

Minutes of the regular monthly meeting of the Jerusalem Town Board held on September 19, 2012 at 7:00 P.M. PRESENT were: Supervisor Jones, Councilors Folts, Killen, Parson, Steppe, Deputy Supervisor Stewart, Town Attorney Bailey, Town Clerk McMichael, Acting Highway Superintendent Martin, Town Engineer Ackart.

GUESTS: Matthew Piczak, Taylor Fitch, Dorothy Williams, Arlan Hedges, Mary Coriale, David English, Larry Muscarella, Glenn Herbert, Donna Alexander, Jim Crevelling, Jack Holly, John Christensen; *Chronicle Express* Reporter.

Supervisor Jones called the meeting to order with the Pledge to the Flag at 7:00 P.M.

RESOLUTION #152-12
APPROVAL OF MINUTES

On a motion of Councilor Parson, seconded by Councilor Steppe, the following was

ADOPTED	Ayes	4	Folts, Jones, Parson, Steppe
	Nays	0	
	Abstain	1	Killen

Resolved that the minutes of the August 15, 2012 meeting be approved as read.

RESOLUTION #153-12
APPROVAL OF MINUTES

On a motion of Councilor Killen, seconded by Councilor Parson, the following was

ADOPTED	Ayes	5	Folts, Jones, Killen, Parson, Steppe
	Nays	0	

Resolved that the minutes of the August 15, 2012 meeting be approved as read.

RESOLUTION #154-12
AUDIT OF CLAIMS

On a motion of Councilor Folts, seconded by Councilor Killen, the following was

ADOPTED	Ayes	5	Folts, Jones, Killen, Parson, Steppe
	Nays	0	

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

General:	\$14,222.07
Outside Village	\$ 5,789.60
Highway DB:	\$61,820.73
Sewer:	\$40,488.82
Water:	\$51,642.06
B'port Light:	\$ 309.28

Trust: \$ 8,365.00

August Utilities:

General: \$ 1,928.81
Sewer: \$36,620.78
Water: \$70,410.05
Trust: \$26,604.63

RESOLUTION #155-12

SUPERVISOR REPORT

On a motion of Councilor Steppe, seconded by Councilor Parson, the following was

ADOPTED Ayes 5 Folts, Jones, Killen, Parson, Steppe
Nays 0

Resolved that the Supervisor's Report on the Town's finances for the month of August 2012 be accepted as presented.

TOWN OFFICIALS

HIGHWAY SUPERINTENDENT

- Written Budget Highway report on file in the Office of the Town Clerk.
- We anticipate receiving our CHIPS funds on September 21.

RESOLUTION #156-12

AUTHORIZING THE TOWN OF JERUSALEM ACTING HIGHWAY SUPERINTENDENT TO ADVERTISE FOR CRUSHING OF GRAVEL.

On a motion of Councilor Parson, seconded by Councilor Steppe, the following was

ADOPTED Ayes 5 Folts, Jones, Killen, Parson, Steppe
Nays 0

WHEREAS, Funds were approved within 5110.4 of the highway DB budget for the purpose of crushing gravel, and

WHEREAS, The Acting Highway Superintendent wishes to have such task completed before the 2012 year ends, now

THEREFORE, Be it resolved that the Town Board authorizes the Acting Highway Superintendent to place an ad in the Town's Official Newspaper for the purpose of receiving sealed bids on October 16, 2012, for the crushing of gravel at the Town's owned gravel pit, (located at 2672 Guyanoga Rd, Penn Yan, N.Y.).

TOWN ENGINEER

- Written report on file in the Office of the Town Clerk.
- The Water Department believes the installation of the Solarbee Mixing unit has played a significant role in the reduction of THM's in the distribution system.
- The Notice of Hearing on the Preliminary KPSW Budget must be prepared and mailed.

2013 KPSW BUDGET PUBLIC HEARING

The 2013 KPSW Budget Hearing was scheduled for October 17, 2012 at 7:05 P.M.

COUNCIL

- Councilor Killen announced the Sunshine Committee is planning a retirement dinner for retired Highway Superintendent Bobby Payne on November 20. Details will be forthcoming.
- Councilor Parson will forward the proposed Right To Farm Local Law to Attorney Bailey.

TOWN ATTORNEY

- Attorney Bailey stated the Nielsen v. Town of Jerusalem regarding the Zoning Board decision on the Folts' Farm winery was argued in Rochester on September 13. The Judge reserved decision and will notify the parties when it has been made.
- In response to a question from Councilor Folts, Attorney Bailey stated he is monitoring the Article 78 filing by Don Schneider against the Zoning Board and Central Avenue Senior Housing project. Attorney Schneider and the developers have entered into discussions following the September 6, 2012 Planning Board meeting.

SUPERVISOR

Bids for replacement only or completely new windows at the Town Hall have been requested.

SUBCOMMITTEE REPORTS:

ZONING REVIEW/54A SUBCOMMITTEE:

Zoning Review/54A Subcommittee Chair Mary Coriale stated the Route 54A Scenic Overlay District proposed local law culminates a nearly two year collaborative planning process where many community members contributed significant time and effort in the developing.

The Zoning Review Committee is a subcommittee of the Town of Jerusalem Planning Board. Its purpose is to review the Town's zoning ordinance on an ongoing basis and recommend zoning changes and updates consistent with the Town's comprehensive plan.

In the summer of 2010, at the direction of the Planning Board, the Zoning Review Committee began a review of the Agricultural-Residential Use (AGR) district. The Zoning Review Committee was instructed to begin with the Route 54A corridor because the Planning Board believed that this area, which is zoned AGR, had the most pressing need for review and proactive planning due to the future development of the Finger Lakes Cultural and Natural History Museum. The Planning Board believes that the Museum could bring significantly more visitors to the Town of Jerusalem, which could trigger development pressure along Route 54A.

