

Town Board Meeting- Town of Bergen
October 11th, 2022
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 9/27/2022

IV. Communications included with this agenda:

1. Supervisor Report for September 2022
2. Summary spreadsheets for September 2022
3. Town Clerk Report for September 2022
4. ZEO/CEO Report for September 2022-if available
5. Resolution for Approval of Out-of-District Users to WIBA #1
6. Resolution to remove two previously approved Out-of-District Users from the WIBA #1
7. Proposed Local Law for overriding the tax cap for 2023 Budget
8. Resolution to Enter into an Intermunicipal Agreement for Snow Removal, Ice Removal and Roadside Mowing
9. Preliminary Budget

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:

VII. Old Business:

- Town of Bergen Water Improvement Benefit Area #1 project-
- 2023 Town Budget discussion

VIII.. New Business:

- Resolution for Approval of Out- of-District Users to WIBA #1
- Resolution removing Out-of-District Users to WIBA #1
- Adoption of Preliminary 2023 Town of Bergen Budget
- Resolution to rescind Resolution # 27-2022 Authorizing the Highway Superintendent to execute Intermunicipal Agreement with Genesee County
- Resolution authorizing the Town Supervisor to execute and Intermunicipal agreement for Snow Removal, Ice Removal, and Roadside mowing with Genesee County.
- Resolution to set date and time for Public Hearing for Local Law to override the Tax Cap – 10/25/2022 -7 pm
- Resolution to set date and time for Public Hearing for the 2023 Fire Department Budget -10/25/2022-7:15 pm
- Resolution to set the date and time for Public Hearing the 2023 Town Budget- 10/25/2022- 7:30]

IX- Reports & Bills

- Action to file Town Clerks Report- September 2022
- Action to file Supervisor's Report – September 2022
- Approval to pay bills – Including Contract A Morsch Pipeline, Inc. and Contract B Pay – Finline Pipeline, Inc.

X. Meeting and other Upcoming Dates:

- Town Board meeting 10/25/2022 7 pm in Town Hall

XI Adjournment:

DRAFT

SEPTEMBER 27, 2022 BERGEN TOWN BOARD

REGULAR 2nd MEETING

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

PRESENT:

Supervisor Ernest Haywood
Councilman Mark Anderson
Councilwoman Belinda Grant
Councilman James Starowitz

ALSO PRESENT:

Mike Johnson, Highway Superintendent
Sandy Nucelli, Deputy Town Clerk

ABSENT:

Councilwoman Teresa Robinson

OTHER ATTENDEES

Pam Johnson
Gerda Cassara
Fred Hiltz

PRAYER

PLEDGE OF ALLEGIANCE TO THE FLAG

Mailbox post damage Gerda Cassara and Fred Hiltz request repair of mailbox that was broken by snowplow and 6x6 post wasn't replaced, per Mike Johnson the repair was made and only required to patch post, not replace. Mike said he would look at the post and let the residents know if more patch (4x4) is needed.

MINUTES: *Councilman Anderson made a motion to approve the minutes of August 23, 2022; seconded by Councilman Starowitz and carried by a vote 3-0. Councilwoman Grant abstained Councilwoman Grant made a motion to approve the minutes of September 13, 2022; seconded by Councilman Anderson and carried by a vote 3-0. Councilman Starowitz abstained*

COMMUNICATIONS:

Mercy EMS report for August 2022

Resolution for approval of Out-of-District User to WIBA#1

Proposed Vendor and W-9 Policy

Resolution for Intermunicipal Agreement for Snow Removal and Ice Control and Roadside Mowing- Genesee County

Tentative 2023 Town of Bergen Budget for filing with Town Clerk

REPORTS:

SUPERVISOR: Civil service approved waiver for Jerry Wood until 2024; comptroller office fiscal stress score 6.7-very good; consultant of closing on Bond until December to avoid interest increase.

CLERK: nothing to report

HIGHWAY: Genesee County wants a 5 yr agreement for the Snow & Ice Contract, Mike proposed to keep it at 1 yr.

COMMITTEES:

BUILDINGS: Supervisor Haywood checked the progress of painting Historian building and it is on schedule; soffits on 13. S. Lake roof still not fixed from storm damage, will follow up with Thompson Builds.

PARKS: nothing to report

LOCAL HISTORY AND MUSEUM: nothing to report

POLICY AND PERSONNEL: Vendor and W-9 Policy Councilman Starowitz made a motion to approve the Vendor and W-9 Policy with Town Clerk to keep on file; seconded by Councilman Anderson and it carried by a vote 4-0.

OLD BUSINESS:

Water improvement Benefit Area #1: questions about restoration work

2023 Budget discussion Councilman Anderson wanted to discuss possible deeper budget cuts due to inflation and increased cost of living. After some discussion the \$10,000 line item was removed for laptops for board members and Supervisor Haywood would take another look at other line items.

NEW BUSINESS:

Junkyard Permits: Councilwoman Grant made a motion to approve Junkyard permits for Metalico, Demo's and John Cole per CEO Gerry Wood; seconded by Councilman Starowitz and it carried by a vote 4-0

Resolution out of District Users to WIBA#1 Councilman Starowitz offered Resolution #26-2022 Out of District Users for WIBA#1; seconded by Councilwoman Grant and it carried by a vote 4-0.

