

The Regular Town Board meeting was held November 12<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           |

Also Present: Matthew Perry, Members of the Benton Fire Dept. (Matthew Zieset, Eugene Martin, Nathan Leinbach, Larry Leinbach and Neal Martin).

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

**Approval of Minutes:**

Motion was made by Alan Tomion, seconded by Glenn Quackenbush to approve the minutes as presented. Motion was carried.

**Open the Public Hearings at 7:00 P.M.**

Motion was made by Glenn Quackenbush, seconded by Richard Harper to opened the public hearings at 7:00 P.M. Motion was carried.

2% Tax Levy

2026 Budget

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

Special Districts WD 1-2-3-4

**Old Business:**

(EDR) Program Enterprise System, Mr. Harper stated that it is a better system than what we have. He will talk to Bob @ SCT about the two systems. Also, towns are required to change emails to the .gov by the end of the year. Mr. Harper has started the process, once we receive it he will go to GoDaddy to rename our email.

**Yates County Community Center:**

A letter has been sent to the YCCC requesting payment for all legal fees totaling \$1995.00 to reimburse the Town of Benton for costs incurred during the annexation to the village. The letter was also sent to the mayor of the Village of Penn Yan. It was stated in the July 10<sup>th</sup>, 2024 minutes that the town of Benton would not be responsible for any fees associated with this project.

There was a zoning change made to R1 for this area which will won't hold back the construction of the Yates Community Health building. Ground work has started and they have received \$400K from the county.

**New Business:**

Congressman, Nick Langworthy is seeking support for the "Energy Choice Act". Resolution below.

S & P Rating: We are waiting for the final report, the town went from an A+ to -A. The reason stated that the reserve fund was too low.

**Highway/Water:**

Clark Road (Previous Minutes) – Jayson Hoover reported the cost could be in excess of \$50K to upgrade this private road to a town road, and to allow fire equipment the needed space to turn around. Motion was made by Richard Harper, seconded by Glenn Quackenbush not to pursue this as a town road. Motion was carried.

Jayson reported that Monday 11/10/25 a deer hit his town truck, he didn't call the sheriff, but did call Matt Tet at Stork Insurance. Matt suggested Jayson go to Marbles for an estimate. Marbles can fix the doors but not the box.. He went to Milt's collision center in Geneva and was given a price of \$9K for the box. The town board decided to pursue town insurance due to the cost.

Mowing tractor quotes: Jayson received three quotes: Champlain Valley Equipment \$138,566.72, Bentley Bros \$147,033.83, Alamo \$166,987.89. Motion was made by Richard Harper, seconded by Thomas Davie to accept the quote form Champlain Valley Equipment for the Kubota Mower in the amount of \$138,566.72. Motion was carried.

Supervisor asked what other equipment Jayson will need for 2026, he stated a new 550 which will cost \$90K and will sell the old 550 and would expect to get around \$40K out of it. There will be enough in the highway reserve to pay for both the mowing tractor and 550.

Jayson also explained we will get bids for the water tank maintenance in the newspaper Thursday 11/13/2025. This maintenance will be planned for June/July next year. Derrick Wolfe Trucking has offered a couple of tanks to maintain water while the tank is empty.

Discussion on the county sales tax: Benton was to originally received approximately \$38K and now will receive \$77,887.14. this additional amount could be used for highway reserve.

### **Zoning:**

Tom Fulkrod explained that we have surpassed last years building permits. We have two new solar projects that have been denied by the YCPB. Benton PB will need a full board vote to bypass the county vote. He has been working with the company, LaBella and they don't deal with decommissioning and host community agreements. They have discussed a different layout of solar panels – there will be several more meetings. There won't be a December PB meeting. To verify who is on the solar committee: Motion was made by Glenn Quackenbush, seconded by Thomas Davie to approve the following members of the solar committee: Glenn Quackenbush, Thomas Davie, Tom Fulkrod and Crystal Tomion. Motion was carried.

### **CLOSE THE PUBLIC HEARINGS:**

Motion was made by Thomas Davie, seconded by Richard Harper to close the Public Hearing at 8:00 P.M. Motion was carried.

### **Resolutions:**

**#32-2025:** Motion was made by Richard Harper, seconded by Glenn Quackenbush to approve the 2% Tax Levy Override for 2026. Motion was carried.

**#33-2025:** Motion was made b Glenn Quackenbush, seconded by Thomas Davie to approve the 2026 Budget. 1.8% Under the 2% Tax Cap, Rate \$4.78/1000 . Motion duly put to a vote: AYES: Prendergast, Quackenbush, Tomion and Davie.. NOES: Harper.

**#34-2025:** Motion was made by Richard Harper, seconded by Glenn Quackenbush to approve the Bellona, Benton, Penn Yan and West Lake Road Fire Contracts. Motion was carried.

**#35-2025:** Motion was made by Richard Harper, seconded by Glenn Quackenbush to approve the Special Districts – Water Districts 1-2-3-4. Motion was carried.

**#36-2025:** Motion was made b y Glenn Quackenbush, seconded by Alan Tomion to approve sending the Water District # 7 to the State Comptroller. Motion was carried.

**#37-2025:** Motion was made by Glenn Quackenbush, seconded by Thomas Davie to approve Decommissioning Bonds for Horning and Martin with Bond Affective date of July 25<sup>th</sup>, 2024. Motion was carried.

**#38-2025:** Motion was made by Glenn Quackenbush, seconded by Richard Harper to approve the 2025 Water District Relevy in the amount of \$22,050.29. Motion was carried.

**#39-2025:** Motion was made by Thomas Davie, seconded by Richard Harper to appoint Crystal Tomion to the position of Health Officer for a four year term 1/1/26-12/30/29. Motion was carried.

**#40-2025:** Motion was made by Alan Tomion, seconded by Thomas Davie to approve the 2026 Animal Control Contract with the Yates County Sheriff. Motion was duly put to a vote: AYES: Prendergast, Tomion, Quackenbush, Davie. ABSTAINED: Harper. Motion was carried.

**#41-2025:** Motion was made by Thomas Davie, seconded by Alan Tomion to approve sending the resolution to Congressman Nick Langworthy supporting “Energy Choice Act”. Motion was carried.

**Monthly Reports and Abstract of Vouchers:**

Motion was made by Alan Tomion, seconded by Glenn Quackenbush to approve the following: General (A) Claims 229-234, 335-348 Totaling \$9334.83, General (B) Claims 235-238 Totaling \$658.62, Highway (DA) Claims 88-98 Totaling \$13,018.16, Highway (DB) Claims 237-241 Totaling \$97,832.17, SW1- Claims 89-91 Totaling \$349.65, SW2- Claims 97-109 Totaling \$16,993.80, SW3- Claims 108-111 Totaling \$1016.79, SW\$- Claims 39-42 Totaling \$175.93. Town Clerk, Highway/Water, Zoning and Supervisors reports. Motion was carried.

**Adjournment:**

Motion was made by Alan Tomion, seconded by Glenn Quackenbush to adjourn the meeting at 8:20 P.M. Motion was carried.

Dated: November 13, 2025

Bobbi Wolfe

Benton Town Clerk, RMC