

The Regular Town Board Meeting was held October 13th, 2021 in the Benton Town Hall Conference Room, 1000 Route 14A, Penn Yan NY 14527.

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

Also Present: Jayson Hoover – Highway Supt., Thomas Fulkrod – Zoning Officer, Bobbi Wolfe – Town Clerk.

Public present: Nate Horning, Tom Lush, Edward Tomion, Holly Brown, Lena Rice, Dan Rice, Glenn Rice, Grant Downs, Wilmer Zimmerman,

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

Approval of Minutes:

Motion was made by Brian Murphy, seconded by Richard Harper to approve the 9/8/2021 minutes with one change. Was dated 9/7/21 should be 9/8/2021. Motion was carried.

Motion was made by Brian Murphy, seconded by Glenn Quackenbush to approve the Budget Meeting Minutes 9/29/2021. Motion was carried.

Guest: Tom Lush (previous minutes) Mr. Lush stated he is missing two survey pins due to water district construction. Jayson Hoover and Tom Fulkrod went to his property and found one missing pin. He, Mr. Lush is requesting the town pay for a surveyor to locate the missing pin. After a half hour discussion. Motion was made by Alan Tomion, seconded by Richard Harper to split the cost of locating the pine at a cost of no more than \$250.00. Motion was duly put to a vote: AYES: Tomion, Quackenbush, Harper. NOES: Prendergast and Murphy.

Old Business:

Cannabis Local Law # 1 has been filed with attorney, Jeff Graff. (45) days for the permissive referendum passed as of September 25th, 2021.

New Business:

Accident: Havens Corners/Pre-Emption Road 9/22/21 request from Karen LaBarr to make changes to that intersection. There have been three accidents at that location in the last two weeks. Mr. & Mrs. Rice attended the meeting, they are residents of the north east corner of this intersection. Mrs. Rice asked for any help the board can help with, extra signs etc; Apparently councilmen Harper has already talked to Yates County Highway, Craig Prior and he will be placing lights at this intersection. Mr. Rice also asked about cement pillars being placed on the edge of their property to protect their house. Zoning officer, Tom Fulkrod stated he will check on the placement of cement pillars. His fear is that someone could be injured and would be a liability of the Rice family. The town will pass a resolution requesting a lower speed limit in this area. A copy will be sent to the Rice family.

The town also received another request to lower the speed limit on the west side of Havens Corners Road where the Mennonite school is located. Mr. Horning presented a letter requesting this speed reduction. The board will also be checking on state regulations for school speed limits. Also, a resolution will be passed requesting the county to start the procedure to lower this speed limit.

Water District # 4:

A decision needs to be made by the town board regarding the capital charge. Five options were presented. Motion was made by Brian Murphy, seconded by Glenn Quackenbush to go with the five year plan reducing the capital charge by \$99.11 per unit. Motion was carried.

Water District # 5:

This district has received final approval from the State Comptroller.

Water District # 6:

Update from Jeremy Delyser (CPL) the original request from Edward Tomion was to serve 39 customers in the Ferguson Corners Rd area. Now the proposed district has grown to 204 units and Rural Development is encouraging a larger district. The cost is approximately \$11M. Supervisor Prendergast met with Supervisor Wickham of the Town of Seneca regarding water for this district and stated there wouldn't be a problem. Hydrants were another issue in an agricultural area, apparently they are not required every 600', but can be installed as residential buildings are built. This would reduce the cost in an ag district. This needs to go thru the NYSDOH for approval.

Town of Torrey Water:

Grant Downs, Torrey Councilmen informed the board that they will be opening bids for their first WD # 1 10/28/21. Grant stated, he would like to have a meeting with Jayson Hoover and Clerk Wolfe regarding the billing and O&M next week.

