**March 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:** Town Board Meeting February 11, 2025; Councilperson Swanson made a motion to approve the Town Board Minutes of February 11, 2025; seconded by CouncilpersonGrant.

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 and Feb. 2025
2. Financial Statements for Jan, 2025

 3. Town Clerks Report for Feb. 2025

 4. ZEO/CEO Report for Feb. 2025 – Not Available

 5. Mercy EMS report for Jan. 2025

 6. Charter Communication Letter dated 2/28/2025

 7. Proposed Town of Bergen’s Internet Technology Privacy Policy

 8. Resolution to adopt the Internet Technology Privacy Policy

9. Letter of interest for Town of Zoning Board - Joshua Lathan

10. Letter of Interest for Town of Zoning Board- Garret Dean

11. Resolution for the purchase of a 2026 International Truck

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

**REPORTS:**

**SUPERVISOR**:

 **1) Capital Project**

 a) Renovation Plans

 -Town Hall Renovations- received initial proposal- reviewed and made suggestions - potential addition 1994 square feet.

 -Museum- Need to approve proposal to have Architect proposal to move forward with idea gram phase

 -Records retention room - 13 South Lake -Need to approve proposal to have Architect proposal to move forward with idea gram phase

 b) Financing

 -Met with financial team BPD to discuss financing and review time line for financing, working on Financing Plans/Options.

 c) Lease with Fire Department

 -Met with the Town Attorney in response to the draft lease.

**2) Bathroom at the Park**

 -Received draft floor plan from Architect and provided feedback with suggested changes.

 -Highway Superintendent and Supervisor met with BOCES and they are interested in building the Bathroom- this fall-contingent upon transportation.  we would pay for all supplies

 - I have also requested help from BOCES for Electric Work

**3) Insurance Company Policy Review**

 -Met with Insurance Agent to review policy in preparation for renewal-

 -Reviewed with Insurance Company the insurance requirements for insurance with lease for Town Hall and amended lease and forwarded to attorney to review.

**4) Cleaning Position**

-Job Description submitted to County Civil Service and approved

**5)  Record retention Grant**

 -Due at the end of the month- CG consulting doing

 -Sent out RFQ for work for record retention- including Inventory, development of record management plan and tell what can be destroyed.   Sent to 14 vendors- due 3/12

 -Myself, Leisa and Teresa collaborated to provide answers to grant application questions that the Grant Consultant requested.

**6) Internet Privacy Policy**

 -In response to new NYS law and Web site development researched and finalized proposed Internet Privacy Policy

**7) NYMIR Insurance Visit**

 -Thanks to Joel and Teresa for providing the tour of town property to the Risk Control Specialist from our Insurance Carrier.

**8) Genesee County Economic Development Council-**

 I was notified that the Genessee County Economic Development Council has selected the Town of Bergen and The Village of Bergen for their Partner of the year award.

 Which will be presented at their Annual Luncheon on 4/25/2025

**9) FEMA Meeting**

 Attended a Zoom meeting with members from FEMA, the county, DEC, and other Municipalities. FEMA has changed the flood plains throughout the county. We have not received the new maps or the packet of information as of yet.

**TOWN CLERK**:

Taxes are still being collected. February, I paid the county an additional $430,000.00 in taxes. Mailed out 66 reminder notices and we have 93 unpaid tax bills.

Completed the work with CYMA on the accounting software. The Distribution Report is included.

 Working with Stephen Gardner on the website. Any government entity has to have the website domain changed to “.gov”. I have submitted the request to NY State and it has been approved townofbergenny.gov. Still need updated photos for the website, waiting on the weather.

ted.

 We had our first customer use the EV charging station, the money earned has been deposited directly into a town account.

 The Spring Newsletter has been completed.

 Received an estimate from Extreme Clean to have all of the carpets cleaned at the Town Hall in the amount of $495.00. They will be coming on 4/18. Good Friday.

 Looked into the cost of Apple I Pads for the Board (5) 10.9 inch with 256 GB would be $2,495.00 from Best Buy, Apple direct would be the same price, and Amazon $2,340.00 with 5 cases $2424.75. Tabled

 The Highway Supervisor and I would like to participate again this year for United Ways Day of Caring on May 15, 2025. Requesting to not spend more than $1,000.00. Would like to plant trees at Robins Brook Park, mulch, and flowers. Thank you to Councilperson Ely for recommending I contact Wegmans for a donation with Day of Caring and they are donating a $100.00 gift card!

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 as a group.

 Supervisor Haywood, Councilperson Grant, Town Clerk Robinson, Planning Board Chair, Gary Fink +1, and Mark Swanson – yes to attend the GCEDC Annual Meeting.

 We are planning Sexual Harassment & Cyber Security training on April 11 for the town employees & board members at the Fire Hall. I will send additional information by email.

