**February 11, 2025 BERGEN TOWN BOARD REGULAR MEETING**

Draft

The Bergen Town Board convened in a regular session at 6:45 pm audit of the bills; The Town Board Meeting convened in a regular session in the Town Hall with Supervisor Haywood presiding at 7:00 pm.

**PRESENT:**  **ALSO PRESENT:**

Supervisor Ernie Haywood Teresa Robinson, Town Clerk

Councilperson Belinda Grant Joel Pocock, Highway Superintendent

Councilperson Karen Ely

Councilperson Mark Swanson

Councilperson James Starowitz

**ABSENT:**

**OTHER ATTENDENCE:**

**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:**

**PRIVILEGE OF THE FLOOR:**

**APPROVAL OF MINUTES FOR:** Regular Board Meeting and the Organizational Meeting Minutes January 14, 2025; *Councilperson Ely made a motion to approve the Town Board Minutes and the Organizational Meeting Minutes of January 14, 2025; seconded by Councilperson Swanson*

Ayes: Haywood, Grant, Ely, Swanson, Starowitz

Nays: None

Abstained: None

APPROVED by: Unanimous vote (5-0)

**COMMUNICATIONS/INFORMATION included with this agenda:**

1. Supervisor Report for Jan. 2025 – waiting for the report from our prior accounting company.
2. Financial Statements for Jan..2025

 3. Town Clerks Report for Jan. 2025

 4. ZEO/CEO Report for Jan. 2025

 5. Mercy EMS report for Dec. 2024

 6. Charter Communication Letter (s) dated Jan. 28,2025, Jan. 31, 2025, and Feb.3, 2025

 7. Resolution for MCWA acquisition of a water easement at 0 Clinton St. Road

 8. Annual Checklist for Review of Justice Court Records for Justice Swapceinski and Justice Pulcini

 9. Resolution to accept 2024 Justice Court Checklist

 10. Annual Fiscal Report to the Board for 2024, presented to Town Board members and Town Clerk for filing on 1/9/2025

 11. Annual Fiscal Checklist of Town Clerk for 2024, presented to the Town Board members on 1/23/2025

 12. Gilliam Grant Community Center Report for Youth and Senior Services

 13. Proposed Collection Policy for the Town of Bergen Historian

 14. Resolution to adopt the proposed Collection Policy for the Town Historian

 15. Town Historian’s annual report for 2024

 16, Correspondence(s) from the NYS Agriculture and Markets regarding Dog Control Officer Inspection dated 1/22/2025 and for Municipal Shelter Inspection Report dated 1/22/2025

 17. Resolution for 2025 Budget Modification and Transfer

 18. Correspondence from DOT regarding requested speed limit reduction on Route 33 between I-490 and Route 19.

 19. Standard Work Day and Reporting Resolution for Elected and Appointed Officials.

 20. Proposal from GG Municipal Consulting and Grant Writing for Grant Writing Servies.

**BOARD MEMBERS’ ITEMS FOR THE AGENDA:** Nothing to Add

**REPORTS:**

**SUPERVISOR**:

EV station up and running- requesting board to approve 30 cents per kWh and 1.00 user fee- We are charged 22 cents per kWh.  We need to collect enough to pay for the computer program and Teresa's time to monitor.

**RECORD RETENTION**-Grant -Inventory Completed of what needs to be sorted

-Completed a draft – Request for Quote (RFQ) to complete record inventory and assist with determination of what records need to be kept.

-Met with MRB and GG consulting to get quote to prepare grant applications NYS Records Retention Grant (MRB $9000 GG $3500)- Supervisor applied for funding and Genesee County has agreed to pay for the grant writer fee.

**COMPRHENSIVE PLAN**- Joint Village/Town update

-Met with MRB and village to discuss proposal to submit for a Smart Growth Community Planning grant for funding to hire firm to update Joint Town/Village Comp Plan.  Goal is to start work in late 2026-early 2027.- last done in 2017/18- Need the comp. plan to then lead to Zoning law updates in 2027-2028- MRB proposal was 2750 for each the town and Village for a total of 5500

-The Village will obtain the proposal from La Bella who did the original joint comprehensive plan and their proposal to apply for a grant came in at $3,500.  Village applied on behalf of the town and village and received a grant from the county to cover cost for LaBella to write the grant.