**RESOLUTION #26-2022
APPROVE OUT-OF-DISTRICT USERS TO WIBA NO. 1 WATER DISTRICT**

WHEREAS, The Town of Bergen and the Town of Sweden have entered an Intermunicipal Agreement dated August 30, 2022 and approved by the respective Town Boards by Resolutions approved on August 23, 2022 for the granting of Out-of-District User status to certain Town of Sweden properties on Reed Road for the purpose of accessing public water from Water Improvement Benefit Area No. 1.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Bergen Town Board hereby approves the following applications from eligible Town of Sweden property owners per the above referenced intermunicipal agreement:

1954 Reed Road	128.02-1-18.1	James & Marie Loewke
1988 Reed Road	128.02-1-17.11	Keith & Sharon Davis
2472 Reed Road	128.01-1-4	Anne Socha

Sec 2. That this resolution shall take effect immediately.

VOTE BY ROLL CALL AND RECORD:

Councilman Anderson - AYE
Councilwoman Grant - AYE
Councilman Robinson - ABSENT
Councilwoman Starowitz - AYE
Supervisor Haywood - AYE

Resolution Intermunicipal Agreement for Snow & Ice and Mowing with Genesee County Councilman Anderson offered Resolution #27-2022 for Intermunicipal Agreement with Genesee County for Snow and Ice removal and Roadside Mowing; seconded by Councilwoman Grant and it carried by a vote 4-0.

**RESOLUTION #27-2022
ENTER INTO AN INTERMUNICIPAL AGREEMENT FOR SNOW REMOVAL, ICE
REMOVAL AND ROADSIDE MOWING -GENESEE COUNTY**

WHEREAS, the County owns, operates, and maintains a highway system in the towns and villages of the County; and

WHEREAS, the County Superintendent of Highways has general charge and supervision of the work of constructing, improving, repairing and maintaining all County roads; and

WHEREAS, County funds may be expended for the control and removal of snow and ice from County roads; and

WHEREAS, County funds may be expended for roadside mowing and removal of noxious weeds along County roads; and

WHEREAS, the County desires to enter into an agreement with the Town for snow removal and for salting and treating County roads for the purpose of removing the danger of ice and snow and the mowing along the sides of County roads; and

WHEREAS, the Town has appropriate snow and ice removal and mowing equipment and sufficient snow and ice control and mowing personnel to contract with the County for snow and ice control services and roadside mowing services;

NOW THEREFORE BE RESOLVED, that the Town Board of the Town of Bergen, hereby authorizes Highway Superintendent Johnson to execute the Intermunicipal Agreement for Snow Removal and Ice Control and Roadside Mowing with Genesee County for the period of January 1, 2023 to December 31, 2023.

VOTE BY ROLL CALL AND RECORD:

Councilman Anderson - AYE
Councilwoman Grant - AYE
Councilman Robinson - ABSENT
Councilwoman Starowitz - AYE
Supervisor Haywood - AYE

NEXT MEETING:

Regular Meeting – Tuesday, October 11, 2022 at 7:00 pm in the Courtroom with the audit of the bills at 6:45 pm
Budget Workshop – Saturday, October 1, 2022 at 9:00 am - CANCELLED

ADJOURNMENT was at 7:42 pm on a motion by Councilman Starowitz; seconded by Councilwoman Grant and it carried by a vote 4-0.

Respectfully submitted,

Sandy Nucelli

Sandy Nucelli, Deputy Town Clerk

**TOWN OF BERGEN
SEPTEMBER 2022
EXECUTIVE SUMMARY**

BALANCE SHEET

- Bank accounts were reconciled as of 9/30/22.
- The Town has \$1,408,728.65 in the bank.

REVENUES AND EXPENSES

• **REVENUES**

- Total receipts for the month were: \$178,451.15
- Major receipts were:
 - Town Clerk Report (August) - \$1,820.26
 - Justice Fees (August) - \$9,762.00
 - AIM Payment - \$11,020.00
 - County Mowing - \$8,820.14
 - CHIPS (ERW) - \$14,145.48
 - CHIPS (PAVE NY) - \$16,905.03
 - CHIPS (POP) - \$11,270.02
 - WIBA #1 RD Grant - \$102,392.82
 - Library Deposits - \$48.70
 - Other - \$2,266.70

• **EXPENSES**

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

General Fund Townwide (A):

- Year to date expenses are \$560,545.46 compared to the annual revised budget of \$852,650.00 or 65.74% of the budget.

General Fund Outside Village (B):

- Year to date expenses are \$44,069.87 compared to the annual budget of \$501,750.00 or 8.78% of the budget.

Highway Townwide (DA):

- Year to date expenses are \$351,864.11 compared to the annual budget of \$456,413.00 or 77.09% of the budget.

Highway Outside Village (DB):

- Year to date expenses are \$257,000.54 compared to the annual budget of \$369,945.58 or 69.47% of the budget.

