

June 10, 2015

Work Session

6:30 Pm

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

**Bid Openings:**

Surplus Law Mower – one (1) bid received \$3501 from John Mack

Surplus Pick-up truck: Two (2) bids received: \$552.50 from Mike & Amy Hinze and \$400 from Ray Reiner.

Board Members audited the Highway, General Fund and Special District claims. They discussed the transfer station, sludge matter and reviewed the agenda.

Mr. David Roach (Law Office of David M. DiMatteo) updated Board members on the sludge matter.

June 10, 2015

Regular Meeting

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 Hoy, Mohun, Gadd and Frounick, also Highway Superintendent Czworka.

**Financial Matters:**

**General Fund** claims #137 - 159 totaling \$17,741.32 presented. Motion made by Mohun/Hoy to approve the General Fund claims presented. Voting all ayes, carried.

**Highway** claims #81 – 92 in the amount of \$58,968.16 presented. Motion made by Frounick/Gadd to approve the Highway Fund claims. Voting all ayes, carried.

**Special District Claims: Cowlesville Water District** claims #27 - 31 totaling \$2127.71 and **Cowlesville Street Lighting** claim #6 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 April and May:** Motion made by Mohun/Hoy to accept the Supervisor's financial statements for April and May. Voting all ayes, carried.

**Minutes of the May meeting** – There being no corrections or amendments, a motion was made by Hoy/Gadd to accept the minutes as presented. Voting all ayes, carried.

**Correspondence:**

Certificate of Insurance naming the Town of Bennington as additional insured received from Eugene Jaworski Contracting.

Notice from Cohen Law Group re: Upcoming negotiations with Time Warner Cable  
Notice from the DEC re: Violations at the Transfer Station. As a result, the town no longer accepts electronics and Highway Superintendent is working on getting a different waste oil container.

Memo from the Wyoming County Office of the Aging re: the collection of unused drugs.  
Summer News letter received from the Arts Council.

Letter from Homeland Security with the FEMA check in the amount of \$24,664.20 for the November 2014 storm.

### **Departments:**

**Assessor:** Assessor has changed this Saturday's hours from 10 – 1 to 9-noon, has a funeral to go to.

She informed the town that the equalization has dropped to 45%.

### **Zoning /Planning:**

Memo received from the Wyoming County Planning & Development of scheduled Training Workshops:

Special Use Permits; Land Use Moratoria and Solar Energy Regulations sessions scheduled for June 18<sup>th</sup> at the Attica High School starting at 6 PM and NYS Floodplain Management Training will be held June 23<sup>rd</sup> 9:30 AM – 4:30 Pm at the Wyo. County Fire Training Center.

Special Use Renewal Applications received from Michael Fontaine (sales office at Church & Ortner Rds): Scott Halsted (Automotive Repair) and Anthony Michalek (lime storage). All applied for 3 year renewals, no complaint on any of them. Motion made by Mohun/Gadd to approve the renewals for 3 years. Voting all ayes for the Fontaine and Michalek renewals. Council Members Mohun,Gadd and Hoy voted to grant the 3 renewal to Halsted, Councilman Frounick abstained from voting, conflict.

**Highway Dept:** Superintendent Czworka reported they are working on grading where ever they can, ditching on Tooley, getting ready to start oil & stoning Lapp, Hoover & North Burrough. Working on getting prices for Blood Road to grind it out and redo. Asked by Councilman Frounick if he could take a look at Tinkham, North of Church, road breaking up.

Bids on the F250 2006 pick-up. Two bids received \$400 from Ray Reiner and \$552.50 from Mike & Amy Hinze. Motion made by Hoy to award the bid to Mike & Amy Hinze for \$552.50, seconded by Gadd, voting all ayes, carried.

Tiling – Motion made by Mohun/Frounick to advertise for sealed bids for tiling and have bid opening at the July meeting. Voting all ayes, carried.

Mr. Czworka reported that he has ordered the plow & Wing, delivery looks like late August.

**Park & Recreation:** Supervisor Grant reported the playground equipment has been received and set-up, some painting needed on the restrooms, landscaping should be done within 2-3 weeks.

Bids on surplus lawn mower, one bid received \$3501. Motion made by Gadd NOT to accept that bid, seconded by Hoy, voting all ayes, carried.

Supervisor Grant reported that the County Highway Dept. was asked if they could give the town an estimate on the work required for South Burrough and Tooley Road which would probably be a three year project to do it correctly and with hiring outside contractors (Town Highway Dept. could not maintain the rest of the towns roads and also do a project of this nature). There would be ditching, tiling, culverts, engineering cost with the Town procuring all materials. They came up with an estimate of 1.3 million dollars to do the approx. 3 miles of road. She would like to meet with them to see if any way to reduce this cost.

**Public Concerns:** Bill Deluhy asked if So. Burrough would be oiling & stone, told yes, that's the major part of the cost. Short discussion held.

Mr. Goudy questioned the Property re-val in the resident survey results. Short discussion held for the reasons in keeping property assessments up to date and at 100%. Right now Bennington is at 45%. The State used to pay the towns to keep the assessments at 100% but now it's like a \$1/parcel and many towns do not do it. Town Board wants to hold a public information meeting, invite the Assessor, along with the County Director here to inform residents on the assessment process.

#### **Old Business:**

**Transfer Station:** Council member Mohun reviewed the Survey Results (copies were available for everyone present). 1200 surveys sent out, 354 returned. 177 answered 'yes', they used the transfer station, 128 answered 'no', 17 had no opinion and 32 didn't answer the question. Supervisor Grant reported Board Members have been discussing this, trying to make the best move forward, do they move it to another location, fix the existing compactor, (now have a problem with a leaking waste oil container), keep the trans station and add X number of dollars to each parcel on the tax roll to cover the expenses, or raise the existing fees to cover the deficit, do they do away with the transfer station and go with County Wide pick-up, and what they effect would impact on town roads. After a discussion, considering all of their options at this time, along with the survey results, a motion was made by Councilman Hoy to NOT contract with the county for curb-side pick-up. Motion seconded by Councilman Gadd, voting all ayes, carried. Now the Town Board will have figure out how they want to proceed. The Town Board needed to make a decision tonight on County wide pick-up, if they did decide to go with county curb side pick-up, the county had to know by June 30<sup>th</sup> in order to get it on the tax roll.

John Wojtkowiak asked if the transfer station could be closed on July 4<sup>th</sup> and open Monday, July 6<sup>th</sup> instead. Motion so made by Frouncik, Hoy, voting all ayes, carried.

Local Law #1, 2014 – Supervisor Grant that Mr. David Roach from DiMatteo’s office was present at tonight’s work session to bring Board Members up to date. Discussion held,

New business Abandoned Property/Property Maintenance proposed local laws. Supervisor Grant reviewed the laws regarding ‘zombie’ , the town has many, she sited one on Bullis Road in the hamlet, people moved out, now under a property management group from Ohio, which is based out of Florida. Buildings are falling down, neighbor reported seeing rats. No upkeep. After a short discussion a motion made by Mohun/Frounick to schedule a public hearing for the July meeting.

There being no other business, Supervisor Grant asked for a motion to go into executive session to discuss a personnel matter. Motion so made by Mohun/Hoy, voting all ayes, carried. Town Broad entered into executive session at 8:56 PM.

Motion made by hoy/mohun to come out of Executive Session at 9 , voting all ayes, carried. Motion made by mohun to adjourn the meeting at 9:

Respectfully Submitted;

Judith Brown, Town Clerk