

Bennington Town Board

February 12, 2025

Workshop Session 6:30 p.m. Audit of bills, Highway Dept report; review Board meeting agenda.

In attendance:

Supervisor Ellen Grant, Council Members Jeff Burger, Chris Domes, Bernard Frounick,
Joyce Mohun, Highway Superintendent Jake Jensen, Clerk Joanne Rosenthal.

Regular Board Meeting 7:30 p.m.

Call Meeting to Order by Supervisor Grant at 7:30 pm.

Pledge of Allegiance led by Councilmember Mohun.

Set Agenda - no changes.

Conflict of Interests - no conflicts.

Financial Matters: Approve annual Williamson Law Book (WLB) software support contract for accounting (\$1,405) and Eagle Systems contract for copier (\$962.15) (in Clerk's office) maintenance & supplies.

Motion by J. Mohun, seconded by J. Burger to approve renewal of contracts with WLB and Eagle Systems.

Ayes: All (5). Noes: 0. Abstain: 0. Absent: 0.

General Fund Vouchers	#411 to 433.	\$ 11,378.14.
Highway Fund Vouchers	#213 to 243.	\$288,819.49.
Cowlesville Water Vouchers	# 19 to 24.	\$ 3,676.24.
Cowlesville Light Vouchers	0	0

Motion by J. Mohun, seconded by C. Domes to approve vouchers for payment.

Ayes: All (5). Noes: 0. Abstain: 0. Absent: 0.

Financial Reports Supervisor Grant presented the Monthly Report of Supervisor.

Motion by J. Mohun, seconded by J. Burger to approve the Financial Reports ending January 31, 2025.

All (5). Noes: 0. Abstain: 0. Absent: 0.

Unfinished Business none to report

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New Business

Resolution #2025-2-1 Appointment to Board of Assessment Review

Be it Resolved, that the Town Board hereby appoints Christopher Hickey, 1308 Folsomdale Road, Cowlesville New York 14037 to the Town of Bennington Board of Assessment Review to fill the unexpired term of Robert Padak, said appointment to be effective February 13, 2025 through September 30, 2025.

Motion: B. Frounick. Second: J. Mohun.
Ayes: All (5). Noes: 0. Abstain: 0. Absent: 0.

Resolution #3035-2-2 Set Dates of Workshop Sessions

Be it Resolved, that the Town Board hereby sets the following dates and times for the purpose of workshop sessions for the research and development of proposed local laws for the regulation of wind energy conversion systems and other zoning matters within the Town:

February 20th; March 6th, March 20th, April 3rd, April 17th, and May 1st at 6:30 p.m. at the Bennington Town Hall, 905 Old Alleghany Road, Attica NY 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: J. Burger. Second: C. Domes.
Ayes: All (5). Noes: 0. Abstain: 0. Absent: 0.

Resolution #2025-2-3

Set Date for Public Hearing on Local Law #A Year 2025 Extending a Moratorium for six months on the acceptance of applications for Wind Energy Conversion Projects within the Town of Bennington.

Whereas, The Town Board of the Town of Bennington met at a regular board meeting at the Town Offices of the Town of Bennington located at 905 Old Alleghany Road, Attica, in the Town of Bennington, New York on the 12th day of February, 2025, commencing at 7:30 p.m., at which time and place the following members were present: Supervisor Grant, Councilmembers Mohun, Frounick, Domes and Burger; and

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Resolution #2025-2-3 (cont'd from page 2)

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 of the Town of Bennington has considered proposed Local Law #A, Year 2025 “A Local Law Extending the Moratorium on Applications, Approvals, and/or Construction or Installation of Wind Energy Systems for a Six Month Period” to temporarily halt development of wind installations, for an additional period of up to 6 months, while the Town considers comprehensive zoning changes and the enactment of zoning measures to specifically address the matters of community concern; 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 recognizes that this local law is a Type II Action under SEQR, and therefore SEQR review will not be required as there are no adverse environmental impacts; and

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

Now, on a motion of **J. Mohun** which has been duly seconded by **C. Domes** be it

Resolved by the Town Board of the Town of Bennington will hold a public hearing on the proposed local law on the 12th day of March, 2025, at 7:30 p.m., at which time and place all interested parties and citizens for or against the proposed law will be heard.

