

**Town Board Meeting
Town of Bergen
June 10th 2025
Town Hall- 10 Hunter Street, Bergen New York
Agenda**

I. Audit of 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: 5/13/2025 meeting

IV. Communications included with this agenda:

1. Supervisor Report for May 2025 -if available
2. Financial Statements for May 2025- if available
3. Town Clerks Report for May. 2025
4. ZEO/CEO Report for May 2025
5. Mercy EMS report for April 2025
6. Proposed lease for Town Hall – if available
7. Resolution for Town of Bergen declaring lead status and determination of proposed actions (construction of addition at 10 Hunter Street and renovations at 13 South Lake Ave, Bergen NY) as a Type II action for SEQRA.
8. Bond Resolution for renovations at 13 South Lake Ave, Bergen NY, and construction of an addition at 10 Hunter Street, Bergen NY, with maximum dollar amount of \$990,000.00.
9. Resolution authorizing the bids for the Town of Bergen Park Restroom Foundation.
10. Resolution to appoint Lori Kellogg as part time Highway Clerk at a rate of \$21.00 per hour.
11. Resolution to appoint Sameul Wilson as per diem laborer at a rate of \$18.00 per hour.

V. Board Members' items for addition to the agenda

VI. Reports:

Supervisor

Clerk

Web Site update

Board Members

Highway

BOCES update- Drews/ Bathroom

Committees

-Building, Grounds, and Facilities (cemeteries) -

-Parks - Bathroom update/ Drew's Update

-Local History & Museum -

-Policy and Personnel:

VII. Old Business:

- Update on proposed Capital Project- Town Hall addition and renovations to create a records room at 13 S. Lake Ave.
- Traffic at Routes 19 and 33

VIII. New Business:

- Approval of the new lease for Town Hall Space with the Fire Department, including the new addition.
- Resolution for Town of Bergen declaring lead status and determination of proposed actions (construction of addition at 10 Hunter Street and renovations at 13 South Lake Ave, Bergen NY) as a Type II action for SEQRA\\
- Bond Resolution for renovations at 13 South Lake Ave, Bergen NY, and construction of an addition at 10 Hunter Street, Bergen NY, with maximum dollar amount of \$990,000.00.
- Resolution authorizing the bidding for the Town of Bergen Park Restroom Foundation.

- Resolution to appoint Lori Kellogg as part time Highway Clerk at a rate of \$21.00 per hour.
- Resolution to appoint Sameul Wilson as per diem laborer at a rate of \$18.00 per hour.
- Recommendation to the County for request for water hook up at 7618 Dublin Road, Bergen N. Y.
- Change in Town Board meeting date in November from November 11th (Veteran's Day) to Nov. 18th.
- Action to file Town Clerks Report-May 2025
- Action to file Supervisor's Report- May 2025
- Approval of Budget Transfers-
- Approval to pay bills and authorize the bookkeeper to transfer funds necessary to the checking account to pay the bills.

IX. Meeting and Other Upcoming Dates:

- Town Board Meeting: 7/8/2025/10/2025 - 6:45 Audit of bills and 7:00 pm Town Board Meeting

X. Executive Session

XI. Adjournment

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:

Supervisor Ernie Haywood
Councilperson Belinda Grant
Councilperson Karen Ely
Councilperson Mark Swanson

ALSO PRESENT:

Teresa Robinson, Town Clerk
Joel Pocock, Highway Superintendent

ABSENT: Councilperson James Starowitz

OTHER ATTENDANCE: Kim Donley 7:15 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:

PRIVILEGE OF THE FLOOR:

APPROVAL OF MINUTES FOR: Town Board Meeting April 8, 2025; Councilperson Swanson made a motion to approve the Town Board Minutes of April 8, 2025; seconded by Councilperson Grant

Ayes: Haywood, Grant, Ely, Swanson
Nays: None
Abstained: None
APPROVED by: Unanimous vote (4-0)

COMMUNICATIONS/INFORMATION included with this agenda:

1. Supervisor Report for April. 2025
2. Financial Statements for April 2025
3. Town Clerks Report for April. 2025
4. ZEO/CEO Report for April. 2025
5. Mercy EMS report for March. 2025
6. Proposed Budget Transfers
7. Correspondences from Charter Communication

8. Resolution for approval of acquisition of an easement by MCWA for property at 0 Gilbert Road

9. Resolution to approve an assessment agreement services agreement with the town of Batavia for the provision of assessment tax services.

10. Letter of request for reappointment to the position of Sole Appointed Assessor for the Town of Bergen for a six-year term beginning 10/1/2025.

11. Correspondence to Town residents that may be affected by FEMA's changes in flood maps and potential flood insurance change that was mailed out in early May.