Highway:

The board approved a new JD 624P High Lift loader at the last board meeting. Jayson changed his mind and will be purchasing the 624P (which is identical to the existing machine).. cost \$196,941.42 with trade in value is \$139,000 total cost \$57,941.42. Motion was made by Brian Murphy, seconded by Glenn Quackenbush to purchase the 624P JD. Motion was duly put to a vote: AYES: Prendergast, Murphy, Quackenbush, Harper. NOES: Tomion.

A quote as received from Modern Masonry for the new town barn addition for footer walls, floor and concrete apron for a total of \$11,450.00. This work will start next week 10/18/21. Jayson also stated that he would like to purchase the mini split heat/ac for the new addition.

Zoning:

Tom stated he has been very busy, 28 permits this month alone and some have been big money. The town has received two quotes for placing wiring underground. 1. McMichael \$3800.00 town digs. 2. Brady Hoover \$2250.00 town also digs and purchase conduit. Motion was made by Brian Murphy, seconded by Richard Harper to hire Brady Hoover. With a project total of \$3500.00. Motion was carried.

Tom stated that Jerry Hoover will be doing some ZBA/PB training for Benton and Torrey in the near future. They will possibly serve lunch and do the training on a Saturday.

Tom also discussed removing the 40 gallon hot water tank in the furnace room with an on demand tank. He stated this is silly to have such a large tank. Board stated to go ahead with the replacement.

Resolutions:

#25-2021: Motion was made by Glenn Quackenbush, seconded by Brian Murphy to schedule the Public Hearing for Local Law Overriding the Tax Levy Limit for the 2022 Budget, November 10th, 2021 @ 7:00 P.M. Motion was carried.

#26-2021: Motion was made by Brian Murphy, seconded by Richard Harper to approve sending a letter to the Yates County Highway regarding the “YIELD” sign at the corner of North Main Street and Route 14A to be changed to a “STOP” sign. Motion was carried.

#27-2021: Motion was made by Richard Harper, seconded by Brian Murphy to approve “Order Establishing Water District # 5”. Motion was carried.

#28-2021: Motion was made by Glenn Quackenbush, seconded by Richard Harper to approve the Bond Resolution of the Town Board of the Town of Benton, Yates County, NY (The Town”) authorizing the issuance of up to \$954,000 in Serial Bonds of the Town to Finance the cost of acquiring and constructing the water system improvements to be included in Town of Benton Water District # 5. Motion was carried unanimously.

#29-2021: Motion was made by Brian Murphy, seconded by Alan Tomion to schedule a Public Hearing for: Bellona, Benton, Penn Yan and West Lake Road Fire Contracts November 10th, 2021 @ 7:00 P.M. Motion was carried.

#30-2021: Motion was made by Brian Murphy, seconded by Glenn Quackenbush approving a letter be sent to the Yates County Highway requesting a lower speed limit on Havens Corners West (School Zone). Motion was carried.

#31-2021: Motion was made by Brian Murphy, seconded by Glenn Quackenbush approving a letter be sent to the Yates County Highway requesting changes be made at the intersection of Havens Corners Road and Pre-emption Road. Motion was carried.

Monthly Abstract of Vouchers & Monthly Reports:

Motion was made by Brian Murphy, seconded by Richard Harper to approve the following:

General (A) Claims 174-196 Totaling \$10,434.57, General (B) Claims 27-30 Totaling \$624.69, Highway (DA) Claims 62-69 Totaling \$5815.38, Highway (DB) Claims 219-221 Totaling \$4932.78, SW1 Claims 33-38 Totaling \$3341.02, SW2 Claims 69-78 Totaling \$1977.61, SW3 Claims 29-35 Totaling \$2456.70, SW4 Claims 5-7 Totaling \$311.48. Town Clerk – Zoning – Water and Supervisor Reports. Motion was carried.

Adjournment: Motion was made by Alan Tomion, seconded by Glenn Quackenbush to adjourn the meeting at 9:15 PM Motion was carried.

Dated: October 14, 2021

Bobbi Wolfe

Benton Town Clerk, RMC

ADOPTED: November 10th, 2021

