

**Town Board Meeting- Special Meeting**  
**Town of Bergen**  
**July 26th, 2022**  
**Town Hall- 10 Hunter Street, Bergen New York**  
**Agenda**

**I. Call to Order 7:30 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: Regular meeting: 7/12/2022**

**III. Communications included with this agenda:**

1. Mercy EMS report for June., 2022
2. Correspondence from Charter Communication dated 7/15/2022

**IV. Board Members' items for addition to the agenda**

**V. Reports:**

**Supervisor**

**Clerk**

**Board Members**

**Zoning / Code Enforcement:**

**Highway**

**Committees**

-Building, Grounds, and Facilities (cemeteries)

-Parks

-Local History & Museum

-Policy and Personnel -

**VI. Old Business:**

-Update on WBIA#1 water

**VII. New Business**

-Resolution to rescind resolution #19 -2022 Highway Budget Modification Resolutions approved at the July 12<sup>th</sup> town Board meeting

-Resolution to appoint Gerald Wood to title of Code Enforcement Officer 1 effective 8/1/2022

-Date for town board members to tour town properties

**VIII. Meeting and Other Upcoming Dates:**

-Regular meeting: 8/9/2022- 6:45 audit of bills, 7:00 meeting at the town hall

-Budget Workshops 9/10/2022 and 10/1/2022 9 am at the town hall

**IX. Adjournment**

DRAFT

JULY 12, 2022

BERGEN TOWN BOARD

REGULAR MEETING

The Bergen Town convened in a regular session at 7:30 pm in the Town Hall with Supervisor Haywood presiding.

PRESENT:

Supervisor Ernie Haywood  
Councilwoman Belinda Grant  
Councilman Mark Anderson  
Councilwoman Teresa Robinson (arriv. 7:02)

ALSO PRESENT:

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

ABSENT:

Councilman Jim Starowitz

OTHER ATTENDEES:

Pam Johnson

PRAYER

PLEDGE OF ALLEGIANCE TO THE FLAG

MINUTES: *Councilman Anderson made a motion to approve the meeting minutes of June 14, 2022; seconded by Councilwoman Grant and carried by a vote 3-0.*

COMMUNICATIONS:

Supervisor Report for June 2022  
Summary Spreadsheet for June 2022  
Town Clerk Report for June 2022  
ZEO/CEO Report for June 2022  
Mercy EMS report for May 2022  
Correspondence for Mercy Flight regarding rate increases  
Correspondence from NYS Historical Preservation regarding North Bergen Presbyterian Church – being recommended for listing on NYS registry for historical places  
Resignation of Olga Lippa from Zoning Board of Appeals  
2023 Budget Development Timeline  
Budget Modifications Resolutions  
Clinton St. Rd. PUD

REPORTS:

SUPERVISOR: old financial records to be destroyed at old Town Hall; Budget worksheets; painting RFP for historian office posted due July 29<sup>th</sup>; advertise for ZEO position with correct title for waiver; met with Kirk about East Bergen Cemetery not much can be done at North Bergen Cemetery, 2<sup>nd</sup> ARPA fund check, complaint about musician playing loud in town and village, Liberty Pumps has been granted PILOT for tax exemption.

TOWN CLERK: the sink (dripping) and toilet (out of order) in ladies' room at town hall

HIGHWAY: Mike thanked everyone for supporting Joel in his absence; old highway garage is town down with \$6,000 in hazard materials removed; several building issues furnace, air conditioning and hot water tank replacement; road work oil and stone Swamp Rd.

TOWN CLERK'S REPORT: *Councilwoman Grant made a motion to file the Town Clerk's June 2022 Report; seconded by Councilwoman Robinson and it carried by a vote 4-0.*

SUPERVISOR REPORTS *Councilwoman Grant made a motion to file the Supervisor's June 2022 Report; seconded by Councilman Anderson and it carried by a vote 4 -0.*

COMMITTEES:

Building and Grounds: nothing to report

Parks: nothing to report

Local History & Museum: nothing to report

Policy and Personnel: nothing to report

**OLD BUSINESS:**

Water improvement Benefit Area #1: progress is being made on both contracts; CSX is a hold up on South side of town Dilcher PUD SEQR Resolution Councilwoman Grant offered Resolution #17-2022 for SEQR Determination of Significance for the Dilcher PUD; seconded by Councilwoman Robinson and it carried by a vote 4-0.

