

**Town Board Meeting
Town of Bergen
December 14th, 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. Public Hearings:

- 7:00 pm: Local Law Opting out of Cannabis Retail Dispensary and On -Site Consumption
- 7:15 pm: Local Law regarding usage of Tobacco, Vaping, E- Cigarette and THC Containing Products on Town Properties

III. Privilege of the Floor:

IV. Approval of meeting Minutes for: Regular Meeting of November 9, 2021, and Special Meeting of 11/30/2021

V. Communications included with this agenda:

1. Supervisor Report for November 2021
2. Summary spreadsheets for November 2021
3. Town Clerk Report for November 2021
4. ZEO/CEO Report for November 2021-No report as no activity
5. Mercy Flight Report for October, 2021
5. Charter Communications letter of 11/18/2021
- 6 Committee Objectives for Board to consider
7. Budget Modification resolution
8. Proposed Local Law adding Chapter 178 to the Bergen Town Code Opting out of Retail Dispensary and On-Site Consumption
9. Proposed Local Law adding Chapter 179 to the Bergen Town Code Concerning Usage of Tobacco, Vaping, E-Cigarette and THC-Containing Products on Town Properties

VI. Board Members' items for addition to the agenda

VII. Reports:

Supervisor
Clerk
Board Members
Highway

Committees

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

VIII. Old Business:

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

IX. New Business:

- Resolution regarding Local Law Opting out of Cannabis Retail Dispensary and On -Site Consumption
- Resolution regarding Local Law regarding usage of Tobacco, Vaping, E- Cigarette and THC Containing Products on Town Properties
- Establish date for 2022 Reorganizational meeting – proposed date 1/4/2022 at 6 pm in the Town Hall.
- Budget Modification Resolution
- Committee assignments for 2022

X- Reports & Bills:

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

XI. Meeting and Other Upcoming Dates:

- Town Board Meeting 12/28/2021 at 7pm.

XI. Adjournment

DRAFT

NOVEMBER 9, 2021

BERGEN TOWN BOARD

REGULAR MEETING

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

PRESENT:

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

ALSO PRESENT:

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

PRAYER

OTHER ATTENDEES:

Dave Mason

PLEDGE OF ALLEGIANCE TO THE FLAG

MINUTES: *Councilwoman Sapienza made a motion to approve the minutes of September 14, 2021 seconded by Councilman Starowitz and carried by a vote 3-0. Councilmen Anderson and Grant Abstain Councilwoman Grant made a motion to approve the minutes of October 12, 2021; seconded by Councilman Starowitz and carried by a vote 3-0. Councilmen Anderson and Sapienza abstain Councilwoman Grant made a motion to approve the minutes of October 26, 2021; seconded by Councilwoman Sapienza and carried by a vote 4-0. Councilman Starowitz abstained*

COMMUNICATIONS:

Supervisors Report for October 2021
Summary Spreadsheets for October 2021
Town Clerk Report for October 2021
ZEO/CEO Report for October 2021
Official Undertaking for Tax Collection
Charter Communications letter
Association of Towns 2022 Training School and Annual Meeting
Tax Exempt/PILOT for Liberty Pumps 7000 Appletree Ave and S. Lake Rd Property from Harris Beach, Attorney

REPORTS:

SUPERVISOR: met with Ryan Cummings about a design for the transfer station area, Liberty Pump Groundbreaking; thanks to Councilwoman Sapienza for her service and congratulations to Teresa Whalin on her new Council position.
TOWN CLERK: starting to get requests for refunds for left over bags or tags- no refunds will be issued residents can use punch card for bag price; Tax Collector Undertaking Resolution.
HIGHWAY/TRANSFER STATION: trucks are ready for snow; snow fence will be put up next week.
TOWN CLERK'S REPORT: *Councilman Starowitz made a motion to file the Town Clerk's October 2021 Report; seconded by Councilwoman Sapienza and carried by a vote 5-0.*
SUPERVISOR REPORT: *Councilwoman Sapienza made a motion to file the Supervisors October 2021 Report; seconded by Councilwoman Grant and it carried by a vote 5-0.*

COMMITTEES:

Building, Grounds and Cemeteries: Nothing to report
Parks: Nothing to report
Local History & Museum: Nothing to report

OLD BUSINESS:

Water improvement Benefit Area #1 Update: waiting for final State Comptroller approval, contractors are holding there bid price.

NEW BUSINESS:

November 23, 2021 Board meeting Councilwoman Sapienza made a motion to cancel the November 23, 2021 meeting due to no business; seconded by Councilman Starowitz and carried by a vote 5-0.

Official Undertaking for Tax Collection Officer Councilwoman Sapienza made a motion to approve Resolution #26-2021 for Official Undertaking for Tax Collection Officer by Town Clerk, Michele M. Smith; seconded by Councilman Starowitz and it carried by a vote 5-0.

**RESOLUTION #26-2021
APPROVAL OF OFFICIAL UNDERTAKING
FOR TAX COLLECTION OFFICER
APPROVAL OF THE BERGEN TOWN BOARD**

We, the undersigned members of the Town Board of the Town of Bergen, County of Genesee, State of New York, do hereby approve the attached undertaking or bond as to its form, manner of execution, amount and sufficiency thereof, and to the sureties named thereon. Said undertaking or bond shall be conditioned that the collector of the taxes shall well and truly keep, pay over and account for all moneys and property coming into Tax Collector, Michele M. Smith's hand as such collector.

BILLS: The bills were presented for audit and totaled General A Fund \$15,756.28; General B Fund \$2,046.11; DA \$6,933.69; DB \$65,071.11; Water District \$4,765.56; PA-A \$3,737.91 PA-DA \$2,321.82 and PA-DB \$2,515.30. Councilwoman Sapienza made a motion to pay the November bills; seconded by Councilwoman Grant carried by a vote 5 -0.

REGULAR MEETING – Tuesday, December 14, 2021 at 7:00 pm at the Town Hall with the audit of the bills at 6:45pm

ADJOURNMENT was at 7:21 pm on a motion by Councilman Anderson; seconded by Councilman Starowitz and carried by a vote 5 -0.

