

The Regular Town Board meeting was held July 9, 2014 in the Benton Town Hall Conference Room, 1000 SR 14A, Penn Yan, NY 14527.

Board Present: Supervisor: John Prendergast  
Councilmen: Richard Harper  
Becky Jensen  
Alan Tomion  
Glenn Quackenbush

Also Present: Town Clerk – Bobbi Wolfe, Highway Supt. – Jeff Mann,  
Health/Historian – Eleanor Parker, Jim Smith – Yates County  
Legislature, Bob Brechko – Board of Elections.

Supervisor Prendergast opened the meeting at 7:00 PM with the Pledge of Allegiance.

**Approval of Minutes:** Motion was made by Becky Jensen, seconded by Richard Harper to approve the June 11, 2014 minutes as presented. Motion was carried unanimously.

**Guest:** Bob Brechko of the Yates County Board of Elections reported on updates from the state. Majority of the cost the towns/county incurred are from state mandates and continued that each primary cost the towns/county approximately \$20,000. He continued on the shortage of election inspectors, but so far we have been able to cover all districts. The board of elections has been trying to get the law changed so smaller voting districts can be combined, at this time the law has not been passed. This would be an additional savings if the law is passed.

**Correspondence:** The town received a letter from Michele Conover of North Ave reporting on damage from the May 2014 flood. Highway Supt. – Jeff Mann stated that Jason Conover (highway employee) explained to Michele that these repairs would be the responsibility of the Village of Penn Yan. Supervisor Prendergast will respond to the letter.

**Old Business: Workplace Violence Training** was to be completed by July 7<sup>th</sup> and reported to the Department of Labor. Supervisor Prendergast contacted the NYSDOL and requested an extension for this training to be completed. Training will be conducted by Walt Chadbourne and reported by September 30<sup>th</sup> of this year.

**Peasantman Triathlon:** Certificate of insurance and signed indemnification forms have been received. This triathlon is planned for August 17<sup>th</sup>, 2014.

**Workplace Violence LL:** At the last meeting Clerk Wolfe was asked to send the workplace violence information to attorney Jeff Graff. The board requested Jeff's opinion on combining the Workplace Violence into the town's Employment Policy. Jeff opinion was. "This should not be added to the town's employment policy and should be adopted as a stand alone law". The town board agreed and will not adopt as a Local Law.

**Water District # 1 Extension:** The town will be receiving a revised preliminary funding estimate. The information provided indicates that the town's preliminary estimate will show \$390,000 loan and \$319,000 grant. Supervisor Prendergast has contacted attorney, Jeff Graff for the procedure from this point on. The Map, Plan & Report needs to be prepared prior to the public meeting for the residents. There's a possibility a Special Town Board meeting might have to be set up prior to our August meeting.

**SLAP-5:** Supervisor Prendergast attended another meeting regarding the SLAP-5. If anyone is interested in reading the minutes he has them available. The T/Barrington along with the T/Benton have declined to sign the SLAP-5 resolution.

**Mercy Flight:** Benton received a request from Mercy Flight for possible consideration of a donation at budget time. The board didn't believe tax payer money could be used for donations.

**Health Insurance:** Linda Johnson, bookkeeper will contact our insurance broker for rates on other insurance plans. Becky Jensen asked to have the broker at our October meeting to present other plans and pricing.

**Law of the Land:** Shawna Bonshak, Yates County Planner forwarded a copy of the New York Court of Appeals decision reaffirming the right for a town to ban hydrofracking through its zoning authority. Copy attached to the minutes.

**Resolution: #21-14:** Motion was made by Richard Harper, seconded by Glenn Quackenbush to authorize Supervisor John Prendergast to sign loan papers for the Kubota at Lyons National Bank. Motion was carried unanimously.

**May 2014 Flood:** Highway Superintendent, Jeff Mann informed the town board that a representative from FEMA will be visiting in a couple of weeks and making recommendations for flood damage. Expenses at this time are \$193,000.00 with more pipe to be replaced will add to that amount. Jeff reported that he has used all but \$20,000 of his "CHIPS" money for paving.

**Historian/Health Officer:** Eleanor Parker had nothing to report on the Health Officer position. She had received a request from a mid-west couple looking for Benton County.

**Monthly Reports & Abstract of Vouchers:** Motion was made by Alan Tomion, seconded by Glenn Quackenbush to approve the following Reports & Abstracts. Motion was carried unanimously. General (A & B) Claims 126-153 (A) Totaling \$ 5771.95, (B) Totaling \$527.54, Highway (DA) Claims 50-57 Totaling \$17,606.99, Highway (DB) Claims 9-13 Totaling \$126,182.80, SW1 Claims 26-29 Totaling \$1206.31, SW2 Claims 44-45 Totaling \$174.84, SW3 Claims 24-28 Totaling \$5392.69. Town Clerk – Zoning – Water – Supervisor reports.

Motion was made by Alan Tomion, seconded by Glenn Quackenbush to adjourn the meeting at 8:10 P.M. Motion was carried.

Dated: July 15, 2014  
Bobbi Wolfe  
Benton Town Clerk

***ADOPTED: AUGUST 13, 2014***