

January 7, 2015

7:30 PM

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

Supervisor Grant asked for a motion to suspend the order of the meeting to hear the concerns of the residents present here tonight. Motion so made by Mohun/Hoy, voting all ayes, carried.

Supervisor Grant opened the floor up for comments/concerns. There were 16 residents present from South Burrough and Tooley Road.

Mike George submitted a petition with 19 signatures of residents, along with pictures. They would like something done with South Burrough and Tooley Roads. After the November snow storm, there was big thaw, water ran down the roads causing trenches in the road. The town tried to repair them, put down some stone/crusher run but it only made matters worse. Now the roads have become slippery in spots and people going off the road, no control. Mr. George is also waiting for the sluice pipe on Tooley since September, so that he can do his work. He reported the sluice pipe is sitting up at the highway barns. Others speaking were Mr. Kyle Dluhy, Mrs. Slempinski (reported her son went off of the road last night, someone, not knowing of road conditions, coming into area, could easily have an accident, one bad accident awhile ago, lucky no one got hurt)); Christopher Reiner (dangerous conditions, town shut down Tooley); Dustin George (had 5 tires that got punctured by the stones); Kostek (ruts 10" deep, catch a rut and off you go, no control), water goes off around his driveway, afraid that it will damage/ruin the driveway, Tooley Road very slippery, don't have any control. Lucky, they were on Xmas break, because a school bus would never have made it down Tooley. No ditching, no crown on the roads, water water runs down the road. Chris Reiner said he's lived on Burrough for 4 years, conditions still the same. A few years ago the town did some ditching put down material and then stone, but the stone gets thrown in the ditch when the Highway Dept. grades and plows the road. John Zybczynski stated he's lived there for 25 years, knew what it was like when they moved in and all they are asking for is a safe, drivable dirt road. Discussion held – needs to be tiling, proper ditching, crowning of the roads so waters runs off to the sides. Talked about the lack of good gravel to make a good, solid base. The town in the past has tried to find money (contacted Federal, State Representatives) but nothing out there for roads, maybe an option town should consider is bonding, go out and borrow the money, get an engineer in, hire private contractors, do the job/road in one year, instead of spreading out over a couple of years. DEC, (Boy Scout Camp), FEMA (conditions now, caused by the November storm?); Wyoming Co. Soil & Water may have some incite. Mr. George asked if they would have some answers by the next Town Board Meeting. Will try and have info for the next meeting. He thanked the Town Board for their time and consideration and will be here next month. Supervisor Grant thanked Mr. George and the residents of Tooley and So. Burrough for coming to the meeting and sharing their concerns.

Supervisor Grant opened the 2015 Organizational Meeting at 8:07 PM and asked for approval of the following:

**A. Set Salaries, Fees & Financial Matters:**

**2012 Town Salaries as per the adopted 2012 budget:**

Supervisor	\$ 5,200.00/year
Town Council Members 4@	1,912.00/Year
Town Justice 2@	5,000.00/year
Highway Superintendent	45,450.00/Year
Town Clerk/Collector	14,000.00/Year
Deputy Town Clerk	15.00/hour (will be addressed later in the year)
Budget Director	550.00/Year
Town Assessor (sole)	21,500.00/Year
Zoning Officer	15.00/hour
Deputy Zoning Officer	12.00/hr 1/1-8/31; 15.00 hr 9/1-12/31
Planning Board , ZBA Members	15.25/Mtg.
Planning Board, ZBA Chair	18.50/Mtg.
Planning Bd, ZBA, Assess. Review Sec'ys	9.00/hour
Bd. Of Assessment Review Members	9.50/hour
Court Clerk	7,050.00/Year
Town Bookkeeper	4,700.00/Year
Voting Machine Operator	110.00/machine
Town Custodian	1,850.00/year
Transfer Station Operator	4,950.00/Year
Town Historian	135.00/year
Attorney for the Town of Bennington	as per voucher
Town Park Maintenance Person	5,250/year
Transfer Station Assistant	8.75/hour
Prosecutor	3,840.00/year
Water System Operator	@15.50/day
Assist. Water System Operators	13.50/hour
Water Clerk	550.00/year
Dog Enumerator	1.50 per dog
Motor Equip. Operator (PT Seasonal)	12.00/Hour