Respectfully submitted

Michele M. Smith
Michele M. Smith,
Town Clerk

DRAFT

NOVEMBER 30, 2021 BERGEN TOWN BERGEN SPECIAL MEETING

The Bergen Town Board convened in special 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
Councilman James Starowitz

ALSO PRESENT:

Michele M. Smith, Town Clerk
Joel Pocock, Deputy Highway Superintendent

OTHER ATTENDEES:

Teresa Whalin

PRAYER

PLEDGE OF ALLEGIANCE TO THE FLAG

COMMUNICATIONS:

Email from Gary Fink, Planning Board Chair recommending opting out of NYS Cannabis Law
Sample Resolution Authorizing public hearing and draft local law opting out of licensing cannabis
Sample Resolution for public hearing and three draft options for local Law regarding use of tobacco, vaping and E cigarettes on all Town Properties
Comptroller approval of application to increase maximum to be expended on behalf of the WIBA#1 ZEO/CEO Position

OLD BUSINESS:

Water improvement Benefit Area #1: State Comptroller approval 11/23/2021; Bond Anticipation Note 2021 Renewal 12/08/2021; Supplemental Bond Resolution.

NYS Cannabis Law discussion on Planning Board Recommend on opting out made a decision on. Councilman Anderson made a motion Public Hearing for Opt In/Out of NYS Cannabis Law for December 14, 2021 at 7:00 pm; seconded by Councilwoman Grant and carried by a vote 3-2. Councilwoman Sapienza and Councilman Starowitz voted no

Local Law #2-2021 Regarding Usage of Tobacco, Vaping, E-Cigarette and THC on Town Property Councilwoman Sapienza made a motion to set a Public Hearing for Local Law #2-2021 regarding usage of Tobacco, Vaping, E-Cigarette and THC -containing products on Town Property for December 14, 2021 at 7:15pm; seconded by Councilwoman Grant and it carried 5-0.

Resolution increasing Maximum amount to be expended WIBA#1 Councilwoman Sapienza offered Resolution #27-2021 Order Increasing the Maximum amount to be expended for the construction of WIBA#1; seconded by Councilman Starowitz and it carried by a vote 5-0.

RESOLUTION # 27- 2021

ORDER INCREASING THE MAXIMUM AMOUNT TO BE EXPENDED FOR THE CONSTRUCTION OF WATER IMPROVEMENT BENEFIT AREA NO. 1 PURSUANT TO SECTION 209-h OF TOWN LAW

WHEREAS, the Town Board of the Town of Bergen (the "Town Board") previously adopted on February 11, 2020 an Order establishing Water Improvement Benefit Area No. 1 (the "District") in the Town of Bergen (the "Town") which was filed in the Genesee County Clerk's Office on February 12, 2020 as Instrument # MR2020-93

together with a Corrected Order recorded in the Genesee County Clerk's Office on March 5, 2021 as Instrument # MR2021-126 (collectively the "**Order**"), and

WHEREAS, the Order called for the construction of a water system pursuant to a map, plan and report prepared by the Town's Engineer, MRB Group ("**MRB**") last dated May 17, 2019 and on file in the Office of the Town Clerk of the Town of Bergen (the "**Project**"), and

WHEREAS, the Order established the sum of \$8,958,000.00, partially offset by an United States Department of Agriculture Grant, as the maximum amount to be expended for the Project. Said amount to be borne by the properties within the District on a benefit basis.

WHEREAS, the Town has determined the maximum cost of the Project as described in the Order has increased, and

WHEREAS, the scope of the Project including the Project Area, Project Design and boundaries of the District described in the Order have not changed, and

WHEREAS, the Town Board having previously declared itself Lead Agent Pursuant to the State Environment Quality Review Act ("**SEQR**") and having previously reviewed and accepted a long form environmental assessment of the Project prepared by LaBella Associates and declared that based upon a review of the assessment, the Project will not have a significant adverse impact on the environment and issued a Negative Declaration under SEQR for the Project, and

WHEREAS, the maximum amount to be expended for the Project increased to \$10,485,000.00 to be partially, offset by additional grant monies from the United States Department of Agriculture, and

WHEREAS, after MRB duly filed a revised map, plan and report in the office of the Town Clerk of the Town describing the increase in the maximum amount proposed to be expended for the Project, the Town Board did adopt an order calling for a public hearing regarding the proposed increase to hear all persons interested in the subject thereof concerning the same, and

WHEREAS, following publication and posting of said order calling a public hearing pursuant to Article 12 of the Town Law and after a public hearing duly held by the Town Board on July 13, 2021, the Town Board determined that it was in the public interest to approve an increase in the maximum amount to be expended for the Facilities of Water Improvement Benefit Area No. 1 in the Town of Bergen, that the maximum amount to be expended for the project, including costs of the physical improvements, construction costs, legal fees, and other expenses shall be the sum of \$10,485,000.00 to be partially offset by a United States Department of Agriculture grant of \$3,635,000.00, said amount to be borne by the properties within the District on a benefits basis; (the "**Resolution**"), and,

WHEREAS, the Resolution increasing the maximum cost of the Project was subject to a permissive referendum in accordance with Section 209-h and Article 7 of Town Law and

WHEREAS, no petition requesting a referendum was filed with the Town Clerk,

WHEREAS, following submission of an application by the Town Board, the State Comptroller granted permission to increase the maximum amount to be expended for the construction of Water Benefit Area No. 1, by order dated November 23, 2021, which order was duly filed with the Town Clerk of the Town and presented to the Town Board by said Town Clerk at a special meeting held after said order was filed with said Town Clerk.