12. Notice of the town of Bergen's proposal to consolidate town office.

13. Resolution Surplus Items from the Town Historian

BOARD MEMBERS' ITEMS FOR THE AGENDA:

REPORTS:

SUPERVISOR:

Announcements/Events:

- Town and Village of Bergen named Partner of the Year by Genesee County Economic Development Center- Luncheon occurred on 4/25. Award and proclamation from Assemblymember Steve Hawley- on behalf of the town by myself. Belinda Grant, Mark Swanson, Teresa Robinson, and Gary Fink represented the town at the luncheon.
- Genesee County Chamber Tour- As part of the Chamber's rebranding of Genesee County, on 5/6/2025, in collaboration with the village the BBCA a tour was provided to Chamber staff. Tom showed them the museum. Patrica and Karen from the BBCA presented on the BBCA, Joel provided a tour of Robins Brook Park and the Cortney and the Mayor toured the village park, sage and down town with the representatives. They will also be meeting with representatives from the Bergen Swamp Society.
- Prevention of Sexual Harassment/Cyber Security- Thank you to Teresa for arranging for training on Prevention of Sexual Harassment and Cyber Security and arranging for Lunch during the training on 4/11/2025

Insurance Renewal:

- Teresa and I have worked with the insurance agent (Tompkins) on renewal of the insurance. A final meeting occurred on 5/2/2025 and in summary- Tompkins did go out to get quotes. Travelers and Trident decline to quote, Select was more expensive and only quoted on Property and Liability and not auto, umbrella and crime. NYMIR our current insurance company was the sole bidder. The cost, including adding in the pavilion, EV station and increasing the umbrella to 4 million (which is more the standard for municipalities of our size) is 39,442. This is an increase of 3,306 over this year's premium. (5/2024-

5/2025). We budgeted 40,000.00 for all insurance and with this insurance plus the 1265 we pay separately for excessive employee liability total insurance and a 79.34 cost to add the park pavilion to this year's coverage the costs will be 40,784.34.

Properties-Projects:

- East Bergen Cemetery-I have requested a plan and quote to continue our work to repair head stones at the E. Bergen Cemetery from Genesee Valley Cemetery Service. We have budgeted 5000.00 for this work.
- Bathroom at Park- The Town Architect completed the specification and drawings for the proposed bathroom and they have been shared with BOCES. A meeting with BOCES is scheduled for 5/13 to discuss the project. Our goal is to have construction start in the fall and be completed by Dec.
- Capital Project- Renovations to 13 South Lake and Addition to Town Hall- The Town Architect has completed the Short Form Environmental Review -SEQRA. We will be potentially acting upon this by declaring a negative impact at the June town board meeting. The attorneys continue to work on the language for the lease.
- Drews Nature Center- Joel and I have been in email conversations with the instructor for the BOCES conservation class. His goal is to be able to have his students work in the Drews Nature Center to assist with clean-up and other work Joel has in the fall. We are working to have transportation provided for students on the same dates/ times as the BOCES students from the building trades program come to Robins Brook to build the bathroom.

Traffic Safety around Appletree Industrial Park

- Request for Speed Reduction on 33- As shared with the board, NYS DOT has concluded that that they are not going to reduce the speed limit as both the Village and Town Board had requested.
- Concerns brought to County- I discussed the concerns that were outlined in the correspondence to the Genesee County Traffic Safety Board- and NYS DOT, as well as some of the recommendations the village and town has for improved traffic safety with Shelly Stien, chair of the Genesee County Legislature. She is taking the concerns to the regional head of DOT>
I have also communicated and shared with Charlie Cook, from Liberty Pump the request and recommendations and the denial of NYS DOT To reduce speed limit.

Communications with the Community:

- FEMA -Open house for changes in Flood Maps- A notice regarding the FEMA open house /meeting in Batavia on 5/15/2025 was prepared and mailed to over 150 town residents for who the Genesee County Planning Department has said that their property is within 10 ft. of a flood plain.
- Proposal to Consolidate town office- A notice detailing the proposal to consolidate town offices by adding space at the current town hall for the assessor and code enforcement officer and moving the historian from the historian's house to the library building, including renovations for better records storage and renovations to the museum through the sale of the historian house was put on the web site and posted on face book.

water District Reconciliation

- Upon receipt of the list of Monroe County Water Authority Customers in Bergen, I have spent a considerable amount of time reconciling their list with the assessors list of water users by districts. The goal is to have on comprehensive list and to compare each year to be sure we have added new EDUs to the tax rolls as needed.

Follow up from last board meeting.

- Rep. for negotiations with the Union- As requested at the last board meeting, if any board member is interested in participating in the upcoming negotiations with the highway members, please let me know asap.
- Joint meeting with Village Board- As requested by Karen, I have reached out to the mayor to see if their board is interested in once again hosting a joint town /village board meeting or a get together. He is going to bring this to the Village board and get back to me.

TOWN CLERK:

I met with the Genesee County Treasurer to turn in all of the uncollected taxes and to make the final payment to the County. The Town collected over \$3,000,000 and returned \$142,885.30 of unpaid taxes to the county.

The Apple I pads are in. I spoke to Bill (our IT person) and he recommended we use the same I cloud account for all of the I pads and passwords will be kept by the Town.

The Highway Supervisor and I will be participating this year for United Ways Day of Caring on May 15, 2025. We have no more than 20 volunteers attending.

Attended The Genesee County Economic Development Center (GCEDC) Annual Meeting that was held on April 25, 2025 at Batavia Downs at 11:00 am.

Sexual Harassment Prevention & Cyber Security training went well we had 10 people in attendance.

The new website will go live June 2nd. All of the forms will be available – printable and fillable. The photos will be old but now that we have nice weather and greenery we can update as we go.

