

The Regular Town Board Meeting was held April 14th, 2021 in the Benton Town Hall Conference Room, 1000 Route 14A, Penn Yan NY 14527

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

Also Present: Thomas Fulkrod – Zoning, Bobbi Wolfe – Town Clerk, Eleanor Parker – Historian,

Public Present: Edward Tomion, Holly Brown, Terry Button

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

Approval of Minutes: Motion was made by Brian Murphy, seconded by Richard Harper to approve the minutes from the March 10th, 2021 meeting as presented. Motion was carried.

Old Business:

Town Audit: Specific recommendations by Mengel, Metzger, Barr & Co need to be discussed and rectified. Sheriff Spike sent out an email to be aware of fraud against municipalities. There is currently an open investigation regarding \$200K fraudulent checks from a local town. Benton accounts are being checked by the bookkeeper and supervisor monthly.

Sexual Harassment Training: We still need several certificates from Zoning Board of Appeals and the Planning Board members.

Empire/Spectrum: Richard Harper has been in contact with Spectrum, stated they won't budge on their prices. Supervisor Prendergast asked that we wait one more month to make a decision.

Bookkeeper Position: Holly Bedient was chosen out of the 9 candidates for this position. Ms. Bedient already agreed to the conditions of the position, \$30,000 to start, after six months \$32,000. Single policy health insurance with 20% co-pay. Motion was made by Brian Murphy, seconded by Alan Tomion to approve hiring Holly Bedient to the bookkeeper position. Motion was carried.

Pandemic Continuity of Operations Plan: Code Enforcement was added as an essential worker. Discussion was ongoing over the HEO/MEO positions. Copies of these job descriptions will be given to the board for the May meeting. Motion was made by Glenn Quackenbush, seconded by Brian Murphy approving the Pandemic Continuity Plan. Motion was carried.

GoDaddy Website: Is being rebuilt and a precious credit will pay for part of the new website. Richard Harper has a meeting April 28th and is continuing to work on the new site.

New Business:

Marijuana Regulation & Taxation Act: Retail Dispensary & On Site Consumption Local Opt Out. Towns can adopt a local law opting out of allowing retail dispensaries and/or on-site consumption sites, but must be adopted before 12/31/21. Subject to a permissive referendum under Municipal Home Rule Law #24

Yates County – Assessor Services:

“RESOLUTION NO 161-21” Authorize Yates County to Negotiate an agreement with any town for assessment services, per RPTL 1537. Per Doug Paddock, this is in no way that the county intends to take over property assessment from towns without their input. Resolution and Paddock email attached to the minutes. Supervisor Prendergast spoke up in disagreement at a county meeting, stating that this position needs to remain at the local level.

Water District # 1 (North):

A proposal has been received from CPL – which breaks down the cost between the towns of Benton and Geneva. Resolution below. Supervisor Prendergast will contact Mark Venuti, supervisor Town of Geneva to discuss the five residents in Geneva.

Water District # 5

USDA: Announcement that loan of \$530,000.00 and grant of \$424,000.00 have been committed from Rural Development. 4/12/2021 email received from attorney, Jeff Graff stating that he has not received anything new on the WD # 5 approval from the State Comptroller.

Water District # 6

CPL – Jeremy Delyser is working the Map, Plan and Report, once we received the plan a public meeting can be set up. We will have CPL and Municipal Solutions in attendance. The Town of Seneca has agreed to supply us with 15K GPD for this proposed district.

Yates County:

- (a) Water Infrastructure Study
- (b) Hazardous Waste Collection – August @ Yates Highway Barn
- (c) Amy Mill appointed to another term with Social Services
- (d) Dan Long working on GIS System
- (e) Goordman Building – Covid Shot Center
- (f) Sales Tax – Maintaining
- (g) Recovery Act

Eleanor Parker reminded everyone that the Benton Fire Department is having a roast beef dinner April 16th, last one until October.

Supervisor Prendergast attended the ground breaking of the Humane Society’s new addition. They are utilizing all local contractors for this addition.

Highway:

Jayson Hoover asked the board's permission to declare the old crusher in the pit as surplus. He would like to advertise it on an auction site. Motion was made by Glenn Quackenbush, seconded by Brian Murphy approving of the sale. Motion was carried.

"CHIPS" Pave NY and Extreme Weather Recovery (EWR) Programs have increased to 95% of the apportioned amounts.

Jayson explained that the Mining License for the "PIT" is soon to expire and he doesn't want to renew it as the gravel stock is almost depleted.

B & B Recycling: Check was received in the amount of \$149.80 to be placed in the Highway Equipment Reserve account.

Zoning:

Tom Fulkrod explained they have found a wire around back of the town hall which they want to place it underground, will be getting a quote.

Special Use Permits: Tom explained that the amount of work that goes into preparation of a SUP or Area Variance, he believes we should raise the price which is now \$80.00. Tom will suggest a new fee at the next meeting.

Kanga Roofing – Havens Corners Road: Have been several complaints about their garbage all over the area. Tom contacted them about the issue, but wasn't resolved. Tom contacted the DEC (Josh Crain) got involved and no more trash. They also need a Special Use Permit for that business but have not heard back from them.

Tom has been working with Jamie Kincaid, Village of Penn Yan code Officer on violations.

Solar: Ingram, they have their permit, but stated they wanted Tom to make an appointment before stopping at the site, Tom explained we don't make appointments prior to checking on a site. The supplies should be delivered to that location soon. Nothing yet on the Shoff solar project.

Supervisor Prendergast informed the Town Board that Town Clerk Wolfe had received her renewal for her RMC (Registered Municipal Clerk).

Resolutions:

#8-2021: Motion was made by Brian Murphy, seconded by Glenn Quackenbush to approve WD # 5 Amendment to the original contract dated 9/5/2019, Municipal Solutions. Motion was carried.

#9-2021: Motion was made by Glenn Quackenbush, seconded by Richard Harper to approve WD # 1 (North) proposal for engineering cost from CPL in the amount of \$11,300.00 for Benton only. Motion was carried.

#10-2021: Motion was made by Brian Murphy, seconded by Glenn Quackenbush to approve WD # 1 Extension Project Modifications & De-Obligation. Motion was carried.

Monthly Abstract of Vouchers and Monthly Reports:

Motion was made by Alan Tomion, seconded by Brian Murphy to approve the following: General (A) Claims 67-89 Totaling \$12,503.50, General (B) Claims 7-12 Totaling \$1137.58, Highway (DA) Claims 25-32 Totaling \$7912.52, Highway (DB) Claim 201 Totaling \$140.56, SW1 Claims 10-13 Totaling \$174.93, SW2 Claims 21-29 Totaling \$2639.69, SW3 Claims 11-14 Totaling \$2628.57, SW4 Claim 3 Totaling \$1834.25. Motion was carried.

Adjournment:

Motion was made by Brian Murphy, seconded by Alan Tomion to adjourn the meeting at 8:55 P.M. Motion was carried

Dated: April 15, 2021
Bobbi Wolfe
Benton Town Clerk, RMC