

Bennington Town Board
March 10, 2021
7:30 p.m. Meeting

Work session began at 6:45pm. Councilman Mohun, Frounick and Waite audited the bills. Councilman Gadd is excused for the evening. Councilman Waite was questioning the usage of gasoline over a month's time. Superintendent Koch arrived at 7:00pm to address the Board and go over monthly business. Councilman Frounick asked the Superintendent if he looked at the dead tree on Stedman Rd. The Highway department will be working on the catch basins in the Village on Church Street and Sargent intersections. A resident called to bring a concern on Tooley road regarding stones ruining car tires. No stone has been laid since Fall, so these are ones that are working their way up. Superintendent would like to purchase a roller, currently one up at auction that he has interest in.

Supervisor Grant called the meeting to Order at 7:34 pm and asked Councilman Frounick to lead the pledge of allegiance.

Motion to approve annual contract with Williamson Law Book for the Town Clerk software in the amount of \$590.00.

Motion by Mohun; seconded by Waite to approve the contract.

Voting all ayes, carried.

Financial Matters:

General Fund vouchers #38 to #57 \$14,210.21

Highway Fund vouchers #19 to #32 \$54,327.35

Cowlesville Water vouchers #7 to #11 \$3,500.06

Cowlesville Light vouchers # 3 \$108.90

Cowlesville Fire #1 \$81,190.00

Harris Corners Fire #1 \$31,628.00

Varysburg Fire #1 \$11,075.43

Bennington Fire #2 \$45,000.00

Motion by Frounick, seconded by Waite to approve the vouchers for payment.

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

Financial Reports

Motion by Mohun, seconded by Waite to approve the Financial Reports ending February 28, 2021.

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

Minutes of Previous Meetings:

Motion to approve minutes for February 10, 2021, made by Waite, Seconded by Mohun.

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

Communications: The Town Clerk received a letter from a resident regarding their payment of taxes. Their payment was received/postmarked after the due date, so it was sent back. The homeowner was not happy that it was not accepted as received. The resident sent a check back for the correct amount with the letter. Certificate of analysis was received from BioTrax for the month of February. The Clerk and the Supervisor

received a letter from Eastern Gas Transmission that Berkshire Hathaway Energy has acquired them. The Town Clerk received a monthly report from the Wyoming County Zoning Department for Zoning related work in the Town. There are no open projects, Permits, or violations for the month of February. Supervisor Grant received the Wyoming County Arts Council newsletter. Supervisor Grant received a letter from the Town Attorney regarding Zombie laws in neighboring Towns. Justice court reports for the month of January were received. National Fuel notified the Town on public improvement projects that were taking place in the Town. This was given to the Superintendent and he was asked to contact them with information about road projects. Notice was received by residents on Kern Rd. that National Fuel will be replacing the gas line soon.

Petitions and public concerns: Resident stopped earlier before the meeting over concerns on internet services or lack thereof in the Town.

Departments:

Town Clerk – The Town Clerk distributed her February monthly report. The Town Clerk told the Town Board members that she has collected \$4,631,904.30 in taxes since January 1st. There is \$405,045.76 outstanding as of today. Last day to pay in the Town is 3/31/21. Late notice letters will get sent out on 3/15 to remind the homeowners that tax payments need to be made. EZ Passes went on sale 2/27. We have sold 7 so far and have had a positive response from the residents.

Highway –

Councilman Waite made a motion to authorize the Highway Superintendent to participate in a surplus auction bid for the purchase of a used roller in an amount not to exceed \$22,000. Seconded by Mohun ; Voting 4 Ayes, 1 Absent, carried.

A resident neighboring the Highway Department has had sand/salt draining into her lawn for some time now. The Superintendent will be evaluating this week. Would like to set up a catch basin to address this issue and fix.

Dersam Rd: Suitkote bids coming in low, may be able to begin work on this road and Blood Rd. Also have plans to do some drain work on Coyle Rd.