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Bergen, in the County of Genesee, that it be and hereby is determined as follows:

It is in the public interest to approve an increase in the maximum amount to be expended for the Facilities of Water Improvement Benefit Area No. 1 in the Town of Bergen as hereinafter described; and be it

FURTHER RESOLVED, that the maximum amount to be expended for the proposed improvements, including costs of the physical improvements, construction costs, legal fees, and other expenses shall be the sum of \$10,485,000.00 to be partially offset by a United States Department of Agriculture grant of \$3,635,000.00, said amount to be borne by the properties within the District on a benefits basis; and be it

FURTHER RESOLVED, that the total annual cost for a typical user of the District is now estimated to be \$1,034.44 (including debt service and water usage cost); and be it

FURTHER RESOLVED, that the proposed method to be employed for financing such improvement based on the increased cost is projected as follows:

The cost of the water district construction will be paid through a benefit based assessment against the properties within the proposed water district. It is anticipated that the project cost will be financed by the issuance of one or more bonds of the Town, to be paid over 38 years at an estimated interest rate of 2.5% per annum for the original \$5,900,000.00 loan and an estimated interest rate of 1.375% per annum for an additional \$950,000.00 loan; and be it

FURTHER RESOLVED, that the total first year cost for the typical user, including one-time hookup fees for the proposed Water Improvement Benefit Area No. 1 is now estimated to be \$2,674.44 broken down as follows:

Installation of water Service \$1,200.00; Internal Plumbing Charges \$200.00; Repayment of Bonds \$643.04; Water Meter and Account Fee \$240.00; Repair Reserve \$20.00; and Purchase of Water (60,000 gallons/year) \$371.40

ORDERED, that within ten (10) days after adoption of this order, the Town Clerk shall record with the Clerk of the County of Genesee and file with the Office of the State Comptroller in Albany, New York, copies of this order, certified by said Town Clerk.

Supplemental Bond Resolution WIBA#1 Councilman Sapienza offered Resolution #28-2021 for Supplemental Bond Resolution for WIBA#1; seconded by Councilman Starowitz and it carried by a vote of 5-0.

**RESOLUTION # 28- 2021
SUPPLEMENTAL BOND RESOLUTION DATED NOVEMBER 30, 2021 OF
THE TOWN BOARD OF THE TOWN OF BERGEN, NEW YORK,
AUTHORIZING GENERAL OBLIGATION SERIAL BONDS TO FINANCE
WATER SYSTEM CAPITAL IMPROVEMENTS WITHIN THE TOWN,
AUTHORIZING THE ISSUANCE OF BOND ANTICIPATION NOTES IN
CONTEMPLATION THEREOF, THE EXPENDITURE OF SUMS FOR SUCH
PURPOSE, AND DETERMINING OTHER MATTERS IN CONNECTION
THEREWITH.**

WHEREAS, the Town of Bergen Water Improvement Benefit Area No. 1 is a Water District of the Town of Bergen, New York, duly established by the Town Board pursuant to the Town Law; and

WHEREAS, the Comptroller of the State of New York has duly made an Order, dated January 29, 2020, granting permission for the establishment of said Town of Bergen Water Improvement Benefit Area No. 1; and

WHEREAS, pursuant to a bond resolution dated February 11, 2020 (the "Original Resolution"), the Town Board of the Town of Bergen, New York (hereinafter referred to as the "Town") approved expenditures for, and the

issuance and sale of, up to \$8,958,000 aggregate principal amount of general obligation bonds and bond anticipation notes relative to the construction of such water system capital improvements; and

WHEREAS, actual project costs have proved to be approximately \$1,527,000 higher than the maximum estimated project costs, the Town had duly authorized such increase in maximum amount pursuant to Section 209-h of the Town Law, and the Town now desires to provide for the financing thereof by supplementing the Original Bond resolution by adoption of this Supplemental Bond Resolution; and

WHEREAS, the Comptroller of the State of New York has duly made an Order, dated November 23, 2021, granting permission to increase the maximum amount to be expended on behalf of the Town of Bergen Water Improvement Benefit Area No. 1; and

WHEREAS, the Town, acting as lead agency under the State Environmental Quality Review Act and the applicable regulations promulgated thereunder ("SEQRA"), has completed its environmental review and, on January 22, 2019, has duly adopted a negative declaration and has determined that the implementation of the type I action as proposed will not result in any significant adverse environmental impacts; now therefor, be it

RESOLVED BY THE TOWN BOARD OF THE TOWN OF BERGEN, NEW YORK, by the favorable vote of not less than two-thirds of all of the members of such Board, as follows:

Section 1. The Town of Bergen shall undertake certain capital improvements consisting of the acquisition and construction of the Town of Bergen Water Improvement Benefit Area No. 1, to include the installation of approximately 163,720 linear feet of water main, valves, hydrants, services, appurtenances along various roads in the Town, and the acquisition of land or rights in land necessary therefor, if any, and the acquisition of original furnishings, equipment, machinery or apparatus and other incidental improvements that may be required in connection therewith for such construction and district use, as set forth in the Original Bond Resolution (hereinafter referred to as "purpose") in an additional amount not to exceed \$1,527,000, and general obligation serial bonds in an additional aggregate principal amount not to exceed \$1,527,000 of the Town are hereby authorized to be issued to finance said purpose, and bond anticipation notes in anticipation thereof (and renewals thereof) of the Town are hereby authorized to be issued to finance said purpose.

Section 2. The estimated maximum aggregate cost to the Town of Bergen of said purpose, which may include preliminary costs and costs incidental thereto and costs of the financing thereof, is now estimated to be \$10,485,000. The plan for financing of said purpose is to provide (i) up to \$8,958,000 of such maximum cost by issuance of bonds or bond anticipation notes, as authorized under the Original Bond Resolution, to be offset and reduced dollar for dollar by the amount of grants received, presently estimated to be \$3,058,000 from United State Department of Agriculture, Rural Development; and (ii) up to \$1,527,000 of such maximum cost by issuance of bonds or bond anticipation notes, as herein authorized, to be offset and reduced dollar for dollar by the amount of grants received, presently estimated to be \$577,000 from United State Department of Agriculture, Rural Development.

Section 3. It is hereby determined and declared that (a) said purpose is one of the class of objects or purposes described in Subdivision 1 of Paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is forty (40) years, (b) the proposed maximum maturity of said bonds authorized by this resolution will be in excess of five years, (c) current funds required to be provided prior to the issuance of the bonds or notes herein authorized, pursuant to Section 107.00 of the Local Finance Law, to the extent applicable, if any, will be provided, (d) the notes herein authorized are issued in anticipation of bonds for an assessable improvement, and (e) there are presently no outstanding bond anticipation notes issued in anticipation of the sale of said bonds.

