

The Regular Town Board Meeting was held February 12th, 2025 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: Thomas Fulkrod – Zoning, Jayson Hoover – Highway/Water, Bobbi Wolfe – Town Clerk.

Public Present: Michael Lilyea and Crystal Tomion

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

Approve of Minutes:

Motion was made by Richard Harper seconded by Glenn Quackenbush to approve the minutes from the January 8th, 2025 meeting as presented. Motion was carried.

Open Public Hearings @ 7:00 P.M.

Short Term Rental LL # 1 of 2025
Employment Policy LL # 2 of 2025

Guest: Michael Lilyea (quoted) “100% sure you’d agree that property owners should have a current survey of their property”. There is not a requirement to have a survey along with a sale of property. Mr Lilyea feels there should be a law in Benton requiring this survey. The supervisor stated he didn’t have an answer for this question. It is up to the homeowner if they request a survey, not up to the town. This could be brought up with our attorney or the Association of Towns. It was mentioned that this is a civil matter not a town of Benton issue.

Old Business:

YCPB – Pay (Previous Minutes) Richard Harper reported that the town doesn’t actually appoint the members of the YCPB, the town can recommend a resident to serve on this board. As for pay, members of the YCPB receive no salary or compensation for their services. Mr. Harper wasn’t sure if this prevents the town from paying him/her. After board discussion: Motion was made by Glenn Quackenbush, seconded by Richard Harper approving: \$35.00 per meeting attended. Motion was carried. Crystal Tomion, Chair for the Benton Planning Board also requests that Steve Hullings report back to the Benton Planning Board with any updates that occur at the YCPB.

LNB – Money Market Savings Accounts. Supervisor Prendergast informed the board that (1) Decommissioning account (Ingram Solar Farm) and (2) Highway Equipment Reserve accounts will be moved to a Money Market account with the Lyons National Bank.

Bellona Fire Protection Correction: Discussion regarding the Bellona Fire Protection mistake on the taxes... this needs to be corrected and a letter sent out to all residents in the Fire Protection.

Laserfisch: Mis-information presented- minute books are a dead issue. (the minute books are being sent to either Syracuse or Albany, any attachments will be taken apart by this company but NOT put back together).. I've had several conversations with Tim Goff regarding birth, death and marriage which would be much more conducive to what goes on in a small town.

New Business:

Tax Collector – Town of Benton budget has been satisfied and transferred to all accounts. Balance in the Tax Collector savings \$853,520.79

Cintas – approval of their contract. Supervisor Prendergast will be contacting Cintas about the town not receiving service for two months, requesting a credit prior to signing the new contract. Supervisor Prendergast will take care of this.

E-Waste is all set up for the 6/7/25 Clean Up Day. Councilmen Harper informed the board that the SWEEPS program will be up and running again this year also the probation department. If the town decides to use the SWEEPS program we need to contact the sheriff's department.

Comprehensive Plan: Kelli Murphy is interested along with Steve Hullings, Jeremiah Tomion, John Crzeskowiak and Charlie Franks. The following have already been appointed: Town Board members, Richard Harper and Thomas Davie, Planning Board members, Crystal Tomion and Jeff Eckert, Zoning Board of Appeals – Rich Meyer and Dwight James. Motion was made by Glenn Quackenbush, seconded by Thomas Davie approving the members of the Comprehensive Plan. Motion was carried. The board would also like to have a lake resident and a Mennonite. Crystal Tomion has been in contact with Nelson Horning to possibly be a member of this board.

Justice Audit: Richard Harper and Thomas Davie will do the 2024 Justice audit.

WD # 7: Possibility Funding from NYS – IDA, A letter has been sent to Claudia Tenney and Steve Griffin requesting a grant for this district. If we don't receive a grant for this district the cost will rise to \$2800.00 on an annual basis. We won't have any information until the state budget is passed.

Village of Penn Yan requesting availability for annexation meeting 3/24/25 or 3/31/25 joint special meeting at the village. This request is for 12 ½ acres to be annexed into the village. Supervisor Prendergast asked the board how they felt on this request, there wasn't an actual vote. Quackenbush, Tomion, Davie, Prendergast: NO, Harper Yes. Prendergast will be attending a MUB meeting 2/13/25 where there will be a discussion on this issue and he could present the feeling of the town board.

Assessor: Amber Bryan presented a copy of her Basic Certifications. She has one more required component "Introduction to Farm Appraisal" to be completed by 2/1/27.

2025 Empire Pipeline PILOT distribution check received \$58,925.18.

Highway/Water:

Jayson Hoover reported that they are continuing to plow. They took the Mack to Potter but the check engine light came on for a deff injector. Jayson stated that Benton would pay half the cost to fix this. He figured around \$500.00. Jayson informed the board that he was gone for a week, Jason Conover took over and everything went well. He stated that they are pretty well set with salt and are spreading less

than usual. Water: There was some fluctuation in water usage in WD # 1, they finally found a lead at one of the cottages and turned the water off. The resident lives out of state. We will bill them at Benton's cost due to such a large leak.

Zoning:

Tom Fulkrod explained the Short Term Rental Agreement, he had contacted other towns on what they were charging. Benton's application states, \$200.00 first time application fee, \$100.00 renewal and BI Annual Re-Inspection fee of \$100.00. Motion was made by Glenn Quackenbush, seconded by Thomas Davie to approve the above fees for the Short Term Rental Agreement. Motion was carried.

Tom explained what will be included in the packet: Local Law, Application and a letter explaining the new law. There are 40 Short Term Rentals in Benton at this time and the new law limits to 50 in Benton. Bellona – Helen Lawrence property; a public hearing is set for March 12, 2025, once the public hearing has passed the Benton highway will tear the house down, cost of the demolition will be added to their tax bill.

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

Resolutions:

#04-2025: Motion was made by Thomas Davie, seconded by Alan Tomion to Approve Local Law # 1 Short Term Rental to be a part 1,2 and 3 action under the State Environmental Quality Review (SEQR) Regulations Lead Agency, Type 2 Action. Motion was carried.

#05-2025: Motion was made by Glenn Quackenbush, seconded by Alan Tomion to approve of the Short Term Rental Local Law # 1. Motion was carried.

#06-2025: Motion was made by Richard Harper, seconded Glenn Quackenbush to approve the Employment Policy Local Law # 2. Motion was carried.

#07-2025: Motion was made by Thomas David , seconded by Glenn Quackenbush to approve Jeremiah Tomion as the Planning Board Alternate. Motion was carried.

#08-2025: Motion was made by Thomas David, seconded by Alan Tomion to approve the Public Hearing March 12th, 2025 at 7:00 P.M. On the Helen Lawrence property located at 38 Pre-Emption Road, Bellona, NY 14415. Motion was carried.

Monthly Abstract of Vouchers and Reports:

Motion was made by Alan Tomion seconded by Glenn Quackenbush to approve the following: General (A) Claims 19-47 Totaling \$22,011.42, General (B) Claims 201-207 Totaling \$2708.70, Highway (DA) Claims 1-18 Totaling \$322,820.67, Highway (DB) Claim 202 Totaling \$75.00, SW1- Claims 58-59 Totaling \$287.52, SW2- Claims 2-12 Totaling \$2212.05, SW3- Claims 64-67 Totaling \$365.99, SW4- Claims 18-22 Totaling 3455.41.

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

Adjournment:

Motion was made by Alan Tomion seconded by Glenn Quackenbush to adjourn the meeting as of 9:00 P.M. Motion was carried.

Dated: February 18, 2025
Bobbi Wolfe
Benton Town Clerk, RMC

DRAFT