

March 9, 2016

Work Session

7:30 PM

Supervisor Grant along with Council Members Frounick, Gadd, Hoy and Mohun audited the Highway, General Fund and Special District claims, interviewed Katie Marble for the Zoning Officer position, also Donald Przybyl presented/discussed his 2015 audit report with Board Members. Highway Superintendent Czworka informed Board Members that the cost of the tires for the grader were \$300 less than anticipated, boxes on truck #127, #128 and #122 rusting through. He asked the Board to consider purchasing a new truck, interest in purchasing another Peterbilt. Got plans from Breton for the cover over the fuel tank and addition to salt storage bldg. , cost approx. \$80,000. Mr. Czworka also got pricing on new roofs for the salt storage bldg.(\$14,000) and for the highway garage (\$27,000). Jeff from Just Barns feels could do both for approx. \$40,000.

March 9, 2016

Regular Meeting

7:30 PM

Supervisor Grant declared the meeting open and asked Council Member Mohun to lead the pledge to the flag. Present were Council Members Frounick, Gadd, Hoy and Mohun, also Highway Superintendent Czworka and Deputy Town Clerk Busch.

Williamson Law Book Annual Software Support Contracts: 2016 Water/Sewer Billing Software \$998 and Town Clerk Plus \$545:

Supervisor Grant asked for permission to execute the 2016 software support contracts for the Water/Sewer Software and Town Clerk Plus software. Motion made by Mohun/Hoy authorizing the supervisor to sign the contracts, voting all ayes, carried.

Financial Matters:

General Fund claims #53 - 69 totaling \$7,736.41 presented. Motion made by Frounick/Gadd to approve the General Fund claims presented. Voting all ayes, carried.

Highway claims #46 - 60 totaling \$44,573.73 presented. Motion made by Hoy/Gadd to approve the Highway Fund claims. Voting all ayes, carried. (Note, over \$28,394 was spent on highway materials/fuel).

Special District Claims:

Cowlesville Street Lighting – Voucher #3 in the amount of \$176.73 presented. Motion made by Mohun/Hoy to approve the Cowlesville Street Lighting District claim, voting all ayes, carried.

Cowlesville Water District claims #9-14 totaling \$3094.79. Motion made by Frounick/Hoy to approve the Water District claims, voting all ayes, carried.

Fire Contracts: Cowlesville (\$78,030); **Harris Corners** (28,931); and **Varysburg** (9,069.17). Motion made by Hoy/Gadd to approve the fire contract for 2016. Voting all ayes, carried.

Supervisor's Financial Statements for February:

She also provided Board Members with copies of the Account Balance Report for the HRA Plan and the Detail Reports dated Feb.. 29, 2016 for the Highway and General Funds. Supervisor Grant asked if any questions. Motion made by Mohun/Hoy to accept the Financial Reports, voting all ayes, carried.

Minutes: February 2016 meeting: Supervisor Grant asked if any corrections/amendments. Motion made by Mohun/Gadd to approve the minutes as submitted, voting all ayes, carried.

Correspondence:

Notice of the Southern Tier West 23rd Annual Local Government Conference scheduled for May 11th.

Justice court reports for January and February.

Notice from Tompkin's Insurance re: Filing of form indicating compliance with regulation 87 of State Insurance Dept.

Received the signed agreement back from the Wyo. County Arts Council for the \$800 grant for the Summer Concert Series.

Notice from National Fuel Gas re: contact information for emergency and non-emergency situations.

Newsletters from the Wyo. County Office of the Aging and the Wyo. County Arts Council.

Flyer on a concert to benefit Crossroad House at the Attica High School this Sunday at 1:30 PM.

Letter from Folsom Trailblazers Snowmobile Club thanking the town for the use of the park as part of their trail and also notice of a breakfast on March 20th from 7:30 to noon at the Strykersville Fire Hall. They are also doing a fundraiser- selling raffle tickets during the month of May.

Due to the number of young people present, Supervisor Grant asked for permission to amend the agenda and hear Public Concerns now. Motion so made by Mohun/Frounick, voting all ayes, carried.

Hear Public Concerns:

Supervisor Grant asked if anyone wished to address the Town Board at this time. A couple present stated they are new residents and just came to see what was going on. The students indicated they are present for a school project.

Departments:

Assessor: Assessor Wittmeyer reported working on closing the roll. She also reported the State is making a couple of changes regarding the Star Program in their proposed budget. (1) New home buyers won't have to file with town as they do now, it will be taken care of at the time of closing and they will automatically get the rebate. (2). Enhanced residents won't have to file every year as they do now.