Section 4. The bonds and notes authorized by this resolution shall contain the recital of validity prescribed in Section 52.00 of the Local Finance Law and such bonds and notes shall be general obligations of the Town and all the taxable real property in the Town is subject to the levy of *ad valorem* taxes to pay the principal thereof, and

interest thereon, without limitation as to rate or amount, subject to applicable statutory limitations, if any, sufficient to pay the principal of and interest on said bonds and notes.

Section 5. It is hereby determined and declared that the Town reasonably expects to reimburse the general fund, or such other fund as may be utilized, not to exceed the maximum amount authorized herein, from the proceeds of the obligations authorized hereby for expenditures, if any, from such fund that may be made for the purpose prior to the date of the issuance of such obligations. This is a declaration of official intent under Treasury Regulation §1.150-2.

Section 6. The power to further authorize the sale, issuance and delivery of said bonds and notes and to prescribe the terms, form and contents of said bonds and notes, including, without limitation, the consolidation with other issues, the determination to issue bonds with substantially level or declining annual debt service, all contracts for, and determinations with respect to, credit or liquidity enhancements, if any, and to sell and deliver said bonds and notes, subject to the provisions of this resolution and the provisions of the Local Finance Law, including without limitation, the authority to determine whether to accept bids electronically to the extent allowed by Section 58.00 of the Local Finance Law, is hereby delegated to the Town Supervisor, the Town's chief fiscal officer. The Town Supervisor and the Town Clerk or Deputy Clerk are hereby authorized to sign by manual or facsimile signature and attest any bonds and notes issued pursuant to this resolution, and are hereby authorized to affix to such bonds and notes the corporate seal of the Town of Bergen.

Section 7. The faith and credit of the Town of Bergen, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds and notes as the same respectively become due and payable. Such bonds and notes shall be payable from a levy on real property in such district benefitted or user charges therefor, in the manner provided by law, but if not paid from such source, all the taxable real property in the Town is subject to the levy of *ad valorem* taxes to pay the principal thereof, and interest thereon, without limitation as to rate or amount, subject to applicable statutory limitations, if any, sufficient to pay the principal of and interest on said bonds and notes. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year.

Section 8. This resolution, or a summary hereof, shall be published in full by the Town Clerk of the Town of Bergen together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in each official newspaper of the Town, in the manner prescribed by law. The validity of said bonds or of any bond anticipation notes issued in anticipation of the sale of said bonds may be contested only if such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or the provisions of law which should be complied with, at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or if said obligations are authorized in violation of the provisions of the Constitution.

Section 9. This resolution shall take effect immediately upon its adoption.

NEW BUSINESS:

Deputy Highway Superintendent appointment of Secretary on 11/17/2021 Deputy Highway Superintendent Joel Pocock requested to appoint Ruth Kruppner as Secretary effective immediately the request was approved by email from all board members on 11/17/2021.

CEO/ZEO Position discussed: must go out for advertisement due to retirement waiver requirement. *Councilman Starowitz made a motion to place ad for ZEO/CEO; seconded by Councilwoman Grant and it carried by a vote 5-0.*

NEXT MEETING:

Regular Meeting – Tuesday, December 14, 2021 at 7:00 pm in the Courtroom with the audit of the bills at 6:45pm

ADJOURNMENT was at 7 :25 pm on a motion by Councilman Anderson seconded by Councilwoman Sapienza and it carried by a vote 5 -0.

Respectfully submitted,

Michele M. Smith

Michele M. Smith,
Town Clerk

**TOWN OF BERGEN
NOVEMBER 2021
EXECUTIVE SUMMARY**

BALANCE SHEET

- Bank accounts were reconciled as of 11/30/21.
- The Town has \$2,142,189.95 in the bank.

REVENUES AND EXPENSES

• **REVENUES**

- Total receipts for the month were: \$19,988.36
- Major receipts were:
 - Town Clerk Report (Oct) - \$2,593.83
 - Justice Fees (Oct) - \$6,682.00
 - Franchise Fees - \$6,462.72
 - Library Donations (Barley & Books) - \$300.00
 - Library Genesee County - \$3,583.58
 - Library Fines - \$16.95
 - Other - \$349.28

• **EXPENSES**

Expenditures through November on average should equal 91.67% of the annual budget.

General Fund Townwide (A):

- Year to date expenses are \$552,653.81 compared to the revised annual budget of \$797,205 or 69.32% of the budget.

General Fund Outside Village (B):

- Year to date expenses are \$65,862.50 compared to the annual budget of \$103,289 or 63.77% of the budget.

Highway Townwide (DA):

- Year to date expenses are \$288,359.50 compared to the annual budget of \$420,116 or 68.64% of the budget.

Highway Outside Village (DB):

- Year to date expenses are \$427,385.57 compared to the revised annual budget of \$298,294 or 143.28% of the budget.

