

**2021 Organizational Meeting
And Regular January Town Board Meeting
January 6, 2021 6:30pm – Town Hall**

Work session began at 6:30pm with Councilman Mohun, Frounick, Waite and Gadd auditing the vouchers.

Meeting Called to Order at 6:44pm; Supervisor Grant asked that Councilman Frounick lead the Pledge of Allegiance.

Acknowledgment of Oaths of Office by Board Members & Elected Officials

A. Salaries, Fees & Financial Matters:

2021 Town Salaries:

Supervisor	\$	5,300.00
Town Councilmen 4 @		1,944.00
Town Justice 2 @		7,000.00
Highway Superintendent		62,000.00
Town Clerk/Collector/Registrar		16,000.00
Dep. Town Clerk		15.00/hr.
Budget Director		550.00
Town Assessor (sole)		40,860.00
Office Clerk		13.25/hr.
Planning Bd/Zoning Bd of Appeals member		25.00/mtng.
Planning Bd/ZBA Chair		30.00/mtng
Planning Bd/ZBA/Assess. Review Secretary		13.25/hr.
Bd of Assessment Review Members		13.25/hr.
Court Clerk		8,000.00
Town Bookkeeper		4,800.00
Town Custodian		2,000.00
Town Historian		235.00
Attorney for the Town of Bennington		as per voucher
Town Park Maintenance Person		5,250.00
Prosecutor		4,000.00
Dog Enumerator		1.50 per dog
Motor Equipment Operator (PT Seasonal)		12.50/hr.
Water System Operator		16.00/hr.
Asst. Water Syst. Operator		15.00/hr.
WSO/Assist WSO Emerg. Call Out		3.00/hr. premium
Water Clerk		600.00
Swim Instructors		15.00/hr.
Lifeguards		15.00/hr.
Youth Recreation Coordinator		500.00

C. Appointments:

Appointments:

Attorney for the Town	David DiMatteo
Deputy Town Clerk	Denise Kless
Historian	Lesá Van Son
Registrar	Carolyn Busch
Bookkeeper	June Spencer
Budget Director	Ellen Grant
Town Prosecutor	James Wujcik
Court Clerk	Christa Dake
Planning Board Chairman	Robert Gadd
Secretary, Planning Board	Donna Hummel
Secretary, Zoning Board of Appeals	Vicky Kantor
Town Hall Custodian	Carolyn Mruczek
Office for the Aging Representative	Faith McQueen
Town Park Custodian	John Perl
County Planning Board Represent.	Robert Gadd
Assessor	James Kirsch
Water System Operator	Mark Pruitt
Deputy WSO	Keith Borden
Water Clerk	Judith Brown
Clerical Aide	Judith Brown
Deputy Supervisor	Michael Gadd
Chairman of the ZBA	David Best

Supervisor Grant asked for a motion on A, B & C

Motion by Mohun; seconded by: Waite

Ayes: 5

Noes: 0

Abstain: 0

Absent: 0

January Town Board Meeting Agenda

Financial Matters

General Fund vouchers #1 to #8 \$47,133.26

Highway Fund vouchers #1 to \$7,668.84

Cowlesville Water vouchers #1 to \$129.20

Wyoming Cty. Treasurer 2020 bill for Time Warner \$1,282.86

Motion by Gadd; seconded by Frounick

Ayes: 5

Noes: 0

Abstain:0

Absent:0

Financial Reports – No report at this time was given. Supervisor Grant will have for the next meeting.

Transfers within 2020 accounts

General Fund			
To:	A1355.2 Assessment Equipment		5,570.00
	A1410.1 Town Clerk Personal Services		1,353.00
	A1650.4 Central Communications Contr.		114.00
	A1670.4 Central Print & Mail Contractual		331.00
	A5010.1 Highway Admin Pers. Services		1,961.00
	A7510.1 Historian Pers. Services		235.00
	A8160.4 Refuse & Garbage Contractual		596.00
	A9060.8 Hospital & Med. Insurance		1,192.00
			11,352.00
From:	A1650.2 Central Print & Mail Equipment		5,500.00
	A1990.4 Contingent Account		5,852.00
			11,352.00
Highway Fund			
To:	DA5130.4 Machinery Contractual		46,750.00
	DA5148.1 Serv for Other Gov - Pers Srv		16.00
	DA5142.4 Snow Removal Contractual		730.00
From:	DA5110.4 General Repairs Contractual		46,766.00
	DA 5142.1 Snow Removal Pers. Services		730.00
Cowlesville Water			
To:	SW1-8310.4 Admin Contractual		222
	SW1-9730.7 Bond Antic Note Interest		4170
From:	SW1-8320.4 Source of Supply - Contr.		2285
	SW1-8310.1 Admin. Pers. Services		141
	SW1-8340.4 Transmission Contractual		1966
			4392

Motion by Gadd; seconded by Waite

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

Vote approval from the Board asked to pay the Fire Districts (Benn. & Varysburg)

Motion by Gadd; seconded by Mohun

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

Minutes of previous Town Board Meeting from December regular meeting.

Motion by Mohun; seconded by Waite

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

Correspondence: Nothing from the Town Clerk. Certificate of Insurance from Reserve gas. Note from Selective Insurance regarding policy changes.

Hear Public Concerns & Petitions

Departments:

Clerk – December Report and Year End Reports were given to the Board members and explained, no response from the NYS Thruway Authority yet.

Assessor – Answering a lot of questions on tax bills.

Highway – Resident from Blood Rd. not happy about highway trucks going down their road. Crews are working on ditching since there hasn't been much need to plow and salt roads. Judy Brown will work as an office assistant to the Highway Superintendent.

Park/Recreation – Nothing to report.

Water District – Water Operator is looking for a good metal detector.

Old Business:

Zoning Officer services: Supervisor Grant checked with other Towns to see what services and wages are for their ZO. Darien ZO earns \$10,556K a year. Supervisor Grant spoke with Don Roberts and he would be willing to come out and speak to the Board as to the change in the fees that they planned on charging Bennington. Discussion held on dissolution terms in the contract. Councilman Mohun would like Atty. DiMatteo to review the contract before we sign. Councilman Gadd would like to make a motion to pay the voucher in February, but not sign the contract at this time. Councilman Waite seconded; All ayes carried. He would also like Don Roberts come to the workshop meeting in February.

Attica Central School BOE meeting at Town Hall on January 28th. Does the Town Board approve that they use the Town Hall to hold their meeting? Yes

New Business:

The Court Clerk was out with COVID in December. The Supervisor would like the Board to know that she will turn in a voucher for 2020 to be paid at the next meeting.

Discussion on whether we can have an electronics pickup later this year.

Discussion on dismantling the transfer station and selling the compactor now that a full year has passed and the program is going well.

Councilman Mohun asked questions regarding the Zombie Law and whether the Town can penalize or take people to Court. Supervisor Grant said they should bring this to the County next month to ask.

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

The Supervisor is still working on the COVID plan for the Highway Department. Once approved by the Board it will get sent to the Union.

Memo received from the County asking for volunteers to work at the testing/vaccination site in February. Update today testing clinic was held in Attica, 100 tested 7 positive and 50 no-shows. Testing will be conducted in the County on Wednesday's. The County has voiced concerns regarding school testing capabilities. Tuesdays and Thursdays are vaccination clinics, and services will be expanded soon as more residents become eligible to receive it. Hospital staff is stretched thin at the County. They have been working double shifts to handle the influx and testing of patients.

Councilman Mohun asked when the Union contract comes up to bid? End of 2022.

Adjournment by Mohun at 8:03pm.

Respectfully Submitted,

Carolyn Busch
Town Clerk

Bennington Town Board

February 10, 2021

7:30 p.m. Meeting

Work session began at 6:30pm. Councilmembers Mohun, Frounick, Gadd and Waite audited the vouchers. Superintendent Koch was in attendance to update the Board Members on what the Highway Department has been working on this month. Discussion held on proposed road projects on N. Burrough, Hoover @ French, Getman, Dersam and Blood Rd. Estimates are coming in at \$141K to cover these roads for the year in materials, but not labor. Rolled over CHIPS funding will be utilized to pay toward these projects. Don Roberts from the County Zoning Department came in to discuss the changes in fee structure for the County Zoning program that the Town agreed to utilize. The Board would like to craft a letter to the County Board of Supervisors voicing their displeasure over the increase in the cost per parcel going from \$2.72 to \$5.91 and asking for consideration of a credit or refund at year end if there has been a decrease in the per parcel amount.

Supervisor Grant called the meeting to order at 8:03pm. Councilman Waite was asked to lead the pledge of allegiance.

Financial Matters:

Approve Williamson Law Book Software Maintenance Agreement

Motion by Gadd, seconded by Mohun to approve renewal of WLB accounting software maintenance agreement.

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

General Fund vouchers #9 to #37 \$7,160.78

Highway Fund vouchers #2 to #18 \$49,457.66

Cowlesville Water vouchers #2 to #6 \$2,895.97

Cowlesville Light vouchers # 1 to #2 \$19.83

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

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

Financial Reports

Motion by Mohun, seconded by Frounick to approve the Financial Reports ending January 31, 2021

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

Minutes of Previous Meetings:

Motion to approve minutes for the Organizational Meeting 1/6/21, made by Waite, Seconded by Gadd.

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

Communications: Certificate of analysis was received from Biotrax for the month of January. Monthly report from Wyoming County Zoning Department with December projects/permits/violations. Harris Corners Fire Department gave the Town Clerk the list of Officers for 2021 along with their budget. Supervisor Grant received Legislation Newsletter from Assoc. of Towns. Receipt from Treasurer on money coming to the Town for the 2020 year. \$166,594.54. Annual letter from Unified Court requesting audit of

Justice Court. Don Pryzbyl will come in and do week of 2/22. Notification Troop 474 is dis-banding. Keys returned and clearing out equipment. Letter from ISO regarding evals of fire systems for insurance purposes. They are updating the Cowlesville Fire Rating, should be completed in the Spring. Justice Court reports for the month of Dec. received. PJA clean energy looking to lease land for a ground solar system from the Town property. Certificate of Insurance from State Insurance fund for Geotherm and one from Brown and Brown, also for Geotherm. Receipt from treasurer regarding the Time Warner payment for 2020. Dave DiMatteo provided court case information regarding zombie property law to share with the Town Board.

Petitions and public concerns: None

Departments:

Town Clerk – Monthly report given out to Board Members. Gave update on the progress of tax collection in the Town so far. EZ pass update.
Motion to approve a bill for pre-paying for E-ZPass supplies; Motion by Mohun and second by Gadd. Voting all ayes carried.

Highway – Supervisor Grant referred to the work session meeting minutes as there were no residents in attendance this evening.

Assessor – Jim Kirsch has been very busy answering questions from residents on ways to reduce their taxes.

Zoning – Home Occupation Permit- Merlyn Bissel applied for a HOP to conduct Legal Services in his home. Motion made by Gadd to approve, seconded by Waite to approve the renewal contingent on receiving the proper paperwork/license. Voting all ayes; carried.

Water District – Supervisor Grant received an email stating the State is opening applications for water and sewer block grants. County may be looking to applying for upgrade of equipment and software in which we can participate.