**RESOLUTION #17-2022  
SEQR DETERMINATION OF SIGNIFICANCE  
DILCHER PUD**

**WHEREAS**, the Town of Bergen Town Board (hereinafter referred to as "Town Board") has reviewed the New York State Environmental Quality Review Act ("SEORA") Full Environmental Assessment Form ("EAF") Part 1, prepared by the MRB Group (hereinafter referred to as "Town Engineer") on the above-referenced Town of Bergen Clinton Street Road Planned Unit Development District (hereinafter referred to as "Action"); and

**WHEREAS**, the Town Board determines that said Action is classified as an Unlisted Action under Part 617 of the State Environmental Quality Review ("SEQR") Regulations; and

**WHEREAS**, the Town Board has determined that the proposed Action is subject to a single agency review pursuant to Part 617.6(b) (1) of the SEQR Regulations; and

**WHEREAS**, the Town Board determines that it is the most appropriate agency for making the determination of significance thereon under the SEQR Regulations; and

**WHEREAS**, the Town Board has considered the criteria for determining significance as set forth in Section 617.7(c) (1) of the SEQR Regulations and the information contained in the Long Environmental Assessment Form Part 1; and

**NOW, THEREFORE BE IT RESOLVED** that the Town Board does hereby designate itself as lead agency for the proposed Action above herein; and

**WHEREAS**, the Town Board has completed their review of the Part 2 of the Full Environmental Assessment Form; and  
**NOW, THEREFORE, BE IT RESOLVED** that the Town Board has reasonably concluded the following impacts are expected to result from the proposed Action, when compared against the criteria in Section 617.7 (c):

- (i) there will not be a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic noise levels; a substantial increase in solid waste production; a substantial increase in potential for erosion, flooding, leaching or drainage problems;
- (ii) there will not be large quantities of vegetation or fauna removed from the site or destroyed as the result of the proposed action; there will not be substantial interference with the movement of any resident or migratory fish or wildlife species as the result of the proposed action; there will not be a significant impact upon habitat areas on the site; there are no known threatened or endangered species of animal or plant, or the habitat of such species; or, are there any other significant adverse impacts to natural resources on the site;
- (iii) there are no known Critical Environmental Area(s) on the site which will be impaired as the result of the proposed action;
- (iv) the overall density of the site is consistent with the Town's Comprehensive Plan land use recommendations;
- (v) there are no known important historical, archeological, architectural, or aesthetic resources on the site, or will the proposed action impair the existing community or neighborhood character;
- (vi) there will not be a major change in the use of either the quantity or type of energy resulting from the proposed action;
- (vii) there will not be any hazard created to human health;
- (viii) there will not be a substantial change in the use, or intensity of use, of land including open space or recreational resources, or in its capacity to support existing uses;

- (ix) there will not be a large number of persons attracted to the site for more than a few days when compared to the number of persons who would come to such a place absent the action;
- (x) there will not be created a material demand for other actions that would result in one of the above consequences;
- (xi) there will not be changes in two or more of the elements of the environment that when considered together result in a substantial adverse impact; and
- (xii) there are not two or more related actions which would have a significant impact upon the environment.

**BE IT FURTHER RESOLVED** that based upon the information and analysis above and the supporting documentation, the Town Board determines that the proposed action **WILL NOT** result in any significant adverse environmental impacts.

**BE IT FURTHER RESOLVED** that the Town Board directs the Town Supervisor to sign and date Part 1 of the Full Environmental Assessment Form (FEAF) as well as the FEAF Part 3 to identify on the Form that the proposed Action will not result in any significant adverse impacts.

**BE IT FINALLY RESOLVED** that the Town Board directs that copies of this determination be filed as provided for under the SEQR Regulations.

**VOTE BY ROLL CALL AND RECORD:**

Councilman Anderson	Aye
Councilwoman Grant	Aye
Councilwoman Robinson	Aye
Councilman Starowitz	Absent
Supervisor Haywood	Aye

**NEW BUSINESS:**

Head stone repair work at East Bergen Cemetery Genesee Valley Cemetery Services quote of \$13,100.00 for dangerous stones. *Councilman Anderson made a motion to approve head stone repairs at East Bergen Cemetery in the amount of \$13,100.00; seconded by Councilwoman Robinson and it carried by a vote 4-0.*

Olga Lippa Resignation from ZBA *Councilwoman Grant made a motion to accept Olga Lippa's resignation from the Zoning Board of Appeals; seconded by Councilman Anderson and it carried by a vote 4-0.*

Resolution in appreciation of Joel Pocock service for covering for Highway Superintendent. *Councilman Anderson made a motion appreciation for Joel Pocock for his service for covering for Highway Superintendent Mike Johnson; seconded by Councilwoman Robinson and it carried by a vote 4-0.*

Raise mileage reimbursement rate to new IRS rate *Councilman Grant made a motion to raise the mileage rate to IRS rate of \$.625 effective as of July 1, 2022; seconded by Councilman Anderson and it carried by a vote 4-0.*

Adoption of the 2023 Budget Development Timeline setting budget workshop dates/times. *Councilman e a motion Anderson n to adopt the 2023 Budget Development Timeline and set budget workshops for September 10<sup>th</sup> & October 1st at 9:00 am; seconded by Councilwoman Robinson and it carried by a vote 4-0.*