Emily Smith of Bergen 10/14/2022
E. Smith 10/14/2022

**Town of Bergen
Cash Summary Report
August 2022**

FUND Account		7/31/2022			8/31/2022	#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	
A	200.000	General TW Checking	41,919.43	12,060.83	12,077.88	41,902.38	41,902.38						
A	201.000	General TW Savings	21,246.80	24,629.59	75,157.58	(29,281.19)		(29,281.19)					
A	230.000	NYS Class Savings	331,575.43	432.29	300,000.00	32,007.72			32,007.72				
A	230.001	NYS Class ARPA	190,545.75	305.12		190,850.87					190,850.87		
B	200.000	General OV Checking	93,437.13	2,085.78	2,085.78	93,437.13	93,437.13						
B	201.000	General OV Savings	245,559.44	7,625.04	4,791.08	248,393.40		248,393.40					
B	230.000	NYS Class Savings	265,897.09	346.66		266,243.75			266,243.75				
DA	200.000	Highway TW Checking	223,600.66	64,734.95	64,734.95	223,600.66	223,600.66						
DA	201.000	Highway TW Savings	52,303.51			(15,352.95)		(15,352.95)					
DA	230.000	NYS Class Savings	139,136.96	181.40		139,318.36			139,318.36				
DB	200.000	Highway OV Checking	30,379.22	3,701.48	3,701.48	30,379.22	30,379.22						
DB	201.000	Highway OV Savings	10,146.65		28,595.21	(18,448.56)		(18,448.56)					
DB	230.000	NYS Class Savings	62,045.74	80.89		62,126.63			62,126.63				
HH	200.004	Water District #4 Checking	36,591.86	858,680.02	858,680.02	36,591.86	36,591.86						
HH	201.004	Water District #4 Savings	-			-		-					
HH	230.004	Water District #4 NY Class	582,681.62	308.84	558,680.02	24,310.44				24,310.44			
HH	231.000	Water District #4 NY Class	-			-		-					
HH	200.005	Library Capital	-			-		-					
LL	200.001	Library Checking	195,604.63	34,396.05	60,677.84	169,322.84		169,322.84					
LL	231.000	Library Cash RSV	-	56,249.61		56,249.61		56,249.61					
SM	200.000	Special District Fire Checking	-			-		-					
SM	201.000	Special District Fire Savings	0.00			0.00		0.00					
SM	230.000	NYS Class Savings	2,042.98	2.67		2,045.65			2,045.65				
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	17,105.34			17,105.34		17,105.34					
SW	230.003	NYS Class Savings	25,059.68	32.67		25,092.35			25,092.35				
SW	200.004	Water WIBA#1 Checking	-			-		-					
SW	201.004	Water WIBA#1 Savings	10,140.00			10,140.00		10,140.00					
SW	230.004	NYS Class Savings	300,716.08	392.06		301,108.14			301,108.14				
TA	200.000	Trust & Agency	17,224.04	58,931.38	46,067.71	30,087.71						30,087.71	
VV	200.005	Peachey Water Checking	-			-		-					
VV	201.005	Peachey Water Savings	29,875.76			29,875.76		29,875.76					
			2,924,835.60	1,125,177.33	2,082,906.01	1,967,106.92	425,911.25	225,572.45	242,431.60	827,942.60	24,310.44	190,850.87	30,087.71
		Reconciliation											
		Bank Statement Balances				2,782,830.37	1,238,347.48	226,647.45	242,635.04	827,942.60	24,310.44	190,850.87	32,096.49
		Outstanding Transfer				-	600.00	(600.00)	-	-	-	-	-
		Deposits In Transit				-	-	-	(203.44)	-	-	-	203.44
		Outstanding Checks				(815,723.45)	(813,036.23)	(475.00)	-	-	-	-	(2,212.22)
		Balance on General Ledger				1,967,106.92	425,911.25	225,572.45	242,431.60	827,942.60	24,310.44	190,850.87	30,087.71
		Difference				-	-	-	-	-	0.00	-	-

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:

8/31/2022

Statement of Activity - MTD and YTD by Fund w/ Variance
Town of Bergen
For 8/31/2022