**ROBINS BROOK PARK - Bathrooms**

- Obtained sketch and drawing from Dave S for Bathroom- Cost estimate 495,000.  In 2023 MRB estimated 485,000 for construction alone- Need to determine location

- Leisa is submitting a grant to Loews for portable bathroom (second bathroom by existing pavilion - Portaloo in the range of 200-300K.  This would be a second bathroom

-Meeting with BOCES in Batavia- Building trades teachers and administration to see if they can have students build a bathroom and perhaps Pavilion- 2/25 at 8 am.

Leisa submitted a grant to Loews to construct a Bocce ball court,

**BUILDING- POTENTIAL CAPITAL PROJECT**

-Met with Mark, Teresa and Dave (Architect) to review preliminary space and thoughts for expansion to existing building.

-Meeting with Bernard Donagan, Financial advisors 2/11, to discuss financing through BAN/BOND

 **COMPUTER SOFT WARE AND HARD WARE UPDATE**

-Working with Bill to provide new computers to those who need it to be able to comply with the new Windows 11 update.  Strating with physical plant hardware updates, Historian first, then Highway, then Assessor and Code Enforcement officer. They will work on Windows 11 upgrades on the compatible computers (ones we didn't have to replace) -Supervisor, Sec. Chief Fiscal Officer and eventually Clerk- after tax season.

-We may need to replace the Highway Department Fire wall this year,

**LIBRARY**

-Met with Nancy to review the amount raised by taxes for Library for 2025 and reviewed the Tax Cap limit and also spoke with Anna Marie on steps to take for the 2026 library budget to address tax cap issue.

**CODE ENFORCEMENT**

Received yearly report.

**TAXES RECEIVED**- All of the town taxes due to the town have been received by the Supervisor.

**BERGEN BUSINESS & CIVIC AWARD**

* Supervisor Haywood will receive a recognition award from the BBCA on February 13, 2025.

**TOWN CLERK**: For the month of January 2.5 million dollars has been collected. Supervisor, Library, and Village of Bergen have been paid in full. The County has been paid 1 million from the town. Still collecting up until 3/31/2025.

 Continue to work with CYMA on the accounting software. We requested to have the vouchers added to the software that was completed over a Zoom call with CYMA, Town Book Keeper and Town Clerk. Working to have the Distribution by Fund report also included.

 Working with Stephen Gardner on the website.

 The Town Clerk’s Annual Fiscal Report has been completed.

 Met with representative over zoom with the highway supervisor to discuss the EV charging stations. We need to set up which town account for the money to deposited into weekly. Evoke will monitor the stations if they are not working or any issues. I am also able to login and see when they are being used and how much the town has earned.

 Met with Mike from NYMIR – He toured all of the town buildings and will make recommendations to the town to reduce insurance claims. Should have his report in about 2 weeks.

 The Genesee County Economic Development Center (GCEDC) Annual Meeting will be held on April 25, 2025 at Batavia Downs at 11:00 am. Please let me know if you would like to attend by March 11, and I will submit the registration at a group.

 Supervisor Haywood, Councilperson Grant, Town Clerk Robinson – yes to attend the GCEDC Annual Meeting.

**TOWN BOARD:** Nothing to report

 **HIGHWAY**:

 - Working with the Village electric crew to measure poles at Appletree Acres to order the correct lights.

 - The town is set for highway salt. Been busy plowing

 - An overhead door came down on onto a truck. No damage to the truck but in the process of obtaining estimates for the door.

 - Request to enter into executive session.

Motion to Enter in to Executive Session – Motion was made to enter into executive session by Councilperson Grant at 7:50 pm; Seconded by Councilperson Starowitz.

Ayes: Haywood, Grant, Ely, Swanson, Starowitz

Nays: None

APPROVED by: Unanimous vote (5-0)

Motion to Exit Executive Session – Motion to exit executive session was made by Councilperson Ely at 8:15 pm; Seconded by Councilperson Starowitz.

Ayes: Haywood, Grant, Ely, Swanson, Starowitz

Nays: None

APPROVED by: Unanimous vote (5-0)

 **COMMITTEES**:

Buildings, Grounds, and Facilities (Cemeteries): Building Committee update –

 The town will not renovate any existing space occupied by the fire department.

 Dave (architect) is working on preliminary drawings and price.

 Motion to purchase player benches and a large net for the soccer field with the donation from the BBCA: Councilperson Grant made a motion to purchase player benches and a large net for the soccer field with the donation from the BBCA; Seconded by Councilperson Swanson.

