

The Regular Town Board Meeting was held May 14<sup>th</sup>, 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           |

Benton Employees Present: Jayson Hoover – Highway/Water, Thomas Fulkrod – Zoning/Watershed, Bobbi Wolfe – Town Clerk, Casey Frankish – Water Dept., Crystal Tomion - Comp Survey Chair.

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

**Approval of Minutes:**

Motion was made by Glenn Quackenbush, seconded by Richard Harper to approve the minutes from the April 9<sup>th</sup>, 2025 meeting as presented. Motion was carried.

**Old Business:**

Justice Audit: Richard Harper reported on the findings of the Justice Audit. Only two issues: A) Receipts for Bail account to be deposited within 72 hours, one was at 10 days. Court Clerk is now using the night deposit. B) Receipt had an incorrect digit, report was ok and matched. Clerk Wolfe will forward the audit to the NYS Unified Court System. Motion was made by Glenn Quackenbush, seconded by Thomas Davie to approve the Justice Audit. Motion was carried.

Village of Penn Yan: Annexation. (Petition has been received from YCRR 4/28/25) “Exhibit A” was incorrect and had to be resubmitted, the new date received was 5/1/25. Village of Penn Yan requested the town boards availability for the week of June 23<sup>rd</sup> for a joint Public Hearing. After board discussion the date has been set for June 25<sup>th</sup>, 2025 at the Village of Penn Yan. Clerk Wolfe will email Holly Easling at the village with this decision. Supervisor Prendergast will send a letter stating that all legal fees to be paid by the village.

Yates County Highway Building: The open house for the highway complex will be May 17<sup>th</sup>, 2025 from 8:00 AM – Noon. Dedication will be at 8:00 AM.

**Comprehensive Plan Update:** As of 5/14/25 the town has received 299 surveys. Once they are all accounted for, they need to be tallied, Crystal Tomion will have the “Comprehensive Board” return to tally the results. Surveys are due by May 20<sup>th</sup>.

**New Business:**

**Health Insurance Over Payment:**

Glenn Quackenbush and Alan Tomion have been paying 20% of the health insurance but should have been paying 12%. Motion was made by Thomas Davie, seconded by Richard Harper to pay Quackenbush and Tomion back the 8% over payment for health insurance. (Adjustment 3 Years Back). Motion was duly put to a vote: AYES: Prendergast, Harper and Davie. Abstained: Quackenbush and Tomion. Motion was carried.

**Tax Collector:** Final Payment turned into the Yates County Treasurer, \$156,248.52. Fees and Penalties paid to the town \$2897.51.

**Board of Assessment Review:** We will need to replace Elizabeth Chase as she does not want to be re-appointed as of 9/30/25.

**Village of Penn Yan** has forwarded updated contract information for the 2026 Fire Contract and the Water Contract for 2025-2026 (attached to the minutes).

**NYS Ag & Markets:** Dog Control Inspection and Shelter Inspection reports rated “Satisfactory”.

Glenn Quackenbush requested that Highway and Zoning be placed at the beginning of the agenda so those employees aren’t required to stay for the whole meeting.. Jayson stated he’s fine staying for the duration of the meeting.

Also, he requested that all guests are first on the agenda.

**(All guests are placed first on the agenda.. Crystal is not a guest, she is part of a town project and an employee of the town of Benton. Comp plan was already on the agenda to be updated.)**

**Highway/Water:**

WD # 2 – Proposal for full tank rehab – new proposals. Jayson will have these proposals for the June meeting. In other issues: Smokin Pete’s is requesting to receive water at his property on Emerson Cove. At this time the water department will take a hard look at serving this property with water. He is also working on a tire issue with one of the 10-wheelers.

**Zoning:** Tom Fulkrod reported there have been 44 permits in April, 111 permits year to date. Eight hold outs on the Short Term Rental applications. Letters have been sent requesting if they aren't a STR to let the town know.

**FEMA:**

Attorney Jeff Graff prepared SEQR # 1, the Town Board Reviewed SEQR # 2. Was signed by Supervisor Prendergast.

**Resolutions:**

#11-2025: Motion was made by Glenn Quackenbush, seconded by Alan Tomion to approve the Determination of Significance – SEQR 1&2 Local Law # 3. Motion was carried.

#12-2025: Motion was made by Thomas Davie, seconded by Glenn Quackenbush to approve Local Law # 3 – FEMA. Motion was carried.

#13-2025: Motion was made by Thomas Davie, seconded by Glenn Quackenbush to approve Authorization to open a savings account for the Highway Reserve and Generate (Solar) accounts at the Lyons National Bank. Motion was carried.

**Monthly Reports & Abstract of Vouchers:**

Motion was made by Alan Tomion, seconded by Richard Harper to approve the following: General (A) Claims 92-121 Totaling \$20,107.31 General (B) Claims 214-219 Totaling \$1601.41, Highway (DA) Claims 41-47 Totaling \$2466.97, Highway (DB) Claims 209-212 Totaling \$8718.52, SW1 Claims 69-71 Totaling \$7582.52, SW2 Claims 36-43 Totaling \$1512.57, SW3 Claims 81-83 Totaling \$422.85, SW4 Claims 31-33 Totaling \$63.76. Town Clerk, Highway/Water, Zoning/Watershed, Supervisor Reports. Motion was carried.

**Executive Session:**

Motion was made by Alan Tomion, seconded by Thomas Davie to enter into Executive Session at 8:30 P.M. Under Article 7, Public Officers Law Section 105, Paragraph "f", Personnel. Motion was carried.

Motion was made by Glenn Quackenbush, seconded by Thomas Davie to enter back into the regular meeting as of 8:57 P.M. Motion was carried.

**Adjournment:**

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

Dated: May 15, 2025

Bobbi Wolfe, Benton Town Clerk, RMC