Zoning:**Home Occupations:**

Lawrecse Zygaj, returned his application, signed that he is no longer in business.

Renewals received from: Joseph Ciulla (Rispoi's Bakery), Diane Lautenschlager (D&L Toy Trains); Deborah Buckley (The Bettinoll Co. LLC); Cheryl Hinsken (Cheryl's Pampering Pond); Stacey Acquard (Acquards Professional Pet Grooming); Gary Arcese (G. Arcese Enterprise); Robert MCGonigle (McGonigle's Gun Shop); Merlyn E. Bissell (M. E. Bissell, Law Office); Richard E. Schenkler (Ancient Future); Josphe Pfeiffer (Design A Tea); John Brandon (Aerie Design Services); Paul Dersam (Alden Real Estate Group); Ed Duda (Ed's Woodworks) and Tim Duda (Advanced Finishing). No complaints on any of them. Motion made by Frounick/Gadd to approve the renewals, voting all ayes, carried.

Special Use Permit Renewals received from Louis Breton (vehicle/Boat Storage) and David McCabe (Trucking). Both applied for 3 year renewals. Motion made by Frounick/Hoy to approve the renewals for 3 years, voting all ayes, carried.

Zoning Officer Vacancy: Town Board members interviewed Katie-Nicole Marble at the Work Session tonight. Supervisor Grant asked Board Members if they wanted to make decision on whether to hire her. The following resolution was introduced:

Resolution #2016-3-1

Be it Resolved, that the Town Board of the Town of Bennington hereby appoints Katie-Nicole Marble residing at 1102 Clinton Street to the position of Zoning Officer/Fair Housing Officer for the Town of Bennington, effective tomorrow ; said appointment to include probationary term of six months commencing upon the date of appointment and provisional on receiving/participating in a minimum of four hours of training on zoning and land use prior to the conclusion of the probationary period and a back-ground check (as required for all new appointments).

Motion made by Councilman Gadd, seconded by Council Member Mohun, voting all ayes, carried.

Highway:

Superintendent Czworka got rough prices for roofs for the town barn and the salt storage bldg. from Jeff at Just Barns who figures that a steel roof on the salt storage building would be around \$15,000 and a steel roof for the highway barn would cost around \$27,000 which would include removing all of the old shingles. Mr. Barnes doesn't feel the cost would go over \$40,000 for both buildings. Supervisor Grant informed him that if pursued, would have to go out for bid, also a copy of letter that she sent to Senator Gallivin requesting assistance for funding for that is included in Board Members packets.

Mr. Czworka reported that he got the tires for the grader \$300 less than the quoted price, he noted that the boxes on the trucks are all rusting through. Asked if the Town Board had any more thoughts about the additions to the salt building and to cover the fuel tanks, also asked about getting a new truck now that the grader & truck paid off. Asked what he's looking for. Mr. Czworka said he'd like another Peterbilt. Told him to get some pricing with a stainless steel box.

Superintendent Czworka reported the town highway department has been filling pot holes, taking care of the soft spots, maintaining what they can at this time of year.

Parks/Recreation : 2015 Activity/Expense Report received from the Bennington Senior Citizens, had 2 ski passes issued for Ski Day at Byrnclyff, Easter Egg Hunt scheduled for March 26th. The Folsomdale Baptist Church has started a softball league and requested the use of a diamond at the Park, May through August, would be able to use the back diamond because we don't have Babe Ruth team this year.

Water District: Received the 2015 Erie County Water Authority's Annual Water Quality Report. Copy of that, along with Bennington's Report will be going to all customers in the Cowlesville Water District in May.

Transfer Station: As advertised in the Alden Advertiser, Alden Pools will be hosting an E-Scrap March 12th & 19th. List of the acceptable and un-acceptable materials will be available in the town office as well as up at the transfer station.

Supervisor Grant reported having a discussion with the Supervisor from the Town of Perry regarding an electronic collection once a year, at our town and their town and possibly one other town, where electronic items could be dropped off. Supervisor from Perry will be getting information together on that.

Old Business:

Mike George was present and said that he is suppose to be an alternate member of the ZBA, knows that they have held meetings, but he has not been informed of any of the meetings, there is one coming up shortly, would like to be notified. Told that we would make sure he's notified.

Approve the audit of the 2015 Financial Records.