	M-T-D		Y-T-D		Annual Budget	Variance	Variance Percentage
	Actual		Actual				
Revenues							
AA.1001.000.000 Real Property Taxes	0.00	\$	144,562.00	\$	144,562.00	0.00	100.00
AA.1081.000.000 Other Payments in Lieu of Taxes	0.00		6,573.98		6,095.00	478.98	107.86
AA.1090.000.000 Interest & Penalties on Real Property Taxes	0.00		2,054.50		2,000.00	54.50	102.73
AA.1255.000.000 Clerk Fees	95.80		1,975.46		2,500.00	(524.54)	79.02
AA.2130.000.000 Landfill Host Revenue	15,667.06		43,486.04		55,000.00	(11,513.96)	79.07
AA.2401.000.000 Interest & Earnings	742.73		1,990.43		300.00	1,690.43	663.48
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	184.00		1,418.00		2,500.00	(1,082.00)	56.72
AA.2610.000.000 Fines and Forfeited Bail	7,452.50		39,029.50		65,000.00	(25,970.50)	60.05
AA.2650.000.000 Sale of Scrap Material	654.91		654.91		0.00	654.91	0.00
AA.2750.000.000 AIM Related Payment	0.00		0.00		10,249.00	(10,249.00)	0.00
AA.3005.000.000 State Aid, Mortgage Tax	0.00		22,427.64		25,000.00	(2,572.36)	89.71
AA.4089.000.000 Federal Aid- Other	0.00		95,127.91		0.00	95,127.91	0.00
AA.5031.000.000 Interfund Transfer	0.00		0.00		316,733.00	(316,733.00)	0.00
AA.5999.000.000 Unexpended Balance	0.00		0.00		202,613.00	(202,613.00)	0.00
Total Revenues	24,797.00		360,060.37		833,782.00	(473,721.63)	43.18
Expenses							
AA.1010.100.000 Town Board Personal Services	1,256.00		10,048.00		15,072.00	5,024.00	66.67
AA.1010.400.000 Town Board Contractual	112.00		261.37		1,200.00	938.63	21.78
AA.1110.100.000 Justices Personal Services	2,403.34		19,226.72		28,840.00	9,613.28	66.67
AA.1110.102.000 Justice Pers Svc, Clerk	773.08		15,536.63		22,446.00	6,909.37	69.22
AA.1110.200.000 Justice Equipment	0.00		0.00		600.00	600.00	0.00
AA.1110.400.000 Justices Contractual	203.06		3,622.47		14,150.00	10,527.53	25.60
AA.1220.100.000 Supervisor Personal Services	976.17		7,809.36		11,714.00	3,904.64	66.67
AA.1220.102.000 Deputy Supervisor Personal Services	124.50		996.00		1,494.00	498.00	66.67
AA.1220.103.000 Supervisor's Secretary Personal Services	693.33		4,978.79		8,570.00	3,591.21	58.10
AA.1220.400.000 Supervisor Contractual	460.55		1,124.71		8,500.00	7,375.29	13.23
AA.1310.400.000 Bookkeeper, Contr Expend	1,337.50		20,612.50		24,300.00	3,687.50	84.83
AA.1320.400.000 Auditors Contractual	0.00		0.00		18,200.00	18,200.00	0.00
AA.1355.200.000 Assessor Equipment	0.00		0.00		200.00	200.00	0.00
AA.1355.400.000 Assessor Contractual	71.36		12,502.21		29,154.00	16,651.79	42.88
AA.1410.100.000 Town Clerk Personal Services	5,091.81		30,550.86		44,129.00	13,578.14	69.23
AA.1410.102.000 Deputy Town Clerk Personal Services	110.32		3,423.12		5,757.00	2,333.88	59.46
AA.1410.200.000 Town Clerk Equipment	0.00		0.00		500.00	500.00	0.00
AA.1410.400.000 Town Clerk Contractual	84.97		1,700.42		4,000.00	2,299.58	42.51
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	800.00		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

Statement of Activity - MTD and YTD by Fund w/ Variance
Town of Bergen
For 8/31/2022

	M-T-D Actual	Y-T-D Actual	Annual Budget	Variance	Variance Percentage
AA.1450.400.000 Elections Contractual	0.00	5,109.00	5,200.00	91.00	98.25
AA.1460.400.000 Records Management Contractual	0.00	1,713.66	2,500.00	786.34	68.55
AA.1480.400.000 Public Info Services OARS Contractual	0.00	0.00	1,200.00	1,200.00	0.00
AA.1620.100.000 Buildings Personal Services	394.11	3,135.90	4,944.00	1,808.10	63.43
AA.1620.400.000 Building Operation Contractual	4,402.26	35,259.27	47,800.00	12,540.73	73.76
AA.1620.401.000 Building Operation Lease Fire Hall	0.00	19,404.10	19,405.00	0.90	100.00
AA.1660.400.000 Central Storeroom Contractual	99.24	141.46	500.00	358.54	28.29
AA.1670.400.000 Central Printing & Mailing Contractual	612.93	3,408.90	4,100.00	691.10	83.14
AA.1680.200.000 Computers Equipment	0.00	0.00	2,000.00	2,000.00	0.00
AA.1680.400.000 Computers Contractual	294.95	1,931.40	4,000.00	2,068.60	48.29
AA.1910.400.000 Unallocated Insurance	0.00	33,922.11	37,000.00	3,077.89	91.68
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	6,006.09	6,500.00	493.91	92.40
AA.1990.400.000 Contingency	0.00	1,620.10	1,760.00	139.90	92.05
AA.3120.100.000 Constables Personnel Services	95.16	1,962.80	4,310.00	2,347.20	45.54
AA.3120.400.000 Constables Contractual	0.00	0.00	400.00	400.00	0.00
AA.3130.400.000 Traffic Control Contractual	0.00	0.00	6,600.00	6,600.00	0.00
AA.3650.400.000 Demo of Unsafe Buildings, Contr Expend	18,867.83	18,867.83	18,868.00	0.17	100.00
AA.5010.100.000 Supt. of Highways Personal Services	7,787.31	46,723.86	67,490.00	20,766.14	69.23
AA.5010.102.000 Supt. of Highways, Pers Svc, Deputy	176.55	1,059.30	1,530.00	470.70	69.24
AA.5010.103.000 Supt. of Highways, Pers Svc, Clerk	270.00	1,816.00	7,600.00	5,784.00	23.89
AA.5010.400.000 Superintendent of Highways Contractual	73.78	1,043.99	1,050.00	6.01	99.43
AA.5132.400.000 Garage Contractual	(18,037.56)	19,716.80	37,000.00	17,283.20	53.29
AA.5182.400.000 Street Lighting Contractual	226.39	2,548.27	4,500.00	1,951.73	56.63
AA.6410.400.000 Publicity - Newsletter Contractual	0.00	0.00	2,186.00	2,186.00	0.00
AA.6420.400.000 Promotion of Industry Contractual	0.00	2,139.55	2,140.00	0.45	99.98
AA.7410.400.000 Library Contractual	40,931.60	79,801.99	68,062.00	(11,739.99)	117.25
AA.7510.100.000 Historian Personal Services	0.00	1,418.50	3,018.00	1,599.50	47.00
AA.7510.200.000 Historian Equipment	0.00	0.00	500.00	500.00	0.00
AA.7510.400.000 Historian Contractual	0.00	441.39	500.00	58.61	88.28
AA.7550.400.000 Celebrations Contractual	0.00	1,313.95	1,314.00	0.05	100.00
AA.8810.400.000 Cemetery Contractual	0.00	2,985.67	16,100.00	13,114.33	18.54
AA.9010.800.000 NYS Retirement	0.00	33,826.00	33,826.00	0.00	100.00
AA.9030.800.000 Social Security & Medicare	2,013.47	12,112.15	17,574.00	5,461.85	68.92
AA.9040.800.000 Worker's Compensation	0.00	6,553.00	8,333.00	1,780.00	78.64
AA.9055.800.000 Disability Insurance	0.00	0.00	150.00	150.00	0.00
AA.9060.800.000 Medical Insurance	2,468.62	19,748.96	27,209.00	7,460.04	72.58
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	6,375.00	12,750.00	6,375.00	50.00
AA.9720.701.000 Interest on Debt Court/Town Offices	0.00	1,452.50	2,905.00	1,452.50	50.00