Court – There are no court proceedings at this time due to COVID. Paperwork and fines are still being processed.

Old Business:

Resolution #2021-2-1 Authorize Agreement with County for Zoning Officer

Be it Resolved, that the Town Supervisor is hereby authorized to sign an Intermunicipal Agreement with the County of Wyoming for the enforcement of Town Zoning Law for the period January 1, 2021 through December 31, 2021 at a rate of not to exceed \$5.91 per parcel, to be paid in quarterly installments.

Motion by Mohun , seconded by Gadd

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

Health Disaster Emergency Operations Plan- Supervisor Grant sent the Board a proposal of the plan to the Board members for their review. Board held a brief discussion; Supervisor Grant will send to the Teamsters for their review and comment. Superintendent Koch has reviewed and shared with his crew for their input.

New Business:

Resolution #2021-2-2 Agreement with Wyoming County for Dog Control Services

Whereas, the Town of Bennington has had an agreement with the County of Wyoming for the provision of dog control services in accordance with NYS Agriculture and Markets Law Article 7 which expired December 31, 2020,

And Whereas, municipalities are required by New York State to provide said services, including an animal control officer and dog shelter pound facility, which the County has the ability to provide,

Now, Therefore, Be it Resolved, that the Town Board hereby authorizes the Supervisor to execute an agreement with the County of Wyoming for said services for the period January 1, 2021 through December 31, 2025.

Motion by Waite; Seconded by Frounick

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

Intermunicipal Agreement for Curbside Collection

Supervisor Grant spoke with WM to ask what the costs would be just for the Town of Bennington to contract independent of the County program. He would not be able to give a dollar amount, but it would be significantly more since our municipality is so large and spread out. It would be much more costly than the County's collective contract. We would also have legal fees to negotiate and craft a contract. The Town had a complaint recently of a road in poor condition due to the weather situation. The County Planning department worked with the Town Highway department and were able to fix the road and WM was able to get down the road again. Royal Oak has been contacted to remove their bins from the Town property. Over the next year, WM will upgrade their fleet with an automatic arm that will pick up their bins. Bins will be provided consisting of one 64-gallon garbage tote and one recycle tote per parcel. A second one if requested will be billed to that parcel at a second full rate on their tax bill.

Resolution #2021-2-3 Intermunicipal Agreement for Curbside Collection

Be it Resolved, that the Town Supervisor is hereby authorized and directed to execute the Joinder of Participating Community to Waste Disposal Agreement, at rates and terms as negotiated and set forth in Section 2 of the Agreement between the County of Wyoming and Waste Management of New York, LLC.

Motion by Waite; Seconded by Gadd

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

Electronics Collection – Supervisor Grant would like to offer a collection to the Town. This will be an expense to the Town. Brief discussion was held.

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

Press release going out to Alden Advertiser regarding the Schoellkopf Bridge. County awarded a contract yesterday to a Contractor that will complete the work. 1400 people have been vaccinated in the County. Vaccines are going out to Dr. offices in Arcade and Warsaw. Trends are going down in Wyoming County. Food Pantry will be distributing food on 3/4/21 and 4/1/21. Wyoming County will be receiving \$5.9 Million in State grant funds for upgrades to the Fire Training Center and the County 911 operations.

Councilman Mohun would like the Board to draft a letter to be sent out to Patrick Gullivan regarding Spectrum Services.

Meeting adjourned at 9:09pm by Councilman Mohun.

Respectfully Submitted,

Carolyn Busch
Bennington Town Clerk

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

Bennington Town Board
April 14, 2021
7:30 p.m.
Meeting Agenda

Councilman Frounick and Gadd audited the bills. Councilman Waite and Mohun are excused from the meeting tonight. Superintendent Koch briefed the members on projects that he is working on over the next couple of weeks. These will include resurfacing Getman Rd. next week. The crew was also working on ditching projects on Sierk Rd. and paving work on Sinn Rd.

Supervisor Grant called the meeting to order at 7:30pm; She asked Councilman Frounick to lead the pledge of allegiance.

Financial Matters:

Transfers within accounts

• Transfers within accounts:

Highway Fund: From DA5142.1 Snow Removal Personal Services \$15,730 to DA5130.2 Machinery Equipment \$15,730.

Cowlesville Water: From SW1-8389.4 Water Other Contractual \$2.00 to SW1-9010.8 State Retirement \$2.00

Motion by Frounick, Seconded by Gadd.

Ayes: 3 Noes: 0 Abstain: 0 Absent: 2

Approve renewal: Payroll Software Maintenance Agreement w/Williamson Law Book

• Motion to approve the renewal of the annual Payroll software maintenance agreement with Williamson Law Book.

Motion by Gadd; Seconded by Gadd.

Ayes: 3 Noes: 0 Abstain: 0 Absent: 2

General Fund vouchers #58 to #80 \$16,985.04

Highway Fund vouchers #33 to #48 \$38,672.90

Cowlesville Water vouchers #12 to #20 \$7,024.35

Cowlesville Light vouchers # 4 \$108.90

Bennington Fire #2 \$25,000

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

Ayes: 3 Noes: 0 Abstain: 0 Absent: 2

Financial Reports

• Motion by Gadd, seconded by Frounick to approve the Financial Reports ending February 28, 2021.

Ayes: 3 Noes: 0 Abstain: 0 Absent: 2

BAN payment. Motion by Gadd; Seconded by Gadd

Ayes: 3 Noes: 0 Abstain: 0 Absent: 2

Communications: COI received from Driven Contracting for work that is being done in the Town. A notice was received from the DEA regarding National Take Back Day that will take place on Saturday, April 24, 2021. A certificate of analysis was received from

BioTrax for March sampling. A monthly report of activity was received from Wyoming County Zoning Department for zoning activity from March. A land separation on Friedman Rd, a Zoning permit for an addition on Folsomdale Rd. Office of Real Property for NYS requested a completed Municipal report of Special Franchise Activity. This was completed and submitted on 4/7/21. A Booklet was received and is posted on the Town Clerk's bulletin board regarding spring programs at Letchworth State Park. The Town Clerk received communication from EDRS regarding FEMA assistance for COVID related deaths in NYS. Funeral expense reimbursement is available to qualifying families. A comment came in from the Towns Facebook page regarding road conditions on Sierk Rd. Oatka Snowmobile Appreciation dinner BBQ. Tickets available if any Board Member would like to go. Supervisor Grant wanted to mention some issues with having the snowmobile trail through the park. There's a virtual Pokémon Go game and people are driving across the lawn thinking it's a road and causing damage during the wintertime. Discussion held on putting some temporary bollards so the snowmobiles can still use the trail. Should we contact the club to see if they can assist with paying for these? Justice court report from February and March. Reserve Gas notification of phone numbers for emergencies. Thompkins insurance notification of compliance of state procedures. GLOW solid waste annual report. Receipt from NYS DEC inactive Solid Waste management facility.

Minutes of Previous Meetings:

- Motion to approve minutes for March 2021, made by Gadd, Seconded by Frounick.
Ayes: 3 Noes: 0 Absent: 2 Abstain: 0

Petitions and public concerns:

Departments:

Town Clerk – The Clerk gave Board Members receipts and information regarding the collect of taxes for 2021. Overall, more money was collected this year than last and the amount of unpaids was significantly lower than prior years. At this time the County has been paid all monies owed, the Town has also been paid including the interest and late payment fees. The Clerk distributed her monthly report for the Month of March. The Town Clerk will be working with a DogEnumeration.com to complete a dog enumeration beginning the Month of May. Postcards will be sent out to all residents in the Town asking them to complete the card and send back into the Town. The Town Clerk will work with the County Dog Enforcement officer after 6/1 to complete random compliance assessments over the summer. The Enumeration must be completed every three years.

Highway – The Superintendent briefed the Board on projects during the Work Session. Sierk had ditching that was completed today. Getman Rd. is being prepped. Supervisor Grant shared with the Board a letter from Dan Curtis regarding OSHA training he can offer with some shared service trainings for highway workers.

Assessor – Jim Kirsch apprised the Board of the work he has been doing the last month. Lots of inquiries regarding the revaluations, explains that it makes the taxes fair for all and brings the homes up to fair market values. Annual training program will be coming up in July, TBD on whether it will be in person or virtual.

Zoning – Home Occupation renewals were submitted for the following businesses; Dusen Marketing, Rispoli's Bakery, C*Shore Design, Design a Tea, Precision Cylinder Head, Ed Duda Woodworks and Cheryl's Pampering Pond. The Town needs to rescind the

permit for Salon Lux's for a home salon due to Highland Glen rules. Discussion on Gary Arcese's renewal application. Supervisor will discuss with the County tomorrow.

Motion to approve with exception of G. Arcese made by Gadd; Seconded by Frounick. Voting all ayes, carried.

Water District – Grant may be available to potentially fund replacement home meters along with a hand-held meter to gather readings. Received a quote to replace the 88 units for \$22K. The meter reader with reports, billing and postage would be \$1,000/yr. Bullis Rd. needed to have a leak repaired since the last meeting. Checking property to make sure that the necessary fixes were done to fix the lawn of the property owner. Court – Back in session this week.

Park/Recreation – Egg Hunt took place and the Town hosted 50 families from various Towns. Water is connected at Pine Tree Park and bathrooms are open. Alden Men's softball league is seeking to use the back diamond this summer. They are interested in doing some work to the bleachers. Theresa Acquard will be running the summer swim program this year, will run similar to last years program to keep the numbers down.

Old Business:

Electronics Collection – Several in May (Batavia, Eastern Hills) do we still want to do one with Benn Fire? They are willing to host & work. We could use some of the Transfer Station reserve funds for expenses. Supervisor Grant will contact GLOW to see if they may be able to use our site in Bennington as a collection site so we would not have to use the Town's funds.

New Business:

Federal Funding – Discussion held on what possible uses could/would be for the Federal money coming to the Town. The Town would have a couple of years to utilize the funds, but the Federal Government is giving restrictions on how to use it.

Cannabis legislation – Supervisor Grant handed out a packet to the Board members. She attended a webinar on the legislation a week ago. The Town has the option to opt out of retail sales & on-site use. Legislation available and the Town would need to make a decision by 12/31/21. Councilman Gadd asked about drug testing our highway workers and how this legislation would be applied.

Resolution to create a per-diem position in the Highway department and move Richard Mruzek to this position from his current Seasonal laborer position. The per-diem gives the Superintendent flexibility to schedule him. He may also be assigned other work within other departments in the Town. Current wage is \$12.50/hr. and will continue that wage throughout the rest of the year.

Resolution #2021-4-1 Create per Diem Laborer Position and set salary

Be it Resolved, That there is hereby created one (1) position of Laborer, Per Diem within the Highway Department, with job duties to be assigned and supervised by the Highway Superintendent, effective April 26, 2021 at a rate of \$12.50 per hour, with only those benefits as prescribed by law, and be it

Further resolved, that said laborer may be assigned work within other Town Departments as authorized and supervised by the Town Supervisor.

