

Town Board Meeting
Town of Bergen
July 9th, 2024
Town Hall- 10 Hunter Street, Bergen New York
Agenda

I. Audit of Bills 6:45 pm Call to Order of Organizational Meeting 7:00 pm to be followed by Regular meeting of the Board.

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: - Board Meeting June 11,2024

IV. Communications/Information included with this agenda:

1. Supervisor Report for June 2024,
2. Summary Spreadsheets for June 2024
3. Town Clerks Report for June 2024
4. ZEO/CEO Report- for June 2024
5. Mercy EMS report for April 2024
6. Charter communications, 6/14/2024 and 6/21/2024
7. D.O.T. Notification of Route 19 Bridge Replacement plan
8. Budget Modification and Transfers
9. Accounting Adjustment/Corrections.
10. Town of Batavia and Bergen Corrected Assessment Service Agreement for July 1,2024- June 30,2025

V. Board Members' items for addition to the agenda

VI. Reports:

Supervisor

Clerk

Website

Board Members

Highway

Electric and Water at Park

Committees

-Building, Grounds, and Facilities (cemeteries) - Update on Planning for Utilization of Buildings

-Parks - Update on Electric – EV station and Bathrooms Update- from Sub-Committee

-Local History & Museum

-Policy and Personnel:

VII. Old Business:

- 2025 Budget Development Timeline- Changing of Board Budget Workshop from Saturday 9/7/2024 to 9/14/2024.

VIII. New Business:

- Approval of Towns of Batavia and Bergen Corrected Assessment Services Agreement
- Action to file the Town Clerks report for June 2024
- Action to file Supervisors Report for June 2024
- Approval of Budget Modifications/Corrections
- Approval of Budget Modification and Transfer Resolution.
- Approval to pay bills and authorizing the bookkeeper to transfer of funds necessary to the checking account to pay the bills.

X. Executive Session

XI. Meeting and Other Upcoming Dates:

- Town Board Meeting: Regular meeting of the board 8/13/24.-6:45 audit of bills, regular meeting at 7 pm

XII. Adjournment

The Bergen Town Board convened in a regular session at 6:45 pm audit of the bills; convened in a regular session in the Town Hall with Supervisor Haywood presiding.

PRESENT:

Supervisor Emie Haywood
Councilperson Belinda Grant
Councilperson James Starowitz
Councilperson Karen Ely
Councilperson Mark Swanson

ALSO PRESENT:

Teresa Robinson, Town Clerk
Joel Pocock, Highway Superintendent

ABSENT:

OTHER ATTENDANCE: None

PRAYER:

PLEDGE TO THE FLAG:

PRIVILEGE OF THE FLOOR:

APPROVAL OF MINUTES FOR: Board Meeting 05/14/2024; *Councilperson Swanson made a motion to approve the Town Board Minutes of May 14/2024; seconded by Councilperson Grant*

Ayes: Haywood, Grant, Ely, Swanson, Starowitz

Nays: None

Abstained: None

APPROVED by: Unanimous vote (5-0)

COMMUNICATIONS:

1. Supervisors Report for May 2024, if available
2. Summary spreadsheets for May 2024, if available
3. Town Clerks report for May 2024
4. ZEO/CEO Report for May 2024
5. Mercy EMS report for April 2024
6. Charter Communications dates 5/28/2024
7. NYSEDA Clean Energy Scorecard – list of activities for Town of Bergen
8. Resolution Establishing Energy Benchmarking Requirements for Certain Municipal Buildings – and Policy Procedures
9. Budget Calendar for 2025

BOARD MEMBERS' ITEMS FOR THE AGENDA: Councilperson Ely made the request to review the HVAC bids at the next meeting.

REPORTS:

SUPERVISOR: Attended the GAM meeting on clean energy; Supervisor Haywood, Councilperson Grant, Code Enforcement Officer and Town Clerk met with Rob from NYSERDA to learn about a new grant program and what we need to do qualify. Supervisor will be attending a planning/zoning class to receive a \$5,000 grant to use the grant money to use for a study on other ways the town can save money with electric, heat pumps, solar panels on town buildings. Need to start keeping track of town energy bills.

Meeting on June 19 to discuss EV charging stations at Robbins Brooke Park.

Waiting to hear back from the Comptroller's office on the audit.

Working on getting information together for MMB 2023 audit.

Will be meeting with a solar company – preliminary meeting June 19

Cyber security – Bill our IT person will continue working on “patching” computers at the assessor, planning office, highway, and town office.

TOWN CLERK: Website – Received an estimate for our current website Co. to re-do the Town website. It would mimic the Village of Churchville's. They would be willing to send a photographer out to take photos or we can do that ourselves. The site would have all forms printable, fee schedule, calendar of events, will be set up to take payments for building permits, dog licenses etc.

We need to take a look at any forms we currently have – make sure they are up to date. Possibly take a look at fees as well. I am meeting with ZEO/CEO, Gary Fink, Kim Donley at the end of the month to discuss the new forms.

Day of Caring – went really well. The group of people we had would like to come back. Possibly next year we can do something at Drew's Nature Center.

Bills for the library – Cleaning services, matts, W.C., Disability.

Eliminate the comment section to the Town Facebook page – advised by the Association of Towns to do so.

BOARD MEMBERS: Nothing to report

HIGHWAY: Intern working on sign inventory and road surveys.

All CHIPS jobs have been completed. Parking lot at the Town hall has been completed.

Still need to have the parking spaces striped.

Waiting for all of the bids to be in for fencing at Robbins Brooks Park.

Surplus for the aluminum gate.

COMMITTEES:

Buildings, Grounds, and Facilities (Cemeteries): Councilperson Swanson will work on setting up a meeting with the building committee.

Update on Planning for Utilization of Buildings – Sub group/summer help

Discussion of NYSERDA Clean Energy Communications and Grant Funding

Parks: Bathroom Update – Waiting on National Grid with the electric before further plans can be made.

Local History & Museum: Councilperson Ely and Town Historian will meet in the next couple of weeks.

Policy & Personnel:

OLD BUSINESS: Update on gate for Evans Rd – Letters will be sent to landowners to remove the gate within 30 days.

NEW BUSINESS:

Resolution Declaring the automatic gate from the transfer station as surplus and authorizing Highway Superintendent to solicit bids.

Motion was made by Councilperson Grant; Seconded by Councilperson Starowitz

Ayes: Haywood, Grant, Starowitz, Swanson, Ely

Nays: None

Abstained: Ely

APPROVED by: vote (5-0)

Resolution Establishing Energy Benchmarking Requirements for Certain Municipal Buildings and Policy and Procedures

Motion was made by Councilperson Grant; Seconded by Councilperson Starowitz

Ayes: Haywood, Grant, Starowitz, Swanson, Ely

Nays: None

Abstained: Ely

APPROVED by: vote (5-0)

Action to file the Town Clerk's Report for May, 2024: Councilperson Swanson; made a motion to file the Town Clerk's report for May 2024; seconded by Councilperson Starowitz.

Ayes: Haywood, Grant, Starowitz, Ely, Swanson

Nays: None

APPROVED by: Unanimous vote (5-0)

Action to File the Supervisor's Report for May, 2024: Councilperson Grant; made a motion to file the Supervisor's Report for May 2024; seconded by Councilperson Ely

Ayes: Haywood, Grant, Starowitz, Ely, Swanson
Nays: None
APPROVED by: Unanimous vote (5-0)

Approval to pay the bills and authorizing the board to pay the bills and authorizing the bookkeeper to transfer of funds necessary to the checking account to pay the bills: Councilperson Grant made a motion to pay the bills; seconded by Councilperson Swanson

Ayes: Haywood, Grant, Starowitz, Ely, Swanson
Nays: None
APPROVED by: Unanimous vote (5-0)

MEETING AND OTHER UPCOMING DATES – Town Board Meeting: Regular meeting of the board 07/9/2024 6:45 audit of the bills, regular meeting at 7:00 pm.