TOWN BOARD:

Nothing to report

HIGHWAY:

- The benches have been purchased and placed at the park (donation from BBKA)
- Working on brush pick up – completed this week.
- Day of Caring on Thursday – will be painting, cleaning the pavilion, planting trees, mulch, and plant flowers.
- Work on the baseball fields has been completed.
- The water line to the front of the park has been completed, will be working on the line to the back.
- Will be posting Sacket Road and Peachey Rd with weight limit signs.
- Posted for a part-time Highway Clerk position.
- Would like to hire a part-time per diem laborer position up to 30 hours per week.

Motion to authorize the Highway Superintendent to proceed with hiring a part-time per diem laborer at \$18.00 per hour up to 30 hours per week. Councilperson Ely made a motion to authorize the Highway Superintendent to proceed with hiring a part-time per diem laborer at \$18.00 per hour up to 30 hours per week; Seconded by Councilperson Grant.

Ayes: Haywood, Grant, Ely, Swanson

Nays: None

APPROVED by: Unanimous vote (4-0)

Motion to approve the Highway Superintendent's request to attend the training at Cornell on June 2 thru June 4, 2025 not to exceed \$165.00. Councilperson Ely made a motion to approve the Highway Superintendent's request to attend the training at Cornell on June 2 thru June 4, 2025 not to exceed \$165.00; Seconded by Councilperson Grant.

Ayes: Haywood, Grant, Ely, Swanson

Nays: None

APPROVED by: Unanimous vote (4-0)

COMMITTEES:

Buildings, Grounds, and Facilities (Cemeteries):

Local History & Museum: The Genesee Chamber of Commerce came and toured the Historian House

Policy & Personnel:

OLD BUSINESS:

- Update on proposed Capital Project- Town Hall addition/ Records room at 13 S. Lake Ave. Working on the lease with the Attorneys
- Request for Traffic Speed reduction on Route 33 from 490 past intersection of Routes 19 and 33. New York State Department of Transportation (NYSDOT) has denied the request to lower the speed limit.

NEW BUSINESS:

- Approval to provide funding to the American Legion for the purchase of flowers and flags for the cemeteries- not to exceed \$800.00
- Approval to authorize the clerk to pay her Key Bank Credit Card Balance in the amount of 886.05 as a bill prior to the Board meeting date of 5/13/2025 to avoid late fees.
- Resolution to approve the acquisition of an easement by MCWA for property at 0 Gilbert Road.
- Resolution to approve an assessment agreement services agreement with the town of Batavia for the provision of Tax Assessment Services.
- Resolution to appoint Rhonda Saulsbury to the position of Sole Appointed Assessor for the Town of Bergen for a six-year term beginning 10/1/2025.
- Acceptance of resignation of Penny Vincent from the Board of Assessment Review.
- Resolution for disposal of items from the Town of Bergen's Historical Collection.
- Action to file Town Clerks Report-April 2025
- Action to file Supervisor's Report- April 2025
- Approval of Budget Transfers- if available
- Approval to pay bills and authorize the bookkeeper to transfer funds necessary to the checking account to pay the bills.

Motion to approve the request from Sleds of Stafford to keep the marked trail system for utilization for snowmobiles on town owned property (West Shore Railroad). Councilperson Grant made a motion to approve the request from Sleds of Stafford to keep the marked trail system for utilization for snowmobiles on town owned property (West Shore Railroad); Seconded by Councilperson Swanson.

Ayes: Haywood, Grant, Ely, Swanson
Nays: None
APPROVED by: Unanimous vote (4-0)

Motion to approve the of request for Bergen Business and Civic Association's request for town for sponsorship of Bergen Park Day at \$500.00. Councilperson Ely made a motion to approve the request Bergen Business and Civic Association's request for town for sponsorship of Bergen Park Day at \$500.00; Seconded by Councilperson Swanson

Ayes: Haywood, Grant, Ely, Swanson
Nays: None
APPROVED by: Unanimous vote (4-0)

Motion to approve the of request for the Disposal of Equipment/Vehicles deemed as surplus- - 2013 Ford F 250 Truck with Plow and 2000 Progressive 15 ft. mower. Councilperson Swanson made a motion to Disposal of Equipment/Vehicles deemed as surplus- - 2013 Ford F 250 Truck with Plow and 2000 Progressive 15 ft. mower; Seconded by Councilperson Ely

Ayes: Haywood, Grant, Ely, Swanson
Nays: None
APPROVED by: Unanimous vote (4-0)

Motion to approve the funding to the American Legion for the purchase of flowers and flags for the cemeteries- not to exceed \$800.00. Councilperson Ely made a motion to approve the funding to the American Legion for the purchase of flowers and flags for the cemeteries- not to exceed \$800.00; Seconded by Councilperson Swanson

Ayes: Haywood, Grant, Ely, Swanson
Nays: None
APPROVED by: Unanimous vote (4-0)

Motion to approve the authorization of the clerk to pay hers and the Highway Supervisor's Key Bank Credit Card Balance in the amount of \$886.05 as a bill prior to the Board meeting date of 5/13/2025 to avoid late fees. Councilperson Grant made a motion to approve the authorization of the clerk to pay hers and the Highway Supervisor's Key Bank Credit Card Balance in the amount of \$886.05 as a bill prior to the Board meeting date of 5/13/2025 to avoid late fees; Seconded by Councilperson Ely