Motion by Gadd, seconded by Frounick

Ayes: 3

Noes: 0

Abstain: 0

Absent: 2

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

Discussion held on a temporary laborer to mow a small area by the Town sheds.

Motion to Adjourn by Councilman Frounick at 8:41 pm.

Respectfully submitted,

Carolyn Busch

Town Clerk

Bennington Town Board

May 12, 2021

7:30 p.m.

Meeting Agenda

Work session began at 6:50pm. Councilmembers Frounick, Waite, Mohun and Gadd audited the bills. Superintendent Koch was in attendance. Discussion on County agreement to spend highway funds. Blood and Dersam Rd will get some work done on them next week. Superintendent Koch briefed the Board on a surplus truck that the Town of Arcade has up for sale. The one we had received from Darien is not in great shape and should be replaced.

Supervisor Grant called the meeting to Order at 7:35pm; Supervisor Grant asked Councilman to lead the pledge of allegiance.

Financial Matters:

General Fund vouchers #81 to #99 \$6,365.26

Highway Fund vouchers #49 to #60 \$23,225.88

Cowlesville Water vouchers #21 to #26 \$2,631.73

Cowlesville Light vouchers # 5 \$108.90

The Town Board rejected a bill that was from 2020 from the Planning Board as we are unable to pay it since so much time has passed and the books/audits have been closed.

- Motion by Mohun, seconded by Waite to approve all other vouchers for payment.
Ayes: 5 Noes: 0 Abstain: 0 Absent: 0

Financial Reports

- Motion by Gadd, seconded by Frounick to approve the Financial Reports ending April 30, 2021.
Ayes: 5 Noes: 0 Abstain: 0 Absent: 0

Communications: A resident from Sierk Rd called the Town Clerk to inquire about a snowbird fee for garbage collection. Councilman Gadd commented; would have to direct to the County for their determination. Certificate of Analysis received from BioTrax for the month of April. The Town Clerk received a certificate of recognition from NYS Town Clerk Association that 100% of Town Clerks have supported membership for 2021. A report was received from Wyoming County Zoning for monthly activity for Town projects. Two open projects regarding land separation and five permits were issued for building projects in the Town. No violations were reported. The Town Clerk received a packet from the Town Attorney regarding the Town of Darien "2021 Updates to Town Zoning Law". Supervisor Grant noted that Charter Communications sent a payment of \$45,382.48 for the franchise fee for cable services only. Councilman Waite asked if that fee could be used towards expanded coverage of services. Certificate of Insurance was received from Driven Contracting; doing work on French Rd. A letter from the Town Attorney, DiMatteo & Roach regarding an engagement letter for Zoning work. Petition from Schoellkopf Rd. residents that they want their road black topped. The infrastructure money from the Federal Govt. cannot be used to repair roads in the Town. The money that is coming to the Town should be coming within the next few weeks and there is very little that the Town can do with it per the guidelines that have been set by the Federal/State government. Justice report was received for the month of April.

Minutes of Previous Meetings:

Motion to approve minutes for April 2021, made by Mohun, Seconded by Gadd.

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

Petitions and public concerns: Schoellkopf Rd. Petition received. Chris Domes is happy with the garbage pickup. Has noticed that a lot of dumping is taking place on Tinkham Rd. A resident of Bear Rd. called the Clerk about dumping that is taking place adjacent to her property. The Supervisor will contact the County for them to follow up on.

Departments:

Town Clerk/Tax Collector – The Clerk is conducting a Dog enumeration currently.

Postcards went out and residents have done a great job getting them back in. The Town Clerk distributed her Monthly report during work session.

Highway – Getman Rd to be shimmed with blacktop to shore up that road, Dirt roads are getting addressed as weather permits. Potholes are getting filled for now, but will be addressed as the weather gets warmer. The current truck that we have is not in great shape and looking to replace it. The Town of Arcade has one that they will be putting up for sale. Superintendent Koch will take a look at the truck and will advise the Board if it is in good shape and whether he would be interested in purchasing it.

Assessor – Grievance Day is scheduled for May 27th. Jim Kirsch sent out information to residents on the process. Councilman Gadd having second thoughts about the revaluation. Discussion held on levies, house value changes and percentages.

Zoning – Home Occupation permit renewal was submitted by Teri Wildey for a Hair Salon. Motion to approve by Mohun, seconded by Frounick. All Ayes, carried.

Water District – Annual report needs to go out to users in the District. Highland Glen is still not hooked up to the system.

Court – We have a surplus Fax machine from the Court, Motion to dispose by Mohun, second by Gadd; All Ayes, carried.

Park/Recreation – Teresa Acquard is working on signing up kids for the summer swim program. Byrncliff should be sending over their contract. Meyer septic coming to the park to pump out the tanks at the Park.

Old Business:

Zoning Board of Appeals Vacancy

Resolution #2021-5-1 Appoint David Best to ZBA and as Chair

Be it Resolved, that David Best, 683 Tinkham Road, Attica NY is hereby appointed to fill the vacant term of Zoning Board of Appeals Member and as Chairman of the Zoning Board of Appeals, effective immediately, said term to expire December 31, 2023.

Motion by Frounick, seconded by Waite

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

New Business:

Supervisor Grant has ordered LED lighting panels to be installed in the Clerk's office along with the Meeting room. They are energy efficient and very bright.

Memorial Day Observance at the Historical Society. There will be a service at the Cowlesville Cemetery, but there will not be a parade or school band. The Clerk's office will be closed Memorial Day weekend.

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

Adjourn at 8:35pm by Councilman Mohun.

Respectfully submitted,

Carolyn Busch
Town Clerk

Bennington Town Board

June 9, 2021

7:30 p.m. Meeting

Work session began at 6:30 p.m. with all Board members present and audit of bills was completed. The Clerk will not be attending the meeting tonight. Assessor Kirsch provided a brief recap of the assessment grievance day held the prior week. Highway Supt. Koch updated the Board on work being done on Blood, Dersam and Getman Roads. Once those are completed, the budget will be reviewed to see what additional road work can be completed. Discussed ditch and drainage work. Auctions International will be out next week to take pictures of the surplus equipment.

The Regular Monthly Board meeting was called to order by Supervisor Grant. Councilman Frounick led the pledge of allegiance to the flag.

Financial Matters: Transfers and appropriations in accounts:

Transfer from	DA 5142.1 Snow Removal Personal Serv.	14000	
	DA 5142.4 Snow Removal Contractual	10000	
Transfer to:	DA 5130.2 Machinery Equipment		24000

Appropriate from:	General Fund Balance	50,000	
Appropriate to:	A9901.9 Transfers to Other Funds		50000

Transfer from:	A9901.9 Transfers to Other Funds	50000	
Transfer to:	DA5130.2 Machinery Equipment		50000

Motion was made by Mohun, seconded by Frounick to approve the above transfers and appropriation.

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

General Fund vouchers #100 to #115 \$6,912.40
Highway Fund vouchers #61 to #76 \$146,050.91
Cowlesville Water vouchers #27 to #30 \$2,529.45
Cowlesville Light voucher #6 \$108.90

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

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

Motion by Mohun, seconded by Gadd, to approve the Financial Report for May 2021.

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

Communications: Reports of NYS Ag & Markets inspection of County Dog Shelter and Dog Control operations – Satisfactory findings; Town of Darien Shared Services Agreement; return of dormant files from County Attorney's office; notice from Charter Communications on contactless payment options.

Minutes of Previous Meetings: Motion was made by Waite, seconded by Mohun to approve the minutes of the May 12, 2021 Board Meeting.

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

Petitions and public concerns: Inquiry on having the minutes available on line. Supervisor said that she will be working on that in the next few days, and will get them posted through April meeting. Inquiry on future work on north end of Burrough Road. Board reviewed the current job schedule and that the Superintendent was intending to address the needed work on Burrough later this summer. Reviewed some of the projects that have been completed and planned and different methods being explored.

Departments:

Town Clerk/Tax Collector: Clerk unable to attend the meeting. Provided a report on the impact of the recent dog enumeration by post-card, showing the increase in new dog licensures in May and June, compared to prior months and last year at this time. Finds it not only cost effective and safer, but getting a great response. Although the financial impact isn't significant for the town, it will help in locating missing dogs, ensuring rabies vaccinations are current, etc.

Highway – Agreement to Spend Town Highway Funds – Motion was made by Waite, seconded by Frounick to table the completion of the Agreement until our July meeting.

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

Resolution #2021-6-1 Declare Highway Equipment Surplus and Authorize Disposition by Auction

Be it Resolved, that the Bennington Highway Department has the following equipment that is not in use by the department and is hereby declared surplus:

- 1 – 1999 Peterbilt truck w/plow & wing blade
- 1 – 2010 F250 Ford pickup

And be It Further Resolved that the Highway Superintendent is authorized to dispose of the above items through auction.

Motion by Mohun, seconded by Waite

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

Resolution #2021-6-2 Purchase of Highway Equipment

Be it Resolved, that the Town Highway Superintendent is hereby authorized to purchase a 2013 Peterbilt truck with plow and wing blade from the Town of Arcade at a price of \$74,000.

And Be it Further Resolved, that the Town Supervisor is hereby authorized to transact a borrowing of \$50,000 from the Town General Fund to the Highway Fund for the purpose of this purchase and direct the Town Bookkeeper to establish a "Due To" provision of the same for the Highway Fund, to be repaid to the General Fund no later than January 31, 2022.

Motion by Gadd, seconded by Frounick

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

Road projects that were discussed in the workshop session were reviewed.

Assessor – Grievance Day May 27 – less than ten individuals appeared.

Zoning – Report for the month of May was read. 4 permits, 1 violation and no open projects. Need to advertise for 2 ZBA members and Secretary. Al Files notified the Supervisor of his intent to retire as soon as a replacement can be found.

Water District – Nothing new to report.

Court –

Resolution #2021-6-3 Declare Equipment Surplus and Authorize Disposition

Be it Resolved, that the Town of Bennington has the following equipment that is not in use and is hereby declared surplus: 1 printer/copier/fax machine

And be It Further Resolved that the Town Supervisor is authorized to dispose of the above item through sealed bid or surplus auction.

Motion by Mohun, seconded by Gadd

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

Park/Recreation – Nothing new

Old Business: None

New Business:

Resolution #2021-6-5 Declare Equipment Surplus and Authorize Disposition by Auction

Be it Resolved, that the Town of Bennington has the following equipment that is not in use and is hereby declared surplus: 1 commercial grade trash compactor (used)

And be It Further Resolved that the Town Supervisor is authorized to dispose of the above item through auction.

