a vote 3-1.* Councilman Anderson voting no

NEXT MEETING:
Regular Meeting – Tuesday, October 12, 2021 at 7:00 pm in the Courtroom with the audit of the bills at 6:45pm
Budget Workshop – Saturday, October 9th at 9:00 am in the Courtroom

EXECUTIVE SESSION:
Councilwoman Sapienza made a motion to enter into executive session at 7:52 pm for Union Negotiations with Superintendent Johnson and Town Clerk Smith in attendance; seconded by Councilwoman Grant and it carried by a vote 4 -0. Councilwoman Sapienza made a motion to exit executive session at 7:59 pm; seconded by Councilwoman Grant and carried by a vote 4-0.

Union Contract *Councilwoman Sapienza made a motion for Supervisor Haywood to execute the agreement between the Town of Bergen and the Teamsters Local 264; seconded by Councilwoman Grant and it carried by a vote 4-0.*

ADJOURNMENT *was at 8:00 pm on a motion by Councilwoman Grant seconded by Councilwoman Sapienza and it carried by a vote 4 -0.*

Respectfully submitted,

Michele M. Smith

Michele M. Smith,
Town Clerk

TOWN OF BERGEN
SEPTEMBER 2021
EXECUTIVE SUMMARY

BALANCE SHEET

- Bank accounts were reconciled as of 9/30/21.
- The Town has $2,211,136.11 in the bank.

REVENUES AND EXPENSES

- **REVENUES**
  - Total receipts for the month were: $23,059.17
  - Major receipts were:
    - Town Clerk Report (August) - $2,421.56
    - Justice Fees (August) – $5,795.00
    - County Mowing - $8,328.18
    - Library Donations (Barley & Books) - $1,250.00
    - V/O of Bergen Contract - $1,500.00
    - Other - $33.29

- **EXPENSES**

  Expenditures through September on average should equal 75% of the annual budget.

  General Fund Townwide (A):
  - Year to date expenses are $482,027.60 compared to the revised annual budget of $797,205 or 60.46% of the budget.

  General Fund Outside Village (B):
  - Year to date expenses are $56,508.40 compared to the annual budget of $103,289 or 54.71% of the budget.

  Highway Townwide (DA):
  - Year to date expenses are $240,762.50 compared to the annual budget of $420,116 or 57.31% of the budget.

  Highway Outside Village (DB):
  - Year to date expenses are $346,222.34 compared to the revised annual budget of $298,294 or 116.07% of the budget.

Town of Bergen
Cash Summary Report
September 2021

		FUND Account	8/31/2021 BALANCES	Increases	Decreases	9/30/2021 BALANCES	#9970 Joint Checking	#5616 Library Checking	#4277 Joint Savings	#1040-0001 NYCLASS Savings	#1040-0002 NYCLASS WIBA	#1040-0002 NYCLASS ARPA	#9988 Trust & Agency
A	200.000	General TW Checking	103,129.30	20,069.09	20,069.09	103,129.30	103,129.30						
A	201.000	General TW Savings	40,966.86	14,029.88	42,256.09	12,740.65			12,740.65				
A	230.000	NYS Class Savings	482,775.23	9.93	386.81	482,398.35				482,398.35			
A	230.001	NYS Class ARPA	94,743.37	388.86	-	95,132.23						95,132.23	
B	200.000	General OV Checking	41,054.70	4,756.04	4,756.04	41,054.70	41,054.70						
B	201.000	General OV Savings	9,988.06	1,220.00	7,293.30	3,914.76			3,914.76				
B	230.000	NYS Class Savings	200,226.55	4.12		200,230.67				200,230.67			
DA	200.000	Highway TW Checking	150,781.79	8,173.85	8,173.85	150,781.79	150,781.79						
DA	201.000	Highway TW Savings	59,652.41	-	10,401.89	49,250.52			49,250.52				
DB	200.000	Highway OV Checking	93,949.90	93,727.63	93,727.63	93,949.90	93,949.90						
DB	201.000	Highway OV Savings	118,650.30	8,328.18	109,222.49	17,755.99			17,755.99				
DB	230.000	NYS Class Savings	150,003.19	3.09	-	150,006.28				150,006.28			
HH	200.004	Water District #4 Checking	36,595.46	8,631.53	8,631.53	36,595.46	36,595.46						
HH	201.004	Water District #4 Savings	-			-			-				
HH	230.004	Water District #4 NY Class	381,509.41	7.78	7,027.00	374,490.19					374,490.19		
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	-			-	-						
LL	200.001	Library Checking (NEW)	173,482.62	2,750.00	5,191.35	171,041.27		171,041.27					
LL	201.000	Library Savings	-			-			-				
SM	200.000	Special District Fire Checking	-			-	-						
SM	201.000	Special District Fire Savings	1,804.12			1,804.12			1,804.12				
SW	200.002	Water District Checking	-			-	-						
SW	201.002	Water District Savings	(0.20)			(0.20)			(0.20)				
SW	200.003	Water Peachey Rd Checking	-			-	-						
SW	201.003	Water Peachey Rd Savings	36,409.09			36,409.09			36,409.09				
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	31,565.25	42,447.16	58,577.13	15,435.28							15,435.28
VV	200.005	Peachey Water Checking	-			-	-						
VV	201.005	Peachey Water Savings	34,875.76			34,875.76			34,875.76				
			2,382,303.17	204,547.14	375,714.20	2,211,136.11	425,511.15	171,041.27	296,890.69	832,635.30	374,490.19	95,132.23	15,435.28
		Reconciliation											
		Bank Statement Balances		23,578.06	158,771.88	2,226,824.54	434,250.64	171,041.27	297,094.13	832,635.30	374,490.19	95,132.23	22,180.78
		Outstanding Transfer				-	-		-		-	-	-
		Deposits In Transit				-	-	-	(203.44)				203.44
		Outstanding Checks				(15,688.43)	(8,739.49)		-				(6,948.94)
		Balance on General Ledger				2,211,136.11	425,511.15	171,041.27	296,890.69	832,635.30	374,490.19	95,132.23	15,435.28
		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: 9/30/2021

