

The Regular Town Board Meeting was held June 9, 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  
   Glenn Quackenbush  
   Alan Tomion

Also Present: Town Clerk – Bobbi Wolfe, Highway Supt. – Jayson Hoover, Zoning – Tom Fulkrod, Historian/Health Officer - Eleanor Parker.

Public Present: Grant Downs, Terry Button, Edward Tomion and Holly Brown.

**Approval of Minutes:**

Motion was made by Brian Murphy seconded Glenn Quackenbush to approve the minutes from the May 12<sup>th</sup>, 2021 as presented. Motion was carried.

**Guest Speaker:** Grant Downs (SWIO): Mr. Downs explained the purpose of SWIO including the basic elements of the 9E Plan, 9E Plan must answer 4 basic questions. Lake Categoration, Steps to get to desired goals and Areas of Focus. All this information is attached to the minutes. The next meeting will be held at the Town of Geneva offices July 29<sup>th</sup>, 2021 @ 7:00 P.M. This meeting is in person or by zoom.

**Old Business:**

Bank statements for January - April have been reviewed by Supervisor Prendergast with no problems. He also stated that Holly Bedient, bookkeeper trainee is doing very well.

**Sexual Harassment Training:**

We still need certificates from the ZBA and PB. Jayson Hoover will provide certificates from the highway employees. Supervisor Prendergast will send out another email to the ZBA & PB as a reminder.

**Spectrum:**

Previous minutes 5/12/21, Clerk Wolfe talked to client services and she stated we were paying too much for our internet \$119.99. After review again 6/8/21 client services determined that we weren't paying too much !! After board discussion, councilman Harper will ask Empire to attend our next meeting to present their internet.

**Ferguson Corners/Hall Road:**

The intention of this discussion was to give Jayson Hoover the authority to proceed with the process to make changes at this intersection. As of our last meeting there has been two more accidents. Jayson informed the board that Yates Highway Superintendent, Craig Prior had already ordered additional signage along with solar blinking lights. Hopefully this will help prevent additional accidents.

**American Rescue Plan:** Yates County has received half (\$2.41M) of the allocated projection. The other half will be received within a year. Town of Benton has not received any money at this time. Benton is allotted \$368K which will be shared with what portion of the Village of Penn Yan is within the town. At this time there is limited information on what this money can be used for. Supervisor Prendergast and

Clerk Wolfe attended a webinar with attorney Kate Hodgdon of NYS, she also stated not all uses have been determined.

Resolution # 11-2021: (May Meeting) Budgetary Amendment \$26,000.00 was miss stated as just for the zoning officer renovation. It also included the heating system for the town barn and an additional \$5000 to cover expenses thru 2021.

**Marijuana Local Law:** The Town Board needs to make a decision by 12/31/21 whether to pass this law or not. If it is allowed, it needs to be determined what location it can be purchased and consumed. Resolution below.

**Yates County Bus Service:**

YTS contacted Supervisor Prendergast regarding the use of the town barn parking lot as one of their routine pick up sites. Stork insurance didn't have a problem as long as a "Hold Harmless" agreement was signed. Attorney Graff also gave his opinion. Clerk Wolfe spoke up and stated that this was brought to the board a few years ago and turned down due to liability. Motion was made by Glenn Quackenbush, seconded by Brian Murphy not allowing YTS to use the town property as a pickup site. Motion was duly put to a vote: NOES: None YAYS: Prendergast, Tomion, Murphy and Quackenbush. OBSTAINED: Harper.

**New Business:**

Finger Lakes Railway 2021 "PILOT" received in the amount of \$343.97

**Route 14A Speed Limit:**

Randy Schwingle sent a request through Sheriff Spike requesting the speed limit be lowered along with the distance of the lower speed limit be extended. The request is to lower the speed limit to 30 or 35 MPH. Resolution below.

**Water District # 1 (North):**

Meeting was held with Mark Vennuti, Town of Geneva Supervisor regarding the five residents that could receive water from this district. Supervisor Prendergast will contact these residents to see if they are interested. Jayson Hoover stated that this project is being planned for 2022.

**Water District # 5:**

No news from the State Comptroller on approval.

**Water District # 6:**

Edward Tomion poled residents along Ferguson Corners Road to Route 14A to see who was interested in public water. Several are interested, CPL now has to be contacted to update the cost.

**Historian:**

Eleanor Parker reported that she had helped people with the 'Scavenger Hunt' in Yates County. Also been searching for who was coroner in 1888.

**Highway:**

**Covert Security** – Motion was made by Brian Murphy, seconded by Richard Harper to approve the (4) camera system at a cost of \$2300.00. Motion was carried.

**DEC** – Final Reclamation Approval for the Benton Pit has been received. A ton or less of gravel can be pulled out of the pit without a permit.

Jayson also informed the board that the crusher and mower deck are on Auctions International for sale. He is also looking at the purchase of a new truck which would be 14-18 months away for a new build.

**Zoning:**

Several upcoming appeals: Mini Storage – Derrick Podsiadlo, Williamson Builders – Soil & Water Mtg, Earls Hill - Alvin Shirk (Area Variance), Todd Lush – (Area Variance) and ongoing Tulis shed issue, met with Justice Grace.

**Water District # 4:**

The town received \$52,728.77 from the grant money, this will reimburse the General Fund which was used to fund this district.

**Resolutions:**

**#12-2021:** Motion was made by Glenn Quackenbush, seconded by Brian Murphy to decline any dispensaries or lounges for Marijuana in the Town of Benton. Motion was duly put to a vote: NOES: None, AYES: Prendergast, Harper, Quackenbush, Murphy and Tomion.

**#13-2021:** Motion was made by Richard Harper, seconded by Glenn Quackenbush to approve the Budgetary Amendment and Budget Modification (Attached to the Minutes). Motion was carried.

**#14-2021:** Motion was made by Brian Murphy, seconded by Alan Tomion approving Jayson Hoover to send a letter to Yates County Highway regarding the 14A speed reduction request from Randy Schwingle. Motion was carried.

**#15-2021:** Motion was made by Richard Harper, seconded by Glenn Quackenbush approving Jayson Hoover to send a letter to Yates County Highway regarding the speed reduction on Havens Corners from the West (School House) to the East (Cemetery). Motion was carried.

**Monthly Abstracts of Vouchers and Reports:**

Motion was made by Alan Tomion, seconded by Brian Murphy to approve the following: General (A) Claims 95-119 Totaling \$4008.38, General (B) Claims 15-18 Totaling \$483.76, Highway (DA) Claims 39-43 Totaling \$897.76, Highway (DB) Claims 206-07 Totaling \$1793.78, SW1 Claims 19-21 Totaling \$658.38, SW2 Claims 36-43 Totaling \$8229.31, SW3 Claims 17-18 Totaling \$88.53. Town Clerk, Zoning, Water and bookkeeper reports. Motion was carried

**Adjournment:**

Motion was made by Alan Tomion seconded by Brian Murphy to adjourn the meeting at 9:20 P.M. Motion was carried.

Dated: June 15, 2021

Bobbi Wolfe

Benton Town Clerk, RMC