Motion by Frounick, seconded by Waite

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

Resolution #2021-6-6 Dedication and naming of Schoellkopf Road Covered Bridge

Whereas, Cowlesville native Charles Cannon served with distinction during World War II as a member of the 35th Engineer Combat Battalion, Company C, serving in California, in British Columbia while constructing the AlCan Highway and bridges, and then in France and Luxemboug in the European Theatre doing road reconnaissance and maintenance, and repairing bridges; and

Whereas, Charles Cannon earned the rank of Sargent and received a Citation for Silver Star following a military operation on 21 December 1944 in Belgium, and

Whereas, on 25 March 1945 during an assault crossing of the Rhine River, heavy resistance was encountered by the Battalion, with 9 killed in action, 6 missing in action and 19 wounded. Among the missing was Sgt. Cannon. In April 1993, his status was changed to killed in action, and

Whereas Charles Cannon's relatives have been instrumental in commemorating and preserving the covered bridge history of the Town of Bennington and, given his experiences in bridge construction and maintenance while in service to his county,

Now, Therefore, Be it Resolved, that the Bennington Town Board hereby requests that the County of Wyoming name and dedicate the new Schoellkopf Road covered bridge as "*The Cannon Covered Bridge*" in honor of the service and supreme sacrifice of Sgt. Charles Cannon.

Motion by Gadd, seconded by Frounick

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

Board discussed a matter of a tree that is on a property next to the Town Museum. Limbs have fallen in the past and damaged town property. Another neighbor has had their fence damaged and fears for the safety of themselves and pets from falling branches. Our attorney has advised that the neighbor needs to address their concerns directly with the tree's owner. The Town can notify the owner to remove the tree or suffer either litigation if there is subsequent damage to Town property or the Town can remove or trim the tree. We can have the Attorney send a letter with a reasonable time frame for removal by the owner prior to the Town taking action.

There being no further business, Councilman Mohun moved to adjourn.

Meeting adjourned at 8:28 p.m.

Bennington Town Board
July 14, 2021
7:30 p.m.
Meeting Minutes

Work session began at 6:30pm with Councilman Frounck, Mohun and Waite auditing the bills. Councilman Gadd is excused from tonight's meeting. Supervisor Grant apprised the Council Members of the results from the Online auction for the surplus equipment. Short discussion held. Supervisor Grant apprised the Council Members of the costs associated with CHIPS work that was done on Blood, Dersam and Getman Roads; totaling \$247K. Discussion on using Federal funds (\$329K) to complete Spectrum coverage for all areas in the Town of Bennington.

The regular meeting began at 7:35pm. Supervisor Grant called the Meeting to Order, she asked Councilman Mohun to lead the pledge of allegiance.

Financial Matters:

Transfers within accounts:

General Fund Transfer from: A9010.8 Retirement \$447 to A9050.8 UI \$447
Highway Fund Transfer from: DA 9010.8 Retirement \$349 to DA 9050.8 UI \$349
Water Fund Transfer SW1-8320.4 Source of Supply \$2,000 to SW1-8340 T&D \$2,000
Motion by Mohun, seconded by Waite to approve the above transfers within accounts.

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

General Fund vouchers #116 to #142 \$13,090.24.
Highway Fund vouchers #77 to #90 \$121,349.76.
Cowlesville Water vouchers #31 to #37 \$4,919.69.
Cowlesville Light vouchers # 7 \$108.90.

Motion by Frounck, seconded by Mohun 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 June 30, 2021.

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

Communications: Town Clerk Busch received a letter from Reality Check regarding available signs for the Town Park. Town Clerk received a Certificate of Insurance from County of Wyoming. The Clerk participated in a Deer Concern & Management survey two years ago. The results of that survey were received and will be posted on the Town Clerk's Bulletin Board. The Clerk received a monthly certificate of Analysis from BioTrax for testing that was done last month. Summer newsletter from Letchworth State Park was received. Supervisor Grant received a memo from Wyoming County Emergency Services that they purchased a drone with thermal technology. Will look in the future to utilize it for building assessment, bridge inspections etc. Operators need to be licensed to operate the drone equipment. Supervisor Grant received information from the State Department of Taxation on special franchise property values in the Town for NYSEG, Telephone, National Fuel Gas at \$1,719,279.00. Assemblyman DiPietro sent a

nomination form for Hometown Heroes for dedication and naming of roads and bridges. Justice court monthly reports received for April & May for Justice Wawrzyniak and, May & June for Justice Lindsey. A certificate of Insurance was received from NY electrical Inspection Agency. Supervisor Grant received from Real Property Tax services regarding final Special Franchise; Received several resolutions regarding complaints on Real Property tax assessments on behalf of various utilities, none that affect our Town. Office of the Aging will be hosting a can & bottle drive to raise money for Alzheimer's programs. A flyer will be posted at the Town Hall and collections will go on through September.

Minutes of Previous Meetings:

Motion to approve minutes for June 2021, made by Waite, Seconded; by Mohun. Need to add time meeting starts per Mohun.

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

Departments:

Town Clerk/Tax Collector – Town Clerk Busch gave updates on Decals program for 2021-2022 season. Also distributed two monthly reports for June and July.

Highway –

Superintendent Koch did work on Blood, Getman and Dersam this month; majority is done. Will work on Graff and Urf Rd. Lots of ditching going on still this month. After all of the rains, they will also check on the dirt roads to mitigate the potholes that have formed. Councilman Mohun will create a spreadsheet to keep track on roads that are being worked on. Supervisor Grant will speak with the County about cleaning up foliage on Clinton by Folsomdale as the sight line has diminished. Superintendent Koch would like to purchase a backflow preventer so he can get water from the hydrants. No one in the County has this equipment to borrow. Would also like to replace floor drain covers in the shop.

Resolution #2021-7-1 Agreement to Spend Highway Funds

Be it Resolved, that the Bennington Town Board and Highway Superintendent are hereby authorized to complete and sign the 2021 County Agreement to Spend Highway Funds and to forward a copy of said form to the Wyoming County Highway Department.

Motion by Waite, Second by Mohun

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

Assessor – Jim Kirsch is at annual training this week to maintain his certification.

Zoning –

The Town Clerk received a monthly report from the Wyoming County Zoning Department. There are two open projects on Coyle Rd (Cole residence for variance of a Garage) and Alleghany Rd. (Fontaine residence to replace a double-wide dwelling).

Five permits were issued:

Jansma (Graff Rd.) – Pole Barn

Fontaine (Allegany Rd.) – Double Wide Dwelling
Stablewski (Geise Rd.) – Pole Barn
Gentile (Bear Rd.) – Pool
Robinson/Streeter (Friedman Rd.) – Pole Barn
Closed violation as of 6/24 regarding property on Bear Rd.

Resolution #2021-7-2 Appoint Member to Zoning Board of Appeals

Be it Resolved, that Richard Jensen, 1909 Clinton Street, Attica NY, is hereby appointed to the Zoning Board of Appeals to fill an unexpired term, commencing July 14, 2021 through December 31, 2021.

Motion by Mohun, Second by Frounick

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

Water District –

Public water has been hooked up and is running at Highland Glens. The County has gained approval to apply for the NYS efficiency Grant. This will allow the Town to replace the current water meters which are approximately 20 years old and update our meter reader. The County can perform meter reads now along with billing if we so choose. The County will be sending in the application and requested a resolution and letter of support from the Town of Bennington. Seeking \$270K in total monies for projects throughout the County.

Resolution #2021-7-3 Authorizes the Town to Co-Apply for NYS Local Efficiency Grant for Improved Water District Equipment and Services.

WHEREAS, NYS Governor Andrew Cuomo, has created ten Regional Economic Development Councils; and

WHEREAS, as part of the Regional Economic Development strategy, a unified funding process, the Consolidated Funding Application has been developed and made available to distribute grant funds for job creation, infrastructure improvements and regionally significant economic development projects; and

WHEREAS, the Department of State of the State of New York has made funding available for 2021 Local Government Efficiency (LGE) Grant Programs to assist applicants in implementing plans to improve local government efficiency and cost savings, and

WHEREAS, the following communities in the Wyoming County deem it advantageous to join together in seeking an Efficiency Implementation Grant from the Department of State to study and implement a municipal joint water meter purchase and installation program and the establishment of a Wyoming County Water Resources Agency centralized meter reading and billing department that would include the Town of Eagle, Town of Java, Town of Bennington, Town of Perry, Town of Pike, Town of Warsaw, and

WHEREAS, the County of Wyoming will act as the lead applicant and all the other constituent municipalities will act as co-applicants in this application, and

WHEREAS, the application will seek \$270,000.00 in total monies, \$243,000.00 in a Consolidated Funding Application/Department of State LGE Grant, and a pro-rated share from the six (6) municipalities for a total local share of \$27,000.00, (10% required match),

NOW, THEREFORE, BE IT RESOLVED, that the Town of Bennington hereby agrees to act as a co-applicant with the County of Wyoming as the lead applicant for a Consolidated Funding Application/Efficiency Implementation Grant from the Local Government Efficiency Grant Program administered by the New York State Department of State for the purposes of purchasing and installing water meters and the establishment of a joint municipal water reading and billing department administered by the Wyoming County Water Resource Agency, and it is further

RESOLVED, that the Supervisor is hereby authorized to execute all necessary Grant Application Documents for submission to the Consolidated Funding Application, Department of State Local Government Efficiency Grant Program.

Motion by Waite, seconded by Mohun.

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

Court – Nothing to report.

Park/Recreation – Supervisor Grant would like to replace some of the grills and picnic tables at the park. They are about 30 years old. Councilman Waite asked about the No Smoking sign to be installed that the Clerk discussed during correspondence. Supervisor Grant would like one for the museum and two at Pine Tree Park. First concert was last Thursday, held at Town hall due to rain. Tomorrow Kelly's Old Timers will perform for square dancing. Following week is River Dogs, a blues band. Last week is Warsaw barbershop group.

Petitions and public concerns: Mark Prior a resident from Burrough came in to ask if his road is going to be worked on any time soon. Superintendent Koch addressed him directly. It is not on the list to get fixed at this time, possible to get it paved for next year. Some shim work was done on North Burrough Rd. to address some very bad spots.

Old Business:

Auction of Surplus Equipment

Resolution #2021-7-4 Acceptance of Bids on Surplus Equipment Sale

Be it Resolved that the Town Board accepts the following bid prices for surplus equipment, as declared by the Board on June 9, 2021:

1999 Peterbilt truck w/plow and wing blade	\$11,600
2010 F250 Ford pickup	\$ 1,125
Printer/copier/fax	\$ 12

And Be It Further Resolved, that the following bid offer is hereby rejected:

Commercial trash compactor

\$ 260

Supervisor Grant will counter with \$5,000.

Motion by Mohun, seconded by Waite.

Ayes: 4

Noes:

Abstain:

Absent: 0

Councilman Mohun spoke briefly on Solar project. She was told that the Ag Exemption would go away if they converted their property. Also asked about a property in dis-repair on Urf Rd. The Town can put in a complaint and sent to the County Zoning Department.

New Business:

Town Hall space: A discussion was held on Upper-level office room use now that the Boy Scout Troop has dissolved. Expand Court office?; Town Historian would like to use some of the space to store files?; Town Clerk files that aren't permanent?

Town Credit card: Supervisor Grant spoke to the Board about getting a credit card for the Town to use as needed. Superintendent Koch ran into a problem when he needed a part and had a two-week delay to set up an account with a new vendor.

American Rescue Act funding: Funds can be used to build out Spectrum services, water services or sewer services. The Town is looking to spend it on Spectrum to bring internet to outlying areas of the Town, but there is still time to decide the best use of funds.

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

Motion made by Councilman Mohun to adjourn at 9:03pm.

