

Work session began at 6:30 with Board members Waite, Gadd, Frounick and Mohun present. Assessor Jim Kirsch came and addressed the Board about his duties as assessor. He was able to correct some school tax bills, purging old files, setting up files that needed to be purged at a later date, meeting with residents and answering questions about the revaluation. Supervisor Grant advised that his laptop had been received and sent to the County to get set up with the proper software. Highway Superintendent Koch was present and discussed his goals for the next few weeks; mainly getting the equipment ready for winter, ditching and using the grader properly to get rid of potholes. He discussed the equipment the Town needed to properly take care of the roads. He realizes there is a lot of work that needs to be done on the roads in the town and wants to ensure the work is done correctly and money involved will be put to good use. He is assessing the skills of the crew and how best to utilize them on the work needed to be done. Supervisor Grant told him to let the crew know the County Soil & Water District Board and Board of Supervisor members had inspected the Sinn Road project and was very complimentary of the results.

Bennington Town Board

October 14, 2020

7:30 p.m.

Meeting

Supervisor Grant called the meeting to order at 7:35 p.m. She asked Councilman Gadd to lead the pledge of allegiance. There was a moment of silence for lifetime resident James Hoy, Sr. who recently passed away.

**Public hearing on 2021 Bennington Fire Contract** was opened by motion made by Councilman Mohun and seconded by Councilman Frounick.

Supervisor Grant asked for a motion to transfer funds of \$5,702.39 from the contingency account to Supervisor account in the amount of \$810.27 for equipment; \$392.31 for the assessor equipment; \$1620.54 Town Clerk equipment; \$810.27 Personnel Equipment and \$2,070.00 Central Printing for purpose of purchasing and upgrading and purchase of computer and photocopier for assessor office. Motion by Councilman Mohun and seconded by Gadd to approve the transfers within the accounts.

**Financial Matters:**

General Fund vouchers: #175 to #194 \$16,142.70

Highway Fund vouchers: #142 to #153 \$36,266.48

Cowlesville Water vouchers: #48 to #53 \$2,713.87

Cowlesville Light vouchers: #10 \$98.82

Motion made by Councilman Waite, seconded by Councilman Frounick to approve the vouchers for payment. All ayes; carried.

Financial reports were presented to the Board by Supervisor Grant for month ending 9/30/2020 as well as the accounting reconciliation for the various funds. Motion made by Councilman Mohun and seconded by Councilman Frounick to approve Financial Reports. All ayes; carried.

**Communications:** Received email regarding no public water shutoffs during pandemic. As of March 31<sup>st</sup>, payments for water bills must resume, and prior bills will need to be paid.

Letter from Union rep to municipalities in Wyoming & Genesee Counties regarding layoffs and hiring out of union employees.

Booklet regarding Letchworth State Park activities.

Certificates of liability received from WNY Plumbing.

Justice Court activity reports received from Bennington Justice Court

**Approval of Minutes** of September 2020 were tabled to November meeting upon a motion by Councilman Mohun and a second by Councilman Frounick. All Ayes; carried.

**Public Concerns:** Chris Domes of Stedman Road was present and asked about better internet service in town. With school and employees working from home, the Town needs a better internet system for all households in the Town.

**Departments:**

Town Clerk: Town Board received Town Clerk's monthly report for September 2020.

Highway: Highway Superintendent Andrew Koch was present. He is working with crew fixing potholes and ditching. They are getting highway trucks ready for winter. Ordering salt and sand for roads for winter months. Gradall broke down while being used for ditching. It was sent out for repair and fixed. The other equipment is being looked at to see what repairs are needed prior to winter use and seasonal storage. Highway crew went back to a five-day schedule (7 a.m. to 3:30 p.m.) Supervisor Grant advised that the final payment for the highway truck will be made next year.

Parks/Recreation: Final maintenance on lawn equipment being done to be stored for winter. Bathrooms are being winterized.

Assessor: Assessor correcting school tax bills, purging files and organizing files to be purged at later dates. He has met with residents and answered questions about reval and exemptions. The laptop has been received and sent to the County to get set up with proper software for his use.

Zoning: Contract for Zoning Department went into effect with Wyoming County as of October 1, 2020.

Water District: Highland Glens water meter and final hookup is being finalized. Bond payment is due at the end of October.

**Public Comments regarding Bennington Fire Department 2021 Fire Contract.** They are asking for a one-year contract in the amount of \$100,000 as well as 20,000 gallons of water from the town's water system in Cowlesville for training purposes. The Fire Department fundraising, meetings, and trainings were suspended due to the COVID-19 pandemic. Councilman Waite asked Company President Jamie Zymowski how their budgets are figured ie (size of district, value of houses in the district or per parcel.) A budget was presented and Mr. Zymowski addressed how all aspects of the budget are increased mainly due to rising costs. There was more discussion about the mandatory cancer insurance costs for certain firemen that enter burning houses, gas and diesel cost increases. A motion was made by Councilman Frounick and seconded by Councilman Waite to close the public hearing.