Supervisor Grant reported that Don Przybyl audited the Town's Financial Records of the Town Supervisor, Town Clerk, Tax Collector, Water Clerk and Town Court. He reviewed his findings with Town Board Members at their Work session tonight, found no discrepancies.

Resolution #2016-3-2 - Approval of 2015 Audit

Whereas, the Bennington Town Board, by law is required to audit the fiscal records of all of the towns financial records yearly, and

Whereas, the Bennington Town Board retained an independent audit to be performed by a retired municipal accountant on the financial records of the Town Supervisor, Town Clerk, Tax Collector, Court Clerk and Water Collectors records for 2015;

Now Therefore, Be It Resolved, that the Bennington Town Board, at a duly held meeting on March 9th 2016, accepted Donald E. Pryzbyl's audit report, which concludes all of the Town's records to be in compliance, as per a motion made by Councilman Hoy and seconded by Council Member Mohun, Said motion was adopted and the following votes were cast:

Supervisor Grant – Aye
Councilman Frounck – Aye
Councilman Gadd – Aye
Council Member Mohun - Aye
Councilman Hoy - Aye

New Business:

Time Warner Cable Audit- Supervisor Grant reported seeing an article in the Buffalo New whereby the Erie County Town of Cheektowaga, requested an audit be done on the fees paid by Time Warner Cable to the Town. Apparently , there was a significant discrepancy, mainly due to the different postal codes within the town. Bennington has many different postal codes. She has sent a letter to Attorney DiMatteo regarding this matter.

Copier for the Clerk's office- Authorize transfer of funds

Price of \$3090 for a new Toshiba-Studio 357 Copier from Eagle Systems. After a short discussion the following resolution was introduced:

Resolution #2016-3-3 Purchase of a Copier

Be It Resolved, that the Town Clerk is hereby authorized and directed to purchase a photocopier/Scanner/Printer for the Town Clerk/Supervisor's Office, at an amount of \$3090 in accordance with the Town's Purchasing Policy.

And Be It Further Resolved, that the Toshiba 35 photocopier located in the Town Clerk's Office is hereby declared surplus equipment and available for disposal as deemed appropriate by this Board.

Motion made by Councilman Hoy/Gadd to purchase the copier, voting all ayes, carried.

Resolution 2016-3-4 Transfer of Funds

From: Contingency Account A1990.4 \$3200

To: Central Printing & Mailing #A1670.2 \$3200

Be It Resolved, that the Town Board of the Town of Bennington hereby directs the Transfer of Funds to Allocate funds for the purchase of a new photocopier/Scanner/Printer for the Town Clerk/Supervisor's Office.

Motion made by Mohun/Frounck to transfer the funds, voting all ayes, carried.

Townhouse Development:

There has been a sign put upon Clinton Street where a realtor is selling lots for a townhouse development, no one has approached the town. Doesn't feel that anything has to be done at this time, everyone that needs to know has been advised of the situation. Council Member Mohun asked if there should be something in writing, they have it advertised as townhouse lots. Councilman Frounick suggested send a letter to the Town Attorney. After a short discussion Supervisor Grant said she could send a letter to the Town Attorney and a copy to realtor letting them know there is a process that needs to be followed.

Attica Central School District has requested use of the town hall for town meeting on April 28th 2 7PM to present their budget.

Resolution #2016-3-5 Authorize the Use of the Town Hall

Be It Resolved, that the Bennington Town Board hereby authorizes the use of the Bennington Town Hall by Attica Central School District on April 28, 2016 for the purpose of Town Hall Meeting to present the proposed school district budget to the community at 7 PM.

Motion made by Mohun/Frounick to adopt the resolution, voting all ayes, carried.

Transfer Station Stickers – Supervisor Grant asked Board Members if they wanted raise the price of the Transfer Station stickers, presently \$10 for the primary vehicle, secondary vehicles \$1 each. After a short discussion a motion was made by Frounick to raise the cost of the secondary stickers to \$5 each. There was NO second to his motion. Motion made by Hoy/Mohun to keep the sticker prices the same- \$10 primary vehicle; \$1 for secondary vehicles. Voting all ayes, carried.

Supervisor Grant reported that as reported in the Batavia Daily News, Wyoming County was awarded \$20 million dollars from New York State as part of their Rural Hospital Funding to alleviate financing of renovations projects and equipment purchases. It's been over a year trying to get this money. Short discussion held.

There being no further business, a motion was made by Mohun to adjourn. Meeting adjourned at 8:29 PM.

Respectfully submitted

Judith Brown, Town Clerk