Statement of Activity - MTD and YTD by Fund w/ Variance
Town of Bergen
 For 8/31/2022

	M-T-D Actual	Y-T-D Actual	Annual Budget	Variance	Variance Percentage
Total Expenses	75,174.63	513,952.66	852,650.00	338,697.34	60.28
Excess Revenue Over (Under) Expenditures	\$ 50,377.63	\$ 153,892.29	\$ 18,868.00	\$ 812,418.97	\$ 815.63

Statement of Activity - MTD and YTD by Fund w/ Variance
Town of Bergen
For 8/31/2022

	M-T-D Actual	Y-T-D Actual	Annual Budget	Variance	Variance Percentage
Revenues					
BB.1120.000.000 County Sales Tax Distribution	\$ 0.00	\$ 377,127.60	\$ 475,000.00	\$(97,872.40)	79.40
BB.1170.000.000 Franchise Fees	6,637.45	19,382.10	24,000.00	(4,617.90)	80.76
BB.1560.000.000 Safety Inspection Fees	0.00	100.00	50.00	50.00	200.00
BB.2110.000.000 Zoning Fees	320.00	4,283.30	2,500.00	1,783.30	171.33
BB.2115.000.000 Planning Board Fees	0.00	770.00	200.00	570.00	385.00
BB.2130.000.000 Refuse & Garbage Charges	0.00	1,879.20	0.00	1,879.20	0.00
BB.2401.000.000 Interest & Earnings	346.66	995.17	0.00	995.17	0.00
BB.2770.000.000 Unclassified Revenues	0.00	7,932.50	0.00	7,932.50	0.00
Total Revenues	7,304.11	412,469.87	501,750.00	(89,280.13)	82.21
Expenses					
BB.1355.400.000 Board of Assessment Review, Contr	0.00	0.00	450.00	450.00	0.00
BB.1420.400.000 Attorney, Contractual	0.00	0.00	2,000.00	2,000.00	0.00
BB.1440.400.000 Engineer Contractual	210.00	2,145.00	2,000.00	(145.00)	107.25
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	385.00	2,427.99	6,000.00	3,572.01	40.47
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	487.64	853.00	365.36	57.17
BB.8010.400.000 Zoning Contractual	0.00	164.00	1,250.00	1,086.00	13.12
BB.8020.100.000 Planning Personal Services	281.08	2,248.64	4,613.00	2,364.36	48.75
BB.8020.400.000 Planning Contractual	0.00	1,370.30	3,000.00	1,629.70	45.68
BB.8160.400.000 Refuse & Garbage Contractual	(481.06)	1,328.84	5,000.00	3,671.16	26.58
BB.8664.100.000 Code Enforcement Personnel Services	2,176.14	13,056.84	18,860.00	5,803.16	69.23
BB.8664.400.000 Code Enforcement Contractual	1,304.25	3,832.44	3,000.00	(832.44)	127.75
BB.9010.800.000 NYS Retirement	0.00	2,450.00	2,671.00	221.00	91.73
BB.9030.800.000 Social Security & Medicare	192.25	1,152.70	1,861.00	708.30	61.94
BB.9040.800.000 Workers Compensation	0.00	729.00	941.00	212.00	77.47
BB.9901.900.000 Interfund Transfers	0.00	0.00	421,251.00	421,251.00	0.00
Total Expenses	4,123.49	39,393.39	501,750.00	462,356.61	7.85
Excess Revenue Over (Under) Expenditures	\$ (3,180.62)	\$ (373,076.48)	\$ 0.00	\$ 551,636.74	\$ 0.00

Statement of Activity - MTD and YTD by Fund w/ Variance
Town of Bergen
 For 8/31/2022