Respectfully Submitted,

Carolyn Busch
Town Clerk

Bennington Town Board

August 11, 2021

7:30 p.m.

Meeting Minutes

Workshop began at 6:30pm with Councilmembers Mohun, Frounick, Gadd and Waite present to audit the bills. Superintendent Koch briefed the Board members on the progress he has made this last month. Ditching on Cotton Hill, Pipe install on Maxon, Paved Sierk .2miles, crew worked w/Orangeville 3 days hauling stone, started Graff Rd., but paver went down. Worked on Getman Rd, but a car tore up the freshly laid stone and oil the evening of when it was finished; this ruined much of the work that had been completed so the Town will need to spend money on material and labor to go back and refresh it. Estimates for North Burrough Rd (1.5miles) will cost approximately \$85K just in material to pave. Many compliments have come in from residents on the work that the highway department has been able to accomplish over the past few months. Urf Rd. \$76K estimated in materials to do this project including grinding up for millings and repave. This project will start on August 27th. Discussion on the Board members getting together to put a 5-year plan together to address other roads in the Town.

Supervisor Grant called the Meeting to Order at 7:38pm; Councilman Mohun led the pledge of allegiance.

Financial Matters:

Transfer within accounts

General Fund Transfer from:

A1620.4 Buildings \$900 to A1910.4 Insurance \$900

Motion by Mohun, seconded by Waite.

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

General Fund vouchers #143 to #163 \$8,165.77

Highway Fund vouchers #91 to #98 \$51,204.58

Cowlesville Water vouchers #38 to #43 \$4,209.34

Cowlesville Light vouchers # 8 \$108.90

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

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

Financial Reports – Councilman Mohun had question on the balance.

Motion by Gadd, seconded by Mohun to approve the Financial Reports ending July 30, 2021.

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

Minutes of Previous Meetings:

Motion to approve minutes for July 2021, made by Waite,

Seconded by Frounick.

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

Communications: The Clerk received a Certificate of Analysis from Biotrax for the month of July. The Clerk received a memo from GLOW Region Solid Waste Management Committee regarding dates for Household hazardous waste and Electronics

collection. Supervisor Grant received a letter from Duke Energy on Bennington Center project., as a follow up to a phone call on 7/27. Duke is partnering with Sun Energy and they will submit the permit to NYSEDA for potential award of a project. Duke intends to sell and Sun will take over the project. A copy of the letter was sent on to Dan Spitzer and JP Shepp at MRB Group. Discussion from IDA making sure we knew what was going on with the project. The Justice Court report was received by Supervisor Grant for Justice Wawrzyniak for June. A letter was recieved from WLB that there will be a 10% increase on software programs for next year. Sent information about Cloud services for record retention.

Petitions and public concerns:

Departments:

Town Clerk/Tax Collector – Town Clerk Busch distributed her Monthly Report for July.

Highway – Highway Superintendent Koch was in attendance. Currently crew working on Graff Rd., Urf Rd on 8/27. Will grind up and chip in. Would like to put blacktop down on Schoellkopf. Estimates coming in from \$11K to \$22K. Parking lot at Town hall, ran numbers on this and came up with \$2,280 to blacktop existing. Would like to extend out into the gravel, would add additional costs totaling \$7,000. This does not include costs to stripe lines. Discussion on whether we could use Building funds instead of Highway funds for this project. Councilman Gadd asked how the new pump truck was and the crew is happy with it. Will add LED lights to it before plow season. CHIPS claim was submitted this week for \$90K. Next claim will be for projects happening through October. Will see what is left after that and see if we have anything to roll over. Question on parking area on Schoellkopf Rd. Bridge. County is addressing;

Motion to set the date of a Highway Dept planning workshop for Monday, October 25th at 6:30pm at the Town Hall.

Motion by Mohun, seconded Waite.

Ayes: 5

Noes:0

Abstain: 0

Absent:0

Assessor – Jim Kirsch handed out letters that he would like to send out to residents explaining the Revaluation project. Would like the Board to read through and offer suggestions for dates to have public meetings to explain the project. He will be sending this letter and a data mailer that contains the information that he has on file for each home. If there are discrepancies, he invites the owner to return the mailer and update the information. He has been going through zoning permits and updating and over the next couple of months he will go out to all homes in the Town. Reassessment's funding & services application. Supervisor Grant signed a document that we will undergo a 4-year plan. State aid will help offset the cost to do the revaluation. Aid will be \$2-\$4/parcel if we commit to doing one every three to five years. Councilman Gadd asked about the litigation regarding a property on Church Rd. Jim met with the Town lawyer to discuss his reasons for denying the tax exemption on his property.

Zoning – Monthly report was sent by the County Zoning Department. There are three open projects in the Town; Variance to construct a pole barn on Blood Rd., land separation on French Rd. and Application for the construction of a Telecommunication tower at 1374 Clinton Street. Four Permits were issued;

Anetrini – Blood Rd. – 40'x70' Pole Barn

Merle Maple – Rt 98 – 100'x60' Warehouse

Cole – Coyle Rd. – 24'x20' Garage
Farkas – French Rd. – land separation
No open violations for the month of July.

**Resolution #2021-8-1 Set Date of Public Hearing on Communications Tower
application by AT&T/New Cingular Wireless**

Whereas, the Town of Bennington is in receipt of an application for the erection and operation of a communications tower on property located at 1374 Clinton Street, Attica New York, and

Whereas, said application, in accordance with Local Law 2002-3 Telecommunications Towers and Minor Telecommunication Facilities, a law amending the Bennington Zoning Law to incorporate the above as Article IX, which requires a public hearing of the Bennington Town Board prior to the decision on any such application,

Now, Therefore, Be It Resolved That the Bennington Town Board has set the date and time of such hearing to be held on Wednesday, September 8, 2021 at 7:30 p.m. to permit oral and written comments on said application to be heard; 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 Waite, seconded by Mohun.

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

Water District – Nothing to report

Court – Nothing to report

Park/Recreation – Would like to have a meeting to discuss recreation committee as we may need some help from the residents to run existing programs and add some new ones.

Resolution #2021-8-2 Close Bennington Baseball Checking Account

Be it Resolved, That the Supervisor is hereby authorized and directed to close the existing Bennington Baseball checking account at Five Star Bank and to deposit any remaining funds into the Town of Bennington General Fund checking account.

Motion by Frounick, second by Mohun

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

Old Business:

Town Hall space: Upper level office room use

American Rescue Plan funding: need to submit a plan to the State Government. We have received funding and need to have a plan on what we are spending these funds on.

New Business:

Resolution #2021-8-3 Set Date of Public Hearing on 2022 and 2023 Contract with Harris Corners Fire Company.

Whereas, the Town Board of the Town of Bennington has received a proposed 2022 and 2023 contract amount from the Harris Corners Fire Company of \$32,260.56 for 2022 and \$32,905.78 for 2023 for fire and rescue services within their district;

Be It Resolved that the Town Board hereby sets the date of October 13, 2021 at 7:30 p.m. at the Bennington Town Hall for the purpose of a public hearing on the Harris Corners Fire Company Contract between the Town and the Harris Corners 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 Waite, Second by Frounick

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

Resolution #2021-8-4 Set Date of Public Hearing on 2022 Contract with Bennington Fire Company.

Whereas, the Town Board of the Town of Bennington has received a proposed 2022 contract amount from the Bennington Fire Company of \$102,000 for fire and rescue services within their district;

Be It Resolved that the Town Board hereby sets the date of October 13, 2021 at 7:30 p.m. at the Bennington Town Hall for the purpose of a public hearing on the Bennington Fire Company Contract between the Town and the Bennington 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 Waite, Second by Gadd

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

Any other Business to Come before the Board/County Matters: Board of Supervisors approved the resolution to name the Schoellkopf bridge, The Cannon covered Bridge.

Motion to adjourn by Councilman Mohun at 8:55pm

Respectfully submitted,

Carolyn Busch
Town Clerk

Bennington Town Board
September 8, 2021
7:30 p.m. Meeting Minutes

Work session began at 6:45pm. Councilman Waite, Mohun and Gadd audited bills. Councilman Frounick was not present. Superintendent Koch updated the Board members with the projects that the highway crew has been working on. Most of their time has been spent on Graff and Urf Rd. Discussion on trucks that the department uses.

Councilman Frounick arrived just prior to the start of the meeting.

Supervisor Grant called the Meeting to Order at 7:38pm. She asked Councilman Gadd to lead the pledge of allegiance. Supervisor Grant opened the Public Hearing on the Zoning Application for AT&T Cellular Service Tower at 7:38pm

Financial Matters:

Transfer within accounts – From General Fund #A1920.4 Dues to #A1910.4 Ins. \$160.00
Motion to approve transfers by Mohun, seconded by Waite; voting all ayes, carried.

General Fund vouchers #164 to #175 \$4,033.01
Highway Fund vouchers #99 to #109 \$100,120.39
Cowlesville Water vouchers #44 to #47 \$3,742.13
Cowlesville Light vouchers # 9 \$108.90

•Motion by Gadd, seconded by Mohun to approve the vouchers for payment.

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

Financial Reports Motion by Mohun, seconded by Waite to approve the Financial Reports ending July 30, 2021.

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

Communications: Certificate of Analysis was received from BioTrax for the month of August. A Certificate of Insurance was received from KCM Custom Built garages for work they are doing in the Town. Supervisor Grant received a letter from Teamsters NYS health and hospital rates are going up for 2022, 2023 & 2024. Notification from division of budget regarding payments for the Town from American rescue act extra \$1,343.29 due to some municipalities not taking part of the program. A letter was received from Health and Hospital regrading funding to the HRA program. Employees will be receiving a one-time payout in their account of \$5k for participants that have been in more than 5 years; \$1K for 1-2 years of participation. Our Town Attorney, David DiMatteo gave examples of municipal opt out laws for cannabis. A local law needs to be adopted by 12/21 if we want to opt out. Justice court report received for both Wawrzyniak and Lindsey for the month of July.

Minutes of Previous Meetings:

•Motion to approve minutes for July 2021, made by Waite, Seconded by Gadd.

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

Petitions and public concerns: No other matters outside of the tower.

Hear comments on Zoning Application AT&T/New Cingular Wireless Tower:

Town Clerk read off two that were received, one Letter from a resident on Folsomdale and one via Facebook messenger from a resident on Schoellkopf Rd. Gary Sweetman on Clinton Street had questions on height, flashing lights and location. Councilman Waite shared the book with maps that are outlining the placement. A representative from the company proposing the tower was here and helped to decipher the map. He explained that the Folsomdale tower would not be able to give coverage to the areas that they are looking to cover. The Town Clerk asked if other communication services can be co-located on the tower. He explained that they don't go out to the other services, but usually they are approached by other carriers once the permit is filed with the FCC. Supervisor Grant asked about time frame; they would be looking at an early spring start.

Councilman Mohun read a letter from MRB Group. –

- Would prefer a Natural Gas generator to a diesel fueled generator.
- Portions of the driveway are proposed at a 10% grade, this is steep for large construction or emergency vehicles.
- Decommissioning Bond should be provided.
- In addition to the fenced lease area, a gate closer to the road to reduce trespassers should be considered.