Respectfully Submitted
Ernest Haywood 12/9/2021
Ernest Haywood

**Cash Summary Report
November 2021**

FUND Account	10/31/2021			11/30/2021		#9970	#5616	#4277	#1040-0001	#1040-0002	#1040-0002	#9988
	BALANCES	Increases	Decreases	BALANCES		Joint Checking	Library Checking	Joint Savings	NYCLASS Savings	NYCLASS WIBA	NYCLASS ARPA	Trust & Agency
200.000 General TW Checking	103,129.30	23,736.49	23,736.49	103,129.30		103,129.30						
201.000 General TW Savings	116,546.97	20,823.21	49,214.39	88,155.79				88,155.79				
230.000 NYS Class Savings	482,412.32	13.91		482,426.23					482,426.23			
230.001 NYS Class ARPA	95,134.96	2.70		95,137.66							95,137.66	
200.000 General OV Checking	41,054.70	2,046.11	2,046.11	41,054.70		41,054.70						
201.000 General OV Savings	830.01	8,895.22	4,624.35	5,100.88				5,100.88				
230.000 NYS Class Savings	200,236.47	5.77		200,242.24					200,242.24			
A 200.000 Highway TW Checking	150,781.79	9,255.51	9,255.51	150,781.79		150,781.79						
A 201.000 Highway TW Savings	35,878.52	-	25,896.82	9,981.70				9,981.70				
B 200.000 Highway OV Checking	93,949.90	67,586.41	67,586.41	93,949.90		93,949.90						
B 201.000 Highway OV Savings	(3,037.87)	-	68,697.55	(71,735.42)				(71,735.42)				
B 230.000 NYS Class Savings	150,010.63	4.32		150,014.95					150,014.95			
H 200.004 Water District #4 Checking	36,595.46	4,765.56	4,765.56	36,595.46		36,595.46						
H 201.004 Water District #4 Savings	-			-				-				
H 230.004 Water District #4 NY Class	365,869.28	10.23	13,667.53	352,211.98					352,211.98			
H 231.000 Water District #4 NY Class	-			-				-				
H 200.051 Library SAMS Grant Checking	-			-		-						
H 201.051 Library SAMS Grant Savings	-			-				-				
- 200.000 Library Checking	-			-		-						
- 200.001 Library Checking (NEW)	174,663.02	3,900.53	3,693.77	174,869.78			174,869.78					
- 201.000 Library Savings	-			-				-				
M 200.000 Special District Fire Checking	-			-		-						
M 201.000 Special District Fire Savings	1,804.12			1,804.12				1,804.12				
N 200.002 Water District Checking	-			-		-						
N 201.002 Water District Savings	(0.20)			(0.20)				(0.20)				
N 200.003 Water Peachey Rd Checking	-			-		-						
N 201.003 Water Peachey Rd Savings	36,409.09			36,409.09				36,409.09				
N 200.004 Water WIBA#1 Checking	-			-		-						
N 201.004 Water WIBA#1 Savings	140,140.00			140,140.00				140,140.00				
A 200.000 Trust & Agency	16,236.69	45,808.59	45,001.04	17,044.24								17,044.24
V 200.005 Peachey Water Checking	-			-		-						
V 201.005 Peachey Water Savings	34,875.76			34,875.76				34,875.76				
	2,273,520.92	186,854.56	318,185.53	2,142,189.95		425,511.15	174,869.78	244,731.72	832,683.42	352,211.98	95,137.66	17,044.24
Reconciliation												
Bank Statement Balances				2,157,170.25		434,550.27	174,869.78	244,935.16	832,683.42	352,211.98	95,137.66	22,781.98
Outstanding Transfer				-		-	-	-				-
Deposits In Transit				-		-	-	(203.44)				203.44
Outstanding Checks				(14,980.30)		(9,039.12)	-	-				(5,941.18)
Balance on General Ledger				2,142,189.95		425,511.15	174,869.78	244,731.72	832,683.42	352,211.98	95,137.66	17,044.24
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:

11/30/2021

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

Town of Bergen

For 11/30/2021

	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.1120.000.000 County Sales Tax Distribution	0.00	127,166.50	0.00	127,166.50	0.00
AA.1255.000.000 Clerk Fees	247.83	3,178.48	2,000.00	1,178.48	158.92
AA.2130.000.000 Landfill Host Revenue	0.00	62,309.59	55,000.00	7,309.59	113.29
AA.2192.000.000 Cemetery Services	0.00	700.00	0.00	700.00	0.00
AA.2401.000.000 Interest & Earnings	21.46	300.00	300.00	0.00	100.00
AA.2410.000.000 Rental of Real Property	0.00	1,125.00	1,220.00	(95.00)	92.21
AA.2530.000.000 Games of Chance	0.00	10.00	10.00	0.00	100.00
AA.2544.000.000 Dog Licenses	221.00	3,054.00	2,500.00	554.00	122.16
AA.2610.000.000 Fines and Forfeited Bail	5,725.00	86,437.00	65,000.00	21,437.00	132.98
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	6,215.29	683,375.83	797,205.00	(113,829.17)	85.72
Expenses					
AA.1010.100.000 Town Board Personal Services	1,219.32	13,412.52	14,632.00	1,219.48	91.67
AA.1010.400.000 Town Board Contractual	1,131.05	1,818.53	1,200.00	(618.53)	151.54
AA.1110.100.000 Justices Personal Services	2,333.34	25,666.74	28,000.00	2,333.26	91.67
AA.1110.102.000 Justice Pers Svc, Clerk	4,540.10	22,520.99	21,792.00	(728.99)	103.35
AA.1110.200.000 Justice Equipment	0.00	0.00	600.00	600.00	0.00
AA.1110.400.000 Justices Contractual	701.84	6,502.18	14,150.00	7,647.82	45.95
AA.1220.100.000 Supervisor Personal Services	947.75	10,425.25	11,373.00	947.75	91.67
AA.1220.102.000 Deputy Supervisor Personal Services	120.83	1,329.13	1,450.00	120.87	91.66
AA.1220.103.000 Supervisor's Secretary Personal Services	520.20	6,823.80	8,320.00	1,496.20	82.02
AA.1220.400.000 Supervisor Contractual	25.00	3,435.31	8,500.00	5,064.69	40.42
AA.1310.400.000 Bookkeeper, Contr Expend	1,400.00	7,000.00	24,300.00	17,300.00	28.81
AA.1320.400.000 Auditors Contractual	0.00	6,850.00	6,850.00	0.00	100.00
AA.1355.400.000 Assessor Contractual	0.00	24,800.12	32,801.00	8,000.88	75.61
AA.1410.100.000 Town Clerk Personal Services	3,295.70	39,548.40	42,844.00	3,295.60	92.31
AA.1410.102.000 Deputy Town Clerk Personal Services	80.34	2,329.87	2,785.00	455.13	83.66
AA.1410.200.000 Town Clerk Equipment	0.00	449.95	500.00	50.05	89.99
AA.1410.400.000 Town Clerk Contractual	191.75	2,836.24	4,000.00	1,163.76	70.91
AA.1420.400.000 Attorney Contractual	0.00	1,500.00	6,000.00	4,500.00	25.00
AA.1420.401.000 Court Prosecutor	1,600.00	7,200.00	10,100.00	2,900.00	71.29