Approval of Library 2022 budget Transfer *Councilwoman Grant made a motion to approve the 2<sup>nd</sup> payment to the Library of \$34,031.00 as per 2022 Budget with a journal entry; seconded by Councilwoman Robinson and it carried by a vote 4-0.*

Budget Modification Resolution *Councilman Anderson made a motion to approve budget modifications; seconded by Councilwoman Robinson and it carried by a vote 4-0.*

**RESOLUTION #18-2022  
BUDGET MODIFICATION RESOLUTION**

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Supervisor is hereby authorized to make the following modifications to the 2022 Town Budget:

\$314 from A.6410.4 Publicity and Newsletter Contractual to  
A.7550.4 Celebration Contractual

\$300 from A5010.2 Highway Superintendent Equipment to  
A.5010.4 Highway Superintendent Contractual

\$1,200 from A5010.2 Highway Superintendent Contractual to  
A5132.4 Garage Contractual

\$2,800 from A5010.103 Superintendent of Highways Pers Srv, Clerk to  
A 5132.4 Garage Contractual

\$3,000 from A5182.4 Street Lighting Contractual to  
A 5132.4 Garage Contractual

\$11,100 from A1990.4 Contingency to  
A8810.4 Cemetery Contractual

Sec. 2 That this resolution shall take effect immediately.

**VOTE BY ROLL CALL AND RECORD:**

Councilman Anderson Aye  
Councilwoman Grant Aye  
Councilwoman Robinson Aye  
Councilman Starowitz Absent  
Supervisor Haywood Aye

Highway Budget Modification Resolution Councilwoman Grant offered Resolution #19-2022 to approve Highway Budget Modifications; seconded by Councilwoman Robinson and carried by a vote 4-0.

<i>Transfer</i>			
From:	AA.1990.400	Contingency	\$8,614.00
			<hr/>
			\$8,614.00
			<hr/> <hr/>

<i>Transfer</i>			
To:	AA.5010.400	Superintendent of Highways Contractual	\$300.00
	AA.5132.400	Garage Contractual	\$8,000.00
	AA.7550.400	Celebrations Contractual	\$ 314.00
			<hr/>
			\$8,614.00
			<hr/> <hr/>

**VOTE BY ROLL CALL AND RECORD:**

Councilman Anderson Aye  
Councilwoman Grant Aye  
Councilwoman Robinson Aye  
Councilman Starowitz Absent  
Supervisor Haywood Aye

**BILLS:** The bills were presented for audit and totaled General A Fund \$9,027.95; General B Fund \$1,679.08; Highway DA \$6,593.98; DB \$67,315.39; Water District \$327,266.83; PA-A \$2,468.62; PA-DA \$2,527.87; PA-DB \$2,738.53. Councilwoman Grant made a motion to pay the July 2022 bills including Contract A Morsch Pipeline \$242,414.67 and Contract B Fineline Pipeline \$52,304.03 for WIBA#1; seconded by Councilman Anderson and it carried by a vote 4-0.

**REGULAR MEETING** – Tuesday, July 26, 2022 at 7:00 pm in the Courtroom

**ADJOURNMENT** was at 7:38 pm on a motion by Councilman Anderson; seconded by Councilwoman Grant and carried by a vote 4-0.

Respectfully submitted

*Michele M. Smith*  
Michele M. Smith, Town Clerk

Genesee County 911  
Response Times Report

**GEN BERGEN FIRE**

Report Date Range from: 6/1/2022 to 6/30/2022

# Mercy Flight EMS

*Report includes Emergent First On Scene Responses.*

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

13:00 - 13:59	1	1	25.00%	25.00%
17:00 - 17:59	2	3	50.00%	75.00%
19:00 - 19:59	1	4	25.00%	100.00%
<b>Total Calls:</b>	<b>4</b>	<b>4</b>	<b>100%</b>	

**Response Zone: GEN BERG 22**

18:00 - 18:59	3	3	60.00%	60.00%
19:00 - 19:59	1	4	20.00%	80.00%
21:00 - 21:59	1	5	20.00%	100.00%
<b>Total Calls:</b>	<b>5</b>	<b>5</b>	<b>100%</b>	

**Call Source Total Calls: 9**



**Mark Meyerhofer**  
Senior Director  
Government Affairs

July 15, 2022

Re: Charter Communications – Upcoming Change

Dear Municipal Official:

Spectrum Northeast, LLC (“Spectrum”), is making its customers aware on or around August 16, 2022, Spectrum will launch GAC Family in high definition on channel 295 and will simultaneously remove the standard definition feed. With the launch of the high definition channel, customers will continue to enjoy GAC Family programming on the same display channel.

To view a current Spectrum channel lineup visit [www.spectrum.com/channels](http://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](mailto:Mark.Meyerhofer@charter.com).

Sincerely,

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

Mark Meyerhofer  
Senior Director, Government Affairs  
Charter Communications