

The Regular Town Board meeting was held August 13, 2014 at 7:00 P.M. 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 Superintendent- Jeff Mann,  
Historian/Health Officer – Eleanor Parker, Zoning Officer – Jayson Hoover.

Public Present: Attendance Sheet Attached to the minutes.

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

**Approval of Minutes:** Motion was made by Becky Jensen, seconded by Richard Harper to approve the minutes from the July 9<sup>th</sup>, 2014 meeting as presented. Motion was carried.

**Guest:** George Jakobovic of 226 SR 14, Penn Yan NY informed the town board that he had an ongoing complaint about semi trailers and a mobile home (pictures were given to the board) being placed on Mark Beattie’s property. Zoning Officer – Jayson Hoover is addressing the issue with Mr. Beattie. An appearance ticket dated 8/13/14 was issued for removal of the trailers. Mr. Beattie explained that it never was his intention to leave the trailers where they are, the area was too wet to move them. He has contacted a contractor to come in, add stone and move the trailers. Stated by Mr. Beattie “we know contractors are all busy, so I don’t know when they will be moved”. Mr. Beattie also explained that there is a purchase offer on the mobile home which should be gone in 30 days. Mr. Beattie continued, one of the semi trailers is damaged and may possibly be used for a storage shed, the other is registered and is being used for his trucking business. Mark voiced to all the neighbors that were present, I wish you had contacted me having an issue with the property, but my intention, again was not to let it go this long. The town board asked if the residents would be happy with giving Mr. Beattie 30 days from today to clean up the property, and they agreed. The next appearance ticket is dated for September 23, 2014. There will be an update at the next town board meeting September 10, 2014.

Shelly & Tom Bicksler – Animal Control Issue. Mr & Mrs. Bicksler have an issue with a neighbors dog coming onto their property aggravating their dogs and doing his “business”. while they keep their dogs tied up and/or kenneled. They also have an issue with a ferret that belonged to the same resident as the dog issue. They have called animal control several times, but were told T/Benton doesn’t have laws to control these dogs. Supervisor Prendergast will be checking into this issue.

Greg Marion of Pre-Emption Road, informed the board of a Hydro Fracking meeting being held at the Yates County building Thursday August 14<sup>th</sup>, 2014 at 7 PM. And hoped that Benton would be represented at this meeting.

**Historian/Health Officer:** Eleanor Parker reported (2) cat bites and (1) dog bit. She announced that there is a benefit spaghetti dinner Friday 8/15/14 for Benton Fire Chief Matthew Martin from 4:30 – 7:00.

Torrey resident - George Thompson was in attendance to hear any updates on the town’s proposed WD # 1 extension. He has presented a petition to the Torrey town board to extend the water through the town of Torrey depending on the Benton extension being passed. He stated that 5 out of 7 wineries are in favor of a water district.

For the board’s information: The town received a check from the Village of Penn Yan in the amount of \$1153.01 for flood (road repair) for the right-of-way to the WD # 2 pump house.

**Old Business:** Water District # 1 Extension Update: The town has received the revised Map, Plan and Report from Engineer Jeremy DeLyser. The revised plan eliminated Angus Point and revised figures are \$319,000.00 proposed (RD) grant and balance of approximately \$390,000.00. Motion was made by Richard Harper, seconded by Glenn Quackenbush to set up a Public Informational meeting August 28<sup>th</sup>, 2014 @ 7:00 PM with Clark-Patterson-Lee & Municipal Solutions in attendance. Motion was carried. Petitions will be available for signatures at this public meeting, all petitions need to be returned to the town by ***September 30<sup>th</sup>, 2014.***

**Insurance:** Christine Sprague, Sprague Insurance will be attending our September meeting with different health care options, rates will not be available until later this year.

**FEMA:** A preliminary FEMA meeting was held at the Benton Office 8/12/14 to prepare paperwork prior to going out into the field. Jeff Mann will accompany FEMA/State representatives around the damaged areas in Benton Wednesday 8/13/14. Jeff presented all his paperwork and information he had prepared which was approximately \$187,000.00.

**2% Tax Cap:** No decision was made by the board on rescinding the tax cap. (Previous Minutes)

**Workplace Violence Training:** Discussion was held on who needs to be at this training. There is confusion on part time/full time employees being required to attend.

**New Business:** The Yates County Agricultural District is in its 8 year review. No decision is required by the town. This information was posted on the town bulletin board and was for town board information only.

**Municipal Solutions:** Motion was made by Becky Jensen, seconded by Alan Tomion to have Municipal Solutions continue to prepare the town's disclosure requirements. Motion was carried.

Town Attorney, Jeff Graff presented a letter informing the board that he was increasing his legal service rates.

**Final Equalization Rate:** for the Town of Benton is 100%, Thank You again Assessor Mary Lilyea !!

**Briggs Road Cemetery:** Investigator – Patrick Manahan presented pictures of bones, believed to be human dug up by animals. Highway Supt. – Jeff Mann said he would take care of the situation. Clerk Wolfe will call Mr. Manahan let him know that the town was taking care of the bones.

**Resolutions:**

#22-14: Motion was made by Glenn Quackenbush, seconded by Alan Tomion to approve the Budgetary Amendment for account # SW2-8340.4 Operations & Maintenance in the amount of \$5000.00. Motion was carried.

#23-14: Motion was made by Richard Harper, seconded by Glenn Quackenbush to approve the Budget Modifications, (A) From A1990.4 to A5132.4 Clean Up Day \$599.32, A7550.4 Flags for Cemeteries \$66.50, A8989.4 Notary \$32.50, Totaling \$698.32. Water District # 2 From SW2-1990.4 Contingent Account to SW2-1910.4 Unallocated Insurance \$46.00, SW2-8340.4 Operation & Maint \$1201.88, Total \$1247.88. Motion was carried.

**Monthly Reports & Abstract of Vouchers:**

Motion was made by Alan Tomion, seconded by Richard Harper to approve the following: General (A)(B) Claims 154-173 (A) \$6069.72, (B) \$200.41, Highway (DA) Claims 58-68 Totaling \$43,361.52, (DB) \$11,998.76, SW1 Claims 30-40 Totaling \$2622.51, SW2 Claims 46-54 Totaling \$4949.12, SW3 Claims 29-32 Totaling \$166.44. Town Clerk-Water-Zoning-Supervisor-Highway Reports. Motion was carried.

Motion was made by Richard Harper, seconded by Alan Tomion to adjourn the meeting at 9:35 PM Motion was carried.

Dated: August 21, 2014  
Bobbi Wolfe  
Benton Town Clerk

***ADOPTED: September 10, 2014***