

Minutes of the regular monthly meeting of the Jerusalem Town Board held on November 19, 2008 at 7:00 P.M. PRESENT were: Supervisor Jones, Councilpersons Folts, Hopkins, Simmons, Stewart, Town Engineer Ackart, Town Clerk McMichael.

GUESTS: Bob Evans, Max Parson, George Sproule, Nancy Sproule, Robert Johnson, Barbara Johnson, Eric V. Pinckney, Patty Larzelere, Jeff Larzelere, Mark Serrett, Doug Paddock, Donna Alexander, Alice Hunt, Mary St. George, Glen Herbert, Ed Webb.

EXCUSED: Highway Superintendent Payne

Supervisor Jones called the meeting to order with the Pledge to the Flag at 7:02 P.M.

RESOLUTION #157-08  
APPROVAL OF MINUTES

On a motion of Councilperson Hopkins, seconded by Councilperson Folts, the following was

ADOPTED Ayes 5 Folts, Hopkins, Jones, Simmons, Stewart  
Nays 0

Resolved that the minutes of the October 15, 2008 meeting be approved as read.

RESOLUTION #158-08  
AUDIT OF CLAIMS

On a motion of Councilperson Stewart, seconded by Councilperson Hopkins, the following was

ADOPTED Ayes 5 Folts, Hopkins, Jones, Simmons, Stewart  
Nays 0

Resolved that the bills be paid as presented in the following amounts:

General:		\$ 11,476.35
Highway DA:		\$ 7,717.32
Highway DB:		\$ 64,606.29
Sewer:		\$ 8,789.19
Water:		\$ 10,590.10
Trust:		\$ 6,082.56
October utilities:	General:	\$ 892.55
	Sewer:	\$ 32.68
	Water:	\$ 39,003.39

RESOLUTION #159-08  
SUPERVISOR REPORT

On a motion of Councilperson Hopkins, seconded by Councilperson Simmons, the following was

ADOPTED Ayes 5 Folts, Hopkins, Jones, Simmons, Stewart  
Nays 0

Resolved that the Supervisor's Report on the Town's finances for the month of October 2008 be accepted as presented.

RESOLUTION #160-08

MOVE TO SCHEDULED PUBLIC HEARING - PROPOSED LOCAL LAW F-2008  
ESTABLISHING SECTION IN THE JERUSALEM TOWN CODE ENTITLED -  
BUILDINGS - NUMBERING OF

On a motion of Councilperson Stewart, seconded by Councilperson Hopkins, the following was

ADOPTED   Ayes           5       Folts, Hopkins, Jones, Simmons, Stewart  
          Nays            0

With proof of notice having been duly published and posted, the Public Hearing on proposed Local Law F-2008 establishing section in the Jerusalem Town Code entitled - Buildings - Numbering Of at 7:07 P.M. Supervisor Jones presented a summary of conduct for the public hearing. The local law being introduced at this time is for the posting of house numbers only, and not for any changes to addresses.

Patty Larzelere, 3256 Route 54A questioned Section 4.E.2. requires numbers to be posted in a horizontal fashion as hers is vertical. The Board agreed as long as they are prominently displayed, they can be in either a horizontal or vertical fashion.

It was explained Arabic numerals are 1, 2, 3, 4, 5, 6, 7, 8, 9 and 0 versus numerals written in cursive or Roman numerals.

Max Parson, 3065 Guyanoga Road stated his house numbers are on his mailbox and not on the front of his house as required by Section 4.E.1.

Eric Pinckney, 1<sup>st</sup> Assistant Chief, Branchport/Keuka Park Fire Department presented the following prepared statement:



## **Branchport/Keuka Park Fire Department**

*3686 Route 54A*

*Branchport, NY 14418*

*(315) 595-2296 phone (315) 595-6685 fax*

*bkpfk@roadrunner.com*

Supervisor Daryl Jones  
Members of the Town Board  
Town of Jerusalem  
3816 Italy Hill Rd.  
Branchport, NY 14418

Dear Supervisor Jones and Town Board Members,

At its regular monthly meeting on Wednesday, November 12<sup>th</sup>, the members of the Branchport/Keuka Park Fire Department voted to endorse and support the passage of the proposed local law regarding the numbering of buildings and properties.