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Statement of Activity - MTD and YTD by Fund w/ Variance
Town of Bergen
For 9/30/2021

Run: 10/01/2021 at 12:10

	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	721.56	2,622.44	2,000.00	622.44	131.12
AA.2130.000.000 Landfill Host Revenue	0.00	46,832.38	55,000.00	(8,167.62)	85.15
AA.2401.000.000 Interest & Earnings	18.30	256.93	300.00	(43.07)	85.64
AA.2410.000.000 Rental of Real Property	0.00	750.00	1,220.00	(470.00)	61.48
AA.2530.000.000 Games of Chance	0.00	10.00	10.00	0.00	100.00
AA.2544.000.000 Dog Licenses	480.00	2,345.00	2,500.00	(155.00)	93.80
AA.2610.000.000 Fines and Forfeited Bail	4,063.00	71,930.00	65,000.00	6,930.00	110.66
AA.2701.000.000 Refund of Prior Year Expense	0.00	13,061.62	0.00	13,061.62	0.00
AA.2770.000.000 Voluntary Distribution	0.00	256,143.65	360,000.00	(103,856.35)	71.15
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	0.00	24,236.58	25,000.00	(763.42)	96.95
AA.4089.000.000 Federal Aid- Other	0.00	95,127.93	0.00	95,127.93	0.00
AA.5999.000.000 Unexpended Balance	0.00	0.00	272,080.00	(272,080.00)	0.00
Total Revenues	5,282.86	523,842.01	797,205.00	(273,362.99)	65.71
Expenses					
AA.1010.100.000 Town Board Personal Services	1,219.32	10,973.88	14,632.00	3,658.12	75.00
AA.1010.400.000 Town Board Contractual	206.55	681.55	1,200.00	518.45	56.80
AA.1110.100.000 Justices Personal Services	2,333.34	21,000.06	28,000.00	6,999.94	75.00
AA.1110.102.000 Justice Pers Svc, Clerk	827.41	16,650.21	21,792.00	5,141.79	76.41
AA.1110.200.000 Justice Equipment	0.00	0.00	600.00	600.00	0.00
AA.1110.400.000 Justices Contractual	633.61	5,076.39	14,150.00	9,073.61	35.88
AA.1220.100.000 Supervisor Personal Services	947.75	8,529.75	11,373.00	2,843.25	75.00
AA.1220.102.000 Deputy Supervisor Personal Services	120.83	1,087.47	1,450.00	362.53	75.00
AA.1220.103.000 Supervisor's Secretary Personal Services	969.00	5,752.80	8,320.00	2,567.20	69.14
AA.1220.400.000 Supervisor Contractual	0.00	3,227.93	8,500.00	5,272.07	37.98
AA.1310.400.000 Bookkeeper, Contr Expend	1,400.00	4,200.00	24,300.00	20,100.00	17.28
AA.1320.400.000 Auditors Contractual	0.00	6,850.00	6,850.00	0.00	100.00
AA.1355.400.000 Assessor Contractual	56.00	13,925.12	32,801.00	18,875.88	42.45
AA.1410.100.000 Town Clerk Personal Services	3,295.70	32,957.00	42,844.00	9,887.00	76.92
AA.1410.102.000 Deputy Town Clerk Personal Services	80.34	2,169.19	2,785.00	615.81	77.89
AA.1410.200.000 Town Clerk Equipment	0.00	449.95	500.00	50.05	89.99
AA.1410.400.000 Town Clerk Contractual	47.58	2,430.77	4,000.00	1,569.23	60.77
AA.1420.400.000 Attorney Contractual	1,500.00	1,500.00	6,000.00	4,500.00	25.00
AA.1420.401.000 Court Prosecutor	0.00	5,600.00	10,100.00	4,500.00	55.45
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

