

Bennington Town Board
October 12, 2022
Workshop Session 6:30 p.m.

Supervisor Ellen Grant, Councilmen Brandon Bryman, Joyce Mohun and Bernard Frounick, and Deputy Clerk Deanna Nikiel met at 6:30 p.m. and Board members audited vouchers as prepared by the Deputy Clerk. A discussion was held on road projects completed and planned for the remainder of the year and highway equipment needs. Acting Superintendent Jensen has been obtaining quotes on replacing the current tractor with mower and broom attachments. Any orders would be approximately six months to be filled. Discussion was also held on the 2023 contract with Bennington Fire Company and the impact of the new state legislation on their budget.

Regular Board Meeting 7:30 p.m.

The October Meeting was called to order by Supv. Grant with Councilmen Frounick, Mohun and Bryman in attendance. Councilman Bryman led the pledge of allegiance to the flag.

Motion was made and seconded (Mohun/Frounick) to Open the Public Hearing on 2023 Contract with Bennington Vol. Fire Co. Ayes: 4 Noes: 0 Abstain: 0
Absent: 1 – Domes Carried.

Financial Matters: General Fund vouchers #172 to #186 totaling \$15,949.24
Highway Fund vouchers # 110 to #128 totaling \$259,147.94
Cowlesville Water vouchers #43 to #46 totaling \$5,321.10
Cowlesville Light vouchers # 10 for \$119.00

Motion by Bryman, seconded by Mohun to approve vouchers for payment.
Ayes: 4 Noes: 0 Abstain: 0 Absent: 1 - Domes

Motion by Mohun, seconded by Frounick to approve the Financial Reports ending Sept 30, 2022.
Ayes: 4 Noes: 0 Abstain: 0 Absent: 1 – Domes

Transfers within General Fund Accounts:

From:	A1990.4 Contingency	\$20,000.00	
	A3510.4 Control of Dogs Cont.	1,500.00	
	A7110.2 Parks Equipment	2,000.00	
	A7270.4 Band Concerts Cont.	500.00	
	A7310.4 Youth Programs Cont.	2,000.00	
	A9060.8 Hospital & Med. Ins.	10,000.00	\$36,000.00
To:	A1620.4 Buildings Contractual	13,500.00	
	A1420.4 Law Cont.	12,000.00	
	A1910.4 Unallocated Insurance	2,400.00	
	A5010.4 Highway Admin Cont.	3,200.00	
	A5132.4 Garage Contr.	4,340.00	
	A9010.8 State Retirement	386.00	
	A9050.8 Unemploy. Ins.	174.00	\$36,000.00

Motion by Bryman, seconded by Mohun to approve the above transfers.

Ayes: 4 Noes: 0 Abstain: 0 Absent: 1 – Domes

Motion by Mohun, seconded by Frounick to approve a transfer of funds from General Fund to Highway Fund in the amount of \$230,000 and establish a Due to/Due from record, to be repaid no later than January 31, 2023.

Ayes: 4 Noes: 0 Abstain: 0 Absent: 1 – Domes

Communications: Email from Sen. George Borello on a zoom meeting with local elected officials 10/25; Thank you from Folsom Trailblazers snowmobile club for allowing access to Pine Tree Park; Justice Court reports from the Justices for August; Certificates of Liability Insurance – WNY Plumbing & Frayne Brothers; flyer on social media scams & virus'; Memo from Tobacco-Free Gen/Wyo/Orl on tobacco use in parks.

Motion by Bryman, seconded by Frounick to approve minutes for September 2022 Regular Session.

Ayes: 4 Noes: 0 Abstain: 0 Absent: 1 - Domes

Hear Comments on 2023 Bennington Vol. Fire Company Contract w/Town; close Public Hearing:

Supervisor Grant read the letter from Bennington Fire Co., outlining the potential charges they will face with the new legislation enacted on charges for EMS services. The law went into effect in July 2022, but the Fire Company hasn't received any bills yet from Monroe Ambulance for Advance Life Support/transport service, and do not have a contract or rate yet from MA. The new law allows ambulance companies to bill fire companies for ALS services, instead of them billing the patient. The fire company is now in the position of paying this new cost or billing the patient's insurance themselves. As they are already limited in the number of volunteers they have handling EMS, they do not want the added burden of the additional paperwork involved with billing. Outside billers are available, but would still require paperflow from the fire companies. There are many unknowns, depending on the number of calls in a given year, what rates are negotiated with the ALS provider, and whether the individual would have insurance or not. The Board expressed concerns to BFC President Jamie Zymowski on the additional funds – levy impact on tax cap, who holds the money, etc. The original request was for \$20,000 for the new charges; this may be reduced to \$6,000 to \$10,000 and see what the future brings.

Motion to close the Public Hearing made by Mohun, seconded by Bryman at 8:15 p.m.

