

July 8, 2015

Work Session

6:30 Pm

Present were Supervisor Grant, Council Members, Mohun, Hoy, Frounick and Gadd, also Highway Superintendent Czworka.

Supervisor Grant Reported that she and Highway Superintend Czworka met with Dan, (County Engineer) and County Highway Superintendent Todd Gadd to discuss the South Burrough Road project, to see how they could lower the cost. The county's estimated cost was 1.3 million, figures to be a 3 yr Project,. Felt if they could drop Tooley and So. Burrough from the bridge up to the "Y", could bring the cost down, spend \$400,000 for the 1st and \$400,000 for the 2nd year, eliminate the outside contractors and hire seasonal highway employees to help keep up and maintain the rest of town roads while working on the So. Burrough project. The 3rd year would cost \$95,000 to finish project, oil & stone, big cost to be the stone. Board members discussed this project, hiring the seasonal employees and going out to bid on a BAN, also need to re-advertise the tiling bid, have to incorporate the specifications which Superintendent Czworka has drawn up and given to the county engineer for review.

Board Members audited the Highway, General Fund and Special District claims, also discussed tire prices charged at the transfer station, and reviewed the agenda.

July 8, 2015

Regular Meeting

&:30 PM

Supervisor Grant called the meeting to order and asked Council Member Mohun to lead the pledge to the flag. Present ere Council Members Frounick, Gadd, Hoy and Mohun also Highway Superintendent Czworka.

Supervisor Grant opened the Public Hearings on Local Laws #1 and 2 for 2015.

Finanical Matters:

General Fund claims #160 - 183 totaling \$18,090.47 presented. Motion made by Hoy/Mohun to approve the General Fund claims presented. Voting all ayes, carried.

Highway claims #93-103 in the amount of \$43,121.45 presented. Motion made by Frounick/Gadd to approve the Highway Fund claims. Voting all ayes, carried.

Special District Claims: Cowlesville Water District claims #32-35 totaling \$2102.49 and **Cowlesville Street Lighting** claim #7 in the amount of \$190.73 presented. Motion made by Hoy/Gadd to approve the Special District claims, voting all ayes, carried.

Supervisor's Financial Statements for June: Supervisor Grant reported she's received this past week \$43,000, remainder of the money owed from the county for snow and ice contract.

Motion made by Hoy/Gadd to accept the Supervisor's financial statement. Voting all ayes, carried.

Minutes of the June meeting – Motion made by Gadd/Mohun to table the June minutes until next month. Voting all ayes, carried.

Correspondence: Certificates of Insurance naming the Town of Bennington as additional insured on the liability insurance received from: Hojnowski Transport, MAR Wal Construction, Timothy Eastman, DBA Eastman Tree Specialist, Spring Creek Construction and Solar Liberty Energy Systems, Inc.

2015 Updated Zoning and Land Separation reports received from the Zoning Officers.

Monthly June Report from Assessor Wittmeyer.

Annual report from the ARC of Livingston, Wyoming and Orleans Counties.

Letter from Tobacco Free re: adopting policies on tobacco free within the town.

Departments:

Assessor: All Board Members have received a copy of her monthly report for June

Zoning /Planning: Special Use Permit renewal received from Richard McDonald at 1156 Clinton St., repair and storage of motor vehicles. Applied for a 3 year renewal, no complaints received. Motion made by Frounack/Hoy to approve his renewal for 3 years, voting all ayes, carried.

Highway Dept: Superintendent Czworka reported they are working on West Bear, lot more work than expected had to be done, needs to do some work on Graff, Hoover and Tooley and then is going to move over to South Burrough.

Burrough Road Project:

Tiling –Town will have to re-advertise for bids on the tiling, Superintendent Czworka has prepared the specifications, has given them to Dan, County Engineer for approval/tweaking and will then have to advertise. Motion made by Hoy/Mohun to re-advertise tiling needs for the Town as approved by the county engineer. Voting all ayes, carried.

Seasonal Labor- As noted in the Work Session, Supervisor Grant and Highway Superintendent Czwork met with the County Engineeer and Todd Gadd, (County Highway Superintendent) on the re-building of South Burrough Road. To keep cost down (hiring outside contractors) Town will have to hire some part-time, on-call Seasonal employees to give the Highway Department the ability to take on this project and still maintain the remaining town roads. Discussed hiring 4 part-time on-call seasonal employees for a 6 month period. Town will have to create the positions for Civil Service purposes and set their salary. Will also have to schedule a public hearing to authorize for BAN (Bond Anticipation Note). Need to call a Special Meeting later this

month to set the date for the public hearing. After a discussion, a motion was made by Mohun to advertise for the hiring of up to 4 part-time, on-call, seasonal employees at a salary of \$12/hour, effective 7/9/15, to fill these positions from within town residents, if can't find anyone interested from within the town, town has the ability to hire residents from other towns. These employees will NOT operate any of the town's heavy equipment. Motion seconded by Hoy, voting all ayes, carried.