Statement of Activity - MTD and YTD by Fund w/ Variance
Town of Bergen
For 9/30/2021

	M-T-D Actual	Y-T-D Actual	Annual Budget	Variance	Variance Percentage
AA.1460.400.000 Records Management Contractual	0.00	1,195.00	2,500.00	1,305.00	47.80
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	422.08	3,060.08	4,800.00	1,739.92	63.75
AA.1620.400.000 Building Operation Contractual	2,185.99	26,235.19	47,800.00	21,564.81	54.89
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	0.00	122.85	500.00	377.15	24.57
AA.1670.400.000 Central Printing & Mailing Contractual	0.00	2,745.26	4,100.00	1,354.74	66.96
AA.1680.200.000 Computers Equipment	0.00	0.00	2,000.00	2,000.00	0.00
AA.1680.400.000 Computers Contractual	474.34	6,507.64	1,514.00	(4,993.64)	429.83
AA.1910.400.000 Unallocated Insurance	0.00	36,952.69	36,953.00	0.31	100.00
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	0.00	42.75	3,197.00	3,154.25	1.34
AA.3120.100.000 Constables Personnel Services	216.95	775.39	4,225.00	3,449.61	18.35
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	862.80	1,200.00	337.20	71.90
AA.5010.100.000 Supt. of Highways Personal Services	4,880.30	48,803.00	63,444.00	14,641.00	76.92
AA.5010.102.000 Supt. of Highways, Pers Svc, Deputy	115.50	1,155.00	1,500.00	345.00	77.00
AA.5010.200.000 Superintendent of Highways Equipment	0.00	771.60	772.00	0.40	99.95
AA.5010.400.000 Superintendent of Highways Contractual	0.00	0.00	750.00	750.00	0.00
AA.5132.400.000 Garage Contractual	602.78	11,393.79	37,500.00	26,106.21	30.38
AA.5182.400.000 Street Lighting Contractual	331.31	3,988.79	5,500.00	1,511.21	72.52
AA.6410.400.000 Publicity - Newsletter Contractual	0.00	0.00	2,500.00	2,500.00	0.00
AA.6420.400.000 Promotion of Industry Contractual	0.00	1,160.37	2,000.00	839.63	58.02
AA.7410.400.000 Library Contractual	4,356.08	81,825.53	66,080.00	(15,745.53)	123.83
AA.7510.100.000 Historian Personal Services	688.50	2,065.50	2,930.00	864.50	70.49
AA.7510.200.000 Historian Equipment	0.00	0.00	500.00	500.00	0.00
AA.7510.400.000 Historian Contractual	0.00	539.62	540.00	0.38	99.93
AA.7550.400.000 Celebrations Contractual	0.00	672.20	1,000.00	327.80	67.22
AA.8810.400.000 Cemetery Contractual	0.00	0.00	5,000.00	5,000.00	0.00
AA.9010.800.000 NYS Retirement	0.00	25,347.00	25,347.00	0.00	100.00
AA.9030.800.000 Social Security & Medicare	1,713.90	14,411.86	16,000.00	1,588.14	90.07
AA.9040.800.000 Worker's Compensation	0.00	7,833.00	7,833.00	0.00	100.00
AA.9055.800.000 Disability Insurance	0.00	151.20	227.00	75.80	66.61
AA.9060.800.000 Medical Insurance	2,267.40	20,406.60	27,209.00	6,802.40	75.00
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	7,968.75	15,938.00	7,969.25	50.00
AA.9720.701.000 Interest on Debt Court/Town Offices	0.00	2,178.75	4,358.00	2,179.25	49.99
AA.9950.900.000 Transfer to Capital Project	0.00	0.00	8,267.00	8,267.00	0.00