Statement of Activity - MTD and YTD by Fund w/ Variance
Town of Bergen
For 11/30/2021

	M-T-D Actual	Y-T-D Actual	Annual Budget	Variance	Variance Percentage
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	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	342.94	3,719.58	4,800.00	1,080.42	77.49
AA.1620.400.000 Building Operation Contractual	1,897.17	32,340.22	47,800.00	15,459.78	67.66
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	70.44	193.29	500.00	306.71	38.66
AA.1670.400.000 Central Printing & Mailing Contractual	325.65	4,395.39	4,100.00	(295.39)	107.20
AA.1680.200.000 Computers Equipment	0.00	0.00	2,000.00	2,000.00	0.00
AA.1680.400.000 Computers Contractual	195.00	6,962.64	1,514.00	(5,448.64)	459.88
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	707.09	1,631.13	4,225.00	2,593.87	38.61
AA.3120.400.000 Constables Contractual	0.00	0.00	400.00	400.00	0.00
AA.3310.400.000 Traffic Control Contractual	7,102.50	7,102.50	6,000.00	(1,102.50)	118.38
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	58,563.60	63,444.00	4,880.40	92.31
AA.5010.102.000 Supt. of Highways, Pers Svc, Deputy	115.50	1,386.00	1,500.00	114.00	92.40
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	931.47	13,221.86	37,500.00	24,278.14	35.26
AA.5182.400.000 Street Lighting Contractual	174.66	4,497.94	5,500.00	1,002.06	81.78
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	4,489.83	74,977.41	66,080.00	(8,897.41)	113.46
AA.7510.100.000 Historian Personal Services	0.00	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	54.87	5,000.00	4,945.13	1.10
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	1,884.66	16,682.40	16,000.00	(682.40)	104.27
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	24,941.40	27,209.00	2,267.60	91.67
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

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

Town of Bergen
For 11/30/2021

	M-T-D Actual	Y-T-D Actual	Annual Budget	Variance	Variance Percentage
AA.9950.900.000 Transfer to Capital Project	0.00	0.00	8,267.00	8,267.00	0.00
Total Expenses	<u>43,491.83</u>	<u>552,653.81</u>	<u>797,205.00</u>	<u>244,551.19</u>	<u>69.32</u>
Excess Revenue Over (Under) Expenditures	<u>\$ 37,276.54</u>	<u>\$ (130,722.02)</u>	<u>0.00</u>	<u>\$ 358,380.36</u>	<u>0.00</u>

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

Town of Bergen
For 11/30/2021

	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	6,462.72	24,949.06	23,000.00	1,949.06	108.47
BB.1560.000.000 Safety Inspection Fees	0.00	0.00	50.00	(50.00)	0.00
BB.2110.000.000 Zoning Fees	810.00	4,130.00	1,800.00	2,330.00	229.44
BB.2115.000.000 Planning Board Fees	200.00	1,000.00	200.00	800.00	500.00
BB.2130.000.000 Refuse & Garbage Charges	1,422.50	16,302.50	20,000.00	(3,697.50)	81.51
BB.2401.000.000 Interest & Earnings	5.77	73.64	0.00	73.64	0.00
BB.2590.000.000 Permits, Others	0.00	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
T Total Revenues	8,900.99	54,884.20	103,289.00	(48,404.80)	53.14
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	364.50	1,798.50	2,000.00	201.50	89.93
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	160.00	2,895.00	6,000.00	3,105.00	48.25
BB.7310.400.000 Youth Programs Contractual	600.00	4,600.00	4,000.00	(600.00)	115.00
BB.8010.100.000 Zoning Pers Svc	55.83	696.13	836.00	139.87	83.27
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	3,002.12	4,500.00	1,497.88	66.71
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	769.20	8,345.27	10,000.00	1,654.73	83.45
BB.8160.400.000 Refuse & Garbage Contractual	658.57	14,073.22	17,500.00	3,426.78	80.42
BB.8664.100.000 Code Enforcement Personnel Services	1,408.54	16,902.48	18,311.00	1,408.52	92.31
BB.8664.400.000 Code Enforcement Contractual	263.04	3,260.63	3,000.00	(260.63)	108.69
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	71.75	774.35	2,500.00	1,725.65	30.97
BB.9040.800.000 Workers Compensation	0.00	1,271.00	1,271.00	0.00	100.00
Total Expenses	4,624.35	65,862.50	103,289.00	37,426.50	63.77
Excess Revenue Over (Under) Expenditures	\$(4,276.64)	\$10,978.30	\$0.00	\$85,831.30	0.00

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

Town of Bergen

For 11/30/2021

	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	142,066.05	126,781.00	15,285.05	112.06
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	449,122.99	420,116.00	29,006.99	106.90
Expenses					
DA.5130.100.000 Machinery, Pers Serv	2,065.60	13,426.40	11,860.00	(1,566.40)	113.21
DA.5130.200.000 Machinery, Equip & Cap Outlay	5,000.00	53,335.52	85,000.00	31,664.48	62.75
DA.5130.400.000 Machinery, Contr Expend	1,496.05	25,361.81	30,000.00	4,638.19	84.54
DA.5140.100.000 Brush & Weeds, Pers Serv	5,164.02	16,524.82	11,860.00	(4,664.82)	139.33
DA.5140.400.000 Brush & Weeds, Contr Expend	0.00	1,469.39	1,500.00	30.61	97.96
DA.5142.100.000 Snow & Ice, Pers Serv	8,262.40	83,440.56	123,037.00	39,596.44	67.82
DA.5142.400.000 Snow & Ice, Contr Expend	437.64	35,793.46	90,000.00	54,206.54	39.77
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	1,149.29	8,405.18	10,508.00	2,102.82	79.99
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	117.75	110.00	(7.75)	107.05
DA.9060.800.000 Hospital & Medical (Dental) Ins, Empl Bnfts	2,321.82	25,723.61	31,480.00	5,756.39	81.71
Total Expenses	25,896.82	288,359.50	420,116.00	131,756.50	68.64
Excess Revenue Over (Under) Expenditures	\$ 25,896.82	\$ (160,763.49)	\$ 0.00	\$ 102,749.51	0.00