Supervisor Grant reported she received an e-mail from the County, they have not received their 25% of the FEMA money from the November storm from the state, so everyone still not sure whether the state will be paying the full 24% or the minimum 12 ½% as required.

Park & Recreation: Approve 2015 contract with Byrncliff for the swim program. Supervisor Grant reported 65 kids have signed up for this program, which includes not only use of the pool, but art, crafts and putt-putt golf. Contract amount for 2015 is \$1470. Motion made by Hoy/Mohun to approve the 2015 Swim Contract with Byrncliff in the amount of \$1470, voting all ayes, carried.

Water District: Supervisor Grant reported that they have done the copper and lead testing, 10 houses built prior to 1982 were sampled and they did find lead, will re-test in the fall.

Transfer Station: Tires – Supervisor Grant received a letter from Geiter Done of NY with a price for buying tires of @\$2.75 each or \$115/ton. After a discussion, a motion was made by Mohun to set tire prices accepted at the Transfer Station as follows:

Car tires, 13" 14", 15"	\$5.00
Light truck	6.00
Large Truck 16"	8.00
Car tire w/rim	10.00
Light truck w/rim	11.00
Lg. truck w/rim	13.00

Also to eliminate tonnage charge and NOT accept tractor tires. Motion seconded by Gadd, voting all ayes, carried.

Hear Comments on Local Law #1 & #2 for 2015:

Supervisor Grant reported that these laws have been used by the towns of Darien and East Aurora with regards to vacant homes, places being foreclosed on, banks taking over, not maintain property. She cited one such place in the Hamlet of Cowlesville, property foreclosed, people moved out, barn and garage have fallen down, some of which on the neighbors property, swimming pool full of water, grass not mowed etc. People that are suppose to be maintaining this place are in Ohio and the lending agency office is in Florida. Other places with regards to these "Zombi" places have passed Local Laws so that after a period of time, if the property has not been maintained, the town may go in, clean up the mess and assess to the cost onto the property taxes. After briefly looking over the proposed laws with concerns ie. Council Member Mohun are these for only vacant – not occupied place, Councilman Gadd feels too strick – too vague. Zoning Officers may be impacted by complaints from property owners'

neighbors complaining about the grass not being mowed to their liking etc. After further discussion and short review of the two laws presented “Vacant Building Registry” and “Property Maintenance”, a motion was made by Mohun/Frounick to close the public hearings. Voting all ayes, carried. Public hearings closed at 8:30 PM.

Old Business:

Local Laws #1 and #2 Abandoned Property/Property Maintenance

Laws NOT numbered, a motion was made by Frounick/Gadd to make the “Vacant Building Registry” Local Law #1 and “Property Maintenance “ as Local Law @2 and to table voting until next month to give Board Members time to review the information.

Local Law #1, 2014 – Prohibiting the spreading of biosolids/sludge

Board members were give a copy of the information from the DEC (3 different letters) 2 of which dated 6/29 and 1 dated 3/17/14. One of which contains the locations of the properties in Bennington that Quasar has permits for.

New Business:

Proclamation: The Cowlesville Fire Company will be recognizing 5 of their members on Tuesday, July 14th. This was suppose to be done for the annual Firemen’s convention but never materialized. Four of the members (Assistant Chief Jeffery Anderson, Captain Nick Szuniewicz, Jim Jagiusiak Jr. and Derrick Ludwig) for the urf Road fire, where they went in and rescued an unresponsive individual just minutes before the floor caved in and the other is for Allen Schuessler for his 2 decades as Treasurer. Supervisor Grant read the proclamation naming July 14, 2015 as Cowlesville Fire Company Day. Motion made by Frounick/Mohun to approve the Proclamation, voting all ayes, carried.

There being no further business, a motion was made by Mohun/Hoy to enter into Executive Matter to discuss a Personnel Matter, voting all ayes, carried. Board entered into Executive session at 8:40 PM.

Motion made by Gadd/Hoy to come out of Executive Session at 9PM , voting all ayes, carried.

Motion made by Mohun/Hoy to call a Special Session July 29th, 6:30 PM to discuss the So. Burrough Road Project and any other business that needs to come before the Board. /voting all ayes, carried.

Motion made by Mohun to adjourn the meeting at 9:02PM.

Respectfully Submitted;

Judith Brown, Town Clerk