•Motion to Close the Public Hearing on New Cingular Wireless tower application.

Motion by Waite seconded Frounick

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

Departments:

Town Clerk/Tax Collector – Appointments – Deputy Clerk Tammy Wright started this month and Deputy Deanna Nikiel will start in October. The Town Clerk gave her monthly report to the Town Board. School taxes were mailed out this week even though the Town has nothing to do with the issuance or the collection of them.

Highway – worked on Graff Rd, Urf Rd this month. There is just shoulder work to be done yet on these roads. They are working with other Towns hauling this month as well.

Assessor – Data collection for Reval work that is going on in the Town. Will set a date to have a meeting for any residents that have questions.

Zoning – No report was received this month.

Water District – Water bills are out and payments coming in.

Court –

Park/Recreation – Port a john removed from the Park. In October need to advertise looking for members to run an active recreation program in the Town.

Old Business:

Resolution #2021-9-1 AT&T/New Cingular Wireless Tower

Whereas, the Town has received a complete application from New Cingular Wireless PCS, LLC for a Special Use Permit for the installation of wireless communications signal equipment within the Town,

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.

Motion by Gadd, seconded by Mohun

Board members reviewed part II of SEQR. If in agreement they will agree to a contingent approval.

The Board gave a negative declaration to Part II of the SEQR. Motion to approve contingent approval.

Motion by Gadd, seconded by Mohun

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

New Business:

Resolution #2021-9-2 A RESOLUTION OF THE TOWN BOARD OF THE TOWN OF BENNINGTON AUTHORIZING THE ADOPTION OF THE 2021 WYOMING COUNTY, NY HAZARD MITIGATION PLAN

WHEREAS, all jurisdictions within Wyoming County have exposure to hazards that increase the risk to life, property, environment, and the County and local economy; and WHEREAS; pro-active mitigation of known hazards before a disaster event can reduce or eliminate long-term risk to life and property; and WHEREAS, The Disaster Mitigation Act of 2000 (Public Law 106-390) established new requirements for pre- and post-disaster hazard mitigation programs; and WHEREAS; a coalition of Wyoming County municipalities with like planning objectives has been formed to pool resources and create consistent mitigation strategies within Wyoming County; and WHEREAS, the coalition has completed a planning process that engages the public, assesses the risk and vulnerability to the impacts of hazards, develops a mitigation strategy consistent with a set of uniform goals and objectives, and creates a plan for implementing, evaluating and revising this strategy;

NOW, THEREFORE, BE IT RESOLVED that the Town of Bennington:

- 1)Adopts in its entirety, the 2021 Wyoming County Hazard Mitigation Plan (the "Plan") as the jurisdiction's Hazard Mitigation Plan, and resolves to execute the actions identified in the Plan that pertain to this jurisdiction.
- 2)Will use the adopted and approved portions of the Plan to guide pre- and post-disaster mitigation of the hazards identified.
- 3)Will coordinate the strategies identified in the Plan with other planning programs and mechanisms under its jurisdictional authority.
- 4)Will continue its support of the Planning Partnership as described within the Plan.
- 5)Will help to promote and support the mitigation successes of all participants in this Plan.
- 6)Will incorporate mitigation planning as an integral component of government and partner operations.
- 7)Will provide an update of the Plan in conjunction with the County no less than every five years.

PASSED AND ADOPTED on this 8th day of September, 2021 on a motion by Waite and second by Mohun, by the following vote:

AYES: 5 NOES: 0 ABSENT: 0 ABSTAIN: 0

Be it Resolved, that the Town Board hereby sets the date of the 2022 Town Budget Workshop Session as the 25th day of October, 2021 at 7:30pm at the Bennington Town Hall, and hereby authorizes and directs the Town Clerk to advertise the same in the legal publication of this town.

Motion by Mohun, Second by Frounick

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

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

Supervisor Grant spoke asking for authorization to obtain a credit card for the Town not to exceed a credit limit of \$5,000. Would ask that two council members approve the purchase before it is used for Town expenses where this is the only payment that is acceptable.

Councilman Frounick made a motion to approve, seconded by Councilman Gadd;

All Ayes, carried

Councilman Mohun expressed concern regarding the side of the bank of the creek on Folsomdale Rd. Supervisor Grand spoke with County Soil and Water and asked them to come and look at this area.

Councilman Mohun made a motion to Adjourn at 8:44pm.

Respectfully submitted,

Carolyn Busch
Town Clerk

Bennington Town Board
October 13, 2021
7:30 p.m.

Work session began at 6:30 p.m. Councilman Waite, Frounick and Mohun audited the bills. Councilman Gadd was not present. Highway Superintendent Koch did not attend but gave the Town Board a list of projects that were done in September and to be done in October. Town Clerk Busch was excused from tonight's meeting. Work was done on Graff, Getman and Sierk Roads, culvert pipe on Dersam Road, milling placed on some intersections and the town hall parking lot was extended and paved. Highway work for October includes paving Urf from bridge to Clinton, pave Schoellkopf from bridge to Folsomdale, 128 & 129 being returned from Hunter & Marquart; respectively, trucks to be rustproofed and plows installed, salt barn to be filled, ditching and grading roads, turn water off at park. Discussed the AT&T New Cingular Wireless cell tower, Bond payments on Highway truck and Water District, and tentative Town budget. Electrician will be in to do work next week and the furnace was repaired last week. Members reviewed a draft local law on opting out of the new cannabis sales & on-site consumption venues.

Supervisor Grant called the Regular Session to order at 7:32 p.m. and Councilman Mohun led the pledge of allegiance.

Motion was made and seconded (Waite/Frounick) to open Public Hearings on Service Contracts with Bennington Vol. Fire Co. (2022) & Harris Corners Vol. Fire Co. (2022-2023) at 7:35 p.m. Ayes: 4 Noes: 0 Abstain: 0 Absent: 1 - Gadd

Financial Matters:

General Fund vouchers #176 to #192 totaling \$8,783.26

Highway Fund vouchers #110 to #121 \$162,574.10

Cowlesville Water vouchers #48 to #52 \$2,701.44

Cowlesville Light vouchers #10 \$108.90

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

Ayes: 4 Noes: 0 Abstain: 0 Absent: 1 - Gadd Carried.

Motion by Mohun, seconded by Frounick to approve the September 30, 2021 Financial Reports.

Ayes: 4 Noes: 0 Abstain: 0 Absent: 1 - Gadd Carried.

Communications:

Minutes of Previous Meetings - Motion by Waite, seconded by Mohun to approve September 8, 2021 meeting minutes.

Ayes: 4 Noes: 0 Abstain: 0 Absent: 1 - Gadd Carried.

Petitions and public concerns: None

Hear comments on 2022/2023 Fire & Rescue Service Contracts - The Harris Corners Fire Co. President and Treasurer and the Bennington Fire Co. President were available to

answer questions. No other member of the public had comments. Nick Kirsch asked that the Town look into changing the rescue service pass-through arrangement with Strykersville Fire Co., and if there was some way to have their contract just reflect their fire service. Motion was made by Mohun, seconded by Frounick to close the public hearing on the contracts at 7: 52 p.m.

Ayes: 4 Noes: 0 Abstain: 0 Absent: 1 – Gadd Carried.

Supervisor Grant suspended the order of the agenda to expedite the resolutions regarding the above contracts.

RESOLUTION #2021-10-2 Bennington Fire Protection District Contract

Whereas, the Town of Bennington has held a duly advertised hearing of all parties regarding the 2022 Contract between the Town and the Bennington Fire Company for the Bennington Fire Protection District on this 13^h day of October, 2021 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 2022 Contract in the amount of \$102,000 for fire and rescue services within said district, with provision for water for training purposes, said amount to be levied upon the 2022 Town and County tax bills for parcels located within said District.

Motion by Frounick, seconded by Waite

Ayes: 4 Noes: 0 Abstain: 0 Absent: 1 – Gadd Carried.

RESOLUTION #2021-10-3 Harris Corners Fire Protection District Contract

Whereas, the Town of Bennington has held a duly advertised hearing of all parties regarding the 2022-2023 Contract between the Town and the Harris Corners Fire Company for the Harris Corners Fire Protection District on this 13^h day of October, 2021 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 Contract in the amount of \$32,260.56 for 2022 and \$32,905.78 for 2023 for fire and rescue services within said district, said amount to be levied upon the 2022 and 2023 Town and County tax bills for parcels located within said District.

Motion by Mohun, seconded by Frounick

Ayes: 4 Noes: 0 Abstain: 0 Absent: 1 – Gadd Carried.

Departments:

Town Clerk/Tax Collector – Discussed Deputy training that is underway; tax collection paperwork is starting with mail from mortgage companies.

Highway – Final Bond payment on the newest truck is due at month’s end; roadwork, projects and winter preparation; final claims for state aid will be submitted in November.

Assessor – Notice on November public meetings on reassessment process will be sent out soon.

Zoning – ZBA met on a variance application yesterday. New member Rick Jensen was present. Jenna Marley, our ZO, will be off on medical leave for a couple of months and Don Roberts and Nicole from the County Zoning Office will cover.
September report from Wyoming County Zoning Department.

Permits issued in August:

Brown – Folsomdale Rd. – Land separation

Becker – Maxon Rd. – 2nd Story Addition

Merle – Creek Rd. – Land separation

Permits issued in September:

Giambrone – Schad Rd. – 40'x40' pole barn w/40' lean-to

Brancato – Dersam Rd. – 24' pool

Christopher – Bailey Rd. – 12'x24' storage shed

Weber – Kern Rd. – 12'x30' lean to off of existing barn

Stablewski – Geise Rd. – 18'x24' L shaped deck

Brandon – Maxon Rd. – 42'x64' cold storage pole barn

No Violations noted for either month.

Water District – Bond Payment due at month's end, done with wire transfer from Five Star to lending institution.

Court – Court is fully open and appearances at town hall are scheduled on Monday nights

Park/Recreation – water at town park bathrooms being shut off and winterized.

Recreational meetings to be scheduled to see if any interest for setting up rec programs i.e. baseball, soccer for children in town.

Old Business:

RESOLUTION #2021-10-1 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: Frounick, seconded by Waite

Ayes: 4 Noes: 0 Abstain: 0 Absent: 1 – Gadd Carried

New Business:

RESOLUTION # 2021-10-4 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, 2021 from 5:00 pm to 8:00 pm and that the Town Clerk is directed to advertise the same.

Motion by Waite, seconded by Mohun

Ayes: 4 Noes: 0 Abstain: 0 Absent: 1 – Gadd Carried

RESOLUTION #2021-10-5 Annual Snow and Ice Control Agreement

Be it Resolved, that the Town Board hereby instructs the Town Supervisor to sign the 2022-2023 Snow and Ice Control Contract with Wyoming County for \$7,092.00 per centerline mile for 14.44 miles of County roads within the Town of Bennington for a total expenditure of \$102,408.48; 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 by Frounck, seconded by Waite

Ayes: 4 Noes: 0 Abstain: 0 Absent: 1 – Gadd Carried

RESOLUTION #2021 -10-6 Set date of 2022 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 2022 Town Budget Public Hearing and the November Regular Session of the Town Board as the 3rd day of November, 2021 at 7:30 p.m. at the Bennington Town Hall, Workshop Session beginning at 6:30 p.m., and hereby authorizes and directs the Town Clerk to advertise the same in the legal publication of this town.