Ayes: Haywood, Grant, Ely, Swanson
Nays: None
APPROVED by: Unanimous vote (4-0)

RESOLUTION # 2025-17

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 Part of 0 Gilbert 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 Part of 0 Gilbert Road (Tax Acct. No. 16.0-1-25.1), which is owned by Wolfgang A. Hofer and Bridget E. Hofer; 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 Part of 0 Gilbert 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 Swanson

Seconded by: Councilperson Ely

Discussion:

VOTE BY ROLL CALL AND RECORD:

Councilperson Ely

Councilperson Grant

Councilperson Swanson

Supervisor Haywood

APPROVED by: Unanimous Vote (4-0)

Submitted – May 13, 2025

**TO APPROVE AN ASSESSMENT SERVICES AGREEMENT
WITH THE TOWN OF BERGEN**

WHEREAS, the Town of Batavia, (hereinafter “Batavia”) and the Town of Bergen, (hereinafter “Bergen”), pursuant to Article 5-G of the General Municipal Law, are authorized to enter into an inter-municipal cooperative agreement for the provision of assessment tax services, and;

WHEREAS, Batavia currently is employing an individual fully qualified to provide the assessment services as required by law; and

WHEREAS, Bergen has identified a need to have assessment services to be provided by Batavia; and

WHEREAS, Batavia intends to continue to maintain an employee to provide assessment duties in both the Towns of Batavia and Bergen, without reducing the level of service provided to the Town of Batavia; and

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Batavia, New York, that the proposed “Towns of Batavia and Bergen Assessment Services Agreement” (hereinafter “Agreement”), a copy of which is annexed hereto and made part of the Town Board Minutes, at a cost of twenty thousand, two hundred, forty-four dollars (\$20,244.00) per year and this sum shall be paid by the Town of Bergen, in two equal installments of ten thousand, one hundred twenty-two dollars (\$10,122.00) with the first payment being due on or before October 1, 2025 and the second payment to be paid on or before March 1, 2026, and this Agreement is hereby approved effective July 1, 2025 to expire on June 30, 2026 and the Town Supervisor is authorized and directed to sign this Agreement on behalf of the Town of Batavia, subject to the approval and execution by the Town of Bergen.

Offered By: Councilperson Grant

Second by: Councilperson Swanson

VOTE BY ROLL CALL AND RECORD:

Councilperson Ely

Councilperson Grant

Councilperson Swanson

Supervisor Haywood

Submitted – May 13, 2025

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

THIS AGREEMENT, made this _____ day of _____, 2025 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 offices 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, 2025, and the second payment due on or before March 1, 2026.
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 and all 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, 2025, and expire on June 30, 2026, 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. 3

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 _____, 2025 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 _____, 2025 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.

Insurance Minimum Limits	
Employers	\$1 Million each accident for bodily injury by accident
Liability:	\$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:	\$1 Million combined single limit
(Hired, Owned, Not-Owned)	
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 Acord 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

RESOLUTION NO. 2025-19

Upon the recommendation of the Town Historian,

NOW, THEREFORE, BE IT RESOLVED: That the Bergen Town Board deems the following items as surplus and directs the Town Historian to dispose of the items as follows.

- 1) Items to dispose of through auction or other means:
 - Two Church Pews-
 - Chair "Gentlemen's" seafoam green velvet
 - Victorian Settee, mahogany veneer, green brocade
- 2) Item to De-accession- to the Holland Land office Museum in Batavia
 - Waird Plow- Accession number 2-1

This resolution shall take effect immediately.

MOTION for adoption of this resolution by Councilperson Ely

Seconded by Councilperson Swanson

Discussion

VOTE BY ROLL CALL AND RECORD

Councilperson Ely

Councilperson Grant

Councilperson Swanson

Supervisor Haywood

Submitted May 13, 2025

Acceptance of resignation of Penny Vincent from the Board of Assessment Review.

Councilperson Ely made a motion to accept the of resignation of Penny Vincent from the Board of Assessment Review; Seconded by Councilperson Swanson

Ayes: Haywood, Grant, Ely, Swanson

Nays: None

APPROVED by: Unanimous vote (4-0)

Appointment of Joe Nenni to Board of Assessment Review -5/13/2025-9/20/20230.

Councilperson Ely made a motion to Appointment of Joe Nenni to Board of Assessment Review -5/13/2025-9/20/20230; Seconded by Councilperson Swanson

Ayes: Haywood, Grant, Ely, Swanson, Starowitz

Nays: None

APPROVED by: Unanimous vote (4-0)

Action to file the Town Clerk's Report for April 2025 – Councilperson Grant

made a motion to file to Town Clerk's Report for April 2025; seconded by Councilperson Ely

Ayes: Haywood, Grant, Ely, Swanson

Nays: None

APPROVED by: Unanimous vote (4-0)

Action to file the Supervisor's Report for April 2025 – Councilperson Swanson

made a motion to file the Supervisor's reports for April 2025; seconded by Councilperson Grant

Ayes: Haywood, Grant, Ely, Swanson

Nays: None

APPROVED by: Unanimous vote (4-0)

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 \$ 183,790.02; General A Fund \$ 42,132.66; General B \$ 2,611.35; Highway DA \$ 25,375.56; Highway DB \$ 901.13; Capital Projects \$ 3,011.25.