**TOWN BOARD:**

 Nothing to report

**HIGHWAY**:

 Truck purchase – to replace the 1999 (oldest of the fleet) with a 2026 International. If ordered now the truck would be delivered in about 18 months.

 The new sander is ready to picked up on Friday.

 May 12 will be the start of brush pick up. One trip down every road. Branches can be up to 6” diameter and not more than 10’ long. Brush to be in a separate pile.

 Working with the Village of Bergen on street lighting in Appletree Acres to change the existing lighting to LED.

 Attended by zoom the 2025 Advocacy Day through NYS Association of Town Superintendents of Highways, Inc. and if the State budget passes there would be an increase in CHIPS money and an increase to Pave NY.

 Replacing the current parks mower a 16’ 2000 Progressive Mower with a new Frontier FM 4112 Flex Wing Grooming Mower in the amount of $ 21,344.28. OGS contract # PC69683 discount making the total amount $ 21,087.12.

**COMMITTEES:**

Buildings, Grounds, and Facilities (Cemeteries): Nothing to Report

Local History & Museum: Nothing to Report

 Policy & Personnel: Nothing to Report

**OLD BUSINESS:** Nothing to Report

**NEW BUSINESS:**

 - Recognizing years of service for Fire Department Members.

 - Resolution for 2025 adoption of an Internet Technology Privacy Policy

 - Approval to purchase I Pads for Board Members - Tabled

 - Resolution to create the position of Cleaner Part time at a rate of $16.50 per hour

 - Approval of proposals for Architect services with David Strabel as follows;

* Town Hall Renovations Design Gram Phase- 2,400.00
* Bathroom at Robins Brook Park Construction Gram Phase- 12.000.00
* 13 Lake Street Building-Records Retention Room Renovations- Construction Gram Phase 2,500

-Resolution to appoint Garrett Dean to the Zoning Board of Appeals for a term of 3/11/2025-12/31/2029

-Resolution to appoint Joshua Lathan as alternate member to the Zoning Board of Appeals for a term of 3/11/2025-12/31/2029

-Resolution to purchase a 2026 International Truck

- Action to file Town Clerks Report- Feb. 2025

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

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

Motion to Recognize Years of Service to the following Members of the Bergen Fire Department – Councilperson Starowitz made a motion to recognize years of service to the following members of the Bergen Fire Department; seconded by Councilperson Grant

Kenny Dean – 10 years

Jared Hicks – 10 years

Donna VanSlyke – 15 years

Doug VanSlyke – 15 years

Devon Zinter – 15 years

Kevin Bruton – 20 years

P.J, Cummings - 20 years

Chuck Dodson – 25 Years

Paul Cummings – 35 Years

Steve Ayers – 35 Years

Joe McCconnell - 55 years of service for Fire Dept. Members

Ayes: Haywood, Grant, Ely, Swanson, Starowitz

Nays: None

APPROVED by: Unanimous vote (5-0)

RESOLUTION NO. 2025-14

WHEREAS, New York State has mandated the adoption of an Internet Technology Privacy Policy; and

WHEREAS, the Town of Bergen’s IT Consultant has verified that the attached policy, as modified from New York State’s policy, accurately describes the internet data collection and privacy settings relative to the Town of Bergen’s internet platforms.

NOW THEREFORE BE RESOLVED:

Sec. 1. That the Town Board of the Town of Bergen hereby adopts the attached Internet Technology Privacy Policy effective immediately.

Sec. 2. That the Town Clerk is directed to have the policy posted on the Town of Bergen’s website.

MOTION for adoption of this resolution by: Councilperson Grant

Seconded by: Councilperson Swanson

VOTE BY ROLL CALL AND RECORD

Councilperson Ely

Councilperson Grant

Councilperson Starowitz

Councilperson Swanson

Supervisor Haywood

 Submitted March 11, 2025

RESOLUTION NO. 2025-15 Awarding Purchase of 2026 International Truck

WHEREAS: The Highway Superintendent has procured three quotes for a 2026 International Truck with attachments: and

WHEREAS: The cab and chassis are quoted from the Onondaga County Contract 10914 allowing other municipalities to piggy-back on the quote; and

WHEREAS: The Body Build by Henderson portion of the quotes is available through both NPP.Gov and Sourcewell, municipal bidding cooperatives; and

WHEREAS: The purchase price of the truck with attachments is the same through all three vendors ($344,338.64) and the only difference in the quotes is the financing; and

WHEREAS: The following quotes were received:

 KS State Bank Comm. Leasing Part. NCL Govt Cap.