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

Town of Bergen
For 11/30/2021

	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.2401.000.000 Interest & Earnings	4.32	14.95	0.00	14.95	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	4.32	100,593.95	298,294.00	(197,700.05)	33.72
Expenses					
DB.5110.100.000 General Highway Repairs Personal Services	1,032.81	93,010.12	90,134.00	(2,876.12)	103.19
DB.5110.400.000 General Highway Repairs Contractual	55,233.17	180,183.63	84,903.00	(95,280.63)	212.22
DB.5112.200.000 Permanent Highway Improvements	0.00	69,432.53	40,500.00	(28,932.53)	171.44
DB.5130.400.000 Machinery Contractual	0.00	122.84	0.00	(122.84)	0.00
DB.5142.400.000 Snow & Ice Control Contractual	9,837.94	9,837.94	0.00	(9,837.94)	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	78.33	6,469.41	7,900.00	1,430.59	81.89
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	161.79	162.00	0.21	99.87
DB.9060.800.000 Medical Insurance	2,515.30	27,833.25	34,275.00	6,441.75	81.21
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	68,697.55	427,385.57	298,294.00	(129,091.57)	143.28
Excess Revenue Over (Under) Expenditures	\$ 68,693.23	\$ 326,791.62	\$ 0.00	\$ 68,608.48	0.00

Account#	Account Description	Fee Description	Qty	Local Share
A1255	Clerk Fees Conservation	Certified Copies	1	10.00
		Conservation	15	108.20
		Sub-Total:		\$118.20
A2544	Dog Licensing	Female, Spayed	15	75.00
		Female, Unspayed	1	18.00
		Male, Neutered	18	90.00
		Male, Unneutered	1	18.00
	Senior Discount	Senior Discount	3	-9.00
	Sub-Total:		\$192.00	
B2110	Building & Zoning	Building Permit	1	50.00
	Sub-Total:		\$50.00	
B2115	Building & Zoning	Site Plan Review	2	3,474.00
	Sub-Total:		\$3,474.00	
B2130	Solid Waste	Garbage Bag	76	380.00
		Transfer Sta. 20.00	11	220.00
		Transfer Sta. 5.00	9	45.00
	Sub-Total:		\$645.00	

Total Local Shares Remitted: \$4,479.20

Amount paid to: NYS Ag. & Markets for spay/neuter program _____ 39.00

Amount paid to: NYS Environmental Conservation _____ 2,282.80

Total State, County & Local Revenues: \$6,801.00

Total Non-Local Revenues: \$2,321.80

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

Michele M. Smith

Town Clerk

12/1/2021

Date

GEN BERGEN FIRE

Report Date Range from: 10/1/2021 to 10/31/2021

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

06:00 - 06:59	1	1	5.88%	5.88%
09:00 - 09:59	2	3	11.76%	17.65%
14:00 - 14:59	1	4	5.88%	23.53%
17:00 - 17:59	3	7	17.65%	41.18%
18:00 - 18:59	2	9	11.76%	52.94%
19:00 - 19:59	4	13	23.53%	76.47%
21:00 - 21:59	2	15	11.76%	88.24%
22:00 - 22:59	1	16	5.88%	94.12%
23:00 - 23:59	1	17	5.88%	100.00%
Total Calls:	17	17	100%	

Response Zone: GEN BERG 22

18:00 - 18:59	4	4	40.00%	40.00%
19:00 - 19:59	2	6	20.00%	60.00%
20:00 - 20:59	2	8	20.00%	80.00%
21:00 - 21:59	1	9	10.00%	90.00%
22:00 - 22:59	1	10	10.00%	100.00%
Total Calls:	10	10	100%	

Call Source Total Calls: 27



Mark Meyerhofer

Senior Director
Government Affairs

November 18, 2021

Re: Charter Communications – Upcoming Changes

Dear Municipal Official:

Spectrum Northeast, LLC (“Spectrum”), locally known as Spectrum, is making its customers aware of the following programming changes on New York channel lineups.

On or around December 1, 2021, WKBW 3 Court TV Mystery located on Spectrum Basic, channel 1241 will be rebranding to WKBW 3 Grit TV in the Buffalo lineups of Alfred, Bolivar, Buffalo City, Dunkirk, Erie County Fillmore, Fredonia, Friendship, Genesee/Wyoming, Jamestown, Olean, Orleans/Niagara, Warsaw, Wellsville, Westfield and WNY Suburban.

On or around December 31, 2021 Bulldog Shopping Network, located on Spectrum channels 59, 91, 98, 472 and 496 will rebrand to Victory Channel in the lineup serving your community.

On or around January 1, 2022, NBC Sports Network will cease operation of its service and Spectrum will discontinue carriage of NBCSN on channels 35, 48, 51, 55, 57, 61, 62, 65, 69 and 314, from all channel lineups.

On or around January 5, 2022, DIY Network, located on Spectrum channel 161 will rebrand to Magnolia in the 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,

Mark Meyerhofer
Senior Director, Government Affairs
Charter Communications

Committee Objectives

Buildings, Grounds and Facilities Committee

- Identify maintenance, repair, or renovation needs related to buildings, grounds & facilities.
- Facilitate proposals for maintenance, repairs, or renovations related to buildings, grounds & facilities.
- Develop plans for improved handicap accessibility at 13 South Lake Avenue.
- Develop building use policies & procedures.
- Make recommendations related to buildings, grounds, & facilities.
- Research funding opportunities related to buildings, grounds, & facilities.
- Further develop projects & topics related to buildings, grounds & facilities.

Parks Committee

- Review and Update Comprehensive Plan for Parks as needed.
- Make recommendations for improvements related to Robins Brook Park, Drews Nature Center, Westshore Linear Park, and Transfer Station location.
- Review/Maintain/Revise polices related to parks use as needed.
- Facilitate proposals for improvements related to parks & recreation.
- Research funding opportunities related to parks & recreation.
- Support recreation & leisure activities at Robins Brook Park, Drews Nature Center, and Westshore Linear Park.
- Further develop projects & topics related to parks.
- Work cooperatively with Highway Department to coordinate work related to parks development & maintenance.