ADJOURNMENT Was at 8:30 pm on a motion made by councilperson Grant; seconded by councilperson Starowitz

Ayes: Haywood, Grant, Starowitz, Ely, Swanson
Nays: None
APPROVED by: Unanimous vote (5-0)

Respectfully submitted

Teresa Robinson

Teresa Robinson, Town Clerk

TOWN OF BERGEN
JUNE 2024
EXECUTIVE SUMMARY

BALANCE SHEET

- Bank accounts were reconciled as of 6/30/24.
- The Town has \$2,635,594.71 in the bank.

REVENUES AND EXPENSES

• **REVENUES**

- Total receipts for the month were: \$46,374.83
- Major receipts were:
 - Town Clerk Report (May) - \$1,293.12
 - Justice Fees (May) – \$13,723.00
 - Mortgage Tax - \$14,849.50
 - Franchise Fees - \$5,256.59
 - Interest - \$9,930.39
 - Other Revenue: \$1,322.23

• **EXPENSES**

Expenditures through June on average should equal 50% of the annual budget.

General Fund Townwide (A):

- Year to date expenses are \$267,969.18 compared to the annual budget of \$810,098.00 or 33.08% of the budget.

General Fund Outside Village (B):


- Year to date expenses are \$27,675.52 compared to the annual budget of \$317,718.00 or 8.71% of the budget.

Highway Townwide (DA):

- Year to date expenses are \$225,095.23 compared to the annual budget of \$514,494.00 or 43.75% of the budget.

Highway Outside Village (DB):

- Year to date expenses are \$53,061.23 compared to the annual budget of \$383,078.88 or 13.85% of the budget.


Ernest August, Jr. to G
7/2/2024

LOWRI BERGERI
Cash Summary Report
JUNE 2024

FUND Account		5/31/2024		Increases		Decreases		6/30/2024		#9970		#4277		#1040-0001		#1040-0002		#1040-0003		#9988
		BALANCES						BALANCES		Joint		Joint		NYCLASS		NYCLASS		NYCLASS		Trust & Agency
										Checking		Savings		Savings		WBIA		ARPA		Agency
A	200.000	General TW Checking	6,606.68	32,886.80	32,482.23	7,011.25		7,011.25												
A	201.000	General TW Savings	227,427.29	10,995.45	54,919.88	183,502.86						183,502.86			186,810.65					
A	230.000	NYS Class Savings	385,760.76	814.81		386,575.57											199,764.92			
A	230.001	NYS Class ARPA	206,966.40	887.33		207,853.73													207,853.73	
B	200.000	General OV Checking	239,503.64	-	422.78	239,080.86					239,080.86		256,992.06		144,021.27					
B	201.000	General OV Savings	257,727.92	1,307.97	2,043.83	256,992.06														
B	230.000	NYS Class Savings	143,393.09	628.18		144,021.27														
DA	200.000	Highway TW Checking	21,737.40	19,439.10	19,439.10	21,737.40		21,737.40			21,737.40									
DA	201.000	Highway TW Savings	20,623.13	122.77	19,439.10	1,306.80						1,306.80			571,117.52					
DA	230.000	NYS Class Savings	568,626.48	2,491.04		571,117.52														
DB	200.000	Highway OV Checking	26,390.92	113,129.12	113,129.12	26,390.92		26,390.92			26,390.92		(126,310.05)		13,603.34					
DB	201.000	Highway OV Savings	2,328.50			(126,310.05)														
DB	230.000	NYS Class Savings	13,544.01	59.33		13,603.34														
HH	200.004	Water District #4 Checking	47,698.00			47,698.00		47,698.00			47,698.00		0.00							
HH	201.004	Water District #4 Savings	0.00			0.00														
HH	230.004	WBIA#1 NY Class	4,391.09	875.28		5,266.37									850.91		5,266.37			
HH	231.000	WBIA #1 NY Class	847.20	3.71		850.91														
SM	200.000	Special District Fire Checking	-			-														
SM	201.000	Special District Fire Savings	-			-														
SM	230.000	NYS Class Savings	1,297.17	5.68		1,302.85									1,302.85					
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	0.01	14,681.24	14,681.25															
SW	230.003	NYS Class Savings	57,375.11	251.35	14,681.24	42,945.22									42,945.22					
SW	200.004	Water WBIA#1 Checking	-			-														
SW	201.004	Water WBIA#1 Savings	490.92	64,218.45	64,709.37	-														
SW	230.004	NYS Class Savings	338,911.49	1,484.71	64,218.45	276,177.75									276,177.75					
TA	200.000	Trust & Agency	39,071.94	39,468.37	38,769.03	39,771.28														39,771.28
VV	200.005	Peachey Water Checking	-			-														
VV	201.005	Peachey Water Savings	24,875.76			24,875.76						24,875.76								
			2,635,594.71	303,750.69	567,573.93	2,371,771.47					341,918.43	340,367.23	1,236,829.51	205,031.29	207,853.73					39,771.28
		Reconciliation																		
		Bank Statement Balances				2,386,693.10					355,086.55	340,367.23	1,236,829.51	205,031.29	207,853.73					41,524.79
		Outstanding Transfer				-														
		Deposits in Transit				-														
		Outstanding Checks				(14,921.63)					(13,168.12)	-								(1,753.51)
		Balance on General Ledger				2,371,771.47					341,918.43	340,367.23	1,236,829.51	205,031.29	207,853.73					39,771.28
		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:										6/30/2024										

Statement of Activity - MTD and YTD by Fund w/ Variance
Town of Bergen
For 6/30/2024

