

Bennington Town Board

February 11, 2026

FINAL

Work Session: 6:30 p.m.
Audit of bills, Review meeting agenda

In attendance: Supervisor Mark Prior, Council Members Jeff Burger, Bernard Frounick, Joyce Mohun, Maria Prior, Clerk Joanne Rosenthal.

Regular Board Meeting - 7:30 p.m.

Call meeting to order by Supervisor Prior at 7:36 p.m.
Pledge of Allegiance led by Council Member B. Frounick.

Set agenda - no additions or changes.
Conflict of interest - none.

Financial Matters Approve annual Williamson Law Book (WLB) accounting software support contract (\$1,475) and Eagle Systems annual service and supply contract for Toshiba/TAC31 copier (\$984).

Motion by J Mohun, seconded by: M. Prior approving WLB and Eagle Systems annual contracts for payment.

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

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| General Fund vouchers | #425 to #438. | \$ 12,906.26. |
| Highway Fund vouchers | #231 to #254. | \$105,942.01. |
| Cowlesville Water vouchers | # 19 to # 22. | \$ 705.74. |
| Cowlesville Light vouchers | # 2. | \$ 250.99. |
| Bennington Fire Co. vouchers | #601 | \$ 43,000.00. |

Motion by J. Burger, seconded by B. Frounick to approve vouchers for payment.

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

Financial Report Supervisor Prior submitted Supervisor's report for January 2026.

Motion by M. Prior and seconded by J. Burger to approve the Financial Report ending January 31, 2026.

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

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Unfinished Business

The January 8, 2026 public hearing, to Consider the Adoption of #1 of 2026 Local Law Establishing Zoning Guidelines for Kennels in the Town of Bennington, remains open and the public is encouraged to submit written comments or concerns to the Town Hall or the Town Clerk's email: benn-clerk@rochester.rr.com.

The Niagara Solar project special use permit expired December 31, 2025. Supervisor Prior is consulting counsel (Spitzer) and establishing contacts with the representative of the project to proceed on the matter.

New Business

Resolution #2026-2-1 Appointment to Planning Board

Be it Resolved, that the Town Board, hereby, appoints David Steffenhagen, 1026 Reilein Rd., Cowlesville, NY 14037, to the Town of Bennington Planning Board to fill the unexpired term of Donna Hummel. Said appointment to be effective February 11, 2026 through December 30, 2028.

Motion by J. Mohun. Seconded: M. Prior.
Ayes: 5. Noes: 0. Abstain: 0. Absent: 0.

Resolution #2026-2-2 Set Dates of Workshop Sessions

Be it Resolved, that the Town Board, hereby, set the following dates and times for the purpose of workshop sessions for the research and development of proposed local laws including the gathering of oral and written comments for Local Law #1 of 2026 (Guidelines for dog kennels) and Local Law #2 of 2026 (Dog control), as well as the regulation of wind energy conversion systems and other planning and zoning matters within the Town.

February 25, March 4, March 25, April 9, April 23, May 13 at 6:00 p.m. at the Bennington Town Hall, 905 Old Alleghany Rd., Attica 14011 and

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

Motion by J. Mohun. Seconded by: B. Frounick
Ayes: 5. Noes: 0. Abstain: 0. Absent: 0.

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Resolution #2026-2-3 Rescind Resolution #2025-11-11 Appointments and Reappointments to various Boards

Be it Resolved, that the Town Board, hereby, rescinds Resolution #2025-11-11 of the appointments to various boards of

Town Planning Board

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| Jacob Fitzpatrick, Member. | S. Shore Dr. Alden 14004 | 12/31/2029 |
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Town Zoning Board of Appeals

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| Richard Jensen, Member. | 1909 Clinton St. Attica 14011 | 12/31/2029 |
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| Kim Keicher, Member. | Clinton St. Attica 14011 | 12/31/2029 |
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| Ellen Grant, Secretary/Alternate. | 134 Clinton St. Alden 14004 | 12/31/2027 |
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Board of Assessment Review

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| Christopher Hickey, Member. | 1308 Folsomdale Rd. Cowlesville 14037 | 12/31/2030 |
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| James Wawrzyniak, Member. | Getman Rd. Alden 14004 | 12/31/2029 |
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| Brian Waite, Alternate. | Friedman Rd. Darien Center 14066 | 12/31/2026. |
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These appointments were made before expiration of terms, without effective dates, and the supervisor, at the time, Grant voted to appoint herself to another town board, resulting in a conflict of interest. A complete review of the above named candidates will be done by the Town Board and all qualified parties will be officially contacted and reappointed according to Town law, at the earliest possible time.

Motion by: M. Prior. Seconded: B. Frounick.
Ayes: 5. Noes: 0. Abstain: 0. Absent: 0.