One of the greatest concerns our members have encountered is the lack of a uniform numbering system. This has resulted in wrongly numbered properties, unmarked properties, and the use of multiple numbering systems on certain roadways. Without doubt, the lack of a consistent numbering system has slowed our response to some emergencies within the town.

If we could take the opportunity to make some suggestions, of perhaps greatest concern is the posting of numbers on private roadways and shared driveways. In reference to the existing proposal: We recommend that in addition to the posting of numbers on a common sign at the end of the roadway and on structures that property owners also be required to post the numbers where the driveway spurs from the common roadway. We have run into many situations where structures are not visible from the roadway, as driveways extend a great distance from the road or the structures are obscured from view.

Additionally, we ask that the Fire Department and any other emergency agencies affected be informed of changes to road names, address changes, or any newly assigned numbers so that we may better prepare for emergencies and to be better aware of our surroundings.

In closing, we thank the address committee for their hard work in this matter and agree that any effort to bring consistency and uniformity to local addresses will benefit everyone.

Sincerely, on behalf of the Branchport/Keuka Park Fire Department,

A handwritten signature in black ink, appearing to read "Eric V. Pinckney", is written over a horizontal line.

Eric V. Pinckney  
1<sup>st</sup> Assistant Chief

Bob Johnson, Addressing Proposed Subcommittee member noted the points brought forth by the Fire Department are already included in the in the proposed local law.

Councilperson Stewart stated he discussed the proposed local law with the Sheriff's Department and they feel this is a step in the right direction.

Bob Evans, 3308 Guyanoga Road echoed Mr. Parson's comments as his house numbers are also on his mailbox.

Mary St. George, Keuka Park Post Master cautioned putting house numbers on mailboxes because every year mail boxes get knocked down and lay on the side of the road so the mail box is not a reliable identifier. The preferable posting method is as outlined in the proposed local law.

Alice Hunt, Addressing Proposal Subcommittee member added residents should not spend a lot of money on posting house numbers in case yours is one of the few that MAY change if/when a decision is made on the addressing system. On behalf of the emergency medical services, she urged all residents to post their house numbers to ensure public safety. Supervisor Jones stressed the importance of posting house numbers for emergency medical services. Based on his experience, it does delay response time if they are not posted. Posting on both the house and mailbox is ideal.

Doug Paddock, Wager Hill Road stated numbers posted by the road is best based on his experience at the Ambulance Corps.

Ed Webb, 3695 Route 54A, said when you put his address in a GPS, it will take you to the Modeste Bedient Library that is a mile away from his house.

REPORT OF TOWN OFFICIALS  
HIGHWAY SUPERINTENDENT

- Written financial report on road work done for the month of October (on file in the Office of the Town Clerk).
- Councilperson Stewart reported the 2000 Ford F350 pick-up truck was sold on E-bay for \$6,200.

TOWN ENGINEER

- Town Engineer Ackart reported a meeting was held with Pulteney on November 13<sup>th</sup> to discuss the new contract for their water district.
- Town loss caused by the recent fire at 755 East Bluff Drive included damage to the water meter and transmitter, grinder pump lid and control panel, including electric service to the pump totaling approximately \$2,000. A claim will be made to our insurance carrier.
- Supervisor Jones will send a letter to Patricia Brede, Yates County Director of Real Property Tax Service thanking her for her assistance with placing the water capital charges on the Town/County tax bills.

- A meeting was held on November 13<sup>th</sup> with residents in the Sewer #3 District.
- The 2009 KPSW fee schedule will be presented for approval at the December Town Board meeting.