Local History & Museum Committee

- Act as liaison between Town Historian and Town Board.
- Discuss & research methods to improve services of the Town Historian.
- Provide input and recommendations for topics and projects related to the museum and the Historian's office.
- Work cooperatively with the Historical Society and the Town Historian to advance projects related to the Museum and the Historian's office.

Policies & Personnel Committee

- Review current town policies.
- Make recommendations for new policies and policy revisions.
- Address employee topics and/or issues related to personnel.

Town & Village Relations Committee

- Work with Village representatives to identify and outline plans in accordance with the Comprehensive Plan.
- Maintain dialog between Village and Town entities.
- Discuss & research methods to improve efficiencies, consolidate efforts, and share services where practical.
- Make recommendations related to improved efficiencies, consolidated efforts, and shared services.
- Further develop projects & topics related to Village relations.

Budget Modification Resolution

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Supervisor is hereby authorized to make the following modifications to the 2021 Town Budget:

\$1,000 from A.5132.4 Garage Contractual to
A.5010.1 Superintendent of Highways Personal Services

Sec. 2 That this resolution shall take effect immediately.

MOTION for adoption of this resolution by
Seconded by

Discussion:

VOTE BY ROLL CALL AND RECORD:

Councilman Anderson
Councilwoman Grant
Councilwoman Sapienza
Councilman Starowitz
Supervisor Haywood

Local Law No. # _____ of the year 2021 Adding Chapter 178 To the Bergen Town Code
Opting out of Cannabis Retail Dispensary and On-Site Consumption

Be it enacted by the Bergen Town Board, County of Genesee, State of New York as follows:

Section 1. Title

This Local Law shall be referred to as “Local Law # _____ of 2021 Opting Out of Hosting Retail Cannabis Dispensaries and/or On-site Cannabis Consumption Establishments Within its Boundaries.

Section 2. Authority

This local law is adopted pursuant to Cannabis Law § 131, which expressly authorizes cities and villages to opt-out of allowing retail cannabis dispensaries and/or on-site cannabis consumption establishments to locate and operate within their boundaries.

Section 3. Local Cannabis Retail Dispensary and On-Site Consumption Opt-Out

The Town Board of the Town of Bergen, Genesee County, hereby opts-out of allowing retail cannabis dispensaries and on-site cannabis consumption establishments from locating and operating within the boundaries of the Town of Bergen.

Section 4. Severability

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court's order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, 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. Pursuant to Cannabis Law § 131, this local law is subject to a permissive referendum and thus may not be filed with the Secretary of State until the applicable time period has elapsed to file a petition or a referendum has been conducted approving this local law.

LOCAL LAW # _____ OF 2021 ADDING CHAPTER 179
TO THE BERGEN TOWN CODE CONCERNING
USAGE OF TOBACCO, VAPING, E-CIGARETTE
AND THC- CONTAINING PRODUCTS ON TOWN PROPERTY

Be it enacted by the Bergen Town Board, County of Genesee, State of New York
(hereinafter referred to as the Board), as follows:

SECTION 1. TITLE (§179-1)

This Local Law shall be referred to as "Local Law # _____ of 2021 Adding Chapter 179
to the Bergen Town Code Concerning Usage of Tobacco, Vaping, E-Cigarette and THC-
Containing Products Use on Town Property.

SECTION 2. AUTHORIZATION (§179-2)

This Local Law is adopted pursuant to the New York State Constitution Article IX, Town
Law §261-§264 and Municipal Home Rule Law §10.

SECTION 3. PURPOSE AND INTENT (§179-3)

The Town of Bergen (hereinafter referred to as Bergen) has a responsibility to protect the
health, safety, welfare and quality of life to Bergen residents, Bergen employees and the public at

large. It is acknowledged and recognized that tobacco, vaping, e-cigarette and/or THC-containing products can contribute to significant health concerns and/or death to individuals. Consequently, individuals using property owned and/or maintained by Bergen are entitled to an environment devoid of tobacco, vaping, e-cigarette and THC-containing products in order to promote the best interests of the public.

SECTION 4. – PROHIBITED USAGE OF TOBACCO, VAPING,
E-CIGARETTE AND THC-CONTAINING PRODUCTS (§179-4)

A) The prohibitions and restrictions set forth in this section pertain to properties owned and/or maintained by Bergen.

B) All usage of THC-containing products are prohibited and restricted at all properties owned and/or maintained by Bergen.

C) All usage of tobacco, vaping and/or e-cigarette are restricted at all properties owned and/or maintained by Bergen in accordance with all federal, state and county laws and regulations governing same.

D) As is deemed necessary from time to time, the Bergen Employee Handbook is to be amended to reflect the policy set forth herein.

SECTION 5. DISCIPLINARY ACTION (§179-5)

Any Town employee or official who is determined to have violated this Local Law is subject to appropriate disciplinary action including loss of wages, suspension of

employment and/or termination of employment. Bergen reserves the right to additionally pursue legal recourse if appropriate.

SECTION 6. PENALTY FOR OFFENSES (§179-6)

A) Any person determined to be in violation of this Local Law may be ejected and removed from Town property.

B) Any person who is determined to be in violation of this Local Law shall be punishable by a fine of not less than \$75.00 or no more than \$150.00, and/or imprisonment of up to fifteen (15) days for each violation.

SECTION 7. SEVERABILITY AND/OR VALIDITY (§179-7)

If any clause, sentence, paragraph, subdivision, section or part of this Local Law, or the application thereof to any person, individual, firm or corporation, or circumstance, shall be adjudged by a 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 in its operation to the clause, sentence, paragraph, subdivision, section 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 said order or judgment shall be rendered.

SECTION 8. EFFECTIVE DATE (§179-8)

This Local Law shall take effect upon the date it is filed in the Office of the New York State Secretary of State in accordance with the Municipal Home Rule Law §27.

Dated: Bergen, New York
, 2021