Assessor –

Zoning – Home Occupation Permit – new & renewals; Merlyn Bissell Law Firm, Salon Lux, MJ Graphics, Bettinoll Company, Sunset Printing, D&L Trains, Aerie Design, Alden Real Estate, Acquard's Dog Grooming and Premier Kitchen. We will send a new one to a home busines on Church Street in the Town of Cowlesville at the Board's request.

Motion by Frounick, seconded by Mohun; Voting 4 Ayes, 1 Absent.

ZBA - Supervisor Grant read a letter from David Best who tendered a resignation letter that will take effect on 3/22/21 from the Zoning Board of Appeals.

Appoint Robert Padak to Board of Assessment Review, whose appointment had ended on 9/30/2020. Motion made by Frounick; seconded by Mohun. Voting 4 Ayes, 1 Absent.

Water District – Nothing to report.

Court – Court will be re-opening on 3/22 to the Public.

Recreation – Easter Egg Hunt at the Bennington Firemen's Ground will take place on 3/27/21 at 11am. Theresa Acquard will run the swimming program for this summer. She will again keep the groups down to a smaller size this year. Governor Cuomo opened up outdoor activities to groups of 200 or less. The first concert has been booked for the summer.

Old Business:

Resolution #2021-3-1 Approve Health Disaster Emergency Operations Plan

Whereas the Town of Bennington, in response to New York State legislation that requires local governments to plan for future disaster emergencies involving communicable disease, has prepared a Health Disaster Emergency Operations Plan which plans for the continuation of essential governmental operations within and for the residents of the Town of Bennington; and

Whereas, the Plan has been prepared with input from the NYS Association of Towns, the County of Wyoming, Teamsters Local 264, and the Bennington Town Board,

Now, Therefore, Be it Resolved, that the Bennington Town Board hereby adopts the Health Disaster Emergency Operations Plan and directs that copies of the Plan be provided to Town employees, posted on the Town Clerk's bulletin board and the Town of Bennington website and that copies be available for any interested contractors of the Town.

Motion by Mohun, seconded by Frounick

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

Electronics Collection & Transfer Station status

Discussion on an Electronics collection utilizing the \$60K that was earmarked for Transfer Station improvements a couple of years ago. Town Board would like to hold it at the Bennington Fire Department in July. Residents would need to come in and register showing their Id's to verify they are residents.

Resolution #2021-3-2 Closure of Town Transfer Station

Whereas, the Town Transfer Station has closed operations during 2020 and residents have used the County's curbside trash and recyclables collection program for weekly collection, and

Whereas, the New York State Department of Environmental Conservation has notified the Town that the operations certificate for the Bennington Transfer Stations requires either termination or an active transfer station,

Now, Therefore, Be It Resolved, that the Bennington Transfer Station is officially closed and the Supervisor is directed to notify the NYS DEC to terminate the operating certificate issued to the Town.

Motion by Waite; Seconded by Mohun.

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

Resolution #2021-3-3 Approve Independent Audit Results

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 2020;

Now, Therefore, Be It Resolved, that the Bennington Town Board, at a duly held meeting on March 10, 2021, accepted Donald E. Pryzbyl's audit report, which concludes all of the Town's records to be in compliance, as per a motion made by Councilman Mohun and seconded by Councilman Frounick.

Ayes: 4

Noes: 0

Abstain: 0

Absent: 1

Supervisor Grant noted that the Town Clerk will need to submit a signed and certified resolution to Unified Court System.

New Business:

Federal Funding

Supervisor Grant received information on Federal money available to the Town for Covid relief. These funds can only be used for particular projects that Covid shut downs directly impacted. Not a lot of information has been given to the Town on the process for distribution. Supervisor Grant would like to utilize the funds to broaden internet services to unserved or underserved areas in the Town of Bennington. The Town will have up to four years to spend this money. Senator Schumer will be hosting a webinar tomorrow 3/11 where he will give additional information on how funds are to be spent.

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

Supervisor Grant shared a flyer on virtual workshops that Cornell is running.

Superintendent Koch will be attending one on 3/16. Supervisor Grant will also attend a meeting.

Motion to adjourn made by Councilman Mohun at 9:15 pm.

Respectfully submitted by,

Carolyn Busch

Town Clerk