Ayes: All (5). Noes: 0. Abstain: 0. Absent: 0.

Resolution #2025-2-4

Set Date of Public Hearing on Proposed Local Law #B, to Repeal Local Law #1 of 1990 concerning the regulation, collection and disposal of solid waste in the Town of Bennington.

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 February 12, 2025 commencing at 7:30 p.m. at which time the following members were present:

Supervisor Grant, Councilmen Frounick, Mohun, Domes and Burger, and

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

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Resolution #2025-2-4 (cont'd from page 3)

Whereas, the Town Board is considering adopting proposed Local Law # B, Year 2025, entitled "A Local Law to Repeal Local Law No. 1 of 1990," which concerns the regulation, collection and disposal of solid waste in 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 recognizes that this local law is a Type II Action under SEQR, and therefore SEQR review will not be required as there are no adverse environmental impacts; 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 a motion of J. Mohun, which has been duly seconded by J. Burger be it

Resolved, by the Town Board of the Town of Bennington, that they will hold a public hearing on the proposed adoption of said local law on the 12th day of March, 2025 at 7:30 p.m. at which time all interested parties and citizens for or against the proposed law will be heard.

Ayes: All (5). Noes: 0. Abstain: 0. Absent: 0.

Minutes of Previous Meetings - Approved as submitted by the Clerk.

Communications

Supervisor Grant

1. NYSDOT notification of traffic count camera location on Reilein Rd. February 15-22, 2025.
2. Listing of 2024 funds paid from Wyoming Co. Treasurer to the Town.
3. Justice Wawrzyniak, Justice Court monthly reports for December 2024 and January 2025.
4. Notification from AED Grant.com (Automated External Defibrillator) on review status of application to fund 2 AED devices in Town Buildings.
5. Certificate of Liability Insurance and details on the use of Pine Tree Park ball field from Alden Youth Baseball and Softball.
6. National Fuel - new emergency contact information. NYSEG - new Municipal Relations Manager contact information.
7. NYSLRS notification on adopting standard work day resolution.
8. Municipal Solutions notification on final BAN payment due on grader.
9. Report of AOT (Association of Towns) proposed legislation for 2025.

Clerk

1. Wyoming County Zoning Department monthly report for January 2025.

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Departments

Highway

1. Presented: Road improvement plan for 2025 per Agreement to Spend Highway Funds. Per the recommendation from Highway Superintendent Jake Jensen, as discussed in workshop session: Review conditions of roads in Spring 2025 to prioritize work, before a final decision is made on the Spending Agreement.
2. Wyoming Co. to assist the Town in roadside mowing for 1-2 weeks in the Spring 2025; an early start planned to keep new growth in check. Mowing schedule, (twice per summer) to cover all roads in the Town takes 3-4 weeks each time

Clerk/Tax Collector

1. Town Clerk's monthly report for January 2025
2. Vital statistic YTD. Births 0. Death 1. Marriages permits 0.
3. 2025 Tax collection update status.
4. Planned mailing by April 20, 2025 Dog enumeration via postcards..
5. Town Hall will be closed Monday, February 17th in observance of President's Day.

Assessor

1. Presented monthly report for January 2025.

Zoning/Planning

1. Town Board reviewing wind energy projects to develop zoning laws. Town attorney to draw up questions (4) for a survey of land owners - review at March meeting.

Recreation

1. Alden Youth Baseball program to use Pine Tree Park this spring/summer.
2. 2025 Easter Egg Hunt to take place April 12, held at Bennington Fire Co.
New Chairpersons for this yearly event Carolyn and Rich Mruczek.

Water District

1. New water meter installation is still underway; the biggest concern is setting up appointments for installation with renters/homeowners.

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Petitions and public concerns

Nothing brought forth for discussion.

Any other Business to Come before the Board/County Matters

1. Report 2024 Year in Review for Town of Bennington presented by Supervisor Grant. Copies available at Clerk's office.

2. Per the Wyoming County Planning Committee meeting minutes: grant application with Point Broadband for funding of broadband service to locations that do not have access to reliable, affordable high-speed internet service. Expected completion - four years.

Adjourn at 8:40 pm. Motion by J. Mohun.

Attendance: 2

The Board entered into executive session at 8:50 pm to discuss a personnel matter. Executive session concluded at 9:40 pm and no action was taken.