

The Regular Town Board Meeting was held November 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

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

Public Present: Wayne Hansen

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

Open the Public Hearings @ 7:00 PM

2024 Budget

2024 Tax Levy

Fire Contracts: Bellona, Benton, Penn Yan and West Lake Road

Approval of Minutes:

Motion was made by Glenn Quackenbush, seconded by Alan Tomion to approve the minutes from the October 11th, 2023 as presented with corrections. Motion was carried.

Old Business:

Solar: IDA Meeting is set for 11/14/23 @ 3:00 PM . Final Notice of Intent Action within Agricultural District – Martin & Horning Solar. Thomas Davie and Glenn Quackenbush will meet with Meredith from the solar company at 2:00 PM. Discussion will be held on the “Host Community Agreement” and the “DeCommissioning” agreements. Once offers have been made Mr Davie and Quackenbush will report to the town board.

Sales Tax Sharing:

Was approved at the Yates County Legislature November 16th, 2023- Town of Benton to receive approximately \$80K in 2024 which isn't guaranteed due to the tax levy being projected lower for next year. Benton will need to decide where to place this sales tax.

Nothing changed on the 2024 budget from the last meeting. 2023 was \$4.18/1000, 2024 \$4.26/1000.

Discussion was held on a property located on Locust Grove, a resident would like to receive town water. Jayson stated he will need an easement from the resident next door, along with a variance to build on this lot. The board stated to proceed and check on easements.

New Business:

Alternatives to incarceration program – community service. The town board approved signing up for this service.

Water Relevy:

The relevy was completed 11/7/23 totaling \$11,472.81.

Sprague Insurance:

Timothy Laskowski – representative from Sprague requested a decision on the deductible increase. 2023 \$7500/\$15,000, for 2024 \$8000/\$16,000. Holly Bedient (budget officer) stated that the town had used approximately \$30K out of the \$120K budgeted for the premium and deductible.. Motion was made by Glenn Quackenbush, seconded by Richard Harper to approve the increase for 2024. Motion was carried,.

Water District # 3:

Jayson Hoover (Water Operator) met with Randy at the town of Seneca to discuss the rate increase. Randy will be discussing it with the Seneca town board 11/15/23. Benton would be ok with a progressive increase. This increase isn't just for Benton, it includes all towns buying from Seneca.

Water District # 5:

Meeting will be held November 16th @ 6:00 PM. We've received updates from the town attorney, Jeff Graff and the Association of Towns. A final decision will be made with our attorney in attendance.

Water District # 7:

Petitions had to be re-sent as the wrong notary acknowledgement was sent. To date we have received four returned.

Jeremy DeLyser – CPL stated this district could see a cost increase. This is due to not using the 2010 census and moved to using the 2020 census for adjusted salaries. The town needs to get these updated figures to the residents of this district before it is created. Jeremy also informed Benton that they still need to bill \$7500.00 for work done on WD # 6.

Wayne Hansen: Lake resident attended the town board meeting, thanking them for getting him answers on agriculture and finding the town very easy to work with.

Highway/Water:

Jayson Hoover explained that highway DA5130 repairs may go over what was budgeted as they have had several unexpected repairs.

Water: they have been replacing bolts, Casey has been digging up water valves and painting them for easier location.

Torrey Water: Nardozzi to continue, Torrey highway will do the final grading and pits. Jayson stated that Benton will do anything to help with the district.

Zoning:

Tom Fulkrod stated that he had 10 permits for October 12 thru November 7th, 185 permits so far this year that is without safety inspections.

The schoolhouse has (3) sides painted and the outhouse, both need two coats. (Tom has done this painting on his own). THANK YOU Tom !!!!

PY Elks club has constructed several handicap ramps – Benton does not charge handicap ramps.

YCPB changed their due date for packets to the 7th for November, Tom stated that sending these appeals to the county this pushes them out to January 2024 (E.B. Martin & Skyline Auction). Tom asked the town board to bypass the YCPB, the town board agreed to bypass.

Tom stated that he has received several complaints on Benton properties with violations. Culhane-garbage & vehicles, 2-Bellona Houses.

Dwight James will be filling in for Tom November 11th thru November 24th, Tom will be on vacation. The village of Penn Yan is in the process of hiring a new code officer. Tom has filled in for several calls for the village.

Village of Penn Yan has requested Tom Fulkrod's services for several zoning issues in the village. Birket Mills, Taco Bell, Tops and O'Learys plus other locations.

Should Benton be charging them for mileage and an hourly rate ? If the village gets called out, they charge a minimum of four hours.

Tom also informed the board that the town of Jerusalem has asked him to fill in with permits and inspections until they can hire a new zoning officer. Tom will have a meeting with Jamie Sisson.

Historian:

Eleanor Parker reported that she attended the rabies clinic at the Benton Fire Dept. The Holiday Craft show at the Benton Fire Dept will be held 11/11/23. The next fish dinner will be on 11/17.

Close the Public Hearings @ 7:24 PM

Resolutions

#25-2023: Motion was made by Glenn Quackenbush, seconded by Richard Harper to approve Adoption of LL No 5 of 2023 Overriding the Tax Levy for the 2024 Budget. Motion was carried.

#26-2023: Motion was made by Richard Harper, seconded by Glenn Quackenbush to approve the 2024 Budget with a rate of \$4.26/1000. Motion was carried.

#27-2023: Motion was made by Glenn Quackenbush, seconded by Alan Tomion to approve the 2024 Fire Contracts: Benton, Bellona, Penn Yan and West Lake Road. Motion was carried.

#28-23: Motion was made by Glenn Quackenbush, seconded by Alan Tomion to approve the Type 1 action, established lead agency & determining the significance of such action & directing that the negative declaration be published in accordance with SEQR for WD # 7. Motion was carried.

Monthly Reports and Abstract of Vouchers:

Motion was made by Thomas Davie, seconded by Richard Harper to approve the following:

General (A) Claims 214-229 Totaling \$11,088.09, General (B) Claims 338-340 Totaling \$352.24, Highway (DA) Claims 85-93 Totaling \$4004.42, Highway Claims (DB) 224-226 Totaling \$5303.41, SW1 Claims 53-55 Totaling \$271.41. SW2 Claims 89-95 Totaling \$1045.43, SW3 Claims 59-64 Totaling \$283.45.

Highway/Water, Town Clerk, Zoning, Bookkeeper and assessor reports. Motion was carried.

Executive Session:

Motion was made by Allan Tomion, seconded by Richard Harper to enter into Executive Session at 8:48 P.M. Under Article 7, Public Officers Law Section 105, Paragraph "f". employment of a particular person. Motion was carried.

Motion was made by Thomas Davie, seconded by Allan Tomion to enter back into the Regular Meeting at 9:26 P.M. Motion was carried.

Adjournment: Motion was made by Glenn Quackenbush, seconded by Allen Tomion to adjourn the meeting at 9:26 P.M. Motion was carried.

Dated: November 16, 2023

Bobbi Wolfe

Benton Town Clerk, RMC

ADOPTED: December 13th, 2023