COUNCIL

Councilperson Stewart stated the 2008 Recreation Program has concluded and the paperwork has been filed with the County. He thanked Councilperson Simmons and Recreation Program Director Bev Eggleston for the work done on the program.

The Town has been informed the Yates County Planning Board schedule for referrals is changing next year. Councilperson Stewart left a message with the Yates County Planner today informing her that this will delay the Town's process by one month. Supervisor Jones will invite Chuck Mitchell, Jerusalem representative to the Yates County Planning Board, to make a presentation to the Town Board.

RESOLUTION #161-08

SCHEDULE PUBLIC HEARING ON PROPOSED LOCAL LAW G-2008 AMENDING CHAPTER 143. TAXATION TO INCREASE THE ALTERNATIVE VETERANS AND SENIOR CITIZENS TAX EXEMPTION MAXIMUM INCOME ELIGIBILITY LEVEL

On a motion of Councilperson Hopkins, seconded by Councilperson Folts, the following was

ADOPTED	Ayes	5	Folts, Hopkins, Jones, Simmons, Stewart
	Nays	0	

Resolved that a Public Hearing be held at the December 17, 2008 Town Board meeting at 7:00 P.M. on proposed Local Law G-2008 amending Chapter 143. Taxation to increase alternative veterans and senior citizens maximum income eligibility levels; and, be it further

Resolved that the Town Clerk advertise for said Public Hearing in a manner consistent with law.

SUPERVISOR

Supervisor Jones shared pictures of the bilco doors to the wet well at the Keuka Park sewer pump station following public comment from Bill Pringle at the budget hearing questioning this expenditure. The doors are in serious need of repair.

RESOLUTION #162-08

REFER PROPOSED REGULATIONS FOR TOWNHOUSES IN THE BRANCHPORT SERVICE PARK DISTRICT TO ATTORNEY

On a motion of Supervisor Jones, seconded by Councilperson Hopkins, the following was

ADOPTED    Ayes            5        Folts, Hopkins, Jones, Simmons, Stewart  
              Nays                0

Whereas proposed regulations for townhouses in the Branchport Service Park District have been drafted by the Townhouse Subcommittee; and

Whereas said regulations have been reviewed and approved by the Planning Board at their November 6, 2008 meeting; now, therefore, be it

Resolved that the proposed townhouse regulations be forwarded to Attorney Phil Bailey for his review and recommendation; and, further

Resolved that Attorney Bailey will advise the Town Board if he desires assistance from an attorney with townhouse expertise.

RESOLUTION #163-08

SCHEDULE PUBLIC HEARING AND SUBMIT GML239 REFERRAL TO COUNTY ON PROPOSED LOCAL LAW B-2008 ON R-1 ZONING AMENDMENT

On a motion of Councilperson Hopkins, seconded by Councilperson Stewart, the following was

ADOPTED    Ayes            5        Folts, Hopkins, Jones, Simmons, Stewart  
              Nays                0

Resolved that a Public Hearing be held at the December 17, 2008 Town Board meeting at 7:05 P.M. on proposed Local Law B-2008 amending the zoning ordinance in the R-1 District; and, be it further

Resolved that a GML 239 Referral be submitted to the Yates County Planning Board for review on said local law; and, be it further

Resolved that the Town Clerk advertise for said Public Hearing in a manner consistent with law.

SUBCOMMITTEE REPORTS

SUBDIVISION SUBCOMMITTEE

The Subdivision Subcommittee will be meeting November 25<sup>th</sup>.

WIND FARM SUBCOMMITTEE

Planning Board Chair Evans stated Wind Farm Subcommittee Chair Jim Barre is doing an excellent job. The Planning Board was briefed at their November meeting. The Subcommittee is proceeding to develop regulations.

ZAP OPERATIONS REVIEW SUBCOMMITTEE

A report will be presented at the December meeting.