Ayes: 4 Noes: 0 Abstain: 0 Absent: 1 - Domes

Departments: Highway – The town will be wrapping up road work with the paving of a short section of Schad Road this month. Additional work planned will need to be rescheduled for 2023. The crews have been prepping trucks for snow plow equipment and stockpiling salt and sand. The Superintending has been pricing tractor/mower/broom for possible purchase. Anything purchased would likely take 5 to 6 months to arrive.

Town Clerk/Tax Collector – Monthly report for September

Assessor – Has attended a conference and provided training on farm assessments, so conference costs were waived. Working with individuals on possible exemptions/assessment reductions for the future.

Zoning/Planning – Activity report for September; information for the Board on 2023 rates.

Water District – Lead and copper testing results sent to homeowners; water rate increase will be adopted for 2023.

Court – Nothing to report

Park/Recreation – Restrooms will be winterized; pump pulled and portajohn discontinued at month end.

Old Business:

RESOLUTION #2022-10-1 Bennington Fire Protection District Contract

Whereas, the Town of Bennington has held a duly advertised hearing of all parties regarding the 2023 Contract between the Town and the Bennington Fire Company for the Bennington Fire Protection District on this 12^h day of October, 2022 at the Bennington Town Hall;

Now, Therefore, Be It Resolved, that following consideration of any and all comments regarding said Contract, the Town Board hereby approves said 2023 Contract in the amount of \$124,000 for fire and rescue services within said district, with provision for water for training purposes, said amount to be levied upon the 2023 Town and County tax bills for parcels located within said District.

Motion by Bryman, seconded by Mohun to TABLE for one month.

Ayes: 4 Noes 0 Abstain 0 Absent: 1 - Domes

Electronics collection was held at the Bennington Fire Hall on Sat., October 8th from 9 a.m. to Noon. Supervisor Grant, Councilman Bryman and four Bennington firemen ran the collection. Approx. 55 households participated with 13 pallets filled. A report will be available at the October meeting with the volume of items by Sunnking. People were very appreciative.

New Business:

RESOLUTION #2022-10-2 Authorize the Clerk to advertise Seasonal Maintenance Roads within the Town and Seasonal/Winter Parking Restrictions on Town Roads

Be it Resolved, that the Bennington Town Clerk is hereby authorized and directed to advertise in local publications that certain roads (namely Geise Road between Clinton and Stedman, Hodge Road and Graff Road between Poland Hill and Hodge) within the Town of Bennington are designated seasonal maintenance during the months of November 1 through April 30, as posted; and be it

Further Resolved, that the Bennington Town Clerk is hereby authorized and directed to advertise in local publications that there is a legal parking restriction on all roads in the Town of Bennington during winter months November 1 through April 30, from 2:00 a.m. to 7:00 a.m. as per Local Law No. 1, Year 1978.

Motion by: Frounick seconded by Mohun

Ayes: 4 Noes: 0 Abstain: 0 Absent: 1 - Domes

RESOLUTION # 2022-10-3 Set Date and Times for Trick or Treating in the Town

Be it Resolved that the Bennington Town Board hereby declares that the times for Halloween Trick or Treating throughout the town shall be Saturday October 31, 2023 from 5:00 pm to 8:00 pm and that the Town Clerk is directed to advertise the same.

Motion by Mohun, seconded by Bryman

Ayes: 4 Noes: 0 Abstain: 0 Absent: 1 - Domes

RESOLUTION #2022 -10-4 Set date of 2023 Town Budget Public Hearing

Be it Resolved, that the Town Board hereby sets the date of the 2023 Town Budget Public Hearing as the 9th day of November, 2022 at 7:30 p.m. at the Bennington Town Hall, and hereby authorizes and directs the Town Clerk to advertise the same in the legal publication of this town.

Motion by: Mohun seconded by Frounick

Ayes: 4 Noes: 0 Abstain: 0 Absent: 1 - Domes

RESOLUTION #2022-10-5 Set salary of Part-time Seasonal Highway MEO

Be it Resolved, that the Town Board hereby sets the salary of part-time, seasonal Motor Equipment Operators (with valid Commercial Driver's License) within the Highway Department at a rate of \$23.08 per hour, effective October 16, 2022.

Motion by Mohun seconded by Bryman

Ayes: 4 Noes: 0 Abstain: 0 Absent: 1 - Domes

Petitions and public concerns: Dave Smith of Schoellkopf Road expressed an interest in serving on the Zoning Board of Appeals.

Any other Business to Come before the Board/County Matters: Supervisor Grant mentioned possible state legislation that would require cemeteries to have engineers oversee any digging, grave openings, etc., which could be costly and result in cemetery associations disbanding and turning operations over to towns.

Motion by Mohun, seconded by Bryman to enter into Executive Session to discuss labor contract negotiations. Ayes: 4 Noes: 0 Abstain: 0 Absent: 1 - Domes
Board entered into Executive Session at 8:50 p.m.

Motion made by Mohun, seconded by Bryman to close Executive Session at 9:52 p.m.

Ayes: 4 Noes: 0 Abstain: 0 Absent: 1 - Domes

Motion was made by Mohun to adjourn the meeting at 9:52 p.m. with no further business transacted.