Motion by Mohun, seconded by Frounck

Ayes: 4 Noes: 0 Abstain: 0 Absent: 1 – Gadd Carried

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

Discussed the use of money received from State in the approx. amount of \$330,000.00. Only can be used for certain purposes – Town most likely will use for broadband being installed in parts of town that does not have any. Town has received half of the amount and will receive the other half in 2022. Has to be used by 2025.

Discussed proposed cannabis local law regarding opting out of retail sales and on-site consumption establishments. Town Board has to decide whether to allow or opt out by 12/31/2021. Date for public hearing will be set in November for December.

Discussed conditional approval of Telecommunication Tower by New Cingular Wireless PCS, LLC – Town Board has questions about DEC letter dated September 28, 2021 regarding the project site appearing to be within an archaeologically sensitive area..... Documentation was provided but not clear why site is labeled to be within an archaeologically sensitive area. Each of the responses indicated the required reviews and permits the applicant would need to obtain from their agency in order to proceed.

RESOLUTION #2021-10-7 Conditional approval of New Cingular Wireless AT&T Tower Application

Be it Resolved, that the Town Board, following declaration of Lead Agency for the purpose of completion of SEQR on September 8, 2021 and in issuing a negative declaration on the proposal, hereby approves the New Cingular Wireless/AT&T application for a cellular service tower at 1374 Clinton Street, Attica (Town of Bennington) New York conditional upon the applicant obtaining all required state and federal permits and approval prior to construction/installation, including but not limited to those of the NYS Department of Environmental Conservation, NYS Department of Transportation and the Federal Communications Commission.

Motion by Waite, seconded by Frounack

Ayes: 4 Noes: 0 Abstain: 0 Absent: 1 – Gadd Carried.

Motion to adjourn made by Councilman Mohun at 8:35 p.m. Carried.

Respectfully Submitted,

Ellen Grant – Supervisor
Joyce Mohun - Councilman

Bennington Town Board
Special Sessions
October 25, 2021

Five Year Road Planning Meeting

Meeting was called to order at 6:30 p.m. by Supervisor Ellen Grant, with Councilmembers Bernard Frounick, Michael Gadd, Brian Waite and Joyce Mohun, and Highway Superintendent Andrew Koch present. Purpose of the meeting is to review roads within the Town and develop a tentative plan on improvements to be made for the next several years.

Members reviewed a listing of roads that included mileage and surface treatment and also discussed work that had been accomplished during 2021. Superintendent Koch spoke about several roads that needed expedited work to maintain previous work done to them. Members drafted a tentative plan that included 9.2 miles of road improvements in 2022, 7.1 in 2023, 6.3 in 2024, 6.8 in 2025, 6.8 in 2026. This will be further reviewed during the next month to determine the estimated costs for planned improvements and feasibility of the type of work and mileage involved. Meeting concluded at 8:00 p.m.

2022 Town Budget Workshop Meeting

Meeting was called to order at 8:00 p.m. by Supervisor Ellen Grant, with Councilmembers Bernard Frounick, Michael Gadd, Brian Waite and Joyce Mohun present. Members reviewed the Tentative 2022 Budget and the summary of appropriations, revenues and proposed levy. The proposed tax levy per thousand for General Fund and Highway Fund would be 9.40 cents, down 9 cents from 2021. Councilman Waite posed several questions regarding changes to allocations which were explained and agreed upon. Councilman Gadd proposed increasing the Highway's Equipment line by an additional \$20,000 to provide for some additional upgrades to our current equipment. Members agreed to this and the Budget Officer/Supervisor will make the change. The 2022 Budget will be under the NYS Property Tax Cap. Public Hearing is scheduled for November 3rd.

Motion was made by Councilman Mohun to adjourn. Meeting adjourned at 8:45 p.m.

Ellen Grant, Supervisor

Bennington Town Board
November 3, 2021
7:30 p.m.
Meeting Agenda

Work session began at 6:50pm with Board members Frounick and Mohun in attendance. Councilman Gadd and Councilman Waite are excused for the evening. Board members audited the vouchers. Superintendent Koch briefed the Board on Highway projects. Will work on Sargent and look at water issues near the Urf Rd. crossing. Hauling in salt and sand to fill the sheds. They have attached two plows to the Town trucks getting ready for the plowing season. Will work on ditching in between. A couple of their trucks are in the shop for service. Will have some larger bills next month.

Supervisor Grant called the meeting to order at 7:30pm, she asked Councilman Frounick to lead the pledge of allegiance.

Open Public Hearings on Proposed 2022 Town Budget at 7:31pm

Financial Matters:

General Fund vouchers #193 to #209 \$12,353.88

Highway Fund vouchers #122 to #133 \$28,984.59

Cowlesville Water vouchers #53 to #55 \$2,325.14

Cowlesville Light vouchers None

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

Ayes: 3 Noes: 0 Abstain: 0 Absent: 2

Motion by Mohun, second by Frounick to open the Public Hearings on the 2022

Proposed Town Budget

Ayes: 3 Noes: 0 Abstain: 0 Absent: 2

Financial Reports:

Motion by Mohun, seconded by Frounick to approve the Financial Reports ending Oct 31, 2021.

Ayes: 3 Noes: 0 Abstain: 0 Absent: 2

Minutes of Previous Meetings: October regular meeting and Special session 10/25/21.

Motion by Mohun, seconded by Frounick to approve minutes for October 2021 Regular and Special Sessions

Ayes: 3 Noes: 0 Abstain: 0 Absent: 2

Communications: The Town Clerk received a notice from the Town of Alden regarding a public hearing entitled Local Law #3/2021 regarding "Local Law to opt out of allowing cannabis retail dispensaries and on-site consumption sites". A packet from Association of Towns was sent that provided our 2022 invoice and information for newly Elected Official School. The Town Clerk will give this information to the two newly elected Councilmen. Received a newsletter from Community Action for Wyoming County. A notice of the "Exemption Impact Report" was received from Wyoming County Real Property Tax Services. Supervisor Grant did not have any communications.

Petitions and public concerns:

The Town Clerk received a Facebook message from a resident regarding the width of Schoellkopf Rd.

Hear comments on Proposed 2022 Town Budget: No residents were present to ask questions.

Motion by Frounick, seconded by Mohun to Close the Public Hearing on 2022 Town Budget

Ayes: 3 Noes: 0 Abstain: 0 Absent: 2

Departments:

Town Clerk/Tax Collector – A resignation letter was received and accepted by the Town Clerk from Tammy Wright who had been appointed Deputy Clerk in September. The Town Clerk reviewed with the Board a proposed program that was received from Text my Gov. for giving out information to the residents via text at any given time. Supervisor Grant asked that I share this information with the two absent members via email and we would discuss further in December.

Highway – All Board members were present for the planning Session; October & November work report. Will work with Supervisor Grant on the State Aid final reviews.

Assessor – Public meetings on reassessment process. Meetings will be held 11/16 at 2pm and 7pm and 11/13 at 10am.

Zoning – Special Use Renewals were sent out last week and three came back: Clapp’s Mills, C&G Welding and Sulzbach Construction.

Motion to approve by Frounick; seconded by Mohun. Voting all ayes; carried.

Water District –

Court –

Park/Recreation – Park is closed. Ellen to speak with Superintendent Koch regarding closing off the front gate due to continued issues of cars driving across the lawns. Need access for snowmobile trail, but don’t want cars to come in.

Old Business:

Resolution #2021-11-1 Adopt 2022 Town Budget

Be it Resolved, that, following a duly advertised Public Hearing held on the 3rd day of November 2021, the Bennington Town Board hereby adopts the Proposed 2022 Town of Bennington Budget with a total levy of \$1,396,101.56 and authorizes the amounts therein to be levied upon the real property within the Town of Bennington on the 2022 Town and County tax bills.

Motion by Mohun; Seconded by: Frounick

Ayes: 3 Noes: 0 Abstain: 0 Absent: 2

New Business: Set date of Public Hearing on Proposed Local Law #1 Year 2022
“A Proposed Local Law Entitled Cannabis Local Law Opting Out of Retail Sales and On-Site Consumption Establishments.”

Resolution #2021-11-2 Set date of Public Hearing on Proposed Local Law #1 Year 2022 "A Proposed Local Law Entitled Cannabis Local Law Opting Out of Retail Sales and On-Site Consumption Establishments."

WHEREAS, the Town Board of the Town of Bennington met at a regular board meeting at the Town Offices of the Town of Bennington, on the 3rd day of November, 2021, commencing at 7:30 p.m. at which time and place the following members were:

<u>Present:</u>	Supervisor	Ellen Grant
	Councilman	Joyce Mohun
	Councilman	Bernard Frounick
	Councilman	
	Councilman	
<u>Absent:</u>		Michael Gadd & Brian Waite

WHEREAS, all Board Members, having due notice of said meeting, and that pursuant to Article 7, §104 of the Public Officers Law, said meeting was open to the general public and due and proper notice of the time and place whereof was given as required by law; and

WHEREAS, the Town Board is considering adopting a proposed local law, entitled "A Proposed Local Law Entitled Cannabis Local Law Opting Out of Retail Sales and On-Site Consumption Establishments."

WHEREAS, the purpose of the proposed local law is to opt out of hosting retail cannabis dispensaries and on-site cannabis consumption establishments within the boundaries of the Town of Bennington; and

WHEREAS, pursuant to section 239 l-m of the General Municipal Law, said local law with all supporting documents is to be submitted to the Wyoming County Planning Board for its comments; and

WHEREAS, the Town Board of the Town of Bennington finds it in the best interest of the Town to hold a public hearing to consider the adoption of said local law.

NOW ON MOTION OF Mohun which has been duly seconded by Frounick, be it

RESOLVED, the Town Board of the Town of Bennington will refer said local law with all supporting documents to the Wyoming County Planning Board for its comments; and

RESOLVED, the Town Board of the Town of Bennington will hold a public hearing on the proposed adoption of said local law on the 8th day of December 2021 at 7:30 p.m., at which time all interested parties and citizens for or against the proposed law will be heard.

Ayes: 3 Nays: 0 Absent: 2 Abstain: 0

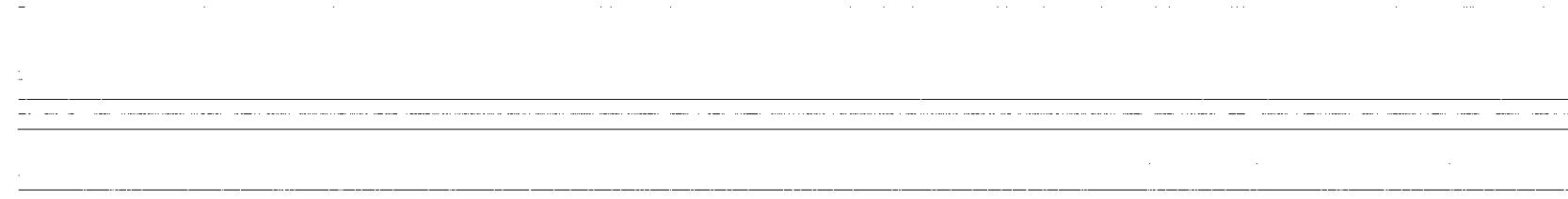
Any other Business to Come before the Board/County Matters:

Supervisor Grant advised the Board on the County budget and updates from the Warsaw
Community Hospital.