ROUTE 54A ADDRESSING SUBCOMMITTEE

Alice Hunt stated they are pleased with tonight's response during the public hearing to proposed Local Law F-2008 establishing a section in the Jerusalem Town Code entitled - Buildings - Numbering Of. She hopes the Town Board see the response as favorable and adopts the law as amended that enforcement will be delayed until such time the address numbering has been resolved.

Councilperson Stewart thanked the Fire Department and the Sheriff's Department along with the Subcommittee for the work done.

BOARD OF ASSESSMENT REVIEW APPOINTMENT

There has been no response to our ads for Board of Assessment Review applicants.

DISCUSSION - LAND RESERVE FUND

Councilperson Hopkins stated the proposed Land Reserve Fund resolution was presented to the Planning Board at their November 6<sup>th</sup> meeting. After much discussion, the Planning Board vote was 4 in favor and 3 against the establishment of a land reserve fund. Also, Planning Board member Donna Gridley suggested the Town consider an investment advisor for the fund.

Councilperson Simmons noted his concern that the Planning Board's support was not unanimous, added to the fact that we do not have a plan for the funds. Councilperson Hopkins stated she would like to see the fund established and then develop a plan.

Seeing both points of view, Supervisor Jones suggested that the plan be developed in the near future.

Frank Strong will be making a presentation to the Planning Board on his experience on this issue which would be beneficial for the Town Board to hear.

RESOLUTION #164-08

ESTABLISHMENT OF - LAND RESERVE FUND - TOWN OF JERUSALEM

On motion of Councilperson Hopkins, seconded by Councilman Stewart the following resolution was

ADOPTED	Ayes	3	Hopkins, Stewart, Jones
	Nays	2	Simmons, Folts

Resolved that the Town Board of the Town of Jerusalem, duly convened in regular session, does hereby resolve the following:

SECTION 1. That there be and hereby is established a capital reserve fund in the amount of One Hundred Thousand Dollars (\$100,000.00) to accumulate all or part of the cost of acquiring land, such as parks or recreation areas or rights in land, including conservation easements as described in Article 49 of the Environmental Conservation Law, conservation restrictions, as recognized by New York law, and similar development rights that may be so acquired.

SECTION 2. That this fund is to be known as the "Land Reserve Fund of the Town of Jerusalem."

SECTION 3. That the estimated maximum cost of this capital expenditure is the sum of One Hundred Thousand Dollars (\$100,000.00).

SECTION 4. That out of the surplus moneys of said District now on hand for the year 2008 and not otherwise appropriated, the sum of Eight Thousand Dollars (\$8,000.00) be and the same hereby is appropriated for the "Land Reserve Fund of the Town of Jerusalem," and the Supervisor is hereby authorized, empowered and directed to transfer from surplus funds of the Town the sum of Eight Thousand Dollars (\$8,000.00) to the fund.

SECTION 5. That such additional sums as may hereafter be appropriated shall become part of the fund.

SECTION 6. That the moneys in the fund shall be deposited in a separate bank account in Five Star Bank.

SECTION 7. That the Supervisor is authorized to invest, from time to time, the moneys of this fund pursuant to Section 10 of the General Municipal Law. Any interest earned or capital gains realized on the moneys so deposited or invested shall accrue to and become a part of the fund.

SECTION 8. That no expenditure shall be made from the fund except by authorization of the Town Board of the Town of Jerusalem pursuant to the provisions of section 6-c of the General Municipal Law.

SECTION 9. That this resolution is not subject to permissive referendum, but the resolution to expend moneys from the fund may be subject to permissive referendum under Section 6-c of the General Municipal Law.

SECTION 10. That this resolution shall take effect immediately.

