

The Regular Town Board Meeting was held February 8, 2023 in the Benton Town Hall Conference Room, 1000 Route 14A, Penn Yan, NY 14527.

Board Present: Supervisor John E. Prendergast
 Councilmen Richard Harper, Deputy
 Alan Tomion
 Glenn Quackenbush
 Thomas Davie – Absent

Also Present: Jayson Hoover – Highway/Water Supt, Thomas Fulkrod- Zoning Officer, Bobbi Wolfe – Town Clerk, Eleanor Parker – Historian, Susan Mastronardi – Deputy Town Clerk.

Public Present: Crystal Tomion

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

Approval of Minutes:

Motion was made by Glenn Quackenbush, second by Alan Tomion to approve the minutes from the 1/11/23 meeting with two corrections. Motion was carried.

Public Hearing set for 2/8/23 “Administration & Enforcement of NYS Uniform Fire Prevention and Building Code” Has been cancelled and rescheduled for the March 8th, 2023 board meeting. Resolution below.

Old Business:

Clean Up Day: Clerk Wolfe has checked on a shredding company “Shred It” and waiting for a response. Harper suggested asking the Chamber of Commerce, Wolfe had check with them, they used Shred It in the past. Was also suggested to check with the ARC.

E-Waste along with the town can no longer charge for their service, due to a new state law. Councilman Harper stated that there will be a Yates County hazardous waste drive and time is unknow.

Previous Minutes: Mennonite School Speed Limits: Supervisor Prendergast contacted Yates County Sheriff, Ron Spike and his response was to place signs “Slow Down School Ahead” with no reduced MPH. Highway Supt., Jayson Hoover suggested having the Sheriff Deputies attend the Mennonite schools to educate them on road safety.

Delaware River Solar: (Which is now called “Generate Capital”) Decommission payment has been received for 2023. Supervisor Prendergast will send a letter to Generator Capital and land owner David Ingram stating what has been paid and the amount in the town account.

New Business:

Tax Collector: the 2023 Town Budget has been satisfied – transfers have been given to Holly.

Yates County Highway Building Update: NYSEG is working on a proposal for the gas line from Pre-Emption Road to the county building. Councilman Harper will get a contact person that we could talk to directly about extending the gas line thru areas of Benton Center. Also Mr. Harper requested what the unit cost (capital) for the three homes being torn down. \$402.10/Unit for Murphy and Fenton, \$603.15 for 1 ½ units for Gilbert. This loan will be paid off in 2038.

Zoning:

Tom Fulkrod has recently had conversations with Jeffrey Ayers, Yates County Planner. Mr. Ayres stated that the town of Benton's YCPB referrals are not moving through the process in the correct order. Tom Fulkrod worked it out with Ayres and our meetings will remain the same. Charles Franks expressed interest in being the alternate for the Zoning Board of Appeals. Motion was made by Richard Harper, second by Glenn Quackenbush to appoint Charles Franks as the ZBA Alternate. Motion was carried.

Tom explained about an ongoing issue at 1526 Route 14A, concern that a pole barn behind this house is being used for a business, and is extremely noisy late into the night. Tom has had numerous conversations with this resident but the issue has not been resolved. Tom will revisit the land owner and renters to discuss the situation. After the board discussion, they stated this is not a ZBA issue, they need to call the Sheriff.

Solar: Tom informed the board that the two new solar companies will be the Planning Board Meeting on February 28th.

He issued 23 permits so far this year. And a thank you to Crystal Tomion for taking the ZBA minutes, he compensated Crystal for this meeting and one previously at \$35.00 per meeting.

Highway:

Jayson presented his "284" Highway agreement to the town board which needs to be signed and filed at the town. Jayson also wanted to explain the budget amendments that included highway, the reason for transfers, the 2022 budget was closed prior to abstract 13 being posted. He didn't want those amounts to come out of the 2023 budget.

He also reported that he hasn't received the "CHIPS" report for 2023 yet.

ARPA ledger shows there is still \$22K left in that account, Tom Fulkrod still plans on purchasing a CO detector out of that money.

Grader Pricing: Jayson stated that these prices are very high and my look at a used grader.

Water: Town of Torrey WD # 1 is under construction.

He has had heat tape replaced at the WD#2 tank

WD#2: The three residents that Yates County Purchased, water service has been retired. No final read.

Historian:

Eleanor Parker reported that she is working on the 2022 history book.
February 12th & 26th Breakfast at the Bellona Fire House.
Fish Fry at the Benton Fire House is February 24th.

Resolutions:

#5-2023: Motion was made by Glenn Quackenbush, seconded by Richard Harper to schedule a Public Hearing for the March 8th, 2023 meeting “Administration and Enforcement of NYS Uniform Fire Prevention and Building Code”. Motion was carried.

#6-2023: Motion was made by Richard Harper, seconded by Alan Tomion to approve the Budgetary Amendments (Attached). Motion was carried

Monthly Reports and Abstract of Vouchers:

Motion was made by Alan Tomion seconded by Glenn Quackenbush to approve the following: General (A) Claims 18-40 Totaling \$45,887.68, General (B) Claims 301-307 Totaling \$2750.87, Highway (DA) Claims 1-12 Totaling \$20,115.19, Highway (DB) Claim 200 Totaling \$253.97, SW1 Claims 1-6 Totaling \$2511.04, SW2 Claims 1-9 Totaling \$5352.67, SW3 Claims 2-1 Totaling \$2527.41, SW4 Claim 1 Totaling \$847.00. Town Clerk – Zoning – Water – Supervisor Reports. Motion was carried.

Executive Session: Motion was made by Alan Tomion, seconded by Richard Harper to enter into Executive Session @ 8:26 P.M. Under Personnel, Section 105, Paragraph “f” for the purpose of matters leading to the appointment of a particular town employee. Motion was carried.

Motion was made by Glenn Quackenbush, seconded by Alan Tomion to enter back into the regular meeting at 8:50 P.M. Motion was carried.

Adjournment:

Motion was made by Glenn Quackenbush, seconded by Richard Harper to adjourn the meeting at 8:50 P.M. Motion was carried.

Dated: February 10, 2023

Bobbi Wolfe, Benton Town Clerk, RMC

ADOPTED: March 8th, 2023