Statement of Activity - MTD and YTD by Fund w/ Variance
Town of Bergen
For 9/30/2021

	M-T-D Actual	Y-T-D Actual	Annual Budget	Variance	Variance Percentage
Total Expenses	31,892.56	482,027.60	797,205.00	315,177.40	60.46
Excess Revenue Over (Under) Expenditures	$ 26,609.70	$ (41,814.41)	$ 0.00	$ 588,540.39	$ 0.00

Statement of Activity - MTD and YTD by Fund w/ Variance
Town of Bergen
For 9/30/2021

	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	0.00	18,486.34	23,000.00	(4,513.66)	80.38
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	3,045.00	1,800.00	1,245.00	169.17
BB.2115.000.000 Planning Board Fees	0.00	800.00	200.00	600.00	400.00
BB.2130.000.000 Refuse & Garbage Charges	1,120.00	13,510.00	20,000.00	(6,490.00)	67.55
BB.2401.000.000 Interest & Earnings	4.12	62.07	0.00	62.07	0.00
BB.2590.000.000 Permits, Others	100.00	190.00	0.00	190.00	0.00
BB.5999.000.000 Unexpended Balance	0.00	0.00	50,000.00	(50,000.00)	0.00
Total Revenues	1,224.12	44,332.41	103,289.00	(58,956.59)	42.92
Expenses					
BB.1355.400.000 Board of Assessment Review, Contr	0.00	260.00	450.00	190.00	57.78
BB.1420.400.000 Attorney, Contractual	0.00	0.00	2,000.00	2,000.00	0.00
BB.1440.400.000 Engineer Contractual	845.00	1,294.00	2,000.00	706.00	64.70
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	0.00	4,000.00	4,000.00	0.00	100.00
BB.7110.400.000 Parks Contractual	1,815.00	2,575.00	6,000.00	3,425.00	42.92
BB.7310.400.000 Youth Programs Contractual	0.00	4,000.00	4,000.00	0.00	100.00
BB.8010.100.000 Zoning Pers Svc	55.83	584.47	836.00	251.53	69.91
BB.8010.400.000 Zoning Contractual	0.00	273.60	1,250.00	976.40	21.89
BB.8020.100.000 Planning Personal Services	272.92	2,456.28	4,500.00	2,043.72	54.58
BB.8020.400.000 Planning Contractual	0.00	1,039.20	3,000.00	1,960.80	34.64
BB.8160.100.000 Refuse & Garbage Personnel Services	731.13	6,959.15	10,000.00	3,040.85	69.59
BB.8160.400.000 Refuse & Garbage Contractual	1,014.36	11,548.57	17,500.00	5,951.43	65.99
BB.8664.100.000 Code Enforcement Personnel Services	1,408.54	14,085.40	18,311.00	4,225.60	76.92
BB.8664.400.000 Code Enforcement Contractual	1,081.68	2,848.23	3,000.00	151.77	94.94
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	68.84	642.50	2,500.00	1,857.50	25.70
BB.9040.800.000 Workers Compensation	0.00	1,271.00	1,271.00	0.00	100.00
Total Expenses	7,293.30	56,508.40	103,289.00	46,780.60	54.71
Excess Revenue Over (Under) Expenditures	$ 6,069.18	$ 12,175.99	$ 0.00	$ 105,737.19	$ 0.00

Statement of Activity - MTD and YTD by Fund w/ Variance
Town of Bergen
For 9/30/2021