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

Ayes: Haywood, Grant, Ely, Swanson

Nays: None

APPROVED by: Unanimous vote (4-0)

RESOLUTION # 2025-20

NOW, THEREFORE, BE IT RESOLVED:

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

\$1,710 from AA1220.4 Supervisor Contractual to

AA1310.2 Budget Officer Equipment

\$5,900 from AA1990.4 Contingency to

AA1440.4 Engineer Contractual

\$4,577 from AA1620.4 Building Operation Town Hall to

AA1621.4 Building Operations Assessor

\$1,392 from AA1620.4 Building Operation Town Hall to

AA1622.4 Building Operations Historian

\$695 from AA5010.103 Highway Superintendent Clerk to

AA5010.2 Highway Superintendent Equipment

\$2,434 from AA1990.4 Contingency to

AA6420.4 Promotion of Industry Contractual

Increase AA2192 Cemetery Services \$413

Increase AA1620.401 Building Operations Lease Fire Hall \$413

Increase AA1081 Other Payments in Lieu of Taxes \$2,135

Increase AA1950.4 Taxes & Assessment on Property \$2,135

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

MOTION for adoption of this resolution by: Councilperson Grant

Seconded by Councilperson Swanson

Discussion:

VOTE BY ROLL CALL AND RECORD:

Councilperson Ely Councilperson Grant

Councilperson Swanson Supervisor Haywood

Submitted May 13, 2025

MEETING AND OTHER UPCOMING DATES – Regular Town Board meeting at 7:00 pm on June 10, 2025; audit of the bills at 6:45pm.

ADJOURNMENT Was at 8:10 pm on a motion made by councilperson Grant; seconded by Councilperson Ely

Ayes: Haywood, Grant, Ely, Swanson

Nays: None

APPROVED by: Unanimous Vote (4-0)

Respectfully submitted,
Teresa Robinson, Town Clerk

Account#	Account Description	Fee Description	Qty	Local Share
	Marriage License	Marriage License	2	35.00
		Sub-Total:		\$35.00
A1255	Clerk Fees	Certified Copies	6	60.00
	Conservation	Conservation	2	3.86
		Sub-Total:		\$63.86
A2544	Dog Licensing	Female, Spayed	7	35.00
		Female, Unspayed	2	36.00
		Male, Neutered	22	110.00
	Senior Discount	Senior Discount	6	-18.00
		Sub-Total:		\$163.00
B2110	Building & Zoning	Building Permit	9	1,515.50
		Zoning	1	300.00
		Sub-Total:		\$1,815.50
B2115	Building & Zoning	Amend. - Minor Subdivision	1	600.00
		Sub-Total:		\$600.00

Total Local Shares Remitted: \$2,677.36

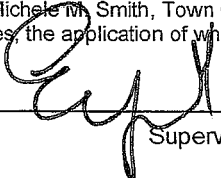
Amount paid to: N Y State Department Of Health _____ 45.00
Amount paid to: NYS Ag. & Markets for spay/neuter program _____ 35.00
Amount paid to: NYS Environmental Conservation _____ 66.14

Total State, County & Local Revenues: \$2,823.50

Total Non-Local Revenues: \$146.14

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

8/3/2025

Date



Town Clerk

10-3-2025

Date

Town of Bergen
Permit Monthly Report

05/01/2025 - 05/31/2025

Permit #	Issue Date	Owner	Permit Type	Property Location	Valuation	Amount
May 2025						
BP-0012-2025	05/07/2025	meredith lewis	Res-Deck	7617 West Bergen Rd SBL#: 16-1-16	\$25,000.00	\$50.00
SID-2025-002	05/07/2025	james starowitz	Subdivision	7637 Sackett Rd SBL#: 9-1-37		\$200.00
BP-0013-2025	05/07/2025	jake berardi	Comm-New Structure	8245 roxbury ln (appletree acres) SBL#: 13-1-59.2211	\$450,000.00	\$750.00
BP-0014-2025	05/14/2025	jared clark	Res-Acc Structure	7327 Warboys Rd SBL#: 9-1-46.2	\$3,000.00	\$50.00
BP-0015-2025	05/21/2025	R.J. PROPERTIES, LLC	Comm-New Structure	7000 Apple Tree Ave SBL#: 13-1-57.1		\$365.50
BP-0016-2025	05/21/2025	marcarita jones	Res-Deck	79 Northfield Dr SBL#: 17-1-16.11/TTT		\$50.00
BP-0017-2025	05/21/2025	douglas sutera	Res-Acc Structure	7476 Clinton St Rd SBL#: 14-1-18.122	\$20,000.00	\$75.00
BP-0018-2025	05/21/2025	Richard Hann	Res-Acc Structure	7934 Buffalo Street Ext SBL#: 12-1-54.211		\$50.00
BP-0019-2025	05/21/2025	Richard Hann	Res-Acc Structure	7934 Buffalo Street Ext SBL#: 12-1-54.211		\$50.00
SP-2025-002	05/21/2025	ken holtz	Site Plan	7254 dublin rd (ken & emily holtz) SBL#: 15-1-8.121		\$300.00
BP-0020-2025	05/28/2025	George Vanderstow	Res-Acc Structure	7132 North Bergen Rd SBL#: 9-1-73	\$20,000.00	\$75.00
May 2025 Total:					\$518,000.00	\$2,015.50
Reporting Period Total:					\$518,000.00	\$2,015.50

