

The Regular Town Board meeting was held March 8<sup>th</sup>, 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

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

Public Present: Timothy Devey, Grant Downs (Town of Torrey), Kevin Dusenbury, Mr & Mrs Mike Dalton.

*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 February 8<sup>th</sup>, 2023 minutes as presented. Motion was carried.

Open Public Hearing @ 7:00 P.M. LL Administration & Enforcement of NYS Uniform Fire Prevention & Building Code.

**Angus Point Water:**

Kevin Dusenbury as spokesperson for the residents attending the meeting. Mr. Dusenbury asked the town board what is required to get a new water district formed. Supervisor Prendergast stated they need to create a committee and get signatures/addresses of the people interested in creating a district. Once they acquire that list, you'll bring it back to the town board. The Town Board will then start the process with the engineer, they will create a Map, Plan and Report which will have the approximate cost. The town will hold a public meeting of the proposed district, which will include the engineer (Clark-Patterson-Lee), financial advisor (Municipal Solutions) and the town board to answer any questions. Legal petitions will be at that meeting if anyone wishes to sign them. The next step will be to get at least 50% of the assessed value of **ALL** taxable real property, next step, at least 50% of the assessed valuation of all the taxable real property of the proposed district or extension owned by resident owners. If this step is positive the district will be created and the hunt for grant/loan will begin. ***Supervisor Prendergast made a special point to inform these residents that if this district doesn't go, the residents of this created district will be responsibility for any cost the town has incurred.***

**Old Business:**

**Justice Audit** – The Benton Town Board approved the 2022 Audit which was performed by Glenn Quackenbush and Richard Harper.. They stated that Michael Peacock, Court Clerk does an excellent job.

Generate Capital-Solar: A letter will be sent to the investor (Elinore Beitler) and Owner of the property David Ingram stating what has been accumulated in the decommissioning account. Balance to date is \$161,484.20.

**New Business:**

**Town of Torrey Water:** Grant Downs, Torrey board member stated that there will be a progress report on the district March 21, 2023 @ 9:00 AM.

Mr. Downs and Tom Fulkrod had a discussion on zoning fees for solar projects.

Yates County Legislature: Resolution Encouraging Yates Land Owners to us marginal lands for large scale solar arrays... FYI Only.

Supervisor Prendergast stated that the town had received a check for back agriculture exemptions from the Generate Capital Solar project. Yates County will be sending checks to respective accounts. He stated the approximate \$15,000 owed to the town to be deposited in the highway capital reserve account.

**Covert Security:** Quote for a new recorder. (Approved to purchase by Supervisor Prendergast) Also a quote for the assessor's office – monitor. The board approved purchasing this monitor.

**American Rescue Plan** – Supervisor Prendergast reported that there has been a request for what the Town of Benton has used their American Rescue Plan monies for. The meeting will be with Rich Stewart March 15, 2023 @ 11:00 AM. Prendergast stated that there is approximately \$22K left in that account.

**WD # 2:**

Update on the 3 ½ Units – Loss of the three homes and loss of assessment totaling \$257,700.00.

Supervisor Prendergast has been having conversations on these issues. Also pending is NYSEG running a gas line to the new county building and possibly to Benton residents.

**Highway/Water:**

New Ice Melt System-Water Tower-WD # 2 (O'Connell Electric) Jayson reported that the 4" fill line failed and has been repaired. Weather Station – Soil & Water has requested that to put a weather station on town barn. There would be remote access to the weather station at a cost of \$200.00/annually. Jayson stated that Soil and Water has done a lot for the town. Jayson also reported that the SCADATEK tank level system has been updated and working well.

10-wheeler is being advertised on Auctions International until March 17<sup>th</sup>, bit at this time was \$19K.

**Zoning:**

Tom Fulkrod would like the town board to review the Septic Law so we can forward it to Jeff Graff to prepare the Local Law.

Zoning Committee: Tom Fulkrod, Tom Rood, and Richard Harper make decisions on changing “Solar” from the Site Plan Review (PB) to the ZBA Special Use Permit, this needs to be coded.

**Historian:**

Eleanor Parker reported she continues to work on the 2022 history book. Benton Fire Dept – Fish Fry will be March 17<sup>th</sup>. She is also working on information on Tom Fulkrod’s grandparents. Bellona Fire Department final breakfast is March 12<sup>th</sup>.

**Close Public Hearing:** Motion was made by Glenn Quackenbush, seconded by Alan Tomion to close the Public Hearing at 8:45 P.M. Motion was carried.

**Resolutions:**

#7-2023: Motion was made by Glenn Quackenbush, seconded by Richard Harper approving the Lead Agency for LL #3. Motion was carried

#8-2023: Motion was made by Glenn Quackenbush, seconded by Richard Harper approving Determination SEQR. Motion was carried (Box (2) selected on part 3) Proposed Action will not result in any significant adverse environmental impacts.

#9-2023: Motion was made by Glenn Quackenbush, seconded by Richard Harper Authorizing the Adoption of LL # 3 Adopting a New Chapter 30 of the T/Benton Code “Administration & Enforcement of NYS Uniform Fire Prevention & Building Code. Motion was carried.

**Monthly Reports and Abstract of Vouchers:**

Motion was made by Alan Tomion to approve the following: General (A) Claims 41-65 Totaling \$ 14,227.59 General (B) Claims 308-313 Totaling \$2202.17 Highway (DA) Claims 13-21 Totaling \$13,335.55 Highway (DB) Claim 201 Totaling \$5463.47 WD # 1 Claims 7-13 Totaling \$917.56 WD # 2 Claims 10-24 Totaling \$ 15,05.42 WD # 3 Claim 8-12 Totaling \$835.28 WD # 4 Claim 2 Totaling \$ 165.40.  
Town Clerk, Zoning, Supervisor, Highway/Water and assessor reports: Motion was carried.

**Adjournment:**

Motion was made by Alan Tomion seconded by Richard Harper to adjourn the meeting at 9:10 P.M. Motion was carried.

Dated: March 9<sup>th</sup>, 2023

Bobbi Wolfe

Benton Town Clerk, RMC

***ADOPTED: March 12<sup>th</sup>, 2023***