

April 10, 2019

Work Session

6:30 PM

Supervisor Grant along with Council Members Mohun, Frounick, Gadd and Waite audited the Highway, General Fund and Special District claims. Councilman Mohun drove down some of the town roads that were discussed at last month's meeting and questioned Superintendent Czworka about some of them. The Highway department has worked on a number of roads the last couple of weeks grading and stoning. Discussed CHIPS funding and the changes that are coming to the program. The Superintendent received the following estimates.

Woodley Rd. +-\$79,000 to include 6" crusher, 4" millings, oil and stone. May need extra funds for paving of millings (\$3,100)

Gadd Rd. +-\$69,742 to include 6" crusher, 4" millings, oil and stone. May need extra funds for paving of millings (\$3,100)

Maxon Rd. (Rt. 354 to Eck) +-\$60K to oil and stone.

A presentation was made to the Board from ConnectGEN, who are working on solar development of a utility scale project in the Town.

April 10, 2019

Regular Meeting

7:37pm

Supervisor Grant called the meeting to order and asked Council Member Frounick to lead the pledge to the flag.

Present were Council Members Frounick, Gadd, Mohun and Waite.

Financial Matters

Approve Annual Software Support Contract from Williamson Law Book for Payroll in the amount of \$775. Motion made by Waite/Frounick to approve. Voting all ayes, carried.

Approve payment of Bond interest in the amount of \$12,003.80 to Chase Bank for Cowlesville Water District and Highway Truck. Motion made by Mohun/Gadd to approve. Voting all ayes, carried.

General Fund claims #78-94 totaling \$8,048.97 presented. Motion made by Mohun/Frounick to approve the General Fund claims presented. Voting all ayes, carried.

Highway Claims #58-75 totaling \$81,984.98 presented. Motion made by Waite/Gadd to approve the Highway claims presented. Voting all ayes, carried.

Cowlesville Water District claims #22-26 totaling \$2,216.74 presented. Motion made by Mohun/Waite to approve the water district claims, voting all ayes, carried.

Cowlesville Street lighting claim #4 totaling \$197.81 presented. Motion made by Mohun/Frounick to approve the lighting district claims, voting all ayes, carried.

Supervisor's Financial Statements presented for March 2019. Motion made by Mohun/Gadd to accept the Financial Reports, voting all ayes, carried.

Transfer of Funds from highway to general fund in the amount of \$150K. This money had to be moved to the Highway funds for emergency repairs that were needed after the July 2018 flood. Motion made by Mohun/Frounick to approve the transfer. Voting all ayes, carried.

Minutes: February & March Regular Meeting:

Supervisor Grant asked if there were any corrections/amendments to the minutes. Edits were received from the Supervisor, the Town Clerk will make the changes. Motion made by Waite/Gadd to approve meeting minutes. Voting all ayes, carried.

Correspondence:

The Town Clerk received a Notice of Public hearing from the Town of Alden regarding Local Law #2-2019 amending the Local Law on current Town Flood Damage Prevention. Received the monthly Certificate of Analysis from Biotrax. Received an email from a resident on Friedman Rd. Received a report from the DEC regarding gas well output of wells in the Town. Received from NYS Parks and Recreation, the spring program guide for Letchworth State Park. A copy will be posted on the Clerk's Bulletin Board. An email was received from US Dept. of Justice on a program for National Prescription Take Back Day on 4/27. A

collection point will be at the Wyoming County Sheriff's office in Warsaw from 10am-2pm. The Supervisor received the Justice Court activity for the month of February. On 4/29 the Alzheimer's Association will offer a class in Attica on understanding dementia. A thank you letter was received from the Bennington Seniors for funding received from the Town. A letter was received from residents of Coyle Rd. regarding road conditions. A seminar will be offered by Suit Kote Corp regarding emulsions used on roadways. The Highway workers will attend. A certificate of Insurance received from Hojnowski Transport for work that is to be done in the Town. A letter from Mr. Roberts sent a letter resigning his position as Bennington representative for the County Office of the aging. Councilman Mohun received a letter from Mr. Mummert on Blood Rd requesting a form letter for residents to send into lawmakers. Supervisor Grant received a draft letter from Mr. Napieralski and forwarded it to Mr. Mummert.

Public Concerns: Mr. Albano from Friedman Rd. asked if public can attend the Suit Kote class. Mr. Napieralski asked if Graff Rd. will get worked on. Ms. Fugle wanted to thank the Highway Department for addressing road conditions on her road. Mr. Ezzo spoke on Transfer station as he attempted to contract pick up services, but none of the companies would come down Geise Rd.

Departments:

Town Clerk: Town Clerk Busch gave an update on 2019 Tax Collection. Taxes have been settled at the County. The Clerk will transfer the remaining funds to the Supervisor for the collection of late fees and interest. The Tax Collector was informed by the County Treasurer, that this was a Foreclosure year and a number of parcels in the Town will be going up for Public Auction on properties that have not been paid in the last three years. Residents have until July to become current, before the auctions take place.

