

The Regular Town Board Meeting January 8<sup>th</sup>, 2025 was held in the Benton Town Hall Conference Room, 1000 Route 14A, Penn Yan, NY 14527.

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

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

Public Present: Attached Attendance Sheet.

**Approval of Minutes:**

Motion was made by Glenn Quackenbush, seconded by Thomas Davie to approve the minutes as presented. Richard Harper abstained.

**Guest:**

YCRR board was in attendance requesting the Town of Benton annex tax map 49.02-1-1.113, 12.1 acres to the Village of Penn Yan. This would allow the community center to acquire village water and sewer which is not available from the Town of Benton. This property is tax exempt, so there wouldn't be any loss in tax revenue to the town. It was stated that the standalone Finger Lakes Health is still in the process of being constructed, the public services will allow all zoning codes to be followed not only for the FLH, but the 35,000 sq ft facility. The letter of request is attached to the minutes. The Benton board tabled this matter until we received notification from the Village of Penn Yan requesting the annexation. The Benton Board also stated that any legal expense from this transaction is to be paid by the village.

Mr & Mrs Samuel Hernandez, new residents to the town of Benton were in attendance. Showed an interest in the local community. They purchased Chris & Lee Morehouse's home on Route 14A as an AirB&B.

**Old Business:**

IRS Standard Mileage Rate – Previous minutes, the town board agreed to whatever the IRS rate is \$.70/Mile-2025.

Assessor: Amber Bryan (Acting Assessor) should be fully certified by February. Richard Harper spoke to Meghan Kinkcaid (Yates County Real Property Director) about the need for more training for assessors. At this time training courses are spread too far apart.

**Guest:**

Tom Abraham of Pre-Emption Road, Bellona, NY having issues with the Helen Lawrence property located at 38 Pre-Emption Road. Mr. Abraham stated that he isn't allowed to let his property go, why hasn't something been done to this property. It has been empty for 30 some years and the house is falling apart. He also referenced the Ben Pierson property located at 43 Pre-Emption being empty for several

years. Tom Fulkrod, which has had several conversations with Mr. Abraham previously on how this will be resolved.

1. Contractor – bring up to code
2. Benton Highway to tear it down – March
3. They could hire someone to demo it

Tom stated that the double wide at 43 Pre Emption is untouchable by the town and the property is being maintained. Jayson Hoover stated that once they get the go ahead from zoning, the highway will tear it down. (38 Pre-Emption Road) Yates County Highway has offered to help.

Tom Fulkrod also informed the board that all this attention on the Bellona Mill, it will now be required to be fenced in due to the disrepair of the building plus the public visiting the site. This is now a liability issue.

He also stated that there is **NO** offer received on this property.

Yates County Planning Board: It was stated at a YCPB meeting that these positions are all volunteer positions. Benton representative to the YCPB) – do we continue to pay Steve Hullings for this position? Councilman Harper will get an explanation from the county and report at the February meeting.

**ZBA-PB:** The question came for these positions, are they paid annual or per meeting. Discussion was held on certain committee members missing these meetings. Motion was made by Glenn Quackenbush, seconded by Thomas Davie stating this is an **annual salary** and if four meetings are missed they **may** be terminated. Motion was carried.

#### **Highway/Water:**

Torrey Water: A check has been received in the amount of approximately \$21K for payment of installation of meter pits and services. The breakdown is attached to the minutes.

Previous minutes: The town of Potter will be purchasing our Mack truck in the amount of \$45K.

Jayson stated that we have the new truck and need to get it paid for by next Tuesday 1/14/25. Due to the delay in paperwork, is Benton going to write out a check for the total amount due to Beam Mack and have Lyons Bank make out the \$100K check to the town of Benton ? This will be answered once we get the paperwork from attorney Graff and Lyons Bank.

Jayson also informed the board about the salt shed grant application. Colby Petersen submitted an application thru NYSDEC (Water Quality Improvement Project). The project failed to meet the minimum scoring criteria for the project selected. Jayson asked the town board if he should go ahead and request prints for a new salt shed at this time. The board requested that he wait at this time.

On Jayson's year end report, his spending was below budget by \$28012.12.

#### **Highway Pit:**

Discussion was held on who can hunt in the "Pit". Jayson stated the highway employees maintain that area and is a perk for them to hunt in the Pit. Motion was made by Glenn Quackenbush, seconded by Alan Tomion approving highway employees to be allowed to hunt in the pit "No Family Members" Motion was duly put to a vote: AYES: Prendergast, Quackenbush, Tomion & Davie. NOE: Harper. Passed four to one.

#### **Zoning:**

Tom Fulkrod reported 227 permits were issued in 2024. There are two new solar projects on the Stuart property proposed. Tom stated that we need a Solar Project committee: Tom Davie – Glenn Quackenbush and Tom Fulkrod will head up this committee.

Community Bank: Back October/November there was a meeting with representatives from Community bank. It was stated that two of our savings accounts would be increased to 3.5% interest. As of yesterday 1/8/25 that interest had not been accrued. Supervisor Prendergast called Owen at Community asking about this. Owen made a phone call to Rochester and this will be added immediately plus the back interest from October and November. Board discussed utilizing Lyons Bank for a couple of our money markets accounts.

Alan Tomion suggested the town board start looking at a Comprehensive Plan committee. It was suggested that members be from the Planning Board, Zoning Board of Appeals, Town Board and the public. Town Board members: Richard Harper and Thomas Davie, Crystal Tomion and Jeff Eckert – Planning Board Members. Richie Meyer and Dwight James – Zoning Board of Appeals.

**RESOLUTIONS:**

#01-2025: Motion was made by Glenn Quackenbush, seconded by Richard Harper to schedule a Public Hearing for Local Law # 1 of 2025 “Town Employment Policy” February 12<sup>th</sup>, 2025 @ 7:00 P.M. Motion was carried.

#02-2025: Motion was made by Thomas Davie, seconded by Glenn Quackenbush to approve the borrowing from Lyons National Bank \$100,000.00 for the purchase of a 2025 Mack Truck at a three year fixed rate of 4.95%. Motion was carried.

#03-2025: Motion was made by Glenn Quackenbush, seconded by Thomas Davie to schedule a Public Hearing for Local Law # 2 of 2025 “Short Term Rental”. (Pending paperwork from attorney Graff). February 12, 2025 @ 7:00 PM. Motion was carried.

**Monthly Abstract of Vouchers (1 & 13) and Reports:**

Motion was made by Alan Tomion, seconded by Thomas Davie to approve the following:  
Abstract # 13 General (A) Claims 238-254 Totaling \$6513.60, General (B) Claim 41 Totaling \$295.52, Highway (DA) Claims 85-99 Totaling \$22,644.81, SW1 Claims 55-57 Totaling \$3573.39, SW2 Claims 116-121 Totaling \$293.49, SW3 Claims 60-63 Totaling \$5517.20. Motion was carried.

Motion was made by Glenn Quackenbush, seconded by Richard Harper to approve the following:  
Abstract # 1 of 2025. General (A) Claims 1-18 Totaling \$39,416.07, General (B) Claim 200 Totaling \$42.97, Highway (DB) Claims 200-201 Totaling \$6896.41, SW2 Claim 1 Totaling \$42.97. Town Clerk monthly and yearly reports, Supervisor, Zoning, Water and Highway reports. Motion was carried.

**Adjournment:**

Motion was made by Alan Tomion, Seconded by Thomas Davie to adjourn the meeting at 9:00 P.M. motion was carried.

Dated: January 9, 2025

Bobbi Wolfe

Benton Town Clerk, RMC

***ADOPTED: February 12, 2025***