**Old Business:** In follow up to last month's approval, the Town will be purchasing a copier/printer/scanner from Eagle Systems. \$5500. Service contract included. The assessor will be able to do color copies and scanner will be more effective.

**RESOLUTION #2020-10-1 Bennington Fire Protection District Contract**

Whereas, the Town of Bennington has held a duly advertised hearing of all parties regarding the 2021 Contract between the Town and the Bennington Fire Company for the Bennington Fire Protection District on this 14<sup>h</sup> day of October, 2020 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 2021 Contract in the amount of \$100,000 with provision for water for training purposes, said amount to be levied upon the 2021 Town and County tax bills for parcels located within said District.

Motion by Councilman Waite; seconded by Councilman Gadd. All ayes; carried.

New Business:

**RESOLUTION #2020-10-2 Set Date of Public Hearing on Cowlesville Fire Company Contract**

Whereas, the Town Board of the Town of Bennington has received proposed 2021-2023 contract amounts from the Cowlesville Fire Company of \$81,190 for 2021, \$82,815 for 2022, and \$84,472 for 2023 for fire and rescue services within their district;

Be It Resolved that the Town Board hereby sets the date of November 4, 2020, at 7:30 p.m. at the Bennington Town Hall for the purpose of a public hearing on the Cowlesville Fire Company Contract between the Town and the Cowlesville Fire Company;

And Be it Further Resolved, that the Town Clerk is hereby authorized and directed to advertise the same in the legal publication of this Town.

Motion by Councilman Mohun; seconded by Councilman Frounick. All ayes; carried.

Due to schedule conflicts with Town Board, it was decided that November 5<sup>th</sup> would be a better date for all board members to be present for our public hearings and meeting.

Motion made by Councilman Gadd and seconded by Councilman Waite to amend Resolution #2 and move date to November 5<sup>th</sup> for all meetings and public hearings.

**RESOLUTION #2020 -10-3 Set date of 2021 Town Budget Public Hearing and November Regular Session of the Town Board**

Be it Resolved, that the Town Board hereby sets the date of the 2021 Town Budget Public Hearing and the November Regular Session of the Town Board as the 5th day of November, 2020 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.

**RESOLUTION # 2020-10-4 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, 2020 from 5:00 pm to 8:00 pm and that the Town Clerk is directed to advertise the same.

Discussion was held on safety precautions both households and parents will need to take to ensure the holiday can be enjoyed safely.

Motion by Councilman Frounick; seconded by Councilman Gadd. All ayes; carried.

**RESOLUTION #2020-10-6 Authorize the Clerk to advertise Seasonal Maintenance Roads within the Town and Season/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 and 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 Councilman Waite, seconded by Councilman Frounick. All ayes; carried.

**Resolution #2020-10-7 Annual Snow and Ice Control Agreement**

Be it Resolved, that the Town Board hereby instructs the Town Supervisor to sign the 2021-2022 Snow and Ice Control Contract with Wyoming County for \$6,992.00 per centerline mile for 14.44 miles of County roads within the Town of Bennington for a total expenditure of \$100,964.48; and

Be it Further Resolved, that said contract may be adjusted due to varying intensity and severity of the winter season, utilizing the New York State Department of Transportation's index factor for Wyoming County, with a minimum of at least a .69 index factor.

Motion was made by Councilman Gadd and seconded by Councilman Mohun. All ayes; carried.

**Resolution #2020-10-8      Agreement to Spend Highway Funds – 2020**

Be it Resolved, that the Town Highway Superintendent, Town Supervisor and Town Councilmembers are hereby authorized and directed to sign the 2020 Agreement to Spend Highway Funds, with the amount of \$835,900 to be spent for the maintenance and improvements to 65.58 miles of town highways, including sluices and culverts.

Motion was made by Councilman Frounick, seconded by Councilman Gadd. All ayes; carried.

**County Matters/Other Business:**

Supervisor Grant spoke on the County being mandated to investigate and enforce the State's regulations on COVID or they will be fined \$10,000 per day. The County Budget is in process and efforts are being made to keep the tax levy growth as low as possible. The Supervisor stated that the Town will be under the Tax Cap for 2021.

There being no further business, the meeting was adjourned by Councilman Mohun at 8:45 p.m.

Respectfully submitted,  
Ellen Grant - Supervisor