	M-T-D Actual	Y-T-D Actual	Annual Budget	Variance	Variance Percentage
Revenues					
DA.1001.000.000 Property Taxes	\$ 0.00	\$ 303,431.00	\$ 303,431.00	\$ 0.00	100.00
DA.2300.000.000 Services to Other Govt	0.00	152,165.78	130,000.00	22,165.78	117.05
DA.2401.000.000 Interest & Earnings	181.40	507.08	0.00	507.08	0.00
DA.2650.000.000 Sale of Scrap Material	(654.91)	223.63	0.00	223.63	0.00
DA.5999.000.000 Appropriated Fund Balance	0.00	0.00	22,982.00	(22,982.00)	0.00
Total Revenues	(473.51)	456,327.49	456,413.00	(85.51)	99.98
Expenses					
DA.5130.100.000 Machinery, Pers Serv	2,107.20	12,014.33	12,097.00	82.67	99.32
DA.5130.200.000 Machinery, Equip & Cap Outlay	0.00	21,138.81	100,000.00	78,861.19	21.14
DA.5130.400.000 Machinery, Contr Expend	50,233.88	68,027.16	35,000.00	(33,027.16)	194.36
DA.5140.100.000 Brush & Weeds, Pers Serv	0.00	8,428.80	12,097.00	3,668.20	69.68
DA.5140.400.000 Brush & Weeds, Contr Expend	707.87	977.84	1,500.00	522.16	65.19
DA.5142.100.000 Snow & Ice, Pers Serv	0.00	72,754.84	128,498.00	55,743.16	56.62
DA.5142.400.000 Snow & Ice, Contr Expend	11,265.33	85,898.89	90,000.00	4,101.11	95.44
DA.9010.800.000 NYS Retirement, Empl Bnfts	0.00	19,450.00	19,450.00	0.00	100.00
DA.9030.800.000 Social Security & Medicare, Empl Bnfts	159.40	6,953.04	11,681.00	4,727.96	59.52
DA.9040.800.000 Workers Compensation, Empl Bnfts	0.00	4,156.00	8,500.00	4,344.00	48.89
DA.9055.800.000 Disability Insurance, Empl Bnfts	0.00	149.54	110.00	(39.54)	135.95
DA.9060.800.000 Hospital & Medical (Dental) Ins, Empl Bnfts	2,527.87	20,390.31	37,480.00	17,089.69	54.40
Total Expenses	67,001.55	320,339.56	456,413.00	136,073.44	70.19
Excess Revenue Over (Under) Expenditures	\$ 67,475.06	\$ (135,987.93)	\$ 0.00	\$ 136,158.95	0.00

Statement of Activity - MTD and YTD by Fund w/ Variance
Town of Bergen
 For 8/31/2022

	M-T-D Actual	Y-T-D Actual	Annual Budget	Variance	Variance Percentage
Revenues					
DB.2401.000.000 Interest & Earnings	\$ 80.89	\$ 483.85	\$ 0.00	\$ 483.85	0.00
DB.3501.000.000 Consolidated Highway Aid	0.00	0.00	63,521.00	(63,521.00)	0.00
DB.5031.000.000 Interfund Transfers	0.00	0.00	104,518.00	(104,518.00)	0.00
DB.5999.000.000 Unexpended Balance	0.00	0.00	201,906.58	(201,906.58)	0.00
Total Revenues	80.89	483.85	369,945.58	(369,461.73)	0.13
Expenses					
DB.5110.100.000 General Highway Repairs Personal Services	23,179.21	73,343.80	93,937.00	20,593.20	78.08
DB.5110.400.000 General Highway Repairs Contractual	962.95	17,651.62	85,000.00	67,348.38	20.77
DB.5112.200.000 Permanent Highway Improvements	0.00	57,682.29	63,521.00	5,838.71	90.81
DB.9010.800.000 NYS Retirement	0.00	14,832.00	14,832.00	0.00	100.00
DB.9030.800.000 Social Security & Medicare	1,714.52	5,342.93	7,186.00	1,843.07	74.35
DB.9040.800.000 Workers Compensation	0.00	2,777.00	6,900.00	4,123.00	40.25
DB.9055.800.000 Disability Insurance	0.00	113.29	105.00	(8.29)	107.90
DB.9060.800.000 Medical Insurance	2,738.53	21,908.24	28,275.00	6,366.76	77.48
DB.9785.600.000 Installment Purchase Debt, Principal	0.00	19,561.37	63,081.64	43,520.27	31.01
DB.9785.700.000 Installment Purchase Debt, Interest	0.00	2,292.69	7,107.94	4,815.25	32.26
Total Expenses	28,595.21	215,505.23	369,945.58	154,440.35	58.25
Excess Revenue Over (Under) Expenditures	\$ 28,514.32	\$ 215,021.38	\$ 0.00	\$ 523,902.08	0.00

Statement of Activity - MTD and YTD by Fund w/ Variance
Town of Bergen
 For 8/31/2022