Ayes: Haywood, Grant, Ely, Swanson, Starowitz

Nays: None

APPROVED by: Unanimous vote (5-0)

Local History & Museum: Nothing to Report

 Policy & Personnel: Nothing to Report

**OLD BUSINESS:** Our request for a speed reduction on Rt 33 between the intersection of Route 490 and just past the intersection of Route 19 is currently underway by the New York State Department of Transportation.

**NEW BUSINESS:**

 **-** Resolution accepting 2024 Annual Checklist of Justice Court Records and review of records

 - Resolution to adopt the proposed Collection Policy for the Town Historian

 - Resolution for MCWA acquisition of a water easement at 0 Clinton St. Road

 - Standard Work Day and Reporting Resolution for Elected and Appointed Officials.

 - Approval of the Proposal from GG Municipal Consulting and Grant Writing for Grant Writing Servies

- Resolution accepting the Annual Fiscal Report to the Board for 2024, presented to Town Board members and Town Clerk for filing on 1/19/2025

-Resolution accepting the Annual Fiscal Checklist of Town Clerk for 2024, presented to the Town Board members on 1/23/2025

 - Approval of EV charging station rates of .30 cents per kWh and 1.00 per use

 - Resolution for 2025 Budget Modification and Transfer

- Action to file Town Clerks Report- Jan. 2025

- Action to file Supervisor’s Report- Jan. 2025

- Approval to pay bills and authorize the bookkeeper to transfer funds necessary to the checking account to pay the bills.

RESOLUTION NO. 2025-9 Adopt Collections Policy

NOW, THEREFORE BE IT RESOLVED:

1. That upon the recommendation of the Bergen Town Historian, that the Bergen Town Board hereby adopts the attached Collections Policy, as amended.
2. That this resolution takes effect immediately.

MOTION for adoption of this resolution by: Councilperson Ely

 Seconded by: Councilperson Swanson

Discussion:

VOTE BY ROLL CALL AND RECORD:

 Councilperson Ely - AYE

 Deputy Supervisor Grant - AYE

 Councilperson Starowitz - AYE

Councilman Swanson - AYE

 Supervisor Haywood - AYE

Submitted – February 11, 2025

RESOLUTION NO. 2025-10 Budget Modification and Transfer

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Supervisor is hereby authorized to making the following transfer as appropriated in the **2025 budget**:

 $403 from AA1620.1 Buildings Personal Services to

 AA1620.410 Building Operation Lease Fire Hall

Sec. 2. That this resolution shall take effect immediately.

MOTION for adoption of this resolution by: Councilperson Starowitz

 Seconded by: Councilperson Grant

Discussion:

VOTE BY ROLL CALL AND RECORD:

 Councilperson Ely - AYE

Councilperson Grant - AYE

 Councilperson Starowitz - AYE

 Councilperson Swanson - AYE

 Supervisor Haywood - AYE

Submitted February 11, 2025

RESOLUTION NO. 2025-11 2024 Justice Court Checklist Review

WHEREAS, The Town Board of the Town of Bergen engaged the services of Local Government Support Services to perform the checklist review of the 2024 records of the Town Justices; and

WHEREAS, the review was completed on January 23, 2025 and the Town Board of the Town of Bergen has had the opportunity to review the checklist and findings.

NOW THEREFORE BE RESOLVED:

Sec. 1. That the Town Board of the Town of Bergen hereby accepts the 2024 Justice Court checklist review dated January 23, 2025 by Local Government Support Services.

Sec. 2. That the Records have been duly examined and that the fines therein collected have been turned over to the proper officials of the Town of Bergen as required by law.

Sec. 3. That the report will be filed with the NYS Office of Court Administration

MOTION for adoption of this resolution by: Councilperson Ely

Seconded by: Councilperson Grant

VOTE BY ROLL CALL AND RECORD

Councilperson Ely - AYE

Councilperson Grant - AYE

Councilperson Starowitz - AYE

Councilperson Swanson - AYE

Supervisor Haywood - AYE

Submitted February 11, 2025

RESOLUTION # 2025-12

APPROVAL OF ACQUISITION OF AN EASEMENT BY THE MONROE COUNTY WATER AUTHORITY PURSUANT TO §1096(6-a) OF NEW YORK’S PUBLIC AUTHORITIES LAW

 **WHEREAS,** The Monroe County Water Authority (“Authority”) intends to provide public water service to 0 Clinton Street Road located in the Town of Bergen; and

 **WHEREAS,** the acquisition of the easement is necessary for operation, maintenance and the future replacement of the water main which will allow the Authority to continue to reliably provide potable water supply to the area; and