Resolution #2026-2-4 Creation of Deputy Highway Superintendent position

Be it Resolved, that the Town Board, hereby, creates the position of Deputy Highway Superintendent to be appointed by Highway Superintendent or Town Board and to serve at the pleasure of the Highway Superintendent according to Town law.

Motion by: M. Prior. Seconded: J. Mohun.
Ayes: 5. Noes: 0. Abstain: 0. Absent: 0.

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Resolution #2026-2-5 Set Definition of ‘Unavailable’ for Work in regard to Deputy Performing Duties of Elected Officials in the Town of Bennington

Be it Resolved, that the Town Board, hereby, sets the definition of ‘unavailable’ for work, for the following positions, which would result in the deputy, for each said position, temporarily assuming the role and performing the duties of said official until their return.

Be it Further Resolved, the Town Supervisor will be deemed ‘unavailable’ if they cannot be reached to communicate the required needs, at the time, and are unable, through short/long term disability or geographic location, to be physically present for duty, if called upon. The same definition applies to the Highway Superintendent, with the additional stipulation, that the above defined unavailability must be for a minimum of 48 consecutive hours for a deputy to assume/perform the duty of Highway Superintendent.

***Motion by J. Mohun. Seconded: M. Prior.
Ayes: 5. Noes: 0. Abstain: 0. Absent: 0.***

Minutes of Previous Meetings - accepted as presented by the Clerk.

January 8, 2026 Organizational meeting.

January 8, 2026 Regular Town Board meeting.

January 21, 2026 Regular Town Board meeting.

Communications

Town Clerk

- Bennington Volunteer Fire Company forms to purchase a reflective address marker (\$15).

Supervisor

- Meeting with NYSEG on Thursday, February 19 to understand, address and obtain answers regarding the high utility bills residents are experiencing.
- Home Town Hero banners orders to begin March 1, 2026 for placement by Memorial Day. The price is \$140 each.
- Town of Bennington newsletter to begin on February 22, 2026. To be available at various locations in the Town, also on-line with a separate email group for the newsletter group.
- Social media sites are in development by the Supervisor.

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Supervisor

- The Wyoming County Board of Supervisors (BOS) is interested in the acquisition of Camp Wyomoco from the Cornell extension through a \$1.2 million grant request, with approval expected soon. The BOS will determine how to control and offset costs; estimates to maintain property are unknown, at this time.
- Speedy C.O.W. (Community Operated Wi-Fi), the new county wide high speed internet plan may become available in March 2026. The Folsomdale tower to be used with other towers on the County border to be used to take advantage of signals. Actual costs are unknown, at this time.

Departments

Highway

- No report.

Town Clerk/Tax Collector

- Presented Clerk report ending January 31, 2026.
- Bennington County/Town tax collection continues with the payment due by March 2, 2026 to include a 1% penalty.
- The next meeting date for the Town Board meeting is March 11, 2026 at 7:30 pm.

Assessor

- The senior income limit (\$24,400 maximum) is set by each municipality.
- NYS trend in home costs is at a 7% increase over 2025. J. Kirsch sales data reflects only a 4.5% increase in Bennington.

Zoning/Planning

- No report.

Recreation

- No report.

Water District

- Wyoming County will take over the reading of meters and send out the invoices for water usage in the Cowlesville Water District with the next regular billing cycle.

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Petitions and Public Concerns

A resident inquired regarding road plans for 2026.

Supervisor Prior advised he is working with Highway Superintendent Jensen and Wyoming County Highway Department to formulate a plan for 2026 and develop a partnership with the County to share resources; the road issues will be addressed in the February newsletter.

A resident inquired about the Waste Management new plan for fewer bulk pickups for Town residents. Where will the bulk container be located and how will it affect recycling fees? Supervisor Prior talks with the County Administrator have not confirmed dates or how the reduction of services will affect recycling fees. The Wyoming County Planning Department is working on a new contract; however, details are not complete. It is unknown who will manage the bulk drop site, where it will be located or when dates will be open for drop-offs.

Are there currently active grants being processed?

Supervisor Prior discussed the Assistance for Firefighter Grants (AFG) through FEMA with Congresswoman Claudia Tenney. AFG provides funding to volunteer fire companies for protective gear, apparatus, training and more to enhance fire fighting services. Tenney's office will provide a letter of support upon request.

Tenney's office addressed 'gettable money' for the Town: seeking grants for Pine Tree Park on Lapp Rd. for a possible canine inclusive area, for residents in energy efficiency assistance or entire reimbursable packages for windows.

There is currently no big grant money for roads.

Information regarding grants will be shared in the newsletter, as it becomes available.

Any Other Business to Come Before the County/Board Matters

Regarding Town Attorney: One interview has been completed with a candidate for the position. There is one more candidate to interview.

Motion by J. Mohun to Adjourn at 8:42 pm.

Attendance: 12