**Zoning Fees:**

Variance	\$125.00
Special Use Permit	\$125.00
Special Use Permit renewals	10.00/year

**Special Use Permit for Meteorological Towers:**

Installation for a term not to exceed two (2) years	25.00
Each additional year there after	25.00
Zoning Permits under 400 sq. ft	25.00
Zoning Permits over 400 sq. ft.	50.00
Home Occupation Permits	50.00
Home Occupation Permits – yearly renewal	10.00
Sale of Zoning Books	25.00
Application to re-zone	500.00
Tower Special Use Permit Fee	2,000.00

**Building Permit Fees for Towers;**

First 100 feet	1,000.00
Next 100 feet (or part thereof)...	600.00
Each 100 feet thereafter or part thereof	400.00
Co-location Application fee	1,000.00
Co-location Building Permit fee	1,000.00

**Other fees:**

Park Rental	25.00
Park Deposit	25.00
Copies of official documents	.25/page

**Official Rate for Mileage while on Town Business: .45/mile**

**Banking Accounts:**

General Fund Checking	Five Star Bank
Highway Checking	Five Star Bank
Trust & Agency Account	Five Star Bank
Reilein Account	Five Star Bank
Town Clerk Account	Alden State Bank
Tax Collector Account	Five Star Bank
Justice Court Funds	Five Star Bank
Cowlesville Water District	Five Star Bank
Certificates of Deposit	Banks with the best interest rate

**B. Notice of Meeting Dates, Times, Locations and other legal notices**

**Official Meeting Dates:**

Town Board	Second Wednesday 7:30 PM at Town Hall with work session beginning at 6:30 PM
Planning Board	Third Wednesday, 7 PM Work Session, 7:15 Meeting
Zoning Board of Appeals	First Wednesday, 7PM Work Session, 7:15 Meeting
Official Election Places	District #1, 2 & 3 – Bennington Town Hall
Official Newspaper for Legal and Official Notices –	The Batavia News, Batavia, NY

Official Bulletin Board for posting of Town Notices – Town Clerk’s , Town Hall  
Bennington Center, New York

**C. Appointments :**

Attorneys for the Town	David DiMatteo
Zoning & Fair Housing Officer	Theresa Sedlock
Deputy Zoning Officer	Lisa Clemente
Historian	Lisa VanSon
Transfer Station Operator	John Wojtkowiak
Voting Machine Custodian	Jean Perkins
Registrar	Judith Brown
Bookkeeper	June Spencer
Budget Director	Ellen Grant
Town Prosecutor	James Wucjik
Court Clerk	Christa Dake
Planning Board Chairman	Robert Gadd
Zoning Board of Appeals Chairman	Rick Storch
Sec’y, Zoning Board of Appeals	Donna Hummel
Sec’y, Planning Board	Donna Hummel
Inter-Community Medical Cntr. Board	Michael Hardie
Town Custodian	Carolyn Mruczek
Office for the Aging Representative	Linda Plewa
County Planning Board Representative	Water Stevens
Assessor	Kanance Wittmeyer
Water System Operator	Mark Pruitt
Assist. Water System Operator	Dan Czelusta
Water Clerk	Judith Brown
Town Park Custodian	Dante Caselli

Motion made by Mohun/Frounick to approve the salaries for the above elected and appointed town officials; fees, mileage rate; financial institutions for town funds for 2015; meeting dates, times, locations and other legal notices. Voting all ayes, carried.

Motion made by Hoy/Mohun to close the Organizational Meeting, voting all ayes, carried.  
Meeting closed at 8:17 PM.

