

March 11, 2015

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, discussed with Highway Superintendent Czworka the purchase of a new Plow (\$5643.75) and Wing (\$4400) all stainless steel, also looked into a new pick-up, has one estimate of approx. \$32,000. Asked by Mr. Hoy if he's looked into the undercoating yet. Told no, not yet.

Don Przybyl review /discussed his audit report with Town Board Members.

Supervisor Grant reviewed the agenda with Board Members.

March 11, 2015

Regular Meeting

7:30 PM

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

Supervisor Grant asked for permission to execute the contract with Williamson Law Book for Payroll Support in the amount of \$665.60 for 2015. Motion made by Hoy/Frounick to approve the contact, voting all ayes, carried.

**Resolution to authorize the payment to Wyoming County Highway for snow removal** done in response to the November 2014 snow storm, will be re-imbursed in full from FEMA. Motion made by Mohun/Gadd to adopt the resolution, voting all ayes, carried.

**Financial Matters:**

**General Fund** claims #58-77 totaling \$12,400.74 presented. Motion made by Hoy/Mohun to approve the General Fund claims presented. Voting all ayes, carried.

**Highway** claims #23 - 42 in the amount of \$35,968.30 presented. Motion made by Hoy/Frounick to approve the Highway Fund claims. Voting all ayes, carried.

**Special District Claims: Cowlesville Water District** claims #14-17 totaling \$1937.89 and **Cowlesville Street Lighting** claim #3 in the amount of \$190.73 presented. Motion made by Mohun/Hoy to approve the Special District claims, voting all ayes, carried.

**Supervisor's Financial Report – February 2015** – Supervisor Grant reported that most of the activity in the accounts was moving money into CD's etc. Motion made by Frounick/Gadd to accept the February financial report, voting all ayes, carried.

**Fire contracts for Bennington and Cowlesville** – Supervisor Grant reported they're coming due and asked for permission to pay Bennington Fire Company the remainder of \$68,000 due on their contract and Cowlesville 76,500. Motion made by Mohun/Hoy to approve the fire contract payments, voting all ayes, carried.

**Minutes of the February** – Motion made by Frounack/Hoy to table, some board members just received them tonight.

**Correspondence:**

Notice from the ARC re: Dev. Disabled Awareness Awards night on March 23<sup>rd</sup>.

Memo from Folsom Trail Blazers thanking the town for use of the Town Park for their trail to pass over and inviting Board Members to their annual breakfast on March 22<sup>nd</sup>.

Notice from NY Teamster re: insurance info with regard to the Affordable Care Act reforms for 2015

Notice from Tompkins Ins.re: filing of the Annual Reg 87.

Letter from the Wyo. County Health Dept., follow-up on the presentation given here by Dr. Murray McBride, information on testing in establishing baseline water quality , pricing etc.

Notice from Tompkins Ins. with a rebate check in the amount of \$19.95 from the truck sold.

Monthly newsletter from Wyo. County Arts Council.

Monthly report from Assessor Wittmeyer.

February reports (Zoning Permits & Land Separation) received from the Zoning Department (Board Members given a copy).

Board Members given a copies of the Tax Collector's January and February bank reconciliation along with a trial balance.

**Department:**

**Highway** – Superintendent Czworka reported they're working on pushing snow back, checking/cleaning out pipes so water can drain, also put some stone on South Burrough Road. Town will have to replace a plow and wing this year, so he got pricing of a plow from Henreitta and a wing from Valley Fab. The old pick-up in need of major repairs, money in budget for a replacement, has one price of approx. \$32,000. Looking at turning over every year if possible and getting a good trade in on the value. After a short discussion a motion was made by Hoy/Frounack to authorize the Highway Superintendent to draw up specs, get ready to go out to bid for a new pick-up. Voting all ayes, carried.

With regard to the plow and wing – should get going, should order next month so have by fall and ready for Winter.

Supervisor Grant reported that she and Mr. Czworka have been working on the FEMA claim and should receive around \$40,000. They tried to put in for the wash-out on Tooley, Bear and Schad Roads, but it wasn't enough to meet the threshold required. 75% comes from the Federal Government and 25% from the State. Didn't get paid for all of the days of the storm, they also backed out the county roads and the roads they did pay (divided the amount in half –paid to keep one lane open). Should have the check in 3-4 weeks.

**Transfer Station:** Has been discussion on what to do with Transfer Station, been losing money for the past 5 years, maybe go with county wide pick-up, getting to a point where there needs to work done, repairs/replaced, etc. After a short discussion, a motion was made by Mohun/Frounick to advertise for a public information meeting to be held at the April Town Board meeting to get feed back from town residents on how they feel about the situation. Voting all ayes, carried.

**Zoning:** Home Occupation renewals received from: Diane Lautenschlager (D&L Toy Trains); Deborah Buckley (The Bettinoll Co. LLC); Cheryl Hinsken (Cheryl's Pampering Pond); Stacey Acquard (Acquards Professional Pet Grooming); Larry Zygaj (Lawrence J. Zygaj, PLS, PC); Merlyn E. Bissell (M.E. Bissell, Law Office); Gary Arcese (G. Arcese Enterprise); Robert MCGonigle (McGonigle's Gun Shop); Kathleen Ott (Grandma K's Handcrafted Soaps) and Allan Linsey (Precision Cylinder Head). There being no complaints on any of them, a motion was made by Frounick/Hoy to approve the renewals, voting all ayes, carried.