**WHEREAS,** the easement is located along the frontage of 0 Clinton Street Road (Tax Acct. No. 16.0-1-25.2), which is owned by Mark Miller and Lisa Miller; and

 **WHEREAS,** §1096(6-a) of New York’s Public Authorities Law requires the Authority to obtain the prior approval of the Town Board for the above-referenced acquisition; now therefore be it

 **RESOLVED,** that the Town hereby approves of the Authority’s acquisition of the frontage easement located at 0 Clinton Street Road in accordance with §1096(6-a) of the New York Public Authorities Law and be it further

 **RESOLVED** that a copy of this resolution be provided to the Authority

MOTION for adoption of this resolution by: Councilperson Grant

 Seconded by: Councilperson Swanson

Discussion:

VOTE BY ROLL CALL AND RECORD:

 Councilperson Ely- AYE

Councilperson Grant- AYE

 Councilperson Starowitz- AYE

 Councilperson Swanson - AYE

 Supervisor Haywood - AYE

Submitted February 11, 2025



**RESOLVED** that a copy of this **Standard Work Day Resolution** be provided to the Authority

MOTION for adoption of this resolution by: Councilperson Grant

 Seconded by: Councilperson Ely

 Discussion:

VOTE BY ROLL CALL AND RECORD:

Councilperson Ely – AYE

Councilperson Grant - AYE

Councilperson Starowitz – AYE

Councilperson Swanson – AYE

Supervisor Haywood - AYE

Submitted February 11, 2025 **RESOLUTION #2025-13**

Approval of the Proposal from GG Municipal Consulting and Grant Writing for Grant Writing Servies in the Amount of $3,500.00: Councilperson Grant made a motion to approve the proposal from GG Municipal Consulting and Grant Writing for Grant Writing Services; Seconded by: Councilperson Ely

Ayes: Haywood, Grant, Ely, Swanson, Starowitz

Nays: None

APPROVED by: Unanimous vote (5-0)

Approval of EV charging station rates of .35 cents per kWh and 1.00 per use: Councilperson

Swanson made a motion to Approve the EV charging station rates of .35 cents per kWh and 1.00 per use; Seconded by Councilperson Grant

Ayes: Haywood, Grant, Ely, Swanson, Starowitz

Nays: None

APPROVED by: Unanimous vote (5-0)

Motion to hire a per-diem Motor Equipment Operator at $35.00 per hour: Councilperson Grant made a motion to approve the hiring of a per-diem Motor Equipment Operator at $35.00 per hour; Seconded by Councilperson Ely

Ayes: Haywood, Grant, Ely, Swanson, Starowitz

Nays: None

APPROVED by: Unanimous vote (5-0

 Motion to Accept the Supervisor’s Annual Fiscal Report to the Board for 2024, presented to Town Board members and Town Clerk for filing on 1/19/2025: Councilperson Ely made a motion to Accept the Annual Fiscal Report to the Board for 2024, presented to Town Board members and Town Clerk for filing on 1/19/2025; Seconded by Councilperson Grant

Ayes: Haywood, Grant, Ely, Swanson, Starowitz

Nays: None

APPROVED by: Unanimous vote (5-0)

 Motion to Accept the Annual Fiscal Checklist of Town Clerk for 2024, presented to the Town Board members on 1/23/2025: Councilperson Ely made a motion to Accept the Annual Fiscal Checklist of Town Clerk 2024, presented to Town Board Members on 1/19/2025; Seconded by Councilperson Grant

Ayes: Haywood, Grant, Ely, Swanson, Starowitz

Nays: None

APPROVED by: Unanimous vote (5-0)

Action to file the Town Clerk’s Report for January 2025 – Councilperson Grant made a motion to file to Town Clerk’s Report for January 2025; seconded by councilperson Starowitz

Ayes: Haywood, Grant, Ely, Swanson, Starowitz

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 Starowitz made a motion to pay the bills; seconded by Councilperson Grant.

Ayes: Haywood, Grant, Ely, Swanson, Starowitz

Nays: None

APPROVED by: Unanimous vote (5-0)

**MEETING AND OTHER UPCOMING DATES** – Regular Town Board meeting at 7:00 pm on 3/11/2025; audit of the bills at 6:45pm.

**ADJOURNMENT** Was at 8:45 pm on a motion made by councilperson Grant*;* seconded by councilperson

Swanson.

 Ayes: Haywood, Grant, Ely, Swanson, Starowitz

 Nays: None

 APPROVED by: Unanimous Vote (5-0)

Respectfully submitted

**Teresa Robinson**

Teresa Robinson, Town Clerk