	M-T-D Actual	Y-T-D Actual	Annual Budget	Variance	Variance Percentage
Revenues					
AA.1001.000.000 Real Property Taxes	\$ 0.00	\$ 298,445.00	\$ 298,445.00	\$ 0.00	100.00
AA.1081.000.000 Other Payments in Lieu of Taxes	0.00	18,707.35	8,920.00	9,787.35	209.72
AA.1090.000.000 Interest & Penalties on Real Property Taxes	0.00	911.23	2,000.00	(1,088.77)	45.56
AA.1120.000.000 County Sales Tax Distribution	0.00	116,204.23	228,576.00	(112,371.77)	50.84
AA.1255.000.000 Clerk Fees	727.50	1,491.49	2,500.00	(1,008.51)	59.66
AA.2130.000.000 Landfill Host Revenue	0.00	27,048.51	57,000.00	(29,951.49)	47.45
AA.2401.000.000 Interest & Earnings	2,411.09	16,581.48	10,000.00	6,581.48	165.81
AA.2410.000.000 Rental of Real Property	0.00	1,200.00	1,500.00	(300.00)	80.00
AA.2530.000.000 Games of Chance	0.00	10.00	10.00	0.00	100.00
AA.2544.000.000 Dog Licenses	121.00	708.00	2,400.00	(1,692.00)	29.50
AA.2610.000.000 Fines and Forfeited Bail	9,438.00	48,961.02	65,000.00	(16,038.98)	75.32
AA.3001.000.000 State Aid, AIM / Revenue Sharing	0.00	0.00	11,020.00	(11,020.00)	0.00
AA.3005.000.000 State Aid, Mortgage Tax	0.00	14,849.50	30,000.00	(15,150.50)	49.50
AA.5999.000.000 Unexpended Balance	0.00	0.00	92,727.00	(92,727.00)	0.00
Total Revenues	12,697.59	545,117.81	810,098.00	(264,980.19)	67.29
Expenses					
AA.1010.100.000 Town Board Personal Services	1,339.00	8,034.00	16,068.00	8,034.00	50.00
AA.1010.400.000 Town Board Contractual	0.00	274.72	1,200.00	925.28	22.89
AA.1110.100.000 Justices Personal Services	2,562.00	15,372.00	30,744.00	15,372.00	50.00
AA.1110.102.000 Justice Pers Svc. Clerk	2,249.58	13,980.51	26,322.00	12,341.49	53.11
AA.1110.200.000 Justice Equipment	0.00	0.00	600.00	600.00	0.00
AA.1110.400.000 Justices Contractual	551.30	2,218.92	14,250.00	12,031.08	15.57
AA.1220.100.000 Supervisor Personal Services	1,040.66	6,243.96	12,488.00	6,244.04	50.00
AA.1220.102.000 Deputy Supervisor Personal Services	132.75	796.50	1,593.00	796.50	50.00
AA.1220.103.000 Supervisor's Secretary Personal Services	862.40	3,821.88	9,136.00	5,314.12	41.83
AA.1220.400.000 Supervisor Contractual	210.65	3,454.44	5,000.00	1,545.56	69.09
AA.1310.400.000 Bookkeeper, Contr Expend	0.00	15,450.00	32,410.00	16,960.00	47.67
AA.1355.200.000 Assessor Equipment	0.00	0.00	200.00	200.00	0.00
AA.1355.400.000 Assessor Contractual	0.00	1,000.00	28,000.00	27,000.00	3.57
AA.1410.100.000 Town Clerk Personal Services	3,530.30	22,946.95	45,894.00	22,947.05	50.00
AA.1410.102.000 Deputy Town Clerk Personal Services	420.00	3,496.23	6,240.00	2,743.77	56.03
AA.1410.200.000 Town Clerk Equipment	0.00	52.21	500.00	447.79	10.44
AA.1410.400.000 Town Clerk Contractual	235.65	2,266.70	5,000.00	2,733.30	45.33
AA.1420.400.000 Attorney Contractual	2,300.00	6,600.00	5,000.00	(1,600.00)	132.00
AA.1420.401.000 Court Prosecutor	0.00	0.00	9,600.00	9,600.00	0.00
AA.1440.400.000 Engineer Contractual	0.00	647.50	2,500.00	1,852.50	25.90
AA.1450.400.000 Elections Contractual	0.00	0.00	5,200.00	5,200.00	0.00
AA.1460.400.000 Records Management Contractual	1,195.00	1,195.00	3,000.00	1,805.00	39.83
AA.1480.400.000 Public Info Services OARS Contractual	0.00	0.00	1,200.00	1,200.00	0.00

Statement of Activity - MTD and YTD by Fund w/ Variance
Town of Bergen
For 6/30/2024

	M-T-D Actual	Y-T-D Actual	Annual Budget	Variance	Variance Percentage
AA.1620.100.000 Buildings Personal Services					
AA.1620.400.000 Building Operation Contractual	480.50	2,769.63	10,432.00	7,662.37	26.55
AA.1620.401.000 Building Operation Lease Fire Hall	17,424.86	40,611.66	40,000.00	(611.66)	101.53
AA.1660.400.000 Central Storeroom Contractual	0.00	19,753.00	20,149.00	396.00	98.03
AA.1670.400.000 Central Printing & Mailing Contractual	0.00	182.25	500.00	317.75	36.45
AA.1680.200.000 Computers Equipment	285.39	3,508.98	5,500.00	1,991.02	63.80
AA.1680.400.000 Computers Contractual	0.00	754.75	10,000.00	9,245.25	7.55
AA.1680.400.000 Computers Contractual	2,799.32	8,885.71	8,000.00	(885.71)	111.07
AA.1910.400.000 Unallocated Insurance	984.60	36,647.24	37,000.00	352.76	99.05
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	6,043.91	6,500.00	456.09	92.98
AA.1990.400.000 Contingency	0.00	0.00	15,000.00	15,000.00	0.00
AA.3120.100.000 Constables Personnel Services	92.25	1,476.00	5,200.00	3,724.00	28.38
AA.3120.400.000 Constables Contractual	0.00	0.00	400.00	400.00	0.00
AA.3310.400.000 Traffic Control Contractual	0.00	0.00	7,500.00	7,500.00	0.00
AA.5010.100.000 Supt. of Highways Personal Services	5,615.20	33,691.20	70,190.00	36,498.80	48.00
AA.5010.102.000 Supt. of Highways, Pers Svc, Deputy	0.00	0.00	1,592.00	1,592.00	0.00
AA.5010.103.000 Supt. of Highways, Pers Svc, Clerk	228.00	228.00	8,000.00	7,772.00	2.85
AA.5010.200.000 Superintendent of Highways Equipment	0.00	995.72	1,500.00	504.28	66.38
AA.5010.400.000 Superintendent of Highways Contractual	0.00	765.97	1,200.00	434.03	63.83
AA.5132.400.000 Garage Contractual	469.95	11,616.03	40,000.00	28,383.97	29.04
AA.5182.400.000 Street Lighting Contractual	207.88	1,449.32	7,000.00	5,550.68	20.70
AA.6410.400.000 Publicity - Newsletter Contractual	0.00	274.06	6,500.00	6,225.94	4.22
AA.6420.400.000 Promotion of Industry Contractual	0.00	3,039.85	2,000.00	(1,039.85)	151.99
AA.7110.100.000 Parks Person Services	1,040.75	1,316.75	2,500.00	1,183.25	52.67
AA.7110.400.000 Parks Contractual	1,111.03	2,572.26	52,500.00	49,927.74	4.90
AA.7510.100.000 Historian Personal Services	756.25	1,512.50	3,025.00	1,512.50	50.00
AA.7510.200.000 Historian Equipment	0.00	0.00	500.00	500.00	0.00
AA.7510.400.000 Historian Contractual	551.72	892.86	500.00	(392.86)	178.57
AA.7550.400.000 Celebrations Contractual	1,192.11	1,692.11	1,000.00	(692.11)	169.21
AA.8810.100.000 Cemetery Services	0.00	0.00	2,500.00	2,500.00	0.00
AA.8810.400.000 Cemetery Contractual	0.00	0.00	5,000.00	5,000.00	0.00
AA.9010.800.000 NYS Retirement	0.00	0.00	27,945.00	27,945.00	0.00
AA.9030.800.000 Social Security & Medicare	1,565.47	8,781.37	19,273.00	10,491.63	45.56
AA.9040.800.000 Worker's Compensation	0.00	1,426.00	7,602.00	6,176.00	18.76
AA.9050.800.000 Unemployment Insurance	0.00	27.03	0.00	(27.03)	0.00
AA.9055.800.000 Disability Insurance	0.00	120.96	150.00	29.04	80.64
AA.9060.800.000 Medical Insurance	3,080.74	19,510.35	39,020.00	19,509.65	50.00
AA.9720.600.000 Debt Principal Highway Garage	0.00	0.00	75,000.00	75,000.00	0.00
AA.9720.700.000 Interest on Debt Highway Garage	0.00	3,187.50	6,375.00	3,187.50	50.00
Total Expenses	54,515.31	322,484.49	810,098.00	487,613.51	39.81

Statement of Activity - MTD and YTD by Fund w/ Variance
Town of Bergen
For 6/30/2024

	M-T-D Actual	Y-T-D Actual	Annual Budget	Variance	Variance Percentage
-					
Excess Revenue Over (Under) Expenditures	\$ 41,817.72	\$ (222,633.32)	\$ 0.00	\$ 752,593.70	\$ 0.00

