

The Regular Town Board Meeting was held November 11<sup>th</sup>, 2020 in the Benton Town Hall Conference Room, 1000 Route 14A, Penn Yan, NY 14527.

Board Present: Supervisor                      John Prendergast  
   Richard Harper, Deputy  
   Brian Murphy  
   Glenn Quackenbush  
   Alan Tomion

Also Present: Thomas Fulkrod-Zoning, Jayson Hoover-Highway, Bobbi Wolfe – Town Clerk, Eleanor Parker – Historian.

Public Present: (Meeting Attendance Sign-In Sheet)

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

**Minutes Approval:** Motion was made by Brian Murphy, seconded by Richard Harper to approve the following Minutes: October 14<sup>th</sup> (Regular Meeting), October 15<sup>th</sup> & October 29<sup>th</sup> (Budget Meetings) as presented. Motion was carried.

**Public Hearings:** Motion was made by Brian Murphy, seconded by Alan Tomion to Open the Public Hearing on the 1.56% Tax Cap, 2021 Preliminary Budget and Fire Contracts. Motion was carried.

**Close Public Hearing:** Motion was made by Richard Harper, seconded by Brian Murphy to close the public hearing @ 7:05 P.M. on the Benton, Bellona, West Lake Road and Penn Yan fire contracts. Motion was carried.

**Resolutions:** Motion was made by Richard Harper, seconded by Glenn Quackenbush to approve the following Fire Contracts:

#29-2020: Bellona Fire Contract \$57,812.00  
#30-2020: Penn Yan Fire Contract \$39,397.00  
#31-2020: West Lake Road Fire Contract \$26,000.00  
#32-2020: Benton Fire Contract \$136,914.00

Motion was carried unanimously.

Benton Fireman, Bob Bell thanked the town board for supporting the fire departments.

**Town Barn Building Bids:** The town received two bids for the town barn addition. Central Pole Barn, Canandaigua, NY in the amount of \$65,000.00 (Estimated time for construction Feb-March 2021) Sugar Creek Construction \$54,733.00. (Estimated time for construction, (block foundation) start end of November beginning of December, structure January 2021). This does not include overhead doors, which will be in the 2021 budget. Motion was made by Richard Harper, seconded by Brian Murphy to approve the bid from Sugar Creek Construction in the amount of \$54,733.00. Motion was carried.

**Guest:** Edward Tomion presented a petition to establish a water district. (Map attached to the minutes). He stated that there are 52 residents in the proposed district, 41 are yes, 9 no and 2 no answer. At this

time the town will need to contact CPL engineers to prepare a Map, Plan and Report to show cost to the homeowners. Mr. Tomion did an excellent job of preparing the petition and map.

***Delaware Solar-*** Decommission Offer & Host Community Agreement update: No update at this time and has been tabled until the December 9<sup>th</sup>, 2020 meeting.

***Seneca Watershed (SWIO): MINUTES 10/14/2020: AFTER BOARD DISCUSSION ON SWIO, IT WAS DECIDED 3-2 TO NOT JOIN THIS YEAR.***

**Land Purchase 1014 Route 14A:** Purchase offer is at the attorney and abstract offices. A call has been made to the abstract office requesting this is done before the end of the year as to come out of the 2020 budget. Closing is tentatively scheduled for December 15<sup>th</sup>, 2020.

***WD # 1 Expansion:*** Mark Venuti will be sending a letter to the additional residents in the Town of Geneva that may want to hook up to WD # 1 Expansion. There are possibly 5-6 residents that couldn't be served by the Town of Geneva. Jayson Hoover has been in contact with Charlie Bracho and Sheryl Robbins regarding this expansion.

**Website:** Richard Harper received updates from GoDaddy regarding the website, which is about to expire, it was decided to check with other companies for information and pricing. Update at the December meeting.

**Solar Project:** Located at 1968 Bellona Station road is in the preliminary stages and owned by Jason Shoff. Tom Fulkrod stated that he has submitted a site plan review so far but need to be presented to the Benton and Yates County Planning Boards. Changes to our zoning laws need to state that any engineering or legal fees need to be paid by the owner of the project. The planning board needs to look into our zoning and update solar.