	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	0.00	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	0.00	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	0.00	440,794.81	420,116.00	20,678.81	104.92
Expenses					
DA.5130.100.000 Machinery, Pers Serv	2,065.60	8,262.40	11,860.00	3,597.60	69.67
DA.5130.200.000 Machinery, Equip & Cap Outlay	0.00	48,335.52	85,000.00	36,664.48	56.87
DA.5130.400.000 Machinery, Contr Expend	5,852.03	23,748.93	30,000.00	6,251.07	79.16
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	35.88	1,500.00	1,464.12	2.39
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	0.00	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	162.44	6,028.27	10,508.00	4,479.73	57.37
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	42.15	110.00	67.85	38.32
DA.9060.800.000 Hospital & Medical (Dental) Ins, Empl Bnfts	2,321.82	21,079.97	31,480.00	10,400.03	66.96
Total Expenses	10,401.89	240,762.50	420,116.00	179,353.50	57.31
Excess Revenue Over (Under) Expenditures	$ 10,401.89	$ (200,032.31)	$ 0.00	$ 158,674.69	$ 0.00

Statement of Activity - MTD and YTD by Fund w/ Variance
Town of Bergen
For 9/30/2021

	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.2300.000.000 Service to Other gov't	8,328.18	8,328.18	0.00	8,328.18	0.00
DB.2401.000.000 Interest & Earnings	3.09	6.28	0.00	6.28	0.00
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	8,331.27	108,913.46	298,294.00	(189,380.54)	36.51
Expenses					
DB.5110.100.000 General Highway Repairs Personal Services	14,459.21	91,977.31	90,134.00	(1,843.31)	102.05
DB.5110.400.000 General Highway Repairs Contractual	21,779.80	115,190.90	84,903.00	(30,287.90)	135.67
DB.5112.200.000 Permanent Highway Improvements	69,432.53	69,432.53	40,500.00	(28,932.53)	171.44
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	1,035.65	6,391.08	7,900.00	1,508.92	80.90
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	93.81	162.00	68.19	57.91
DB.9060.800.000 Medical Insurance	2,515.30	22,802.65	34,275.00	11,472.35	66.53
DB.9785.600.000 Installment Purchase Debt, Principal	0.00	18,851.87	20,326.00	1,474.13	92.75
DB.9785.700.000 Installment Purchase Debt, Interest	0.00	3,002.19	1,500.00	(1,502.19)	200.15
Total Expenses	109,222.49	346,222.34	298,294.00	(47,928.34)	116.07
Excess Revenue Over (Under) Expenditures	$ 100,891.22	$ 237,308.88	$ 0.00	$ 141,452.20	$ 0.00

Statement of Activity - MTD and YTD by Fund w/ Variance
Town of Bergen
For 9/30/2021

	M-T-D Actual	Y-T-D Actual	Annual Budget	Variance	Variance Percentage
Revenues					
HH.2401.000.004 Interest & Earnings, Water Capital #4	$ 7.78	$ 153.74	$ 0.00	$ 153.74	$ 0.00
Total Revenues	7.78	153.74	0.00	153.74	0.00
Expenses					
HH.1380.200.004 Fiscal Agents Capital Outlay	0.00	19,964.78	0.00	(19,964.78)	0.00
HH.1420.200.004 Legal, Capital & Equip	0.00	5,179.28	0.00	(5,179.28)	0.00
HH.1440.200.004 Engineering Cap Outlay, Water #4	8,631.53	147,910.76	0.00	(147,910.76)	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	8,631.53	176,612.22	0.00	(176,612.22)	0.00
Excess Revenue Over (Under) Expenditures	$ 8,623.75	$ 176,458.48	$ 0.00	$ (176,765.96)	$ 0.00

Town Clerk Monthly Report
September 01, 2021 - September 30, 2021

Account#	Account Description	Fee Description	Qty	Local Share
	Marriage License	Marriage License	1	17.50
			Sub-Total:	**$17.50**
A1255	Clerk Fees	Certified Copies	7	70.00
	Conservation	Conservation	16	220.71
			Sub-Total:	**$290.71**
A2544	Dog Licensing	Female, Spayed	35	175.00
		Female, Unspayed	2	36.00
		Male, Neutered	46	230.00
		Male, Unneutered	5	90.00
	Senior Discount	Senior Discount	9	-43.00
			Sub-Total:	**$488.00**
B2110	Building & Zoning	Building Permit	4	275.00
			Sub-Total:	**$275.00**
B2130	Solid Waste	Garbage Bag	223	1,115.00
		Transfer Sta. 20.00	10	200.00
		Transfer Sta. 5.00	11	55.00
			Sub-Total:	**$1,370.00**
B2270	Misc. Revenue	Cemetery - Interment	2	700.00
			Sub-Total:	**$700.00**
			Total Local Shares Remitted:	**$3,141.21**

Amount paid to:	N Y State Department Of Health	22.50
Amount paid to:	NYS Ag. & Markets for spay/neuter program	102.00
Amount paid to:	NYS Environmental Conservation	3,969.29
Total State, County & Local Revenues:	**$7,235.00**	**Total Non-Local Revenues: $4,093.79**

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.