Councilman Mohun made a motion to adjourn at 8:25pm.

Respectfully submitted,

**Carolyn Busch
Town Clerk**



Bennington Town Board

December 8, 2021

Workshop Session 6:30 p.m. Regular Board Meeting 7:30 p.m.

Workshop began at 6:30pm with all Board members present to audit the bills. Also in attendance was a new Board member Brandon Bryman that will officially take office on 1/1/22. Superintendent Koch arrived at 6:55pm to address the Board members. He has quotes for graders that the Board asked for. Four options came in ranging in price from \$277K to \$313K. Have one plow truck down at the moment, will need some major work done to it.

Supervisor Grant called the meeting to order at 7:34pm; Councilman Gadd led the pledge of allegiance.

Open Public Hearings on Proposed Local Law #1, Year 2021

Motion by Waite, second by Frounick to open the Public Hearings on Local Law #1

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

Financial Matters:

General Fund vouchers #210 to #226 \$6,211.95.

Highway Fund vouchers #134 to #148 \$62,113.59.

Cowlesville Water vouchers #56 to #60 \$3,264.25.

Cowlesville Light vouchers #11-12 \$217.80.

Motion by Mohun, seconded by Gadd to approve the vouchers for payment.

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

Financial Reports

Motion by Mohun, seconded by Waite to approve the Financial Reports ending Nov 30, 2021.

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

Communications: The Town Clerk received the Certified Election results from the Wyoming County Board of Elections. Wyoming County Emergency Services to hold a forum on 12/20 with Town officials and EMS providers to discuss services in the County. Looking to increase EMS personnel. Insurance Services Office sent the Town insurance classifications for Cowlesville Fire districts. After analyzing the data it collects, the ISO assigns a Public Protection Classification (PPC) on a scale from 1 to 10. The higher the ISO fire protection class (with Class 1 being the best), the "better" the department They provided a public classification of 5/5Y.

Minutes of Previous Meetings:

Motion by Waite, seconded by Gadd to approve minutes for November 2021 Regular and Special Sessions

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

Petitions and public concerns:

None

Hear comments on Proposed Local Law #1, Year 2021; Close Public Hearing

Board members had a discussion on the local law regarding consumption of cannabis in public places.

Motion by Gadd, seconded by Waite to Close the Public Hearing on Local Law #1
Ayes: 5 Noes: 0 Abstain: 0 Absent: 0

Departments:

Town Clerk/Tax Collector – The Town Clerk updated the Board on ongoing questions to the State on licensing of dangerous dogs in the Town of Bennington at a residence on Church Rd. Updated the Board on process of Special Permit Renewal. Questions on process with the County Zoning department and how new ones are approved. Should the Town Board approve them?

Highway – Supervisor Grant updated the residents in attendance of things that Superintendent Koch discussed during work session. He will be on Poland Hill Rd. to address the potholes tomorrow, as well as proposals on a grader purchase and disposal of the old one.

Resolution #2021-12-1 Create Seasonal MEO PT Position

Be it Resolved, that the Town Board hereby creates one (1) Seasonal Motor Equipment Operator, Part-Time position within the Highway Department as per Article 2 Section 2.5 of the Collective Bargaining Agreement, effective December 1, 2021 at a rate of pay of \$20.00 per hour.

Motion by Mohun, second by Waite.

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

Assessor – Jim Kirsch was in attendance tonight. He hosted a couple of public meetings on the reassessment process. Overall meetings went well, was just hopeful more people would have been in attendance. Would like to host additional meetings on January 15th at 12:30pm and February 12th at 10:30am. The Town Clerk will post on the Town FB page and Town website. Will look at placing a small ad in the Pennysaver. He reported that 60% of the surveys came back from his mailing.

Zoning/Planning – Home Occupation Permit renewals will go out in March; monthly Zoning reports received from Wyoming County Zoning Department for Oct. & Nov.:

Permits Granted in October:

Staerr - Getman Rd – variance for a 40'x 24' building

Ricketts – South Shore Drive – 11'x 24' shed

Kaus – Folsomdale Rd. – 40'x 30' garage replacement

Mincer – French Rd. – 40'x 32' pole barn

Lampart – South Shore Drive – 24'x 12' shed

Uhrich – Poland Hill Rd. 32'x 24' pole barn

Permits Granted in November:

Ricketts – South Shore Drive – 21'x 16' awning with 20'x 20' carport

Lee/Brian/Paul Perl – Sierk Rd. – Land separation

Against all odds Animal Alliance – Church Rd. – 20'x 50' pole barn (already erected in 2020)

Wheaton – North Shore Drive – 13.5KW Ground mounted Solar System

Frayne – North Shore Drive – 12'x 26' shed/garage

Kaminski – North Shore Drive – 2 story addition to existing structure.

The following residents applied for a 3 year Special Use permit Renewal: Michael Wulf, Jasen Meyers Contracting, Ray's World, MJ Landscaping, Bill Dunn Construction, William Ayers and Theodore Attea.

Motion by Waite, second by Frounick to approve all renewals. Voting all ayes, carried.

Water District – Nothing to report.

Court – Clerk resignation & appointment

Resolution #2021-12-2 Reappoint Court Clerk

Be it Resolved, that the Bennington Town Board hereby appoints Christa Dake, 4076 Blood Road, Cowlesville to the position of Court Clerk for the Town Justice Court for the period December 1, 2021 through December 31, 2021 at an annual salary of \$8,000.

Motion by Mohun, second by Frounick

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

Park/Recreation – Supervisor Grant spoke with the Highway department regarding the open gates at Pine Tree Park during the winter season. They are going to try to get the gates closed to automobiles, but leave a big enough opening to allow snowmobiles in. Plan to put in speed bumps and signage as well.

Old Business:

Resolution #2021-12-3 Resolution Adopting Local Law No. 1 Year 2021 Entitled "CANNABIS LOCAL LAW OPTING OUT OF RETAIL SALES AND ON-SITE CONSUMPTION ESTABLISHMENTS" SUBJECT TO PERMISSIVE REFERENDUM

The Town Board of the Town of Bennington met at a regular meeting at the Town Office in the Town of Bennington, New York on the 8th day of December 2021, commencing at 7:30 p.m. at which time and place the following members were:

Present:

Supervisor Ellen Grant
Member Bernard Frounick
Member Michael Gadd
Member Joyce Mohun
Member Brian Waite

WHEREAS, all Board Members, having due notice of said meeting, and that pursuant to Article 7, §104 of the Public Officers Law, said meeting was open to the general public and due and proper notice of the time and place whereof was given as required by law; and

WHEREAS, former Governor Andrew Cuomo signed into law the Marijuana Regulation and Taxation Act (MRTA) on March 31, 2021; and

WHEREAS, the Town Board of the Town of Bennington has considered a proposed local law known as "Cannabis Local Law Opting Out of Retail Sales and On-Site Consumption Establishments," which would prohibit retail dispensaries and on-site consumption establishments within the boundaries of the Town of Bennington; and

WHEREAS, Tax Law §493(c) places a 4% local tax on the retail sale of adult-use cannabis. If the Town of Bennington adopts the proposed local law to opt-out of the retail sales of cannabis, the Town of Bennington will not receive 3% of the 4% of the implemented local tax; and

WHEREAS, Local governments, such as the Town Board of the Town of Bennington must adopt a local law subject to permissive referendum to opt-out of the retail sales and on-site consumption establishments of cannabis on or before December 31, 2021. No laws opting out of retail sales and on-site consumption establishments of cannabis are eligible to be adopted after December 31, 2021; and

WHEREAS, in an effort to combat drug use in the County of Wyoming, the Town Board of the Town of Bennington believes it to be wise to prohibit cannabis retail dispensaries and on-site consumption establishments within the Town of Bennington. With that being said, the Town Board of the Town of Bennington finds in the best interest of the Town of Bennington to adopt the proposed local law entitled, "Cannabis Local Law Opting Out of Retail Sales and On-Site Consumption Establishments"; and

NOW ON MOTION OF Brian Waite which has been duly seconded by Michael Gadd, it is

RESOLVED, that the Town Clerk of the Town of Bennington is hereby directed to publish an abstract of this resolution concisely stating the purpose and effect thereof in the Town's official newspaper within ten (10) days after the date of adoption of this resolution; and be it further

RESOLVED, that said resolution shall not take effect until thirty (30) days after its adoption or until approved by the affirmative vote of a majority of the qualified electors in the Town of Bennington; and be it further

RESOLVED, the Town Board of the Town of Bennington hereby adopts the local law entitled, "Cannabis Local Law Opting Out of Retail Sales," which shall take effect if no petition is filed within thirty (30) days of this resolution; and be it further

RESOLVED, if a petition is signed by a number of town electors equal to at least 10% of the number of votes cast for governor in the Town at the last gubernatorial election, the adoption of the local law entitled, "Cannabis Local Law Opting Out of Retail Sales and On-Site Consumption Establishments," shall be brought to a vote.

Ayes: 5 Noes: 0 Abstain: 0 Absent: 0
Quorum Present: Yes No

Use of ARPA Funds – Supervisor Grant addressed the Board. Much discussion has been discussed regarding expanding internet services to the underserved in our community over the last few months. The Town Board would like to use these funds to expand

RESOLUTION NO. 2021-12-6 Set date of Year End Meeting and January Organization Meeting/Regular Meeting

Be it Resolved, that the Town Board will hold a Year End Special Session for the purposes of payment of 2021 invoices and any other matters as may come before the Board on December 29, 2021 at 7:00 p.m.; and

Be it Further Resolved, that the Town Board will hold the 2022 Annual Organizational Meeting and January Regular Board Meeting on January 5, 2022 with workshop meeting at 6:30 p.m. and Organization and Regular meetings at 7:30 p.m.; and

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

Motion by Gadd: Second by Frounick:

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

Town Hall Generator/Lighting replacements

The Town received a quote for a Generac generator to be installed at the Town Hall.

Only one quote has come in; Councilman Gadd would like a second quote.

Superintendent Koch reached out to Strykersville Hardware, but did not get a response back. Will seek out Peschke in Alden for an additional quote. Approval to get another quote was given by the Board.

Also received a quote to replace the Town Hall building interior lights with energy efficient bulbs. Councilman Gadd asked if there are any available rebates that the Town could utilize. Supervisor Grant will contact NYSEG to inquire.

Supervisor Grant asked if there is any other Business to Come before the Board?

Motion to Adjourn at 8:50pm by Councilman Mohun.

Respectfully submitted,

Carolyn Busch
Bennington Town Clerk