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

Town of Bergen

For 6/30/2024

	M-T-D Actual	Y-T-D Actual	Annual Budget	Variance	Variance Percentage
Revenues					
BB.1120.000.000 County Sales Tax Distribution	0.00 \$	123,403.27 \$	236,241.00 \$	(112,837.73)\$	52.24
BB.1170.000.000 Franchise Fees	0.00	10,718.90	24,500.00	(13,781.10)	43.75
BB.1560.000.000 Safety Inspection Fees	0.00	0.00	75.00	(75.00)	0.00
BB.2110.000.000 Zoning Fees	800.00	3,688.12	3,000.00	688.12	122.94
BB.2115.000.000 Planning Board Fees	390.00	1,360.00	400.00	960.00	340.00
BB.2401.000.000 Interest & Earnings	628.18	4,003.47	3,500.00	503.47	114.38
BB.2590.000.000 Permits, Others	0.00	225.00	0.00	225.00	0.00
BB.2701.000.000 Refund of Prior Year Expense	0.00	975.00	0.00	975.00	0.00
BB.5999.000.000 Unexpended Balance	0.00	0.00	50,002.00	(50,002.00)	0.00
Total Revenues	1,818.18	144,373.76	317,718.00	(173,344.24)	45.44
Expenses					
BB.1420.400.000 Attorney, Contractual	0.00	0.00	2,000.00	2,000.00	0.00
BB.1440.400.000 Engineer Contractual	0.00	0.00	2,000.00	2,000.00	0.00
BB.1990.400.000 Contingency	0.00	0.00	10,000.00	10,000.00	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	(117.97)	0.00	0.00	0.00	0.00
BB.7310.400.000 Youth Programs Contractual	0.00	4,500.00	4,500.00	0.00	100.00
BB.8010.100.000 Zoning Pers Svc	59.80	358.80	887.00	528.20	40.45
BB.8010.400.000 Zoning Contractual	32.66	126.25	1,240.00	1,113.75	10.18
BB.8020.100.000 Planning Personal Services	292.33	1,753.98	5,542.00	3,788.02	31.65
BB.8020.400.000 Planning Contractual	12.34	2,568.97	3,000.00	431.03	85.63
BB.8160.400.000 Refuse & Garbage Contractual	0.00	0.00	1,000.00	1,000.00	0.00
BB.8664.100.000 Code Enforcement Personnel Services	1,546.46	10,051.99	20,104.00	10,052.01	50.00
BB.8664.400.000 Code Enforcement Contractual	377.78	1,924.37	4,400.00	2,475.63	43.74
BB.9030.800.000 Social Security & Medicare	145.24	930.59	2,029.00	1,098.41	45.86
BB.9040.800.000 Workers Compensation	0.00	282.00	944.00	662.00	29.87
BB.9050.800.000 Unemployment Insurance	0.00	3,527.21	0.00	(3,527.21)	0.00
BB.9901.900.000 Interfund Transfers	0.00	0.00	256,072.00	256,072.00	0.00
Total Expenses	2,348.64	30,024.16	317,718.00	287,693.84	9.45
Excess Revenue Over (Under) Expenditures	\$ 530.46	\$ (114,349.60)	\$ 0.00	\$ 461,038.08	0.00

Statement of Activity - MTD and YTD by Fund w/ Variance
Town of Bergen
For 6/30/2024

	M-T-D Actual	Y-T-D Actual	Annual Budget	Variance	Variance Percentage
Revenues					
DA.1001.000.000 Property Taxes	\$ 0.00	\$ 292,620.00	\$ 292,620.00	\$ 0.00	100.00
DA.2300.000.000 Services to Other Govt	76,361.04	152,722.08	130,000.00	22,722.08	117.48
DA.2401.000.000 Interest & Earnings	2,491.04	13,250.39	5,000.00	8,250.39	265.01
DA.2650.000.000 Sale of Scrap Material	122.77	122.77	0.00	122.77	0.00
DA.3589.000.000 St. Aid, Other Transportation	(76,361.04)	32,169.63	40,000.00	(7,830.37)	80.42
DA.5999.000.000 Appropriated Fund Balance	0.00	0.00	46,874.00	(46,874.00)	0.00
Total Revenues	2,613.81	490,884.87	514,494.00	(23,609.13)	95.41
Expenses					
DA.5130.100.000 Machinery, Pers Serv	0.00	2,514.80	12,309.00	9,794.20	20.43
DA.5130.200.000 Machinery, Equip & Cap Outlay	1,397.56	50,597.56	125,000.00	74,402.44	40.48
DA.5130.400.000 Machinery, Contr Expend	14,507.94	27,415.36	40,000.00	12,584.64	68.54
DA.5140.100.000 Brush & Weeds, Pers Serv	0.00	7,308.65	12,060.00	4,751.35	60.60
DA.5140.400.000 Brush & Weeds, Contr Expend	0.00	0.00	1,500.00	1,500.00	0.00
DA.5142.100.000 Snow & Ice, Pers Serv	0.00	70,370.34	128,102.00	57,731.66	54.93
DA.5142.400.000 Snow & Ice, Contr Expend	0.00	51,568.63	113,000.00	61,431.37	45.64
DA.9010.800.000 NYS Retirement, Empl Bnfts	0.00	0.00	20,965.00	20,965.00	0.00
DA.9030.800.000 Social Security & Medicare, Empl Bnfts	0.00	5,870.41	11,664.00	5,793.59	50.33
DA.9040.800.000 Workers Compensation, Empl Bnfts	0.00	2,820.00	4,274.00	1,454.00	65.98
DA.9055.800.000 Disability Insurance, Empl Bnfts	0.00	60.00	150.00	90.00	40.00
DA.9060.800.000 Hospital & Medical (Dental) Ins, Empl Bnfts	3,533.60	26,008.58	45,470.00	19,461.42	57.20
Total Expenses	19,439.10	244,534.33	514,494.00	269,959.67	47.53
Excess Revenue Over (Under) Expenditures	\$ 16,825.29	\$ (246,350.54)	\$ 0.00	\$ 293,568.80	0.00

Statement of Activity - MTD and YTD by Fund w/ Variance
Town of Bergen
For 6/30/2024

	M-T-D Actual	Y-T-D Actual	Annual Budget	Variance	Variance Percentage
Revenues					
DB.2401.000.000 Interest & Earnings	\$ 59.33	\$ 1,701.85	\$ 2,000.00	\$ (298.15)	85.09
DB.3501.000.000 Consolidated Highway Aid	0.00	0.00	75,000.00	(75,000.00)	0.00
DB.5031.000.000 Interfund Transfers	0.00	0.00	256,072.00	(256,072.00)	0.00
DB.5999.000.000 Unexpended Balance	0.00	0.00	50,006.00	(50,006.00)	0.00
Total Revenues	59.33	1,701.85	383,078.00	(381,376.15)	0.44
Expenses					
DB.5110.100.000 General Highway Repairs Personal Services	14,478.87	18,864.47	93,648.00	74,783.53	20.14
DB.5110.400.000 General Highway Repairs Contractual	110,963.36	122,515.82	93,500.00	(29,015.82)	131.03
DB.5112.200.000 Permanent Highway Improvements	0.00	0.00	75,000.00	75,000.00	0.00
DB.9010.800.000 NYS Retirement	0.00	0.00	12,869.00	12,869.00	0.00
DB.9030.800.000 Social Security & Medicare	1,030.56	1,366.06	7,164.00	5,797.94	19.07
DB.9040.800.000 Workers Compensation	0.00	1,112.00	1,112.00	0.00	100.00
DB.9055.800.000 Disability Insurance	0.00	45.60	120.00	74.40	38.00
DB.9060.800.000 Medical Insurance	2,165.76	15,941.77	27,870.00	11,928.23	57.20
DB.9785.600.000 Installment Purchase Debt, Principal	0.00	20,297.53	67,736.00	47,438.47	29.97
DB.9785.700.000 Installment Purchase Debt, Interest	0.00	1,556.53	4,059.00	2,502.47	38.35
Total Expenses	128,638.55	181,699.78	383,078.00	201,378.22	47.43
Excess Revenue Over (Under) Expenditures	\$ 128,579.22	\$ 179,997.93	\$ 0.00	\$ 582,754.37	0.00

Statement of Activity - MTD and YTD by Fund w/ Variance
Town of Bergen
For 6/30/2024

