

Bennington Town Board
April 12, 2023
Workshop Session 6:30 p.m.

Workshop Session was attended by Supervisor Grant, Councilmen Frounick, Bryman, Mohun & Domes, Clerk Rosenthal and Superintendent Jensen. Board members audited bills for payment at the April meeting. Supt Jensen discussed highway department work, repairs to vehicles. Discussion was also held on future equipment purchases with a complete truck at \$300K and replacing the Gradall at \$250K. The booster for the cell phone service at the shop has been ordered. The department has excess materials – stone and pipe – and would like to sell it through the bid process. He would also like to hire someone to do roadside mowing for several months May – October. Attorney DiMatteo also attended to speak to the Board regarding a claim for tax exempt status for property taxes, sharing correspondence and seeking guidance from the Board. He was instructed to proceed with sending the draft that he had prepared.

Regular Board Meeting 7:30 p.m.

Supervisor Grant called the meeting to order with Councilman Frounick leading the pledge of allegiance.

Financial Matters: General Fund vouchers #54 to #82 \$19,275.90
Highway Fund vouchers #71 to #94 \$79,482.01
Cowlesville Water vouchers #10 to #16 \$17,339.15
Cowlesville Light vouchers # 18 \$132.90

Motion by Mohun, seconded by Domes to approve vouchers for payment.

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

Financial Reports & Transfers Motion by Mohun, seconded by Frounick to approve the following transfers within accounts:

From Cowlesville Water SW1-9010.8 Retirement
To Cowlesville Water SW1-8389.4 Water Other Contractual \$58
From Highway Fund DA9010.8 Retirement
To DA9055.8 Unemployment Insurance \$146

Ayes: 5 Noes: 0 Abstain: 0 Absent: 0 Carried.

Communications: Supervisor – Assoc. of Towns newsletter; Genesee Finger Lakes Planning Council workshops (several Planning/ZBA members will be attending); info on GOGov citizen notification system; GLOW Solid Waste Annual Report; IRS statement on receiving our bond information; Justice Court reports for Feb & Mar for Justice Linsey. Clerk – Certificates of Liability for KCM Custom Built Garages; NYS Parks calendar and request to convert to email calendar notification; Town of Alden Local Law regarding rescinding residency requirements for employees; NYS Senate info on UTV potential legislation.

Minutes of Previous Meetings: Motion by Mohun, seconded by Bryman to approve the March meeting minutes

Ayes: 5 Noes: 0 Abstain: 0 Absent: 0 Carried.

Departments: Highway

Resolution #2023-4-1 Agreement to Spend 2023 Highway Funds

Be It Resolved, that the Bennington Town Board hereby approves the 2023 Plan and Agreement to Spend Highway Funds on Permanent Improvements and General Repairs in the amount of \$867,884.00.

Motion: Mohun Second: Bryman
Ayes: 5 Noes: 0 Abstain: 0 Absent: 0 Carried

All Board members signed the agreement.

Shared Services Agreement w/DOT – tabled to May meeting for further discussion; The Superintendent completed the petroleum bulk storage permit and the fee is in the vouchers for payment; agreed on the payout of HRA fund balance for one employee with a 2022 balance. Part Time Mower – Board tabled until May and would like more information on the work scheduled for the regular crew that necessitates an additional employee.

- Motion was made to authorize the advertisement of the sale of excess corrugated tile line and two inch stone from the Highway Department. Sealed bids will be due to the Town Clerk by 6 p.m. May 1, 2023 and opened at 6:30 p.m.. Tile may be bid in whole or two separate lots. Bids will be awarded at the May Town Board Meeting and the Board reserves the right to reject any/all bids.

Motion by Domes, seconded by Mohun

Ayes: 5 Noes: 0 Absent: 0 Abstain: 0 Carried.

Town Clerk/Tax Collector- Monthly report for March activities and receipts distributed to Board members.

Zoning/Planning –

Motion was made by Frounick, seconded by Bryman to approve three year Special Permit renewals for the following businesses – Kaminski Plumbing, Kissell Gravel Pit; JMM Construction & Office; D. Smith Auto Repair. Ayes: 5 Noes: 0 Absent: 0 Abstain: 0 Carried.

Resolution #2023-4-2 Intermunicipal Agreement for Zoning Services

Be it Resolved, that the Town of Bennington hereby agrees to enter into an intermunicipal agreement with the County of Wyoming for the provision of Zoning Enforcement Services for the year 2023 at an amount not to exceed \$21,713.73 a rate of \$9.78 per parcel for 2,165 parcels on record; and

Be it Further Resolved, said contract shall be invoiced and paid on a quarterly basis by the Town to the County; and

Be it Further Resolved, said agreement may be terminated by either party upon sixty days written notice to the other party.

Motion: Domes Second: Mohun
Ayes: 5 Noes: 0 Abstain: 0 Absent: 0 Carried

Board members discussed some of the zoning issues that need to be addressed with law revisions: accessory buildings, dogs/kennels, property maintenance, hamlets, home occupations & Special Use Permits.

Water District:

Resolution #2023-4-3 Payment of Interest on Bond – Cowlesville Water

Be it Resolved that the Town Supervisor and Town Bookkeeper are hereby authorized to issue a payment or wire transaction in the amount of \$7,238.38 to Depository Trust Company for the semi-annual interest payment on the bond issuance for water district construction/improvements.

Motion: Bryman Second: Mohun
Ayes: 5 Noes: 0 Abstain: 0 Absent: 0 Carried

Resolution #2023-4-4 Accept Letter of Resignation/Retirement – Mark Pruitt

Be it Resolved, that the Town Board hereby accepts the resignation of the Water System Operator Mark Pruitt, effective close of business April 28, 2023, and be it Further Resolved, that the Town Board hereby extends its gratitude and appreciation to Mr. Pruitt for his dedication and years of service to the Town.

Motion: Frounick Second: Bryman
Ayes: 5 Noes: 0 Abstain: 0 Absent: 0 Carried

Old Business: Against All Oddz Animal Alliance - Board met with Attorney DiMatteo regarding a tax exempt status request from the property owner and provided him with instruction on how to proceed.

Firefighters/ambulance worker property tax exemption – Awaiting information from other towns/county on their policies and criteria.

New Business:

Resolution #2023-4-5 2022 Audit of Town Financial Records

Whereas, the Bennington Town Board, by law is required to audit the fiscal records of all the towns financial record 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, Town Court and Water Collector's records for 2022;

Now, Therefore, Be It Resolved, that the Bennington Town Board, at a duly held meeting on April 12, 2023, accepted Donald E. Pryzbyl's audit report, which concludes all of the Town's records to be in compliance; and

Be it Further Resolved that said audit shall be filed with the NYS Unified Court System upon approval.

Motion by Mohun, seconded by Bryman

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

Petitions and public concerns: None

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

Motion was made by Councilman Mohun to adjourn. Meeting adjourned.