

Bennington Town Board  
March 8, 2023  
Workshop Session 6:30 p.m.

Meeting was attended by Supv. Grant, Councilmen Frounick, Mohun, Bryman & Domes, Supt. Jensen and Clerk Rosenthal. Supt. Jensen reviewed several prices and options on the storage building. Truck #129 needs a new plow and he had several quotes on that item. Truck leasing was discussed – approx. \$70K per year for 5 years for a completely fitted truck. There is surplus equipment and materials that is being reviewed for disposal. The F550 truck will need replacing in about a year and he recommends a gas vehicle. The Caterpillar loader needs new forks and the '91 Oshkosh is having repair work done in Buffalo. The new overhead doors have been installed and the header will be repaired soon. The Supervisor spoke on First Amendment audits and how Town employees should respond.

**Regular Board Meeting**

The Meeting was called to order by Supervisor Grant at 7:30 p.m. with Councilman Bryman leading the pledge of allegiance.

**Financial Matters:** Motion was made Mohun and seconded to approve contracts with Williamson Law Book for Water Billing & Town Clerk software support for 2023. All ayes; carried.

General Fund vouchers #31 to #50 \$18,333.89

Highway Fund vouchers #46 to #70 \$128,355.40

Cowlesville Water vouchers #6 to #8 \$7,555.75

Fire Company vouchers totaling \$203,676.28

Motion by Frounick and seconded to approve vouchers for payment.

Ayes: 5      Noes: 0      Abstain: 0      Absent: 0

• Motion by Bryman and seconded to approve the Financial Reports ending February 28, 2023.

Ayes: 5      Noes: 0      Abstain: 0      Absent: 0

• Motion by Mohun and seconded to approve the following transfer of funds: From General Fund Acct A1990.4 Contingent to A1910.4 Unallocated Insurance \$3,000.00

Ayes: 5      Noes: 0      Abstain: 0      Absent: 0

***Motion by Mohun and seconded to approve the following transfer:***

Transfer funds between Highway Fund and General Fund: permanently transfer \$400,000 from General Fund unallocated funds to Highway Fund for 2022 and authorize the repayment of \$200,000 from Highway Fund Due To General Fund established in 2022.

Ayes: 5      Noes: 0      Abstain: 0      Absent: 0

• Motion by Frounick and seconded to authorize the payment of principle \$50,000 and interest \$2,165 to Greene County Commercial Bank for the grader purchased in 2022.

Ayes: 5      Noes: 0      Abstain: 0      Absent: 0

**Communications:** Clerk Rosenthal reported on Certificates of Insurance received; Supv. Grant shared a letter from Folsomdale snowmobile club, NYS Office of Court Administration reminding about the need for 2022 auditing, water system operation

report, Wyoming Co. OES letter assigning a street number for the Sierk Road cell tower, Town Justice Court reports for Judge Linsey (1/23) and Judge Wawrzyniak (1/23 and 12/22), Tompkins Insurance notification of compliance with NYS Regulation 87, Vacant Building Registration form & payment for 1300 Alleghany Rd., and insurance policy changes.

**Minutes of Previous Meetings:** There being no changes or additions, the February 2023 minutes were accepted as distributed.

**Departments: Highway** – Reviewed the discussion during the workshop session on equipment repairs, building estimates and work being done.

**Resolution #2023-3-1            Approve purchase of used truck box**

Be it Resolved, that the Town Highway Superintendent is hereby authorized and directed to complete the purchase of a used stainless steel truck box from Dutchers Salvage of Morrisville, NY in an amount not to exceed \$12,000.00 for use on truck number 127.

Motion made by Mohun and seconded to approve.

Ayes: 5                      Noes: 0                      Abstain: 0                      Absent: 0

**Resolution #2023-3-2            Approve Highway Supt Attendance at Roads School**

Be it Resolved, that the Highway Superintendent is hereby authorized and directed to attend the 2023 Cornell Local Roads Program Highway School June 5 – 7<sup>th</sup> in Ithaca.

Motion made by Mohun and seconded to approve.

Ayes: 5                      Noes: 0                      Abstain: 0                      Absent: 0

**Town Clerk/Tax Collector-** Town Clerk's February report distributed.

**Resolution #2023-3-3            Appoint Town Registrar**

Be it Resolved, that the Bennington Town Board hereby appoints Town Clerk Joanne Rosenthal, 1264 Urf Road, Cowlesville NY 14037 to serve as the Town Registrar and to perform all such duties and responsibilities of the position, effective immediately.

Motion made by Bryman and seconded to appoint.

Ayes: 4 – Grant, Frounick, Domes, Bryman Noes: 0 Abstain: 1 - Mohun Absent: 0

**Zoning/Planning –**

**Resolution #2023-3-4            Appoint Zoning Board of Appeals Member**

Be it Resolved, that Peggy Wlostowski, 1006 Maxon Road, Attica 14011, is hereby appointed as a Member of the Zoning Board of Appeals, to fill the unexpired term of David Best. Said appointment is effective immediately through December 31, 2023.

Motion made by Mohun and seconded to appoint.

Ayes: 5                      Noes: 0                      Abstain: 0                      Absent: 0

**Resolution #2023-3-5****Inter-municipal Agreement for Zoning Services**

Be it Resolved, that the Town Supervisor is hereby authorized and directed to enter into an agreement with the Wyoming County Zoning Office for Zoning Officer services for the period January 1, 2023 through December 31, 2023 in an amount not to exceed \$21,173.73.

Board members discussed the cost increase noted in the contract for 2023. Supervisor Grant informed them that Don Roberts, who oversees the program, believes that with the receipt of fees and fines, the 4<sup>th</sup> quarter billing will not be needed and the total contract will be 75% of the amount. Board members would like to see included in the language the ability for either party to terminate the agreement upon sixty days written notice. This will be passed along to the County Attorney and Mr. Roberts. ***No motion was made to approve Resolution 2023-3-5 and the matter will be further discussed at the April Board Meeting.***

**Water District** – Awaiting word on the installation of the new meters.

**Assessor** – Firefighter property tax exemption. The County is discussing adopting the exemption and several towns are also planning on doing so. The Supervisor was asked to see what numbers for years of service and percentage of exemption were being used by the others. Also, is there a cap on the dollar amount the exemption could be?

**Unfinished Business:** EMS Billing discussion – Councilman Mohun has held conversations with the billing agency and received material from them. She would like to set up a meeting with the billing agency and reps from both Cowlesville and Bennington Fire Companies (possibly Varysburg as well) to be held by Zoom. She will get several dates and times the company is available.

Board members received copies of correspondence from Attorney DiMatteo regarding the assessment of AAOAA on Church Road. He will attend the April Board meeting to discuss the calculations and a possible agreement on the matter. Councilman Mohun shared that the Dog Control Officer informed her that there is a new state law regarding dangerous dogs.

**New Business:** Information on Spring Planning Workshops was shared and the Planning & Zoning Boards will be informed.

Easter Egg Hunt will be held April 1<sup>st</sup> at the Bennington Fire Hall.

**Any other Business to Come before the Board/County Matters:** None

Motion was made and carried to adjourn. Meeting adjourned at 8:48 p.m.