RESOLUTION #165-08

RESOLUTION AUTHORIZING SETTLEMENT OF TROISI TAX CASES

On a motion of Supervisor Jones, seconded by Councilperson Hopkins, the following was

ADOPTED	Ayes	5	Folts, Hopkins, Jones, Simmons, Stewart
	Nays	0	

WHEREAS, a Petition and Notice to Review the Assessment for real property taxation contained in the year 2007 Tax Rolls of the real



estate of Al and Leslie Troisi ("the Petitioners") in the Town of Jerusalem, County of Yates, State of New York, Tax Map No. 83.04-1-1.3, was duly served upon the Assessor of the Town of Jerusalem (the "Respondent") on or about July 17, 2007 (Index No.2007-0300); and

WHEREAS, a Petition and Notice to Review the Assessment for real property taxation contained in the year 2008 Tax Rolls of the same real estate of Al and Leslie Troisi ("the Petitioners") in the Town of Jerusalem was duly served upon the Assessor of the Town of Jerusalem (the "Respondent") on or about July 31, 2008 (Index No.2008-0383); and

WHEREAS, the Town and the property owners are prepared to enter into an agreement and stipulation of compromise and settlement of their differences in summary as follows:

The parties have agreed that the 2007 assessment of \$1,036,000.00 should be reduced to \$900,000.00 for the year 2007, and that Petitioners are entitled to a refund for taxes already paid to the Town of Jerusalem, the County of Yates, and the Penn Yan Central School District, the Branchport and Keuka Park Fire District, and the Branchport Library attributable to the amount of the assessment over and above \$900,000.00, and

The parties have agreed that the 2008 assessment of \$1,188,200.00 should be reduced to \$900,000.00 for the year 2008, and that Petitioners are entitled to a refund for taxes already paid to the Town of Jerusalem, the County of Yates, and the Penn Yan Central School District, the Branchport and Keuka Park Fire District, and the Branchport Library attributable to the amount of the assessment over and above \$900,000.00, and

WHEREAS, it appears to be in the best interests of the Town of Jerusalem to settle said matters as recommended by the Attorney for the Town and Assessor of the Town without further costs for legal and appraisal services relating to this litigation;

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Jerusalem in regular session duly convened as follows:

1. The Assessor of the Town of Jerusalem be and he hereby is authorized to settle said pending proceedings on the terms set forth above.
2. The Attorney for the Town of Jerusalem be and he hereby is authorized to stipulate to the settlement of both proceedings and consent to the entry of appropriate court orders to accomplish the settlements and to execute stipulations of discontinuance of the proceedings.

3. The Supervisor of the Town of Jerusalem be and hereby is authorized to execute an Affidavit pursuant to Town Law § 68 in support of the settlement.

4. This resolution shall take effect immediately.

RESOLUTION #166-08  
2008 HIGHWAY DB BUDGET AMENDMENT

On a motion of Supervisor Jones, seconded by Councilperson Folts, the following was

ADOPTED	Ayes	5	Folts, Hopkins, Jones, Simmons, Stewart
	Nays	0	

Whereas the Town has received monies from Yates County Soil and Water as reimbursement of the Flint Creek Project in the amount of \$9750.00; and

Whereas the project was originally expensed from the Town's Highway DB fund; now, therefore, be it

Resolved that the Highway DB 2008 budget be amended as follows:

Revenue code 2770 be increased by \$9750.00

Expense code 5112.4 be increased by \$9750.00

RESOLUTION #167-08  
2008 GENERAL BUDGET AMENDMENT

On a motion of Supervisor Jones, seconded by Councilperson Hopkins, the following was

ADOPTED	Ayes	5	Folts, Hopkins, Jones, Simmons, Stewart
	Nays	0	

Whereas the Town Board allocated funds within the Safety Inspections Personal Service appropriation code (3620.1) in anticipation of hiring an individual to perform such duties; and

Whereas the Town Board hired an individual to perform secretarial duties instead; now, therefore, be it

Resolved that the General budget be amended to reflect this by reallocating the \$5,000.00, which was originally placed in the 3620.1 to the Personal Services 1430.1.