GEN BERGEN FIRE

Report Date Range from: 4/1/2025 to 4/30/2025

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

01:00 - 01:59	1	1	16.67%	16.67%
13:00 - 13:59	1	2	16.67%	33.33%
16:00 - 16:59	1	3	16.67%	50.00%
18:00 - 18:59	1	4	16.67%	66.67%
19:00 - 19:59	2	6	33.33%	100.00%
Total Calls:	6	6	100%	

Response Zone: GEN BERG 22

14:00 - 14:59	1	1	25.00%	25.00%
19:00 - 19:59	1	2	25.00%	50.00%
20:00 - 20:59	1	3	25.00%	75.00%
21:00 - 21:59	1	4	25.00%	100.00%
Total Calls:	4	4	100%	

Call Source Total Calls: 10

EXTRACT OF MINUTES OF A REGULAR MEETING
OF TOWN OF BERGEN DECLARING LEAD AGENCY AND SEQRA DETERMINATION

At a regular meeting of the Town Board of the Town of Bergen held on __, of June 2025.

Present:

Absent:

Board Member _____ presented the following resolution and moved that it be adopted and it was seconded by Board Member _____.

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

WHEREAS, on or about June 10, 2025, the Town Board of the Town of Bergen, New York shall consider a Bond Resolution to finance certain capital improvements/renovations to the Bergen Town Hall located at 10 Hunter Street, Bergen, New York ("Town Hall") and the Town of Bergen Record Room Building located at 13 South Lake Avenue, Bergen New York ("Record Room"), consisting of the construction of an approximately 36 x 54' office addition on the west side of the Town Hall, including miscellaneous interior modifications/renovations and also interior/modifications to the 2nd floor of the Town Record Room, together with various site and incidental improvements thereto (collectively the "Project"); and

WHEREAS, the Town Board of the Town of Bergen ("Board") is principally responsible for undertaking, or approving the foregoing Project and its anticipated impact is primarily of local significance; and

WHEREAS, to aid the Board in determining whether such Project and financing and other actions of the Board in connection therewith (the "action") may have a significant effect on the environment, the Board has caused its Architect David Strabel to prepare a short environmental assessment form(s) or similar information ("EAF"), a copy of which is attached hereto; and

WHEREAS, the Board has duly reviewed the EAF and related documents with respect to the above-referenced capital project and duly considered the impacts which may be expected to result from the proposed action with the criteria set forth in the State Environmental Quality Review Act and the applicable regulations promulgated thereunder ("SEQRA"); and

WHEREAS, the Board had determined that the Project is a Type II Action pursuant to SEQRA;

NOW THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF BERGEN, BERGEN NEW YORK AS FOLLOWS:

1. The Board hereby declares itself and is hereby designated as Lead Agency to the extent necessary, if any, for this purpose therewith and otherwise complying with the procedural and substantive requirements of SEQRA.
2. Based upon the review by the Board of the EAF and other necessary criteria, the Board hereby finds and determines that the proposed action is an "Type II action" as defined in SEQRA and as such is not subject to further review by the Town under SEQRA. A listing of such Type II actions is attached hereto. The action consists of the construction or expansion of a primary or accessory/appurtenant, non-residential structure or facility involving less than 4,000 square feet of gross floor area and not involving a change in zoning or a use variance and consistent with local land use controls, but not radio communication or microwave transmission facilities as well as the replacement, rehabilitation or reconstruction of a structure in kind on the same site.
3. A copy of this resolution shall be placed on file in the office of the Town Clerk.

This resolution shall take effect immediately.

Duly put to a vote as follows:

AYES

NAYS

Short Environmental Assessment Form

Part 1 - Project Information

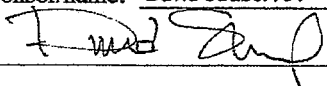
Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
Town of Bergen			
Name of Action or Project: Interior Modifications			
Project Location (describe, and attach a location map): 13 South Lake Avenue - Bergen, NY			
Brief Description of Proposed Action: Interior modifications of second floor storage room.			
Name of Applicant or Sponsor: David Strabel RA		Telephone: 585-637-5346 E-Mail: dave@davidstrabel.com	
Address: 44 Candlewood Lane			
City/PO: Wells		State: Maine	Zip Code: 04090
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		0.02 acres	
b. Total acreage to be physically disturbed?		0 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		0.02 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action: <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify): <input type="checkbox"/> Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation services available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	<input type="checkbox"/>	<input type="checkbox"/>
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor/name: <u>David Strabel RA</u> Date: <u>5/2/25</u>		
Signature: <u></u> Title: <u>Architect</u>		