Assessment:

Zoning/Planning: Motion made by Frounick/Gadd to approve the Home Occupation Renewals and Special Use Permit Renewals that were presented. Voting all ayes, carried.

Highway Department: Update from Superintendent Czworka given at the Work Session earlier. The Highway department have been working on the North East side of the Town. They still have to get to Eck, South Burrough and Coyle. The stone has been hauled in. Annual Agreement with County; Councilman Mohun asked that it be tabled until the end of the meeting. Supervisor Grant said that the Highway department is planning on doing ditching later this year. Councilman Mohun contacted Gallivan's office regarding funds for roads. She has a spreadsheet of what we get from CHIPS funding. Extreme winter recovery in the amount of \$32K may not be coming to the Town this year.

Parks/Recreation: A town-wide Easter Egg Hunt will take place this weekend, April 13th at the Bennington Fire Hall at 11AM.

Water District: Further adjustments are being made to the Highland Glen Water Agreement. Highland Glen wants the Town to pay for meter pits. Councilman Waite said we should not be paying the legal fees that have been generated from this project. Questions came from the public on why the Town is paying for this. Supervisor Grant addressed and said this was set up at the State level and there is nothing that the Town can do. Highland Glens will pay 1.5 times the rate.

Transfer Station: Mr. Germain gave a presentation to the Board regarding the progress that the Transfer Station Committee has made. Supervisor Grant reported that First quarter 2018 was a \$4,000 shortfall and this First quarter 2019 was an \$8,000 shortfall for revenue vs. expense.

A motion was made by Councilman Waite to instruct the Clerk to purchase new 2019 Transfer Station permits that will run from May 1, 2019 to December 31, 2019. This is a change from current stickers that were a May 1 to April 30 period, thus changing them to yearly renewals at the beginning of the year. Rates for stickers will be \$15/first vehicle and \$5/second vehicle per residence. Councilman Mohun seconded the motion, voting all ayes, carried.

Old Business:

Duke Energy Solar Project - The Town will act as lead agency on the EIF and complete reviews and findings of Parts 2&3; and will send to the Engineering Firm for their review. Supervisor Grant sent to the County Planning Board for their review as well. The Town will schedule a separate meeting to review this information on May 1st at 7:30pm. There will be a work session for the applicant, legal team and Energy Company. The public can come, but not participate. Motion made by Mohun/Frounick to declare the Town Lead Agency. Voting all ayes, motion carried.

New Business:

RESOLUTION #2019-4-1 Create Temporary Positions within the Highway Department

Be it resolved, that the Town Board hereby creates the following temporary positions within the Highway Department:

Acting Superintendent, for a period from 3/17/19 to 6/30/19 at an annual salary of \$49,450 per year;

Heavy Equipment Operator (2) for a period of 4/15/19 to 9/27/19 at a salary of range of \$19.75 to \$20.75/hr.; and

Laborer (2) for a period 6/3/19 to 9/27/19 at a salary range of \$12.00 to \$14.00/hr.

Motion by Mohun; Second by Waite

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

RESOLUTION #2019-4-2 Agreement to Spend Highway Funds

Be it resolved, that pursuant to the provisions of Section 284 of the Highway Law, the Bennington Town Board agrees that moneys levied and collected for the repair and improvement of highways, and received from the state for the repair and improvements of highways shall be expended as follows for General Repairs, Improvements and Benefits: The sum of \$808,100 may be expended for general repairs and improvements upon 65.58 miles of town highways, including sluices, culverts and bridges having a span less than five feet and boardwalks or the renewals thereof.

Motion: Mohun; Second: Waite

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

There are vacancies on the Office of the Aging Board and County Planning Board for a representative from the Town of Bennington. Motion made by Frounick/Gadd to have the Clerk advertise the openings. Voting all ayes, carried.

The water pump is in need of replacement at the Town Hall. Motion made by Frounick/Waite to replace at no greater cost than \$800. Voting all ayes, carried.

Cemeteries Assistance – If a cemetery becomes insolvent, the Town must take over the responsibility for their care. Supervisor Grant spoke about helping out annually to make sure that don't become insolvent. There are five or six small cemeteries in the Town now that may be in need. Private religious cemeteries are not eligible for grants. Local cemetery committees should come to the Board and ask for assistance as needed and they will be considered on a case by case basis.

ConnectGEN – A brief presentation was given to the Board during work session. This company had a meeting with individuals at Harris Corners Fire Hall that would be impacted by the proposed solar project. ConnectGEN will apply for funding through NYSERDA in June. This project would constitute an Article 10 process, so NY State would be the Lead Agency in the SEQR process.

Road Committee Appointees – Supervisor Grant presented and read a list of residents that were at the Roads meeting held on March 27th, and interested in appointment to a Roads Committee. Councilman Gadd suggested that the applicants come in on May 1st and interview at 6:30pm for the appointment. This will not be advertised. If they cannot come in, they can send in a letter.

Any other Business to come before the Board.

There being no further business, a motion was made by Mohun to adjourn. Meeting adjourned at 9:44 pm.

Respectfully Submitted,

Carolyn Busch, Town Clerk