	M-T-D Actual	Y-T-D Actual	Annual Budget	Variance	Variance Percentage
Revenues					
HH.2401.000.004 Interest & Earnings, Water Capital #4	\$ 878.99	\$ 6,117.28	\$ 0.00	\$ 6,117.28	0.00
Total Revenues	878.99	6,117.28	0.00	6,117.28	0.00
Expenses					
HH.1380.200.004 Fiscal Agents Capital Outlay	0.00	14,375.00	0.00	(14,375.00)	0.00
Total Expenses	0.00	14,375.00	0.00	(14,375.00)	0.00
Excess Revenue Over (Under) Expenditures	\$ (878.99)	\$ 8,257.72	\$ 0.00	\$ (20,492.28)	0.00

Statement of Activity - MTD and YTD by Fund w/ Variance
Town of Bergen
For 6/30/2024

	M-T-D Actual	Y-T-D Actual	Annual Budget	Variance	Variance Percentage
Revenues					
SM.1001.000.000 Real Property Taxes	\$ 0.00	\$ 205,722.00	\$ 205,722.00	\$ 0.00	100.00
SM.2401.000.000 Interest & Earnings	5.68	2,536.01	1,500.00	1,036.01	169.07
SM.5999.000.000 Unexpended Balance	0.00	0.00	2,000.00	(2,000.00)	0.00
Total Revenues	5.68	208,258.01	209,222.00	(963.99)	99.54
Expenses					
SM.3410.400.000 Fire Contract Contractual	0.00	209,222.00	209,222.00	0.00	100.00
Total Expenses	0.00	209,222.00	209,222.00	0.00	100.00
Excess Revenue Over (Under) Expenditures	\$ (5.68)	\$ 963.99	\$ 0.00	\$ 963.99	0.00

Statement of Activity - MTD and YTD by Fund w/ Variance
Town of Bergen
For 6/30/2024

	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	\$ 43,863.00	\$ 43,863.00	\$ 0.00	100.00
SW.2401.000.003 Interest & Earnings	251.35	1,168.96	1,500.00	(331.04)	77.93
SW.5031.000.003 Interfund Transfer - Peachey Road	0.00	0.00	5,000.00	(5,000.00)	0.00
SW.5999.000.003 Unexpended Balance - District 3	0.00	0.00	1,000.00	(1,000.00)	0.00
Total Revenues	251.35	45,031.96	51,363.00	(6,331.04)	87.67
Expenses					
SW.9720.600.003 Debt Principal, Install Bonds - Peachey Rd District 3	0.00	0.00	20,000.00	20,000.00	0.00
SW.9720.700.003 Debt Interest, Install Bonds - Peachey Rd District 3	14,681.25	14,681.25	29,363.00	14,681.75	50.00
SW.9950.900.003 Interfund Transfer	0.00	0.00	2,000.00	2,000.00	0.00
Total Expenses	14,681.25	14,681.25	51,363.00	36,681.75	28.58
Excess Revenue Over (Under) Expenditures	\$ 14,429.90	\$ (30,350.71)	\$ 0.00	\$ 43,012.79	0.00

Statement of Activity - MTD and YTD by Fund w/ Variance
Town of Bergen
For 6/30/2024

	M-T-D Actual	Y-T-D Actual	Annual Budget	Variance	Variance Percentage
Revenues					
SW.1001.000.004 Property Taxes	\$ 0.00	\$ 252,060.00	\$ (252,060.00)	\$ 504,120.00	100.00
SW.2140.001.004 Out of District User	0.00	2,951.50	(2,900.00)	5,851.50	101.78
SW.2401.000.004 Interest & Earnings	1,484.71	8,907.08	(8,000.00)	16,907.08	111.34
Total Revenues	1,484.71	263,918.58	(262,960.00)	526,878.58	100.36
Expenses					
SW.9710.600.004 Bond Principal (\$5,615,000), Water #4	0.00	0.00	110,000.00	110,000.00	0.00
SW.9710.601.004 Bond Principal (\$935,000), Water #4	0.00	0.00	15,000.00	15,000.00	0.00
SW.9710.700.004 Bond Interest (\$5,615,000), Water #4	58,384.37	58,384.37	116,770.00	58,385.63	50.00
SW.9710.701.004 Bond Interest (\$935,000), Water #4	6,325.00	6,325.00	12,650.00	6,325.00	50.00
SW.9950.900.004 Interfund Transfer	0.00	0.00	8,540.00	8,540.00	0.00
Total Expenses	64,709.37	64,709.37	262,960.00	198,250.63	24.61
Excess Revenue Over (Under) Expenditures	\$ 63,224.66	\$ (199,209.21)	\$ 525,920.00	\$ (328,627.95)	(37.88)

Account#	Account Description	Fee Description	Qty	Local Share
A1255	Clerk Fees	Certified Copies	16	170.00
Sub-Total:				\$170.00
A2544	Dog Licensing	Female, Spayed	14	70.00
		Female, Unspayed	1	18.00
		Male, Neutered	12	60.00
		Male, Unneutered	4	72.00
	Senior Discount	Senior Discount	2	-6.00
Sub-Total:				\$214.00
B2110	Building & Zoning	Building Permit	3	265.00
Sub-Total:				\$265.00

Total Local Shares Remitted: \$649.00

Amount paid to: NYS Ag. & Markets for spay/neuter program 41.00

Total State, County & Local Revenues: \$690.00

Total Non-Local Revenues: \$41.00

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

Town Clerk

Date

Michele M. Smith 7-1-2024

TOWN OF BERGEN
TOWN CLERK, MICHELE M. SMITH
PO BOX 249
BERGEN, NY 14416

50-264/213

1238

DATE 7-1-2024

PAY TO THE
ORDER OF

Ernest Haywood

\$ 649.00

Six hundred forty-nine and 00/100 DOLLARS

Heat
Reactive
Ink

TOMPKINS

MEMO June 2024

0213026481 9270106381

Michele M. Smith

1238

Ac. 7/1/24

LOOK FOR FRAUD-DETECTING FEATURES INCLUDING THE SECURITY SQUARE AND HEAT-REACTIVE INK. DETAILS ON BACK.

Permit Monthly Report

06/01/2024 - 06/30/2024

Permit #	Issue Date	Owner	Permit Type	Property Location	Valuation	Amount
June	2024					
BP-0019-2024	06/20/2024	Joseph Young	Res-Manufactured Home	84 Woodside Dr SBL#: 17.-1-16.11/V	\$115,000.00	\$145.00
BP-0020-2024	06/20/2024	Margaret Berry	Res-Remodel	7354 Maple Ave SBL#: 14.-1-18.2	\$20,000.00	\$70.00
BP-0021-2024	06/27/2024	Gregory Coniglio	Res-Swimming Pool	2373 Reed Rd SBL#: 9.-1-28.2	\$7,000.00	\$50.00
				June 2024 Total:	\$142,000.00	\$265.00
				Reporting Period Total:	\$142,000.00	\$265.00

Genesee County 911
Response Times Report

GEN BERGEN FIRE

Report Date Range from: 5/1/2024 to 5/31/2024

Mercy Flight EMS

Report includes Emergent First On Scene Responses.

Response Time Minutes	Call Count	Cumulative Call Count	Percentage of Total Calls	Cumulative Percentage
--------------------------	------------	--------------------------	------------------------------	--------------------------

Response Zone: GEN BERG 17

05:00 - 05:59	1	1	12.50%	12.50%
06:00 - 06:59	1	2	12.50%	25.00%
17:00 - 17:59	1	3	12.50%	37.50%
18:00 - 18:59	4	7	50.00%	87.50%
21:00 - 21:59	1	8	12.50%	100.00%
Total Calls:	8	8	100%	

Response Zone: GEN BERG 22

05:00 - 05:59	2	2	25.00%	25.00%
08:00 - 08:59	1	3	12.50%	37.50%
15:00 - 15:59	1	4	12.50%	50.00%
19:00 - 19:59	1	5	12.50%	62.50%
21:00 - 21:59	2	7	25.00%	87.50%
23:00 - 23:59	1	8	12.50%	100.00%
Total Calls:	8	8	100%	

Call Source Total Calls: 16

GEN BERGEN FIRE

Report Date Range from: 5/1/2024 to 5/31/2024

Report includes Emergent First On Scene Responses.