RESOLUTION #168-08  
SEQR DETERMINATION - NUMBERING ORDINANCE

On a motion of Supervisor Jones, seconded by Councilperson Stewart, the following was

ADOPTED	Ayes	5	Folts, Hopkins, Jones, Simmons, Stewart
	Nays	0	

The Town Board of the Town of Jerusalem does hereby resolve as follows:

WHEREAS, The Town Board of the Town of Jerusalem has before it the proposed Local Law entitled "ESTABLISHING SECTION IN THE JERUSALEM TOWN CODE ENTITLED - BUILDINGS - NUMBERING OF"; and

WHEREAS, the Town Board finds that this Local Law involves routine or continuing administration and management and does not include new programs or major reordering of priorities that will affect the environment;

NOW THEREFORE, pursuant to 6 NYCRR section 617.5 (c) (20) of the SEQR regulations, it is hereby determined that the adoption of this proposed Local Law constitutes a Type II action as defined under the regulation and does not require an environmental impact statement or any other determination or procedure.

PRIVATE ROAD SIGNS - MEMO FROM MAX PARSON

Supervisor Jones responded to a memo from resident Max Parson addressed to the Town Board, Planning Board and Highway Superintendent requesting reconsideration of Town Code 93-24 adopted in June 2007 that puts the cost of signs on accepted private roads on the tax payers instead of the contractors or property owners themselves. Having given consideration to the fact that this was reviewed at length by several committees prior to its adoption, the Planning Board stated in a memo dated 11/6/08 that after considerable discussion they made no recommendation for change and there was no Town Board member that felt strongly about revisiting the regulations, Supervisor Jones stated the Code will stand as adopted. He noted that any uniform signage cost to tax payers will actually be beneficial to the entire town, not just to the developer or private road property owner.

RESOLUTION #169-08

CLOSE PUBLIC HEARING - NUMBERING ORDINANCE

On a motion of Councilperson Stewart, seconded by Councilperson Hopkins, the following was

ADOPTED	Ayes	5	Folts, Hopkins, Jones, Simmons, Stewart
	Nays	0	

Resolved that the Public Hearing be closed at 8:28 P.M.

RESOLUTION #170-08

RESOLUTION AUTHORIZING ADOPTION BY THE TOWN BOARD OF THE TOWN OF  
JERUSALEM OF PROPOSED LOCAL LAW F-2008 ESTABLISHING SECTION IN THE  
JERUSALEM TOWN CODE ENTITLED - BUILDINGS - NUMBERING OF

On a motion of Councilperson Stewart, seconded by Councilperson Hopkins, the following was

ADOPTED BY ROLL CALL VOTE:

Supervisor Jones	Aye
Councilperson Folts	Aye
Councilperson Simmons	Aye
Councilperson Hopkins	Aye
Councilperson Stewart	Aye

WHEREAS, a resolution was duly adopted by the Town Board of the Town of Jerusalem for a public hearing to be held by said Town Board on November 19, 2008, at 7:00 P.M. at the Branchport Fire Hall, Route 54A, Branchport, New York, to hear all interested parties on a proposed Local Law entitled "A Local Law establishing section in the Jerusalem Town Code entitled - Buildings - Numbering Of"; and

WHEREAS, notice of said public hearing was duly advertised in The Chronicle Express, the official newspaper of said Town, on October 8 and October 15, 2008, and

WHEREAS, said public hearing was duly held on November 19, 2008, at 7:07 P.M. at the Branchport Fire Hall, Route 54A, Branchport, New York, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said Proposed Local Law, or any part thereof; and

WHEREAS, pursuant to part 617 of the implementing regulations pertaining to article 8 State Environmental Quality Review Act (SEQRA) it has been determined by the Town Board of said Town that adoption of said proposed Local Law would not have a significant effect upon the environment and could be processed by other applicable governmental agencies without further regard to SEQRA; and

WHEREAS, the Yates County Planning Board recommended approval of the proposed Local Law on October 23, 2008, pursuant to section 239-m of the General Municipal Law; and

WHEREAS, the Town Board of the Town of the Town of Jerusalem, after due deliberation, finds it in the best interest of said Town to adopt said Local Law.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Jerusalem hereby adopts said Local Law No. 5 of 2008 entitled "A Local Law establishing section in the Jerusalem Town Code entitled - Buildings - Numbering Of", a copy of which is attached hereto and made a part of this resolution;