PRINT FORM

Short Environmental Assessment Form

Part 1 - Project Information

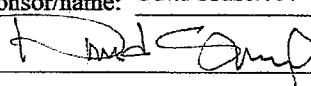
Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
Town of Bergen			
Name of Action or Project: Addition to Bergen Town Hall			
Project Location (describe, and attach a location map): 10 Hunter Street - Bergren, NY			
Brief Description of Proposed Action: 36' X 54' office addition on west side of town hall, along with miscellaneous interior renovation.			
Name of Applicant or Sponsor: David Strabel RA		Telephone: 585-637-5346 E-Mail: dave@davidstrabel.com	
Address: 44 Candlewood Lane			
City/PO: Wells		State: Maine	Zip Code: 04090
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		11.66 acres	
b. Total acreage to be physically disturbed?		0.04 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		11.66 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input checked="" type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify): <input type="checkbox"/> Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
b. Are public transportation services available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input checked="" type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	<input type="checkbox"/>	<input type="checkbox"/>
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor/name: <u>David Strabel RA</u> Date: <u>5/2/25</u>		
Signature: <u></u> Title: <u>Architect</u>		

PRINT FORM

EXTRACT OF MINUTES OF MEETING OF THE TOWN BOARD
ADOPTING BOND RESOLUTION

At a meeting of the Town Board of the Town of Bergen, Genesee County, New York, held at the Town Offices in Bergen, New York, on the 10th day of June, 2025:

PRESENT:

ABSENT:

_____ presented the following resolution and duly moved that it be adopted and was seconded by _____:

BOND RESOLUTION DATED JUNE 10, 2025 OF THE TOWN BOARD OF THE TOWN OF BERGEN, NEW YORK, AUTHORIZING GENERAL OBLIGATION SERIAL BONDS TO FINANCE CERTAIN CAPITAL IMPROVEMENTS CONSISTING OF BUILDING CONSTRUCTION AND RECONSTRUCTION, AUTHORIZING THE ISSUANCE OF BOND ANTICIPATION NOTES IN CONTEMPLATION THEREOF, THE EXPENDITURE OF SUMS FOR SUCH PURPOSE, AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH.

WHEREAS, the Town, acting as lead agency under the State Environmental Quality Review Act and the applicable regulations promulgated thereunder ("SEQRA"), has completed its environmental review and, on June 10, 2025, has duly determined and found the purpose to be a type II action which will not have a significant impact on the environment and is not subject to any further environmental review under SEQRA; now therefor, be it

RESOLVED BY THE TOWN BOARD OF THE TOWN OF BERGEN, NEW YORK (hereinafter referred to as the "Town"), by the favorable vote of not less than two-thirds of all of the members of such Board, as follows:

Section 1. The Town of Bergen shall undertake certain capital improvements consisting of reconstruction and interior improvements to the Town Hall located at 10 Hunter Street and the construction of an approximately 39'x54' office addition on the west side of the Town Hall, and interior reconstruction of the 2nd floor of the Town of

Bergen Record Room, located at 13 South Lake Avenue, various site and other incidental improvements in connection therewith and the acquisition of original furnishings, equipment, machinery or apparatus that may be required in connection therewith for such construction and Town use (hereinafter referred to as "purpose"), and general obligation serial bonds in an aggregate principal amount not to exceed \$990,000 and bond anticipation notes in anticipation thereof (and renewals thereof) of the Town are hereby authorized to be issued to finance said purpose.

Section 2. The estimated maximum aggregate cost of said purpose, which may include preliminary costs and costs incidental thereto and costs of the financing thereof, is estimated to be \$990,000, and such amount is hereby appropriated therefor. The plan for financing of said purpose is to provide all of such maximum cost by issuance of bonds or bond anticipation notes as herein authorized.

Section 3. It is hereby determined and declared that (a) such buildings are class "B" buildings as defined in Subdivision 11 of Paragraph a of Section 11.00 of the Local Finance Law, and said purpose is one of the class of objects or purposes described in Subdivision 12 of Paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is fifteen (15) years, (b) the proposed maximum maturity of said bonds authorized by this resolution will be in excess of five years, (c) current funds required to be provided prior to the issuance of the bonds or notes herein authorized, pursuant to Section 107.00 of the Local Finance Law, to the extent applicable, if any, will be provided, (d) the notes herein authorized are not issued in anticipation of bonds for an assessable improvement, and (e) there are presently no outstanding bond anticipation notes issued in anticipation of the sale of said bonds.

Section 4. The bonds and notes authorized by this resolution shall contain the recital of validity prescribed in Section 52.00 of the Local Finance Law and such bonds and notes shall be general obligations of the Town and all the taxable real property in the Town is subject to the levy of *ad valorem* taxes to pay the principal thereof, and interest thereon, without limitation as to rate or amount, subject to applicable statutory limitations, if any, sufficient to pay the principal of and interest on said bonds and notes.

Section 5. It is hereby determined and declared that the Town reasonably expects to reimburse the general fund, or such other fund as may be utilized, not to exceed the maximum amount authorized herein, from the proceeds of the obligations authorized hereby for expenditures, if any, from such fund that may be made for the purpose prior to the date of the issuance of such obligations. This is a declaration of official intent under Treasury Regulation §1.150-2.

Section 6. The power to further authorize the sale, issuance and delivery of said bonds and notes and to prescribe the terms, form and contents of said bonds and notes, including, without limitation, the consolidation with other issues, the determination to issue bonds with substantially level or declining annual debt service, all contracts for,

and determinations with respect to, credit or liquidity enhancements, if any, and to sell and deliver said bonds and notes, subject to the provisions of this resolution and the provisions of the Local Finance Law, including without limitation, the authority to determine whether to accept bids electronically to the extent allowed by the Local Finance Law, is hereby delegated to the Town Supervisor, the Town's chief fiscal officer. The Town Supervisor and the Town Clerk or Deputy Clerk are hereby authorized to sign by manual or facsimile signature and attest any bonds and notes issued pursuant to this resolution, and are hereby authorized to affix to such bonds and notes the corporate seal of the Town of Bergen.

