

February 10, 2016

Work Session

6:30 PM

Supervisor Grant along with Council Members Mohun, Frounick, Hoy and Gadd audited the Highway, General Fund and Special District claims. Supervisor Grant reviewed the agenda with Board Members.

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Regular Meeting

7:30PM

Supervisor Grant called the meeting to order and asked Councilman Gadd to lead the pledge to the flag. Present were Council Members Hoy, Frounick, Gadd and Mohun.

Supervisor Grant opened the Public Hearing for a Special Use Permit application submitted by Kimo Brandon (Sugarbush Armory, LLC).

Williamson Law Book Annual Software Support Contract, 2016 Municipal Accounting Software:

Supervisor Grant asked for permission to execute the 2016 software support contract for the amount of \$930. Motion so made by Hoy/Frounick, voting all ayes, carried.

#1 - Resolution to approve Direct Payment for Pro-Flex HRA Card Admin Fee:

Be it resolved, that the Town Board of the Town of Bennington, hereby approves the ACH direct debit of funds by Pro-Flex, Administrator of the Health Reimbursement Accounts for the Highway Department employees, as well as subsequent fees to fund the accounts in amounts not to exceed the limits as established in the Teamsters Local #264 Union Contract. Motion made by Mohun, seconded by Hoy to approve resolution to ACH the funds, voting all ayes, carried.

Financial Matters:

General Fund claims #15 - 51 totaling \$67,423.60 presented. Motion made by Mohun/Frounick to approve the General Fund claims presented. Voting all ayes, carried.

Highway claims #10 - 45 totaling \$114,671.19 (includes \$ for NYS Retirement) presented. Motion made by Hoy/Gadd to approve the Highway Fund claims. Voting all ayes, carried. (Note, the total spent includes: Over \$26,515 spent on highway materials/fuel; \$12,770.26 Health Ins. premium -2 months; \$58,700 NYS Retirement, \$14,175 truck parts).

Special District Claims:

Cowlesville Street Lighting – Voucher #2 in the amount of \$190.73 presented. Motion made by Mohun/Hoy to approve the Cowlesville Street Lighting District claim, voting all ayes, carried.

Cowlesville Water District claims #1-8 totaling \$8839.93. Motion made by Frounick/Hoy to approve the Water District claims, voting all ayes, carried.

Supervisor's Financial Statements for January – Summary of 2016 Tax Payments from Collector:

Supervisor Grant asked if any questions. Motion made by Mohun/Hoy to accept the Supervisor's financial reports, voting all ayes, carried.

Minutes: Dec. 30th Year-end and January 2016 Re-Organizational & Monthly meetings:

Supervisor Grant asked if any corrections/amendments. Motion made by Gadd/Mohun to approve the minutes as submitted, voting all ayes, carried.

Correspondence:

Certificate of Insurance naming the Town of Bennington as additional insured received from The Country Plumber.

Notice from NYS Parks & Recreation of the Spring 2016 programs at Letchworth State Park.

January Bank Reconciliation for the Tax Collector account, along with a trial balance dated Feb. 8, 2016 showing \$827,278.57 taxes outstanding.

Notice from UNYTS re: Promoting Organ/Blood donations (i.e. blood drives etc). New York State is one of the lowest states in the nation with relation to organ donation.

Information on a work shop on employees' handbook – rules & policies – done by the County Chamber of Commerce.

Notice from CNA Surety re: cancelling the town's bond policy per Mike Hardie, Town has received the re-imburement check of the premium that was paid.

Correspondence from the US Dept. of Commerce re: census – information they collect every year.

Resolution from the Town of Alden supporting the termination of the sales tax revenue distribution agreement between Erie County and the Towns within the County.

Town Justice Court report for the Month of December.

Information from GLOW Solid Waste Regional Management Committee re: removing refrigerant from appliances – different organizations that do that.

Certificate of Insurance from Solar Liberty naming the Town of Bennington as additional Insured on their liability policy.

Departments:

Assessor: Not here tonight due to weather – her annual report in Board's packet

Zoning/Planning: Supervisor Grant reviewed the SEQR for Kimo Brandon's Special Use Application with Board Members, declaring a negative impact.

Special Use Permit received from Joseph Stoffel, 780 Urf Road, applied for a three (3) year renewal for his abrasive (sandblasting) operation. No complaints received. Motion made by Frounick/Hoy to approve Mr. Stoffel's renewal for three years. Voting all ayes, carried.

Zoning Officer Position: Supervisor Grant reported that the night that she and Council Member Mohun were auditing the town's financial records, they interviewed Katie Marble for the Zoning Officer position. (Copy of her resume in Board Members packet). Since other Board Members haven't met her, it was decided to ask her to come to the Work Session prior to the next Town Board Meeting.