Be it enacted by the Town of Jerusalem as follows:

BUILDINGS - NUMBERING OF

1. Purpose

The purpose of this Local Law Code is to establish uniform standards for the displaying of street numbers, to benefit all those using street numbers for the purpose of locating properties, to protect and promote the health, safety and general welfare of the residents of the Town of Jerusalem by reducing the time factor to locate an address for which an alarm has been dispatched to emergency agencies.

2. Assignment of street numbers

It shall be the duty of the code enforcement officer (or other assigned town official) to assign or reassign property numbers to all land parcels, primary buildings, and dwelling units within the Town of Jerusalem. No one other than the code enforcement officer or designee shall have the authority to assign or reassign street numbers.

3. Records

The code enforcement officer (or other assigned town official) shall keep a record of all street/road names and numbers assigned pursuant to this legislation. Upon assigning a new or changed road name or street number, the code enforcement officer (or other assigned town official) shall immediately inform the property owner, Yates County Emergency Center (911), Postmaster at the local US Post Office, local Board of Elections, Jerusalem Town Clerk, and the Town of Jerusalem person responsible for updating the town data base of all new assignments.

4. Displaying street numbers

A. All primary buildings shall be required to display the assigned street number. Accessory buildings may be required to have and post an assigned street number.

B. It shall be unlawful for any person to place, maintain or continue using any number on any house or building in the Town of Jerusalem other than the number assigned thereto and which appears of record in the Town of Jerusalem office.

- C. The owner shall place official numerals on building within thirty (30) days after being notified of the assignment of a number.
- D. New buildings. All newly constructed primary buildings (or additions to) shall have the assigned street number displayed before the certificate of occupancy is issued.
- E. Location and size of numbers.
- 1) Displaying the assigned street numbers will be required on the street front of principal building and near the entrance. A street number is required at each entrance of a multi-family or multi-tenant building.
  - 2) Arabic numerals shall be used (not letters to spell out) and arranged in a horizontal or vertical fashion.
  - 3) The numerals shall be a color or finish that contrasts to the building/background color.
  - 4) These numerals shall not be less than 4 inches (102 mm) in height, with minimum stroke of 0.5 inch (12.7 mm).
  - 5) As to buildings that are more than 75 feet from the road **or** that have entrance(s) that are not clearly visible from the road, the street number shall be displayed at the road on the same side of the road as the building being numbered, within 15 feet of the driveway entrance to the property, and within 15 feet of the road on a two-sided sign that is clearly visible from both directions. This sign needs to be placed at a height to assure that it will not be blocked by bushes or snow. Street numbers displayed at the road shall not be less than four (4) inches in height and displayed on a Hi Intensity grade reflective surface in a contrasting color. This sign shall be attached to a tree, fence, or post. A mailbox post that is on the same side of the road and is within 15 of the driveway may be used. A mailbox post that is on the opposite side of the road and nearly directly opposite the driveway may be used. A mailbox post may not be used for posting the street number unless it is close to the driveway entrance as previously described. It is recommended, but optional, that the number also be displayed on the primary building as described above. [See Informational Note 1.]
  - 6) Shared driveways. Buildings on shared driveways shall each display the assigned number on the building and

additionally shall display a common sign at the road near the shared driveway entrance to the properties, as described in (5) above. This common sign shall list the street numbers and last name of owners (optional) in accordance to the above code. [See Informational Note 2.]

- 7) Private roads. Buildings on private roads shall each display the assigned number on the building and additionally shall display a common sign at the road near the private road entrance to the properties, as described in (5) above. This common sign shall list the name of the private road, the street numbers and last name of owners (optional) in accordance to the above code. [See Informational Note 2.]
- 8) Lakeside property. Owners of lakeside property are also required to display the assigned street number on the lakeside of principal building following the code for location and size listed above. If the building is more than 75 feet from the water or its entrance(s) are not clearly visible from the water, the street number is to be display near the water entrance to the property and clearly visible from the water. The numbers may be displayed on a permanent dock or on a permanent sign within 15 feet of the water and otherwise in accordance to the above code.