Response Time Minutes	Call Count	Cumulative Call Count	Percentage of Total Calls	Cumulative Percentage
--------------------------	------------	--------------------------	------------------------------	--------------------------

Response Zone: GEN BERG 17

05:00 - 05:59	1	1	12.50%	12.50%
06:00 - 06:59	1	2	12.50%	25.00%
17:00 - 17:59	1	3	12.50%	37.50%
18:00 - 18:59	4	7	50.00%	87.50%
21:00 - 21:59	1	8	12.50%	100.00%
Total Calls:	8	8	100%	

Response Zone: GEN BERG 22

05:00 - 05:59	2	2	25.00%	25.00%
08:00 - 08:59	1	3	12.50%	37.50%
15:00 - 15:59	1	4	12.50%	50.00%
19:00 - 19:59	1	5	12.50%	62.50%
21:00 - 21:59	2	7	25.00%	87.50%
23:00 - 23:59	1	8	12.50%	100.00%
Total Calls:	8	8	100%	

Call Source Total Calls: 16



Alex Camarda
Associate VP, State Government Affairs

June 14, 2024

Re: Charter Communications – Upcoming Changes

Dear Municipal Official:

We appreciate our customers and continue to enhance our services with the finest communication and entertainment products available, while also providing a compelling suite of services at the greatest value. Despite our best efforts, rising costs, including programming fees charged by TV networks have impacted our pricing. Customers are being notified via bill message regarding the following price changes that will take effect on or after July 16, 2024. Please note for customers who may be paying a promotional price, the retail price does not take effect until the end of the promotional period.

Product	Price
Spectrum TV Select	Will increase by \$3.00/month.
Spectrum TV Silver and Gold	Will each increase by \$3.00/month.
Acorn TV	Will increase by \$1.01/month.
MAX (includes HBO)	Will increase by \$1.00/month.
MGM+	Will increase by \$1.00/month.
SPP Sports Tier	Will increase to \$3.00/month.
CableCard (includes legacy)	Increasing to \$10.00/month.
CableCard (SPP)	Will increase by \$4.00/month.
Legacy Digital Terminal Adapters	Will increase by \$1.00/month.
Spectrum Receivers (SPP/NPP)	Will increase by \$1.00/month.

We remain committed to providing excellent communications and entertainment services in your community. If you have any questions, please feel free to contact me at 212-379-5123 or via email at Alex.Camarda@charter.com.

Sincerely,

Alex Camarda
Associate VP, State Government Affairs
Charter Communications



Alex Camarda
Associate VP, State Government Affairs

June 21, 2024

RE: Charter Communications Notification

Dear Municipal Official:

Spectrum Northeast, LLC ("Spectrum") is making its customers aware that on or around July 22, 2024, Spectrum will add a new locally zoned Big Ten Network ("BTN") on channel 386 (338 in Plattsburgh) on the channel lineup serving your community and at the same time will be dropping the national BTN feed.

If you have any questions, please feel free to contact me at 212-379-5123 or via email at Alex.Camarda@charter.com.

Sincerely,

A handwritten signature in black ink, appearing to read "A. Camarda", written in a cursive style.

Alex Camarda
Associate VP, State Government Affairs
Charter Communications

From: Shepard, Joel A (DOT) <Joel.Shepard@dot.ny.gov>
Sent: Monday, June 24, 2024 11:02 AM
To: SUPERVISOR@BERGENNY.ORG
Cc: Myers, Corinna M. (DOT); Fragale, Katherine B (DOT); Leathersich, Joseph (DOT); Braley, Jeffery R (DOT)
Subject: PIN 4019.20 - NY 19 Over Black Creek Overflow - Bridge Replacement
Attachments: 401920_dat_img_loc_map.pdf

Supervisor Haywood,

The New York State Department of Transportation plans the following bridge replacement in the Town of Bergen:

- NY-19 (Lake Road North) over Black Creek Overflow, BIN 1015260

This project is anticipated to begin construction in the Spring of 2026 and end in the Fall of 2026. This bridge would be closed for up to 6 months. An off-site detour would be utilized.

The Design Team is available to meet with you for a more in-depth discussion on the project overview, anticipated project schedule, the proposed work zone traffic control, emergency service coverage, school bus impacts, festivals/special events in the area, and how best to notify residents in your town.

If you're interested in meeting with the Design Team, please respond with dates and times that work best for you and your preferred meeting type (in-person or virtual).

A location map is attached.

Thank you,

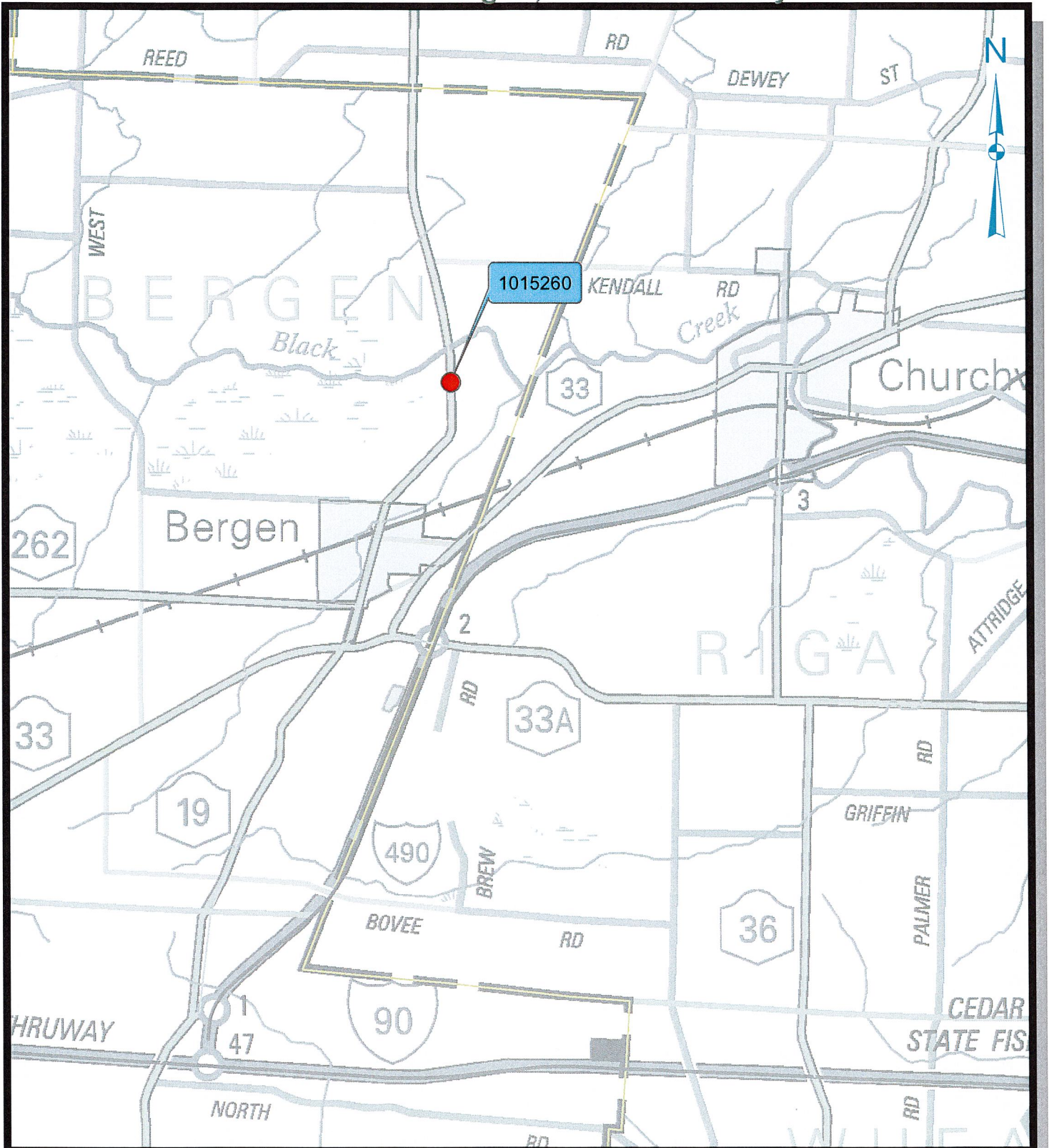
Joel Shepard, P.E.