**Stork Insurance:** Motion was made by Brian Murphy, seconded by Glenn Quackenbush to approve the Stork Insurance policy for 2021 in the amount of \$26,191.64. Motion was carried. There was a 2 ½% increase from 2020 policy, \$25,566.00. Part of the increase was associated with some highway equipment not previously being covered.

**Highway Furnace:** Jayson requested a quote from Jr's for an updated 175,000 BTU Infrared Tube Heaters for the highway barn. The cost is \$14,280.36. After discussion it was stated that this wasn't included in the 2021 budget. Need to table until next month after looking at the buildings balance.

**Zoning:** Tom Fulkrod informed the town board of a zoning issue at 127 Locust Grove Beach, Spencer Tulis. He has a shed placed on NYSDOT property which isn't allowed. Tom has contacted Yates County DOT, Jim Williamson and Watkins Glenn DOT, Jim McDoogle. Tom's concern is if you allow one person to place a structure on NYSDOT right of way it will continue with other lake residents. Our zoning states this can't be permitted due to set backs not being met. Tom will follow the steps by sending another letter the Mr. Tulis then present this to the town Justice. This letter needs to be delivered by the Yates County Sheriffs Dept.

Tom also explained that we have shortage on our PB & ZBA and need to advertise these positions.

**Septic:** Tom asked the town board if they want to keep or lower the cost of a new septic system which is a \$150.00 fee. No decision was made.

Tom will be on vacation November 14<sup>th</sup> thru November 28<sup>th</sup>. Jayson Hoover will be filling in for him.

Eleanor Parker-Historian stated that she had been working on a request for geneology search. Also that the Benton Fire Dept will be having a fish fry November 20<sup>th</sup>.

Public Hearing: Motion was made by Brian Murphy, seconded by Alan Tomion to close the public hearing on the 1.56% Tax Cap – 2021 Preliminary Budget @ 9:15 P.M. Motion was carried.

**Resolutions:**

#26-2020: Motion was made by Richard Harper, seconded by Brian Murphy to approve Local Law # 1 to Override the Tax Levy (1.56% Tax Cap) Limit Established in General Municipal Law Sec 3-c. Motion was carried.

#27-2020: Motion was made by Richard Harper, seconded by Glenn Quackenbush to approve for fiscal year 2021 on behalf of the Special Districts and or Fire Protection Districts. Motion was carried.

#28-2020: Motion was made by Richard Harper, seconded by Brian Murphy to approve the 2021 Preliminary Budget at a rate of \$4.07/1000. Motion was duly put to a vote: Yays: Richard Harper, Brian Murphy, Alan Tomion, John Prendergast. NOES: Glenn Quackenbush.

#33-2020: Motion was made by Brian Murphy, seconded by Richard Harper to approve a Fund Balance Policy. Motion was carried.

#34-2020: Motion was made by Brian Murphy, seconded by Alan Tomion to approve the 2020 Water District 1,2,3,4 Relevy in the amount of \$11,869.42. Motion was carried.

Grant Downs, Town of Torrey reported that they expect to go out to bid for their water district in the spring.

**Monthly Abstract of Invoices and Reports:**

Motion was made by Brian Murphy, seconded by Glenn Quackenbush to approve the following. General (A) Claims 176-192 Totaling \$20,159.47, General (B) Claims 351-354 Totaling \$437.58, Highway (DA) Claims 96-106 Totaling \$6750.54, Highway (DB) Claims 228-231 Totaling \$5476.29, SW1 Claims 53-56 Totaling \$879.59, SW2 Claims 88-94 Totaling \$1093.32, SW3 Claims 55-59 Totaling \$1027.82. Town Clerk, Highway, Water and Zoning reports. Motion was carried.

Adjournment: Motion was made by Alan Tomion, seconded by Brian Murphy to adjourn the meeting as of 9:45 P.M. Motion was cararied.

Dated: November 13, 2020  
Bobbi Wolfe  
Benton Town Clerk,RMC

***ADOPTED: December 9<sup>th</sup>, 2020***