

Bennington Town Board
November 9, 2022
Workshop Session 6:30 p.m. Regular Board Meeting 7:30 p.m.
Meeting Agenda

Call Meeting to Order; pledge of allegiance.

Open Public Hearing on 2023 Town Budget

Financial Matters: General Fund vouchers # _____ to # _____ \$ _____
Highway Fund vouchers # _____ to # _____ \$ _____
Cowlesville Water vouchers # _____ to # _____ \$ _____
Cowlesville Light vouchers # _____ \$ _____
Financial Reports

Communications:

Minutes of Previous Meetings: October Regular Meeting

Hear Comments on 2023 Town Budget; close Public Hearing

Departments: Highway – Projects & work activity; equipment
purchase/disposition
Town Clerk/Tax Collector
Assessor –
Zoning/Planning – Lead Agency Status Communications Tower
Water District – re-levy unpaid bills; water rates
Court –
Park/Recreation –

Old Business: Bennington Fire Co. 2023 Contract

Electronics collection – 7194 lbs collected

New Business: Adoption of 2023 Town Budget

Authorize Supervisor to attend 2023 AOT conference in NYC and
serve as Town's voting delegate to the annual business meeting.

Discussion on proposed state legislation on cemeteries

Discussion on broadband

Petitions and public concerns:

Any other Business to Come before the Board/County Matters:

Adjourn

- Motion by _____, second by _____ to open Public Hearing on 2023 Town Budget.
Ayes: Noes: Abstain: Absent:
- Motion by _____, second by _____ to close Public Hearing.
Ayes: Noes: Abstain: Absent:
- Motion by _____, seconded by _____ to approve vouchers for payment.
Ayes: Noes: Abstain: Absent:
- Motion by _____, seconded by _____ to approve the Financial Reports ending Oct 31, 2022.

- Motion by _____, seconded by _____ to approve minutes for Oct. Regular Session
Ayes: Noes: Abstain: Absent:

RESOLUTION #2022-11-1 Authorize the Purchase of a Used Paver

Be it Resolved that the Highway Superintendent is hereby authorized to expend an amount not to exceed \$15,000 for the purchase of a used paver for use by the Highway Department.

Motion by _____ seconded by _____
Ayes: Noes: Abstain: Absent:

RESOLUTION #2022-11-2 Authorize the disposition of used tractor, mower and broom

Be it Resolved that the Town Board hereby declares the 2012 Kabota Tractor, with mower and broom attachments as surplus equipment and that the Highway Superintendent is hereby authorized to dispose of said equipment by means of sale or trade in value.

Motion by _____ seconded by _____
Ayes: Noes: Abstain: Absent:

RESOLUTION #2022-11-3 Authorize the Purchase of a new Tractor with Mower and Broom Attachments through Bid process for the Highway Department

Be it Resolved, that the Highway Superintendent is hereby authorized and directed to prepare and advertise for bids for the purchase of a tractor with mower and broom attachments for use by the Highway Department; and

Be it Further Resolved, that bids for said equipment shall be received by the Town Clerk no later than 6:00 p.m. on the 28th day of November, 2022 and opened by the Clerk at 6:30 p.m. on November 28, 2022; and

Be it Further Resolved, that the Bennington Town Board shall meet at 6:30 p.m. on the 28th day of November, 2022 for the purpose of awarding bid for the purchase of highway equipment and another other business as may come before the Board at that time, and

Be it Further Resolved, that the Town Clerk is hereby authorized and directed to advertise the above meeting in the legal newspaper of this Town.

Motion by _____ seconded by _____
Ayes: _____ Noes: _____ Abstain: _____ Absent: _____

RESOLUTION #2022-11-4 Verizon Wireless Communication Tower – Sierk Road

Whereas, the Town has received a complete application from Bell Atlantic Mobile Systems, LLC d/b/a Verizon Wireless for a Special Use Permit for the installation of wireless communications signal equipment at property located at 1363 Sierk Road, Attica NY, Tax Map #44-1-56, within the Town of Bennington, now, therefore,

Be it Resolved, that the Town Board hereby declares itself as Lead Agency for the purposes of SEQR review and approval of said applications for a Special Use Permit; and

Be it Further Resolved, that the Town Board will hold a Public Hearing on said application to construct and operate said wireless communications signal equipment on the 14th day of December at 7:30 p.m. at the Bennington Town Hall, 905 Old Alleghany Road, Attica NY, and hereby authorizes and directs the Town Clerk to advertise the same in the legal publication of this Town.