Section 7. The faith and credit of the Town of Bergen, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds and notes as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year.

Section 8. After compliance with Section 9 hereof, this resolution shall be published in full by the Town Clerk of the Town of Bergen together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in each official newspaper of the Town, in the manner prescribed by law. The validity of said bonds and bond anticipation notes issued in anticipation of the sale of said serial bonds, may be contested only if such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or the provisions of law which should be complied with, at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or if said obligations are authorized in violation of the provisions of the Constitution.

Section 9. This resolution is subject to a permissive referendum of the qualified electors of the Town of Bergen, pursuant to Section 35.00 of the Local Finance Law.

The motion having been duly seconded, it was adopted and the following votes were cast:

AYES

NAYS

NOTICE PURSUANT TO LOCAL FINANCE LAW SECTION 81.00

The bond resolution published herewith was adopted on June 10, 2025, and the validity of the obligations authorized by such bond resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Town of Bergen is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the Constitution. The bond resolution was subject to a permissive referendum pursuant to Section 35.00 of the Local Finance Law. The period of time has elapsed for the submission and filing of a petition for a permissive referendum and a valid petition has not been submitted and filed.

Ernest Haywood, Supervisor,
Town Clerk
Town of Bergen, New York

Commented [Comment1]: Add Clerk's name if we know who it is

STATE OF NEW YORK }
 }
COUNTY OF GENESEE }

ss:

I, the undersigned clerk of the Town of Bergen, DO HEREBY CERTIFY as follows:

1. A meeting of the Town Board of the Town of Bergen, Genesee County, State of New York, was held on June 10, 2025, and Minutes of said meeting have been duly recorded in the Minute Book kept by me in accordance with law for the purpose of recording the minutes of meetings of said Town Board.

2. I have compared the attached Extract with said Minutes so recorded and said Extract is a true copy of said Minutes and of the whole thereof insofar as said Minutes relate to matters referred to in said Extract.

3. Said Minutes correctly state the time and place when said Meeting was convened and the place where such meeting was held and the members of said Board who attended said Meeting.

4. Public Notice of the time and place of said Meeting was duly posted and duly given to the public and the news media in accordance with the Open Meetings Law, constituting Chapter 511 of the Laws of 1976 of the State of New York, as modified by the Governor's COVID-19 Executive Orders, if applicable, and that all members of said Town Board had due notice of said Meeting and that the Meeting was in all respects duly held and a quorum was present and acted throughout.

5. IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of the Town of Bergen this ____ day of _____, 2025.

{SEAL}

Town Clerk
Town of Bergen

RESOLUTION NO. Authorize Bids for Town of Bergen Park Restroom Foundation

WHEREAS, Registered Architect David Strabel has prepared specifications and a bid package for work pertaining to the construction of a foundation and associated improvements for the Robins Brook Restroom Project.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Bergen Town Board hereby authorizes the bidding of the foundation and associated improvements for the Robins Brook Restroom project as per specifications prepared by the Architect.

Sec. 2. That a Bid Date will be established in the Bid Notice.

Sec. 3. That the Bid Notice will be advertised as required by law.

Sec. 4. That the Town Board of the Town of Bergen reserves the right to reject any and all bids.

MOTION for adoption of this resolution by
Seconded by

Discussion:

VOTE BY ROLL CALL AND RECORD:

Councilperson Ely
 Councilperson Grant
Councilperson Starowitz
Councilman Swanson
Supervisor Haywood

Submitted – June 10, 2025

RESOLUTION NO.

Appoint Clerk to the Highway Superintendent

WHEREAS: There is a vacancy in the position of Clerk to the Highway Superintendent; and

WHEREAS: The position has been duly advertised and posted: and

WHEREAS: The Highway Superintendent has selected Lori Kellog for the position.

NOW, THEREFORE BE IT RESOLVED:

1. That the Town Board sets the rate for the Clerk to the Highway Superintendent at \$20.00 per hour.
2. That Lori Kellog's start date shall be on or after June 11, 2025.
3. That this resolution shall take effect immediately.

MOTION for adoption of this resolution

Seconded by

Discussion:

VOTE BY ROLL CALL AND RECORD:

Councilperson Ely
Councilperson Grant
Councilperson Starowitz
Councilperson Swanson
Supervisor Haywood

Submitted – June 10, 2025

WHEREAS: The Highway Superintendent has recommended hiring Samuel Wilson as a part-time seasonal laborer.

NOW, THEREFORE BE IT RESOLVED:

1. That the Town Board sets the rate for Samuel Wilson at \$18.00 per hour.
2. That Samuel Wilson's start date shall be on or after June 11, 2025.
3. That this resolution shall take effect immediately.

MOTION for adoption of this resolution
Seconded by

Discussion:

VOTE BY ROLL CALL AND RECORD:

Councilperson Ely
Councilperson Grant
Councilperson Starowitz
Councilperson Swanson
Supervisor Haywood

Submitted – June 10, 2025