Professional Engineer 1, Structures Design Squad Leader
New York State Department of Transportation, Region 4
1530 Jefferson Rd, Rochester, NY 14623
(585) 272-4876 | joel.shepard@dot.ny.gov

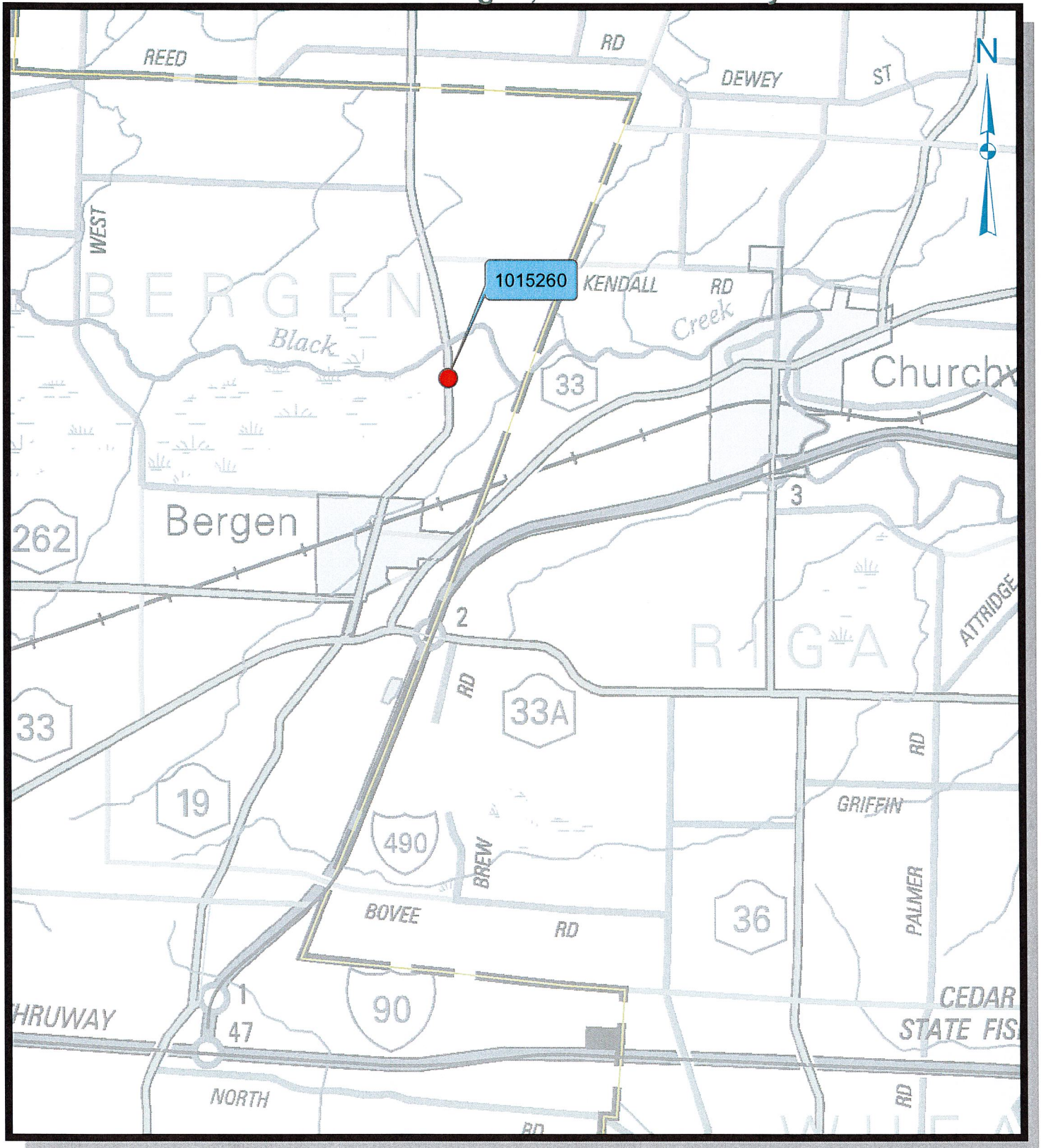


**Department of
Transportation**

PIN 4019.20 - Bridge Replacement
NY-19 Over Black Creek Overflow
Town of Bergen, Genesee County



PIN 4019.20 - Bridge Replacement
NY-19 Over Black Creek Overflow
Town of Bergen, Genesee County



Budget Modification and Transfer

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Supervisor is hereby authorized to make the following modifications to the 2024 Town Budget:

\$1,040 from A1990.4 Contingency to
A6420.4 Promotion of Industrial Contractual

Sec. 2. That the Supervisor is hereby authorized to making the following transfer as appropriated in the 2024 budget:

\$256,072.000 from B.9901.900 Interfund Transfer (Out) to
DB.5031.000 Interfund Transfer (In)

Sec. 3. That this resolution shall take effect immediately.

MOTION for adoption of this resolution by
Seconded by

Discussion:

VOTE BY ROLL CALL AND RECORD:

Councilperson Ely
Councilperson Grant
Councilperson Starowitz
Councilperson Swanson
Supervisor Haywood

Town of BERGEN
Accounting Adjustments/Corrections

<u>Activity Date</u>	<u>Account No.</u>	<u>Account Description</u>	<u>Amount</u>	<u>Description</u>
03/12/2024	DA.0201.000.000	Cash in Savings	162.40	To reclass Ice Melt for Town Hall to proper account per email dated 6.20.24
03/12/2024	DA.5142.400.000	Snow & Ice, Contr Expend	(162.40)	To reclass Ice Melt for Town Hall to proper account per email dated 6.20.24
07/09/2024	AA.0201.000.000	Cash in Savings	(162.40)	To reclass Ice Melt for Town Hall to proper account per email dated 6.20.24
07/09/2024	AA.1620.400.000	Building Operations Contractual	162.40	To reclass Ice Melt for Town Hall to proper account per email dated 6.20.24
05/14/2024	AA.6420.400.000	Promotion of Industry Contractual	(2,439.85)	To reclass R.J. Properties (Liberty Pumps) PILOTS to proper account per email dated 6.20.24
07/09/2024	AA.1081.000.000	Other Payments in Lieu of Taxes	2,439.85	To reclass R.J. Properties (Liberty Pumps) PILOTS to proper account per email dated 6.20.24
06/11/2024	AA.1620.400.000	Building Operations Contractual	(14,658.91)	To reclass Town Hall Parking Lot to proper account per email dated 6.20.24
07/09/2024	AA.1620.200.000	Buildings Equip & Cap Outlay	14,658.91	To reclass Town Hall Parking Lot to proper account per email dated 6.20.24
06/11/2024	DB.5110.400.000	General Highway Repairs Contractual	(56,386.61)	To Reclass CHIPS expenses per email dated 6.20.24
07/09/2024	DB.5112.200.000	Permanent Highway Improvements	56,386.61	To Reclass CHIPS expenses per email dated 6.20.24