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| purchase price |  | $344,338.64  |  | $344,338.64  |  | $344,338.64  |
| escrow pay Oct. 2025 |  |  |  | $10,013.00  |  |  |
|  |  |  |  |  |  |  |
| 5 yr lease, annual payment |  | $76,898.40  |  | $78,708.15  |  | $82,376.75  |
| cost of 5 yr financing |  | $40,153.36  |  | $59,215.11  |  | $67,545.11  |
| total cost w/5 yr financing |  | $384,492.00  |  | $403,553.75  |  | $411,883.75  |
|  |  |  |  |  |  |  |
| 6 yr lease, annual payment |  | $65,931.19  |  | $67,337.06  |  | $70,529.60  |
| cost of 6 yr financing |  | $51,248.50  |  | $69,696.72  |  | $78,838.96  |
| total cost w/6 yr financing |  | $395,587.14  |  | $414,035.36  |  | $423,177.60  |
|  |  |  |  |  |  |  |
| 7 yr lease, annual payment |  | $58,161.23  |  | $59,239.67  |  | $62,018.46  |
| cost of 7 yr financing |  | $62,789.97  |  | $80,352.05  |  | $89,790.58  |
| total cost w/7 yr financing |  | $407,128.61  |  | $424,690.69  |  | $434,129.22  |

WHEREAS: The Highway Superintendent recommends the purchase of the 2026 International Truck with attachments be made through KS State Bank for lease to own terms of five years.

NOW THEREFORE BE RESOLVED:

Sec. 1. That the Town Board of the Town of Bergen does award the purchase of the 2026 International Truck with attachments to KS State Bank for the terms contained in the quote and for a five-year period of financing.

Sec. 2. That the Town Board authorizes the Highway Superintendent and Town Supervisor to execute all necessary documents to complete the purchase.

Sec. 3. That this resolution takes effect immediately.

Motion by: Councilperson Starowitz

Seconded by: Councilperson Ely

VOTE BY ROLL CALL AND RECORD

Councilperson Ely

Councilperson Grant

Councilperson Starowitz

Councilperson Swanson

Supervisor Haywood

Submitted March 11, 2025

Motion to purchase a Frontier FM4112 Flex Wing Grooming Mower in the amount of

$21,087.12 from Land Pro, Deere & Co. - Councilperson Starowitz made a motion to purchase a Frontier FM4112 Flex Wing Grooming Mower in the amount of $21,087.12 from Land Pro, Deere & Co; seconded by Councilperson Swanson.

Ayes: Haywood, Grant, Ely, Swanson, Starowitz

Nays: None

APPROVED by: Unanimous vote (5-0)

Motion to create the position of Cleaner Part Time at a rate of $16.50 per hour – Councilperson Grant made a motion to create the position of Cleaner Part Time at a rate of $16.50 per hour; seconded by Councilperson Ely

Ayes: Haywood, Grant, Ely, Swanson, Starowitz

Nays: None

APPROVED by: Unanimous vote (5-0)

 Motion to approve the proposals for Architect services with David Strabel as follows;

* + Town Hall Renovations Design Gram Phase- 2,400.00
	+ Bathroom at Robins Brook Park Construction Gram Phase- 12.000.00
	+ 13 Lake Street Building-Records Retention Room Renovations- Construction Gram Phase 2,500 – Not until June

 Councilperson Starowitz made a motion to approve Architect services with David Strabel; seconded by Councilperson Grant.

Ayes: Haywood, Grant, Ely, Swanson, Starowitz

Nays: None

APPROVED by: Unanimous vote (5-0)

 Motion to approve the appointment of Garrett Dean to the Zoning Board of Appeals for a term of 3/11/2025 - 12/31/2029 - Councilperson Starowitz made a motion to approve the appointment of Garret Dean to the Zoning Board of Appeals; seconded by Councilperson Swanson

Ayes: Haywood, Grant, Ely, Swanson, Starowitz

Nays: None

APPROVED by: Unanimous vote (5-0)

 Motion to approve the appointment of Joshua Lathan as an alternate member to the Zoning Board of Appeals for a term of 3/11/2025 - 12/31/2029 - Councilperson Starowitz made a motion to approve the appointment of Joshua Lathan as an alternate to the Zoning Board of Appeals; seconded by Councilperson Swanson.

Ayes: Haywood, Grant, Ely, Swanson, Starowitz

Nays: None

APPROVED by: Unanimous vote (5-0)

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

Ayes: Haywood, Grant, Ely, Swanson, Starowitz

Nays: None

APPROVED by: Unanimous vote (5-0)

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

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:The bills were presented for audit and totaled $ 37,201.77; General A Fund $ 13,204.76; General B $ 9,030.30; Highway DA$ 11094.91; Highway DB $ 3,871.80.

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

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 4/8/2025; audit of the bills at 6:45pm.

**ADJOURNMENT** Was at 8:30 pm on a motion made by councilperson Grant*;* seconded by Councilperson Ely.

 Ayes: Haywood, Grant, Ely, Swanson, Starowitz

 Nays: None

 APPROVED by: Unanimous Vote (5-0)

Respectfully submitted

**Teresa Robinson**

Teresa Robinson, Town Clerk