Motion by _____ seconded by _____
Ayes: _____ Noes: _____ Abstain: _____ Absent: _____

RESOLUTION #2022-11-5 Re-levy of Unpaid Cowlesville Water District Bills

Whereas, the Cowlesville Water District Clerk has prepared a statement of unpaid water bills in arrears that have not been paid after billing the responsible owner/user; now

Therefore, Be it Resolved, that the Town of Bennington Town Board hereby authorizes the relevy of upaid bills payable to the Cowlesville Water District onto the 2023 Town and County Tax Bills; and

Be it Further Resolved, that the Clerk will forward a copy of this resolution and listing of the property owners, property tax number and amount due to the Wyoming County Real Property Tax Services Office in Warsaw, NY.

Motion by _____ Seconded by _____
Ayes; _____ Noes _____ Abstain _____ Absent _____

RESOLUTION #2022-11-6 Set Public Hearing Regarding Modifying Cowlesville Water District Rates and Fees Schedule

Whereas it is deemed in the best interests of the Cowlesville Water District to modify certain rates and fees charged in association with the use of services from said District,

Now, Therefore, Be It Resolved, that the Bennington Town Board will hold a public hearing on the 14th day of December 2023 at 7:30 p.m. at the Bennington Town Hall, 905 Old Alleghany Road, Attica NY, regarding said modifications, and

Be it Further Resolved, that the Clerk of this Board shall advertise the same in the legal newspaper of this Town.

Motion by _____ seconded by _____
Ayes: _____ Noes: _____ Abstain: _____ Absent: _____

RESOLUTION # 2022-11-7 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 \$110,000 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 _____ seconded by _____
Ayes: _____ Noes: _____ Abstain: _____ Absent: _____

RESOLUTION #2022 -11-8 Adopt 2023 Town Budget

Be it Resolved, that, following a duly advertised Public Hearing held on the 9th day of November 2022, the Bennington Town Board hereby adopts the Proposed 2023 Town of Bennington Budget with a total levy of \$1,406,813.28, plus any authorized addition to the contract with Varysburg Fire District, and authorizes the amounts therein to be levied upon the real property within the Town of Bennington on the 2023 Town and County tax bills.

Motion by: _____ seconded by _____
Ayes: _____ Noes: _____ Abstain: _____ Absent: _____

RESOLUTION #2023-11-9 Authorize attendance at Association of Towns Annual Meeting and Delegate to Annual Business Meeting

Whereas the 2023 Annual Association of Towns Conference will be held February 19-22, 2023 in New York City, at which time the Annual Business Meeting of the organization will take place;

Now Therefore be it Resolved, that Ellen Grant, Supervisor, is hereby authorized to attend said Conference and serve as the Town’s delegate and voting representative to the Annual Business Meeting.

Motion by _____ Seconded by _____
Ayes: _____ Noes: _____ Abstain: _____ Absent: _____

RESOLUTION #2022-11-10 Waiver of 30 Day Municipality Notification

Be it Resolved that the Town Board hereby waives the 30 day notification for the intent to file for an On Premise Liquor License Class Change to serve Wine, Beer and Cider in a Hotel as requested by River Spring Lodge LLC at 1961A Church Rd., Darien Center NY 14040.

Motion by _____ Seconded by _____
Ayes: _____ Noes: _____ Abstain: _____ Absent: _____

MONTHLY REPORT OF SUPERVISOR

TO THE TOWN BOARD OF THE TOWN OF BENNINGTON:

Pursuant to Section 125 of the Town Law, I hereby render the following detailed statement of all moneys received and disbursed by me during the month of October, 2022:

DATED: November 7, 2022

Ellen M. Grant

SUPERVISOR

	Balance 09/30/2022	Increases	Decreases	Balance 10/31/2022
A GENERAL FUND - TOWNWIDE				
CASH - CHECKING	511,157.67	206,120.14	260,504.36	456,773.45
CERTIFICATES OF DEPOSIT	200,000.00	0.00	200,000.00	0.00
PETTY CASH - COURT	75.00	0.00	0.00	75.00
PETTY CASH - TOWN CLERK	100.00	0.00	0.00	100.00
TOTAL	711,332.67	206,120.14	460,504.36	456,948.45
DA HIGHWAY FUND - TOWNWIDE				
	0.00	0.00	0.00	0.00
CASH - CHECKING	35,125.79	266,791.80	276,184.15	25,733.44
TOTAL	35,125.79	266,791.80	276,184.15	25,733.44
SF1- BENNINGTON FIRE PROTECTION				
	0.00	0.00	0.00	0.00
TOTAL	0.00	0.00	0.00	0.00
SF2- COWLESVILLE FIRE PROTECTION				
	0.00	0.00	0.00	0.00
TOTAL	0.00	0.00	0.00	0.00
SF3- VARYSBURG FIRE PROTECTION				
	0.00	0.00	0.00	0.00
TOTAL	0.00	0.00	0.00	0.00
SF4- HARRIS CORNERS FIRE				
	0.00	0.00	0.00	0.00
TOTAL	0.00	0.00	0.00	0.00
SL1- COWLESVILLE LIGHTING DISTRICT				
CASH - CHECKING	539.54	0.00	119.90	419.64
TOTAL	539.54	0.00	119.90	419.64
SW1- COWLESVILLE WATER DISTRICT				
CASH - CHECKING	23,151.53	20,578.05	33,071.81	10,657.77
CERTIFICATE OF DEPOSIT	20,000.00	0.00	20,000.00	0.00
TOTAL	43,151.53	20,578.05	53,071.81	10,657.77

MONTHLY REPORT OF SUPERVISOR

	Balance 09/30/2022	Increases	Decreases	Balance 10/31/2022
TA TRUST & AGENCY				
	0.00	0.00	0.00	0.00
Niagara Solar	164.39	0.01	0.00	164.40
TOTAL	164.39	0.01	0.00	164.40
TOTAL ALL FUNDS	790,313.92	493,490.00	789,880.22	493,923.70

**WATER RATE AND FEE SCHEDULE
FOR THE
TOWN OF BENNINGTON
December 14, 2023**

- A. Minimum Quarterly Charge: \$10 plus the cost of water
- B. Water Rate: \$7.00/1,000 gallons.

Out of District Customer Rate: One hundred and fifty percent (150%) of the water rate for in district customers.

C. Water Meter Charges:

Meter Size	Amount
5/8" x 3/4"	\$300.00 plus \$125 inspection fee
1" x larger	Actual Cost of Meter plus \$125 inspection fee

*all of the above meter charges include the required remote reading system

- D. Street opening permit fee shall be in accordance with Town Code

E. Water Service Tapping Fees:

Tap Size	Fee
3/4", 1", 1 1/2" and 2"	\$150 plus actual cost; \$350 deposit required

*A water service tapping fee will not be charged for water services installed as part of a water main improvement project. Cost includes corporation stop, copper tubing, curb stop and box for both short side and long side services.

- F. Water service resumption fee to restore service after discontinuance at the customer's request, for non-payment or for violation of rules: \$35 during normal working hours (8:30 a.m. to 4:30 p.m. Monday through Friday); \$55.00 outside of normal business hours Monday through Friday, and \$70 on weekends or on the following holidays: New Year's Day, Dr. Martin Luther King Jr. Day, Lincoln's Birthday, Washington's Birthday, Good Friday, Memorial Day, Independence Day, Labor Day, Columbus Day, Veteran's Day, Thanksgiving Day, Christmas Eve and Christmas Day.

- G. Meter reinstallation fee: \$20

- H. Meter repair:

Replace frost bottom:	\$50
Resealing a meter:	\$35

- I. Meter Setter/Pit: \$550.00. Setter/Pit fee, plus inspection fee of \$125 and meter fee of \$275, for a total of \$950.00 unless meter size is 1" or larger.

- J. Meter Accuracy Test: \$20 deposit. \$10 will be returned for over registering meters. The entire deposit will be retained for under registering or correct reading meters.
- K. Penalty for Delinquency: 10% of water bill added after 30 days.
- L. Water Service Turn Off/Turn On: \$50 each.
- M. Temporary Disconnection of Service: \$50 (Includes turn off/turn on, meter removal and meter reinstallation).
- N. Hydrant Relocation fee: \$1,200.00
- O. Temporary Water Service:
- | | | |
|----|--|-------|
| 1. | Monthly charge for hydrant use | \$50 |
| 2. | Hydrant nozzle deposit fee | \$55 |
| 3. | Hydrant meter deposit fee | \$400 |
| 4. | Hydrant wrench deposit fee | \$10 |
| 5. | RPZ backflow prevention device deposit | \$600 |
- *Cost of water is not included.