Regular Session

January 7, 2015

8:17 PM

Supervisor Grant declared the meeting open.

**Financial Matters:**

**General Fund** claims #1 – 16 totaling \$109,559.59 presented.

**Highway claims # 1 -10** totaling \$19,563.92 presented.

**Special District** claims – Cowlesville Water District claims #1 -3 totaling \$214.66: Cowlesville Lighting District Claim #1 (\$167.73); Bennington Fire Company (partial payment of their 2015 fire contract- \$25,000) presented. Motion made by Frounick/Hoy to approve all of the above claims, voting all ayes, carried.

**Correspondence:**

Supervisor Grant got an e-mail of a letter that was submitted to the editor re: veteran's exemptions;

Notice form the IRS: Advising town of receipt of the bond info for the Cowlesville Water District.

Notice of Zoning & Planning training sessions scheduled for this Spring.

Received Zoning Officer's reports: List of 2014 Zoning Permits issued and 2014 Land Separations.

**Departments:**

**Highway:** Superintendent Czworka not here

**Assessor:** Excused. Supervisor Grant reported she's working on getting the exemptions done .

**Zoning/Planning:** Supervisor Grant reported that there are Spring Training Programs coming up.

**Zoning/Planning Board:** Deputy Zoning Officer Clemente reported working on a violation notice for Moscicki, 295 Clinton (trailer).

**Park/Rec.** nothing to report

**Water:** Will be reading the meters this month, also will be taking 10 water samples from various places throughout the district this month to be analyzed.

**Old Business: Local Law # , 2014** – Sludge & Biosolids. Supervisor Grant reported that property owners have been informed via advertising of the sludge spread. Some have called the County Health Department, got applications to have their water tested, so far only one has. Zoning Officer Clemente has been working with the Town Attorney on the violation notices. Short discussion held.

**November Storm -FEMA Claiming; Small Business Admin.**

Supervisor Grant reported that next Monday representatives from FEMA will be at the Training Center for a meeting with local officials from 10AM – noon, paperwork, talk about claims, filing, re-imbusement etc. Also the Small Business Administration plan on having representatives here at the Town Hall next Wednesday from Noon - 6 PM and Thursday from 9AM to 4PM for home owners, renters and businesses .

**Assoc. of Towns Conference:** Supervisor Grant asked for permission to attend the Assoc. of Town Conference in New York City in February, figures it will cost about \$1000 - \$1100 dollars. She is willing to split the cost with the town if they approve her request. Motion made by Frounick/Mohun to approve the Supervisor's request, voting all ayes, carried.

**State Audit-Corrective Action Plan** – Been following the current Action Plan which is going by the wayside, monthly reports, receipts books, monthly inspection by 2 board members, need to update it, due by the 20<sup>th</sup>.

**New Business: Status of the Inter-Community Medical Center** – The Center has less tenants this past year, has been some talk about selling it to the Dentist resident there who is interested in purchasing it. Beside the dentist there are only a couple of other occupants in the building. If they decide to sell it, the town would get a share of the money. Getting to the point that it needs major improvements. It's assessed at \$600,000, there has been an offer of \$300,000.

**Audit of the 2014 records by Town Board Members.** Board set January 22, 2015, 10 AM to audit the town's financial records as per motion by Frounick/Hoy. Voting all ayes, carried.

**Annual contract** from Williamson Law Book for software support for 2015 in the amount of \$363 and Eagle Systems Annual Maintenance Agreement for the Kyocera Copier in the amount of \$463. Motion made by Frounick/Hoy to approve the contracts and authorize Supervisor Grant to execute same, voting all ayes, carried.

Evan Gerhardt, Bullis Road – Contacted the Board about starting a hops farm. Supervisor Grant reported that right now it looks like a special use permit is the way to go, still have to check on a couple of things.

There being no further business, a motion was made by Mohun to adjourn. Meeting adjourned at 9:29 PM.

Respectfully submitted:

Judith Brown,  
Deputy Town Clerk