Approved by: _____ Date: _____
Ernest Haywood, Supervisor

_____ Date: _____
Karen Ely, Councilperson

_____ Date: _____
Belinda Grant, Councilperson

_____ Date: _____
James Starowitz, Councilperson

_____ Date: _____
Mark Swanson, Councilperson

**TOWNS OF BATAVIA AND BERGEN
CORRECTED ASSESSMENT SERVICES AGREEMENT**

THIS AGREEMENT, made this _____ day of _____, 2024 by and between the **TOWN OF BERGEN**, a municipal corporation with offices at 10 Hunter Street, Bergen, New York 14416, (“Bergen”) and the **TOWN OF BATAVIA**, a municipal corporation with office at 3833 West Main Road, Batavia, NY 14020 (“Batavia”),

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

WHEREAS, Batavia employs a fully qualified Assessor to provide all assessment services by law, and

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

NOW THEREFORE, BE IT RESOLVED, pursuant to Article 5-G of the General Municipal Law, it is agreed as follows:

1. Batavia agrees to provide assessment services to Bergen and shall provide a qualified individual to perform said duties outlined herein. The person appointed as Assessor must satisfy the minimum qualification standards for real property assessors established by the State Board of Real Property Services.
2. In consideration and for the compensation for the services set forth herein, Bergen shall pay to Batavia the total sum of twenty thousand, two hundred, forty-four dollars (\$20,244.00) for this Agreement. This sum shall be paid in two equal installments of ten thousand, one hundred, twenty-two dollars (\$10,122.00). The first payment due on or before October 1, 2024, and the second payment due on or before March 1, 2025.
3. The Assessor provided by Batavia shall be responsible for assessing all parcels of real property located in Bergen and in Batavia for the purposes of taxation and special ad valorem levies for town, county, special district and school district. The Assessor shall also oversee all other duties as required for assessors by the Real Property Tax Law and the rules of the State Board of Real Property Services. All real property shall be assessed at the same uniform percentage of market value in all of the assessing units participating in the Agreement throughout the term of the Agreement. Such percentage of market value shall be annually printed on the tentative assessment rolls for the participating assessing units.
4. The dates applicable to the assessment process in each municipality, including taxable status date, and the dates for the filing of the tentative and final assessment rolls, shall be the same.
5. The Assessor personally and/or by employees under his/her direction shall be present for office hours in the Bergen Town Assessors Office for a total of four (4) hours per week. The

days and times of these office hours shall be mutually agreed. Additionally, the Assessor can be available by appointment or during regular office hours at the City or Town of Batavia offices.

6. The Assessor shall for all compensation purposes only be deemed an employee of Batavia and Batavia shall pay the Assessor's salary and make employers contributions for retirement, social security, health insurance, workers' compensation, unemployment, and other similar benefits.
7. The Assessor shall be deemed an employee, agent and/or representative of Bergen regarding liability and any other issues resulting from actions performed as the Bergen Assessor.
8. This Agreement does not include attorney services and Bergen shall provide and pay for all attorney fees and expenses in its jurisdiction.
9. Each party shall indemnify, defend, and hold the other and their officers, employees and agents, and their respective successors and assigns harmless from and against all claims, damages, demands, losses, expenses, fines, causes of action, suits or other liabilities, (including all costs, reasonable attorney's fees, consequential damages, and punitive damages), arising out of or from, or alleged to arise out of or arise from, the performance of the terms and conditions of this Agreement by either party or by any of either party's subcontractors, regardless of whether such claim, damage, demand, loss, expense, fine, cause of action, suit or other liability is attributable to bodily injury, personal injury, sickness, disease or death, or injury to or destruction of tangible property, including the loss of use resulting therefrom; but only to the extent attributable to the respective and comparative negligence or intentional misconduct of each respective party or any entity for which each party is legally responsible. This indemnity applies regardless of whether the claim is presented by an employee of either party and shall not be limited in any way by any limitation on the amount of or type of damages, compensation or benefits payable by or for each party under any Workers' Compensation acts, disability benefits acts or other employee benefits acts.
10. Each party warrants that it will respectively maintain at its sole expense the insurance policies identified and required pursuant to **EXHIBIT A**, annexed hereto and made a part hereof, for the conduct of the respective officers, employees, or agents of each party related to the services provided pursuant to this Agreement, that shall be secured from a company in good standing rated A- or better by A.M. Best that is licensed to do business in the State of New York. By mutual agreement in writing, the parties may waive or modify any insurance policy requirements and/or any limits thereof.
11. This Agreement shall become effective on July 1, 2024, and expire on June 30, 2025, with an option for either municipality to terminate this Agreement upon a ninety (90) day prior written notice to the other municipality.
12. There are no other agreements or understandings, either oral or written, between the parties affecting this Agreement. No changes, additions or deletions of any portions of this Agreement shall be valid or binding upon the parties hereto unless the same is approved in writing by the parties.

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

TOWN OF BERGEN

TOWN OF BATAVIA

Ernest Haywood, Supervisor

Gregory H. Post, Supervisor

**STATE OF NEW YORK)
COUNTY OF GENESEE) SS.**

On the _____ day of _____, 2024 before me, the undersigned, a Notary Public in and for said State, personally appeared **Ernest Haywood**, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public

**STATE OF NEW YORK)
COUNTY OF GENESEE) SS.**

On the _____ day of _____, 2024 before me, the undersigned, a Notary Public in and for said State, personally appeared **Gregory H. Post**, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public

EXHIBIT A
INSURANCE REQUIREMENTS

Insurance Schedule

Identified Insurance means those insurance policies identified in the chart below.

Each party shall (and shall cause each of its subcontractors) to comply with the requirements set forth in this Insurance Schedule.

<u>Insurance</u>	<u>Minimum Limits</u>
Employers Liability:	\$1 Million each accident for bodily injury by accident \$1 Million each employee for bodily injury by disease \$1 Million policy limit for bodily injury by disease
Commercial General Liability:	\$2 Million per occurrence \$2 Million personal and advertising injury \$2 Million products and completed operations \$2 Million general aggregate
Automobile Liability: (Hired, Owned, Not-Owned)	\$1 Million combined single limit
Professional Liability / Errors and Omissions:	\$2 Million per claim \$2 Million aggregate
Umbrella to Overlay Liability Coverages:	\$5 Million per occurrence and aggregate

Other Insurance Provisions

1. The Identified Insurance shall include the following provision on every insurance policy covering all the activities of both parties with respect to the performance of this Agreement:
 - (a) Each party, and its respective officers, employees, agents, and representatives shall be additional insureds on the respective policies of the other party.
2. The Identified Insurance shall also:
 - (a) require each party to be notified in writing at least thirty (30) days prior to cancellation of or any material change in the policy of the other party;
 - (b) be primary and non-contributing to insurance maintained by each respective party;
 - (c) endorsed to waive rights of recovery by subrogation in favor of each respective party; and
 - (d) in the case of policies or provisions relating to products, completed operations and professional liability, survive termination or expiration of this Agreement.
3. Each party shall furnish to the other party certificates of insurance evidencing all Identified Insurance (including without limitation, an Accord form) and, at least thirty (30) days prior to the expiration of a policy, certificates evidencing additional or renewal policies.
4. All Identified Insurance shall be written on an occurrence basis except for each party's professional liability insurance, which may be written on a claims-made basis. Any deductible or self-insured retentions shall be the sole responsibility of each respective party, and coverage shall apply for the benefit of the other party as if no deductible or self-insured retention applied.
5. To the fullest extent allowed by law, each party hereby waives all rights of recovery in favor of the Additional Insured and the Indemnitee.
6. Each party shall bear risk of loss with respect to any respective owned, leased, rented, or borrowed vehicles, equipment, data, tools or other personal property. Each party shall bear the risk of loss with respect to any of its respective expenses or loss of income.