Michele M Smith 10/1/21

Supervisor Date Town Clerk Date

Town of Bergen

Permit Monthly Report

09/01/2021 - 09/30/2021

Permit #	Issue Date	Owner	Permit Type	Property Location	Valuation	Amount
September	**2021**					
BP-0030-2021	09/02/2021	Agatha Martino	Junkyard	7393 Clinton St Rd **SBL#:** 14.-1-22		$150.00
BP-0031-2021	09/02/2021	Carolyn Przybyl	Res-Generator	8417 Peachey Rd **SBL#:** 7.-1-32		$40.00
BP-0032-2021	09/16/2021	Dennis Crowe	Res-Solar Panels	7354 Cook Rd **SBL#:** 9.-1-94		$50.00
BP-0033-2021	09/16/2021	hank parker	Comm-Renovation	7001 Appletree Ave **SBL#:** 13.-1-59.221		$110.00
BP-0034-2021	09/23/2021	Douglas Cullum	Res-Acc Structure	7735 Creamery Rd **SBL#:** 9.-1-33.2		$75.00
				September 2021 Total:	**$0.00**	**$425.00**
				Reporting Period Total:	**$0.00**	**$425.00**

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LOCAL LAW NO. 1 THE YEAR 2021

TOWN OF BERGEN, COUNTY OF GENESEE

A Local Law to Override the Tax Levy Limit Established In General Municipal Law Section 3-c for the Fiscal Year 2022

Section 1. Legislative Intent.

It is the intent of this Local Law to override the limit on the amount of real property taxes that may be levied by the Town of Bergen, County of Genesee pursuant to General Municipal Law Section 3-c and to allow the Town of Bergen, County of Genesee to adopt a town budget for the fiscal year 2022 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law Section 3-c.

Section 2. Authority.

This Local Law is adopted pursuant to subdivision 5 of General Municipal Law Section 3-c, which expressly authorizes the Town Board to override the tax levy limit by the adoption of a local law approved by vote of sixty percent (60%) of the Town Board.

Section 3. Tax Levy Limit Override.

The Town Board of the Town of Bergen, County of Genesee is hereby authorized to adopt a budget for the fiscal year 2022 that requires a real property tax levy in excess of the limit specified in General Municipal Law Section 3-c.

Section 4. Severability.

If any clause, sentence, paragraph, subdivision or part of the Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined to its operation to the clause, sentence, paragraph or part of this Local Law or in its application to the person, individual, firm or corporation, or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Effective Date.

This Local Law shall take effect immediately upon filing with the Secretary of State.

TOWN OF BERGEN

PLEASE MAKE THE FOLLOWING TRANSFERS AT YOUR 10/12/21 MEETING:

GENERAL FUND - TOWNWIDE

Transfer From:	AA.1620.400	Building Operation Contractual	$	4,994.00
			$	4,994.00
Transfer To:	AA.1680.400	Computers Contracual	$	4,994.00
			$	4,994.00

HIGHWAY FUND - OUTSIDE VILLAGE

Transfer From:	DB.9785.600	Installment Purchase Debt, Principal	$	1,474.00
	DB.2300.000	Services Other Gov't (Mowing)	$	8,328.00
	DB.5999.000	Unexpended Fund Balance	$	52,766.00
			$	62,568.00
Transfer To:	DB.5110.100	General Repairs Services	$	1,844.00
	DB.5110.400	General Repairs Contractual	$	30,288.00
	DB.5112.200	Permanent Highway Improvements	$	28,933.00
	DB.9785.700	Installment Purchase Debt, Interest	$	1,503.00
			$	62,568.00

UNITED STATES DEPARTMENT OF AGRICULTURE
Rural Utilities Service

LEGAL SERVICES AGREEMENT

This agreement made this _____ day of October 12, 2021, between **Town of Bergen** hereinafter referred to as "Owners," and **Lacy Katzen LLP**, Attorneys at Law, hereinafter referred to as "Attorney":