	M-T-D Actual	Y-T-D Actual	Annual Budget	Variance	Variance Percentage
Revenues					
HH.2401.000.004 Interest & Earnings, Water Capital #4	\$ 308.84	\$ 3,227.97	\$ 0.00	\$ 3,227.97	0.00
HH.2710.000.004 Premiums & Accrued Interest on Obligations	0.00	52,130.00	0.00	52,130.00	0.00
Total Revenues	308.84	55,357.97	0.00	55,357.97	0.00
Expenses					
HH.1380.200.004 Fiscal Agents Capital Outlay	15,146.85	30,148.88	0.00	(30,148.88)	0.00
HH.1420.200.004 Legal, Capital & Equip	0.00	5,550.00	0.00	(5,550.00)	0.00
HH.1440.200.004 Engineering Cap Outlay, Water #4	32,885.99	164,340.77	0.00	(164,340.77)	0.00
HH.8310.200.004 Water Administration	0.00	641.67	0.00	(641.67)	0.00
HH.8340.200.004 Trans & Distr, Cap Outlay, Water #4	810,647.18	6,054,172.81	0.00	(6,054,172.81)	0.00
Total Expenses	858,680.02	6,254,854.13	0.00	(6,254,854.13)	0.00
Excess Revenue Over (Under) Expenditures	\$ 858,371.18	\$ 6,199,496.16	\$ 0.00	\$(6,310,212.10)	0.00

Statement of Activity - MTD and YTD by Fund w/ Variance
Town of Bergen
 For 8/31/2022

	M-T-D Actual	Y-T-D Actual	Annual Budget	Variance	Variance Percentage
Revenues					
SM.1001.000.000 Real Property Taxes	\$ 0.00	\$ 202,533.00	\$ 202,533.00	\$ 0.00	100.00
SM.2401.000.000 Interest & Earnings	2.67	241.36	0.00	241.36	0.00
Total Revenues	2.67	202,774.36	202,533.00	241.36	100.12
Expenses					
SM.3410.400.000 Fire Contract Contractual	0.00	202,532.83	202,533.00	0.17	100.00
Total Expenses	0.00	202,532.83	202,533.00	0.17	100.00
Excess Revenue Over (Under) Expenditures	\$ (2.67)\$	(241.53)\$	0.00 \$	(241.19)\$	0.00

Statement of Activity - MTD and YTD by Fund w/ Variance
Town of Bergen
 For 8/31/2022

	M-T-D Actual	Y-T-D Actual	Annual Budget	Variance	Variance Percentage
Revenues					
SW.1001.000.003 Real Property Taxes - Peachey Rd District 3	\$ 0.00	\$ 49,645.00	\$ 49,645.00	\$ 0.00	100.00
SW.2401.000.003 Interest & Earnings	32.67	92.35	0.00	92.35	0.00
Total Revenues	32.67	49,737.35	49,645.00	92.35	100.19
Expenses					
SW.9720.600.003 Debt Principal, Install Bonds - Peachey Rd District 3	0.00	0.00	19,000.00	19,000.00	0.00
SW.9720.700.003 Debt Interest, Install Bonds - Peachey Rd District 3	0.00	15,322.50	30,645.00	15,322.50	50.00
Total Expenses	0.00	15,322.50	49,645.00	34,322.50	30.86
Excess Revenue Over (Under) Expenditures	\$ (32.67)	\$ (34,414.85)	\$ 0.00	\$ 34,230.15	0.00

Statement of Activity - MTD and YTD by Fund w/ Variance
Town of Bergen
For 8/31/2022

	M-T-D Actual	Y-T-D Actual	Annual Budget	Variance	Variance Percentage
Revenues					
SW.1001.000.004 Property Taxes	\$ 0.00	\$ 170,000.00	\$ 170,000.00	\$ 0.00	100.00
SW.2401.000.004 Interest & Earnings	392.06	1,108.14	0.00	1,108.14	0.00
Total Revenues	392.06	171,108.14	170,000.00	1,108.14	100.65
Expenses					
SW.9730.600.004 BAN Principal	0.00	0.00	170,000.00	170,000.00	0.00
Total Expenses	0.00	0.00	170,000.00	170,000.00	0.00
Excess Revenue Over (Under) Expenditures	\$ (392.06)	\$ (171,108.14)	0.00	\$ 168,891.86	0.00

Account#	Account Description	Fee Description	Qty	Local Share
	Marriage License	Marriage License	2	35.00
			Sub-Total:	\$35.00
A1255	Clerk Fees	Certified Copies	1	10.00
	Conservation	Conservation	17	173.91
			Sub-Total:	\$183.91
A2544	Dog Licensing	Female, Spayed	23	115.00
		Female, Unspayed	2	36.00
		Male, Neutered	41	205.00
		Male, Unneutered	5	90.00
	Senior Discount	Senior Discount	8	-40.00
			Sub-Total:	\$406.00
B2110	Building & Zoning	Building Permit	4	235.00
			Sub-Total:	\$235.00
Total Local Shares Remitted:				\$859.91

Amount paid to: N Y State Department Of Health	45.00
Amount paid to: NYS Ag. & Markets for spay/neuter program	85.00
Amount paid to: NYS Environmental Conservation	3,711.09
Total State, County & Local Revenues:	\$4,701.00
Total Non-Local Revenues:	\$3,841.09

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.