**INFORMATIONAL NOTE 1:** Mailboxes are located for the convenience of mail delivery and are not located for the primary purpose of property identification. Therefore they are not reliable property identifiers as they may be on the wrong side of road or in some other location not adjacent to the property. In an emergency, it is not obvious which mailboxes are and which mailboxes are not adjacent to property.

**INFORMATIONAL NOTE 2:** US Postal regulation: For mailboxes, the numbers are to be of contrasting color in neat numerals and letters at least 1 inch (2 inch preferred) high on the side of the box visible to the carrier's regular approach, or on the door if boxes are grouped. Additionally, mailboxes for residents of a private road shall be located along the public road near the intersection formed by the private road with the public road. All of these mailboxes shall be on one rack and labeled with street number and street name in accordance to the above code.

#### 5. Responsibility for compliance.

- A. Each owner of real property located within the Town of Jerusalem shall be responsible for maintaining such property in compliance with Numbering of Building Town Code.
- B. Compliance date will be thirty days (30) from the date of notification by the Town of the official street number.

6. Enforcement, appearance tickets, penalties for offenses.
  - A. Code Enforcement Officer shall enforce the provisions of this legislation upon finding a violation or upon notification of violation by the appropriate Town officer assigned to administer the Numbering of Buildings Town Code.
  - B. Commencement of proceedings. Any owner of real property who is found to be in violation of this Town Code shall be issued an appearance ticket for such violation and shall be prosecuted in the manner provided by law.
  - C. Appearance tickets and process. The Code Enforcement Officer shall issue an appearance ticket returnable to the Jerusalem Town Court when a violation to the Building Numbering Town Code is determined. In the event that an appearance ticket is unanswered, the Justice Court shall permit the filing of an information by the Code Enforcement Officer and will issue a warrant of arrest for the alleged violator.

7. Prosecution of violations.

A violation of the Building Numbering Town Code shall be punishable by a fine of not more than \$50 for a first offense, a second violation - the fine shall not be more than \$100, and any third or subsequent violation shall not exceed \$250.00 per violation. Each 30-day period during which a property shall be found not in compliance with the posting standards set forth herein shall be deemed a separate and distinct violation.

8. Effective Date.

This local law shall be effective as soon as it is filed by the New York State Secretary of State, but its provisions shall not be enforced until such time as the Town Board shall adopt a Resolution establishing an official numbering system for buildings in the Town of Jerusalem.

; and be it further

RESOLVED, that the Town Clerk be and she hereby is directed to enter said Local Law in the minutes of this meeting and in the Local Law Book of the Town of the Town of Jerusalem, and to give due notice of the adoption of said Local Law to the Secretary of State of New York.

RESOLUTION #171-08

MOVE TO EXECUTIVE SESSION

On a motion of Supervisor Jones, seconded+ by Councilperson Hopkins, the following was



Town Board Meeting  
November 19, 2008

ADOPTED    Ayes            5      Folts, Hopkins, Jones, Simmons, Stewart  
             Nays             0

Resolved that this meeting be interrupted to go into Executive Session for collective negotiations at 8:34 P.M.

RESOLUTION #172-08

RETURN TO REGULAR SESSION

On a motion of Supervisor Jones, seconded by Councilperson Hopkins, the following was

ADOPTED    Ayes            5      Folts, Hopkins, Jones, Simmons, Stewart  
             Nays             0

Resolved that the Board return to regular session at 9:26 P.M.

With there being no further business, on a motion of Councilperson Stewart, seconded by Councilperson Hopkins, the meeting was adjourned at 9:30 P.M.

\_\_\_\_\_  
Sheila McMichael, Town Clerk