WHEREAS, Owners have formed public water supply district to be known as the Water Improvement Benefit Area No. 1 ("Water District") in the Town of Bergen, County of Genesee pursuant to the provisions of Article 12 of the Town Law of New York State; and

WHEREAS, the Attorney agrees to perform all legal services necessary to organize and incorporate said Water District under the provisions of said statutes and to perform all other customary legal services necessary to the organization, financing, construction, and initial operation of a public water supply system;

WITNESSETH:

That for and in consideration of the mutual covenants and promises between the parties hereto, it is hereby agreed:

SECTION A - LEGAL SERVICES

That the Attorney will perform such services as are necessary to accomplish the above recited objectives including, but not limited to, the following:

1. Preparation and filing of petition for incorporation and supervision and assistance in the taking of such other actions as may be necessary or incidental to cause the Owners to become duly organized and incorporated and to be authorized to undertake the proposed system.

2. Furnish advice and assistance to the governing body of the duly incorporated association in connection with (a) the notice for and conduct of meetings; (b) the preparation of minutes of meetings; (c) the preparation and enactment of such resolutions as may be necessary in connection with the authorization, financing, construction, and initial operation of the system; (d) the preparation of such affidavits, publication notices, ballots, reports, certifications, and other instruments and advice as may be needed in the conduct of such bond elections as may be necessary; (e) the preparation and completion of such bonds or other obligations as may be necessary to finance the system; (f) the completion and execution of documents for obtaining a loan made or insured or a grant made by the United States of America, acting through the Rural Utilities Service, U. S. Department of Agriculture; (g) entering into construction contracts; (h) preparation and adoption of By-Laws, Rules and Regulations, and rate schedules; (i) such other corporate action as may be necessary in connection with the financing, construction, and initial operation of the system.

3. Review of construction contracts, bid-letting procedure, and surety and contractual bonds in connection therewith.

4. Preparation, negotiation, or review of contract with a city or other source of water supply when necessary.

5. Preparation, where necessary, and review of deeds, easements and other rights-of-way documents, and other instruments for sites for source of water supply, pumping stations, treatment plants, and other facilities necessary to the system and to provide continuous rights-of-way therefor; rendering title opinions with reference thereto; and providing for the recordation thereof.

6. Obtain necessary permits and certificates from county and municipal bodies, from State regulatory agencies, and from other public or private sources with respect to the approval of the system, the construction and operation thereof, pipeline crossings, and the like.

7. Cooperate with the engineer employed by Owners in connection with preparation of tract sheets, easements, and other necessary title documents, construction contracts, water supply contracts, health permits, crossing permits, and other instruments.

8. When applicable, secure assistance of and cooperate with recognized bond counsel in the preparation of the documents necessary for the financing aspects of the system. The attorney shall pay all bond counsel in perfecting the financing aspects, e.g., assessment procedures and completion of documents. Where bond counsel is retained, the Attorney will not be responsible for the preparation and approval of those documents pertaining to the issuance of the Owner's obligations.

SECTION B - COMPENSATION

1. Owners will pay to the Attorney for professional services rendered in accordance herewith, fees as follows:

An amount not to exceed Forty Five Thousand and 00/100 Dollars ($45,000.00)

Said fees to be payable in the following manner and at the following times:

Services rendered will be calculated on an hourly basis and billed to the Owner as the project progresses.

SECTION C - OTHER PROVISIONS

1. That upon organization and incorporation the association shall by appropriate resolution adopt and ratify this Agreement, that the association shall be substituted for the individual Owners as a party to this Agreement, and that the Owners as individuals shall thereupon be relieved of all personal liability existing or arising from this Agreement.

2. That upon organization and incorporation should the association fail or refuse to adopt and ratify this Agreement by appropriate resolution within ___N/A_____ days from the date of the commencement of its legal existence, this Agreement shall terminate and Owners shall be liable to the Attorney for payment of $___N/A_____, which sum represents payment in full for the organization and incorporation of the association and for all other legal services rendered to Owners under the terms of this Agreement to the date of said termination.

Attorney: Lacy Katzen LLP

By _____
Daniel S. Bryson, Esq.

Owners: Town of Bergen

By _____
Ernest Haywood, Supervisor