The Regular Town Board Meeting was held May 12<sup>th</sup>, 2021 in the Benton Town Hall Conference Room, 1000 Route 14A, Penn Yan, NY 14527.

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

Also Present: Highway Superintendent – Jayson Hoover, Town Clerk – Bobbi Wolfe, Historian/Health Officer – Eleanor Parker.

Public Present: Edward Tomion & Holly Brown

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

## Approval of Minutes:

Motion was made by Richard Harper, seconded by Glenn Quackenbush to approve the minutes from the April 14<sup>th</sup>, 2021 as presented. Motion was carried.

## Old Business:

Town Audit: Discussion was held on the fraudulent checks being written out of the Town of Middlesex and Yates County. At this point, no issues in Benton.

Sexual Harassment Training: We haven't received any new certificates. Supervisor Prendergast will contact the Planning and Zoning boards for members that haven't taken the course.

Phone & Internet Services: Empire/Spectrum, clerk Wolfe talked to Client Services at Spectrum and they believe we were paying \$119.99 too much for internet services. Clerk Wolfe also filled out paperwork to eliminate paying taxes, along with combing two invoices. We need to check out the next invoice to see the reduction in the internet.

GoDaddy: Councilmen Harper reported the GoDaddy website should be up and running within 10-12 days, the website will basically look the same.

#### New Business:

Marijuana Local Law: A local law needs to be passed by 12/31/2021, if the town board decides to opt out of this local law, with that option Benton residents would have 45 days to force a permissive referendum. Also, opting out would eliminate any sales revenue. We need more information prior to making a decision.

Highway Property Lease/Brian Race: Supervisor Prendergast spoke with Brian Race regarding the \$500.00/Per ten year term of the lease. Brian misunderstood the terms of the lease and agreed it was written correctly.

Clean Up Day: June 5<sup>th</sup>. Clerk Wolfe contacted Sheriff Spike regarding the "SWEEPS" program, he stated they won't be available until July 1<sup>st</sup>. E-Waste, Cardinal, B & B have all been contacted. Jayson Hoover stated that his son, Nick would like to volunteer to help out at the clean up day. The board requested we contact Steve Stork, Stork Insurance to see if there is a liability issue as he isn't employed by the town.

NYS Department of Taxation & Finance : Final State Equalization rate for Benton is 98%.

Ferguson Corners/Hall Road Accident: 5/11/2021. The town received a letter from Kasie Tomion regarding this accident and asking that something be done before there is a fatality. Supervisor Prendergast copied Sheriff Spike. Spike emailed the press release on this accident along with several accidents that have occurred on Ferguson Corners Road. After discussion, the board decided to go thru procedure to make additional changes at this intersection. This procedure starts with the Benton Highway Superintendent producing a letter to the Yates County Highway Superintendent. Yates will forward it to the NYSDOT for final determination. (Jayson Hoover will be looking into solar operated flashing lights for the Hall Road).

Coronavirus State & Local Fiscal Recovery Fund is having a webinar 5/20/2021.

# Tax Collector:

2021 Tax season is complete, I am waiting for one the final bank statement for a total of interest paid on the account. (\$3184.78) as of April *Penalties* and interest.

## Water District # 1 (North)

There was a meeting with Town of Geneva Supervisor, Mark Ventui regarding the five residents residing in the town of Geneva. There has been no response from Mr. Venuti at this time and no time frame for construction.

#### Water District # 2:

2021-2022 Water Budget received from the Village of Penn Yan, there is an increase of \$398.00 per quarter.

#### Water District # 5:

No news from the State Comptroller on district approval.

#### Water District # 6:

Map, Plan and Report for # 6: (Packet) we will need to set up a public meeting with CPL (Jeremy Delyser) and Mary Chappell of Municipal Solutions. The town board needs to discuss keeping or eliminating the 3000 feet of this district which only has one residence. With no houses along this 3000' cost increases by \$200.00 / annually. This area would benefit the Town of Seneca, Jayson Hoover will contact Brian Pratar @ Seneca to see if they would like this area included. Possibly Seneca could put this section in themselves. Also another possibility is to run the line which ends at Lovejoy Road to Route 14A @ Tomion's Store. If this is a possibility, Benton needs to go back to T/Seneca for an increase in GPD usage. We would need an increase of 5,000 Gallons. Public meeting will be held off until these decisions are made.

Historian: Eleanor Parker reported a scavenger hunt in Yates County and she had received several calls about the Mill in Bellona.

## <u>Highway:</u>

Jayson Hoover presented a quote from Covert Security. Councilman Harper asked Jayson to contact Pete Cover for clarification on the recording time and memory. The entire installation for the 4K cameras is \$3520.00.

The crusher in the pit will have pictures taken May 26<sup>th</sup> for Auctions International. Jayson stated the he is closing the mine stating that it is at the end of its life. no more permits will be required. Thanks to Yates County Soil and Water, the pit is now hydro seeded. Rear assembly from the mower will also be on Auctions Int'l. Jayson asked about getting quotes for the seconded addition on the town barn. Town board approved quotes for budget time.

# <u>Zoning:</u>

Tom Fulkrod requested an increase to Special Use Permit, Area Variance and Use Variance, \$80.00 currently and is requesting \$150.00. Motion was made by Glenn Quackenbush, seconded by Alan Tomion to increase the SUP, AV and UV to \$150.00 Motion was carried. To start immediately.

## Resolutions:

*#11-2021:* Motion was made by Richard Harper, seconded by Glenn Quackenbush to approve the following Budgetary Amendment: A1620.2 Capital Outlay in the amount of \$26,000.00 to be taken from the Fund Balance, shortage occurred because of the zoning office renovation, new furnace in the town barn which was not budgeted for 2021.

Budget Modifications: A1990.4 Contingent to: A1920.4 Association Dues \$229.00 A1990.4 Contingent to: A1950.4 Water Capital Charge \$1250.08 A8030.41Contingent to: Research WD # 5 \$5000.00

Motion was carried.

Discussion was held on the highway positions MEOL and HEOL. Jayson Hoover stated that his employees are classified correctly.

**SWIO:** Supervisor Prendergast informed the board the either Grant Downs or Mark Venuti would like to attend the next board meeting to discuss T/Benton joining SWIO. He explained that the annual cost this year is \$2121.75.

# Yates County Legislature:

- (A) Covid Vaccinations
- (B) Broadband Expansion

# Monthly Reports & Abstract of Vouchers:

Motion was made by Alan Tomion, seconded by Glenn Quackenbush to approve the following: General (A) Claims 90-110 Totaling \$11,552.52, (Voucher #94 Voided) General (B) Claims 13-14 Totaling \$278.57, Highway (DA) Claims 33-38 Totaling \$698.58, Highway (DB) Claims 202-205 Totaling \$7463.67, SW1 Claims 14-18 Totaling \$7781.55, SW2 Claims 130-35 Totaling \$1148.78, SW3 Claims 15-16 Totaling \$104.99. Town Clerk, Zoning, Water and Bookkeeper reports. Motion was carried

# <u>Adjournment:</u>

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

Dated: May 17, 2021 Bobbi Wolfe Benton Town Clerk, RMC

ADOPTED: June 9th, 2021