**Assessor:** Assessor Wittmeyer reported she's working on closing the roll, having problems with her computer, for some reason, not compatible with the county. She also reported that Tom Halter and his assistant are retiring from at the state level (Office in Batavia) and they have been the Assessor's life line, giving them a lot of help, direction, information. A few month's ago they selected a few of the local assessor's, called them into their office, gave them valuable state level info (which she can now fall back on) at that time stated they weren't retiring but turned around and did retire. The state is not looking to fill their positions, wants to down size.

**Parks/Recreation:** Planning the Easter Egg hunt which will be advertised in the pennysaver.

**Public Concerns:** Supervisor Grant asked if anyone had anything to come before the Board. Jill & Pete Haynos asked about the status of South Burrough Road, had to put in 4 wheel drive to get out today. Supervisor Grant reported that she's working with County Highway to develop the engineering required to put in a lasting road, what impact that will have, dollars etc. Feels that would probably mean hiring an outside contractor to do the work to ensure they stay focused on the project. Doesn't feel town highway employees could dedicate that much time in one road and not maintain the other roads. Also feels this will be a 2 year project, the first year preparing the road, doing all the necessary tiling, ditching etc. and finishing the 2<sup>nd</sup> year. There is no money in FEMA for this.

Gentleman asked about the transfer station and the public meeting. Supervisor Grant reported it's been losing money for the past 5 years, only have 140 residents/hosueholds using it. Some residents already have contracted for pick-up, talked with the county (County has contract with vendor for weekly pick-up for towns that have approved it in the county), cost is around \$19/month which is assessed on the county tax bill, which means if they go this route, every household will be assessed. The only ones that may not get assessed is Highland Glens (that's a private road) and the people down in Cotton Hill (don't think trucks can get in down there to

pick-up). Told the Town Board will have all the answers for next month's meeting. Councilman Hoy is working with the County Planner (Art Buckley) and if going to do, have to start soon to get on the tax roll to begin the program January 1, 2016.

**Old Business: DOT Sidewalks Project** – Supervisor Grant reported that the DOT has been working with our Water Dept. to adjust water lines for sidewalk construction. The DOT has money in a fund specifically for this and Cowlesville was selected as one of the recipients. They came out a few years ago and surveyed the area. Seems like a waste of money, but if Bennington turns it down, we don't get the money allotted for this project, some other town will. They have down sized the project, it will now only replace/install sidewalks from Bullis to Church on the South side and from Lapp to Bullis on the North side. After a short discussion, a motion was made by Gadd/Hoy to authorize the Supervisor to execute the agreement, voting all ayes, carried.

**Town Auditor's Report and audit by Town Officials-** Supervisor Grant reported that Town Board Members audited the Town's Financial Records in January and that Don Przybyl (Municipal Accountant) conducted a professional audit. Supervisor Grant noted that a copy of Mr. Przybyl audit report will be sent to the NYS Office of Court Administration and asked board members for a motion to accept Mr. Przybyl report and their own audit findings done in January. Motion made by Mohun/Gadd to accept the audit done by Town Board Members and the audit done by Mr. Przybyl, voting all ayes, carried.

**New Business: Teamsters Audit of Highway personnel & records.** Supervisor Grant reported that she has been notified that the Teamsters Union will be conducting an audit from 2003 to present.

**Policies and Employee Handbook Development:** Councilman Member Mohun reported she has received 7 handbooks/different towns from the Association of Towns. Took 2 of them and started comparing, feels that Board Members should sit down and discuss what they actually want in the handbook before she goes any farther. Short discussion held.

**Comprehensive Plan Update** – Supervisor Grant feels the town should take a look at the Comprehensive Plan, areas that need to be addressed, namely solar energy, sludge. Need to schedule some workshops, get the Planning Board Involved. Short discussion held.

**Other Matters to come before the Board:**

Supervisor Grant reported that at the County Board of Supervisor's Meeting yesterday, they scheduled a Public Hearing for next month on legalizing "sparklers" (ones used for celebration on the 4<sup>th</sup> of July etc) in the County. She would like feedback from town residents. Apparently sparklers are not legal in Wyoming County. After a discussion Bennington is all for legalizing sparklers didn't know they were illegal.

**Letter dated March 11, 2015 from Town Attorney David DiMatteo re: Sewerage Sludge Law Violation** All Board Members given a copy of it, Supervisor Grant reported she was at a Farm

Bureau Meeting and they advised her that she and Town Board Members should set up a meeting with Quasar and get their side of the story before making any decisions.

There being no further business, Supervisor Grant asked for a motion to go into Executive to discuss a legal matter. Motion so made by Gadd/Frounick, voting all ayes, carried. Board enter into Executive Session at 8:45 PM.

Motion made by Hoy/Mohun to come out of Executive Session at 9:07 PM. Voting all ayes, carried.

Board members discussed a request by an individual to hold yoga classes at the Town Hall. Per past practice/policy, classes could only be held if they were open to all residents at no charge.

Motion made by Mohun to adjourn. Meeting adjourned at 9:22 PM

Respectfully Submitted;

Judith Brown  
Deputy Town Clerk