Supervisor Grant received a notice from Monroe County, Dept. of Planning & Development re: Spring 2016 Land Use Decision-Making Training Program (3 days scheduled in March), asked if maybe could see if Ms. Marble could attend that, fee is \$40/session. Short discussion held.

Highway: Superintendent Czworka said he wouldn't be here tonight, out on a sander, was hoping to be here tonight to discuss tires for the grader, (got a price of \$12,000 but now has found some for around \$5400), also wanted to talk about the building with a roof over the fuel tanks. Councilman Frounick asked about having the fuel tanks next to a storage building, better check with the insurance company.

Parks/Recreation: Base ball signups are all done, all the teams are filled. Cross country ski day is Monday, Feb. 15th. Had 2 people sign up so far, maybe get more this weekend.

Transfer Station: Boy Scouts request to collect pop cans at the Transfer Station. After a short discussion, a motion was made by Hoy/Frounick to allow the Boy Scouts to collect pop cans at the transfer station, voting all ayes, carried. Noted that they should pick-up the container weekly or the cans may disappear.

GLOW Regional Solid Waste: Received info on electronic recycling (grim picture of getting rid of electronics, costly to dispose of, they have to make a decision when they scheduled their next collection days on whether they take them or take them and charge a fee), state grants no

longer covering electronics, also that Best Buy is no longer accepting TV's in two states, NY may be the next. GLOW also contacted state legislators and got no response.

Hear Public Concerns: Supervisor Grant asked if any comments on the Special Use Permit application received from Kimo Brandon. None. Mr. Brandon the only one in the audience. Motion made by Frounick/Hoy to close the Public Hearing. Public Hearing closed at 8:03PM.

Special Permit application submitted by Kimo Brandon(Sugarbush Armory, LLC) to operate a small business for gunsmith services and sales. Supervisor Grant asked Board Members if they had any questions/comments regarding his application. Council Member Mohun asked Mr. Brandon if he has all of his permits. He stated he has applied for all of them, but they take 4-5 weeks to process, hasn't heard anything back to date, but knows that he needs town's approval for one of them. Ms. Mohun asked if he would get copies of his permits to the town so that the town knows he's not operating without a permit. Mr. Brandon noted that he can't operate without the required permits, willing to give the town copies. Short discussion held, after which the following resolution was introduced.

Resolution #2 – Be is Resolved, that the Town Board of the Town of Bennington, upon review and completion of the SEQR processes and preparing a negative declaration, and based upon no public comment at a duly held advertised Public Hearing held on this date, the Bennington Town Board hereby approves a Special Use Permit for a period of one year for Kimo Brandon – Sugarbush Armory, LLC, 1427 Maxon Road, Attica, NY 14011 for gunsmith services and sale of firearms: Conditional on getting all of his required permits and provides a copy to the town for its' records. Motion made by Hoy, seconded by Gadd to adopt the resolution, voting 5 ayes, carried.

Old Business:

Representative vacancy for the County Planning Board – Supervisor Grant heard great comments on Carl Wuest (presently on the Town's Planning Board), thought that he might be a good candidate, discussed it with him, he's willing, it's a 5 year appointment and recommends him to serve as Representative from the town of Bennington on the Wyo. County Planning Board. Motion made by Mohun/Gadd to appoint Mr. Wuest as Representative from Bennington on the County Planning Board. Voting all ayes, carried.

New Business:

2015 Annual Report – Supervisor Grant has prepared an Annual Report of the Town's activities for 2015, all Board Members given a copy.

Approve Grant Agreement with Arts Council of Wyoming County for Summer Concerts with the following resolution:

Resolution #3 – Be it resolved, that the Bennington Town Board hereby authorizes the Supervisor to sign an acceptance agreement/contract with the Arts Council of Wyoming County for funding in the amount of \$800 for the Summer concerts series to be held in the Town of Bennington. Motion made by Hoy, seconded by Mohun to authorize the Supervisor to execute the contract with the Arts Council of Wyoming County, voting all ayes, carried.

Agreement for Building & Fire Codes and Flood Plain Administration with Wyoming County – Supervisor Grant explained that this is the first update of the codes which originated about 25 years ago. No liability to the town. After a short discussion, the following resolution was introduced and adopted:

Resolution #4 –Contract for Building & Fire Codes/Flood Plain Administration with the County of Wyoming:

Be it Resolved, that the Town Board of the Town of Bennington, hereby authorizes the Supervisor to sign an agreement with the County of Wyoming for NYS Building and Fire Codes and Floodplain Administration effective 1/1/16.

Motion made by Hoy, seconded by Gadd, voting all ayes, carried.

Supervisor Grant reported she will be out of town from Saturday – Wednesday, attending the Assoc. of Towns Annual Meeting in New York City.

There being no further business, a motion was made by Council Member Mohun to adjourn. Meeting adjourned at 8:33 PM.

Respectfully submitted:

Judith Brown, Town Clerk