		<i>Michele M. Smith</i>	10/3/2022
Supervisor	Date	Town Clerk	Date

Town of Bergen

Permit Monthly Report

09/01/2022 - 09/30/2022

Permit #	Issue Date	Owner	Permit Type	Property Location	Valuation	Amount
September 2022						
BP-0045-2022	09/15/2022	Appletree Acres LLC	Comm-New Structure	7001 Appletree Ave SBL#: 13.-1-59.221	\$1,800,000.00	\$870.00
BP-0046-2022	09/15/2022	Agatha Martino	Junkyard	7393 Clinton St Rd SBL#: 14.-1-22		\$150.00
BP-0047-2022	09/15/2022	John Cole	Junkyard	South Lake Rd SBL#: 17.-1-18		\$150.00
BP-0048-2022	09/15/2022	Curtis Randall	Res-Acc Structure	7520 Swamp Rd SBL#: 12.-1-83.122	\$10,000.00	\$75.00
BP-0049-2022	09/15/2022	Taylor Stefaniak	Res-Acc Structure	7893 Townline Rd SBL#: 12.-1-55	\$20,000.00	\$75.00
BP-0050-2022	09/22/2022	Paul Cooper	Res-Acc Structure	7209 Swamp Rd SBL#: 10.-2-43.12	\$22,000.00	\$50.00
SP-2022-001	09/22/2022	Evergreen Partners, LLC	Site Plan	7150 Apple Tree Acres SBL#: 13.-1-59.112	\$50,000.00	\$200.00
BP-0051-2022	09/29/2022	Michael Parsons	Res-Acc Structure	7350 South Lake Rd SBL#: 17.-1-44.11	\$12,000.00	\$50.00
BP-0052-2022	09/29/2022	Thomas Tiefel	Res-Acc Structure	7268 North Bergen Rd SBL#: 9.-1-13.1	\$5,000.00	\$50.00
September 2022 Total:					\$1,919,000.00	\$1,670.00
Reporting Period Total:					\$1,919,000.00	\$1,670.00

RESOLUTION NO. _____

Approve Out-of-District Users to WIBA No. 1 Water District

WHEREAS, The Town of Bergen and the Town of Sweden have entered an Intermunicipal Agreement dated August 30, 2022 and approved by the respective Town Boards by Resolutions approved on August 23, 2022 for the granting of Out-of-District User status to certain Town of Sweden properties on Reed Road for the purpose of accessing public water from Water Improvement Benefit Area No. 1.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Bergen Town Board hereby approves the following application from eligible Town of Sweden property owners per the above referenced intermunicipal agreement:

2256 Reed Road 128.01-1-10 Michael Winter

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
Councilman Robinson
Councilwoman Starowitz
Supervisor Haywood

Submitted – October 11, 2022

RESOLUTION NO. _____

Approve To Remove Out-of-District Users to WIBA No. 1
Water District

WHEREAS, The Town of Bergen and the Town of Sweden have entered an Intermunicipal Agreement dated August 30, 2022 and approved by the respective Town Boards by Resolutions approved on August 23, 2022 for the granting of Out-of-District User status to certain Town of Sweden properties on Reed Road for the purpose of accessing public water from Water Improvement Benefit Area No. 1 and;

WHEREAS, upon application the Town of Bergen approve the following applications from eligible Town of Sweden Property Owners per the above referenced intermunicipal agreement through resolution #25-2022 on 9/13/2022, and;

WHEREAS, the following property owners have submitted to the Town of Bergen a Notice of Revocation and cancelation of the Town of Bergen Water Improvement Area No.1 Outside user Agreement, Reed Road, Town of Sweden, Monroe County,

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Bergen Town Board hereby approves the request to revoke/cancel the Town of Bergen Water Improvement Benefit Areas No. 1 Outside User Agreement, Reed Road, Town of Sweden, Monroe County, previously approved for the following application:

2020 Reed Road

Vickie L. Bonin

2060 Reed Road

Daniel L. Ash and Ann M. Ash

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 Robinson
Councilman Starowitz
Supervisor Haywood

Submitted – October 11, 2022

LOCAL LAW NO. OF THE YEAR 2022
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 2023**

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 2023 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 2023 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.

RESOLUTION NO. _____

Enter into an Intermunicipal Agreement for Snow Removal, Ice
Removal and Roadside Mowing -Genesee County

WHEREAS, the County owns, operates, and maintains a highway system in the towns and villages of the County; and

WHEREAS, the County Superintendent of Highways has general charge and supervision of the work of constructing, improving, repairing and maintaining all County roads; and

WHEREAS, County funds may be expended for the control and removal of snow and ice from County roads; and

WHEREAS, County funds may be expended for roadside mowing and removal of noxious weeds along County roads; and

WHEREAS, the County desires to enter into an agreement with the Town for snow removal and for salting and treating County roads for the purpose of removing the danger of ice and snow and the mowing along the sides of County roads; and

WHEREAS, the Town has appropriate snow and ice removal and mowing equipment and sufficient snow and ice control and mowing personnel to contract with the County for snow and ice control services and roadside mowing services;

NOW THEREFORE BE RESOLVED, that the Town Board of the Town of Bergen, hereby authorizes the Supervisor to execute the Intermunicipal Agreement for Snow Removal and Ice Control and Roadside Mowing with Genesee County for the period of January 1, 2023 to December 31,2023.

MOTION for adoption of this resolution by:

Seconded by:

Discussion:

VOTE BY ROLL CALL AND RECORD:

Councilman Anderson
Councilwoman Grant
Councilman Starowitz
Councilwoman Robinson
Supervisor Haywood

Submitted – October 11th, 2022