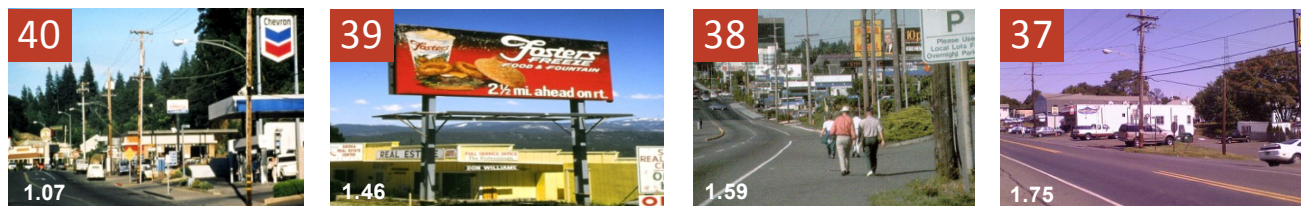
The Zoning Review Committee initiated a collaborative planning process to evaluate the existing zoning along the 54A Corridor from Branchport to Penn Yan. As part of that effort, numerous Committee meetings along with three community meetings were held. The first community meeting was a workshop on Tuesday, June 7, 2011 at Keuka College. The purpose of the workshop was to solicit input from area residents, business owners, and property owners regarding their vision, issues and opportunities for the 54A. Approximately 30 people attended the workshop including several residents that live along the 54A corridor. The workshop started with a review of the Comprehensive Plan followed by an Image Preference Survey and other visioning exercises. The majority of the workshop was spent in breakout groups answering and discussing specific questions developed by the Steering Committee. Below is a summary of the information collected by the Committee at the workshop.

An Image Preference Survey was administered at the Community Workshop. Attendees were surveyed to evaluate the design characteristics they would prefer to see along the 54A Corridor in terms of development and landscape character, open space, signs, streetscape, etc. Each person was asked to review and rate images on a scale of 1 (least desirable) to 10 (most desirable). The responses were tabulating and the images were sorted based on score from highest to lowest. A total of 28 surveys were completed.

The images below are the top scoring images from the Image Preference Survey (overall rank is in the upper left corner and the score is in the bottom left corner). These images represent the visual and spatial characteristics desired for the 54A Corridor and provide a strong indication of the vision community members have for the area. The top four images depict rural farmland with expansive views, similar to what is now found along 54A. The fifth image depicts a more urban commercial streetscape indicative of the hamlet areas. The highest rated images represent places most desired by residents and therefore became the highest priority.



The images below are the bottom scoring images. These images represent the design character people do not prefer to see. Underutilized land, auto-dominated spaces, poor pedestrianism and dis-investment are common themes in these lowest rated images. In fact, the bottom fourteen images are similar in character and all scored below 2.85. All of the most negative images would be detrimental to character along the 54A corridor.



Workshop attendees broke into small working groups, each with a facilitator. The facilitator asked several pre-determined questions and the then recorded the responses by the attendees. The table below includes the questions and the responses that were recorded. Near the end of the session each group was asked to identify the top

responses to each the questions, which are represented in bold print. The asterisk next to the word "scenic" under the first question means that it was identified by several attendees.

Vision	Issues	Opportunities	Assets	Land Uses	Character
1. Identify a word or a short phrase that best describes your vision for the 54A Corridor?	2. What are the one or 2 most significant issues you feel must be addressed in order to achieve your vision for 54A Corridor?	3. What are the one or 2 most significant opportunities you feel must be capitalized on in order to achieve your vision for the 54A Corridor?	4. What are the one or two most significant assets of the 54A Corridor?	5. What types of land use(s) would you prefer <u>not</u> to see along the 54A Corridor?	6. What one or two words or phrases best describe the character or feeling you want to invoke along the 54A Corridor?
Classic	Water and sewer/natural gas needed- upgrades for environmental concerns	Increase tax base_ increase high density housing	Scenic	Strip malls	Managed growth
*Scenic	\$\$ to develop it the way we want	Better define small retail	Rural and scenic beauty	Restriction on signage-no billboards	Rural and scenic
Refreshing what already exists in the hamlet	Steep slopes/ravines- erosion concerns with more land use	Capitalize on grants	Historic Homes – Esperanza and Sill Home	Heavy Industry	Development ok, but make it scenic
Planned architecture and landscape (string of pearls- Services are the pearls... string is the green in between)	Larger lot size to maintain rural character	Museum could be an opportunity to make things look the way we want. It would be a shame not to capitalize on it.	Beauty, Topography, vistas	Adult entertainment	Scenic
Different sections exist-character areas.	Smaller lot size in the Hamlet	Hamlet Brand (walkable)	Proximity to destinations	Commercial sprawl	Trees
Quaint	Stream preservation	Museum/ destination/Lake	Open	Bill Boards	Inviting
Rural and scenic	Recognition and protection of critical land use areas	Retain rural character	History	Big Box Stores	Relaxing
High density and sewers in BPort/54A may be the right place for it eg: cluster development	Lack, weak inconsistent code: Buildings, zoning and enforcement	Questioned whether the state would continue to give grants for sewer and water given current fiscal state.	Green	Series of 1 acre lots developed-prefer cluster	Quiet
Just the way it is...	Opportunistic developers	Grants	Accessible	Small minimum frontage	No- noise eg: Big Box Stores
One story	Utilities and sewers	Opportunity to do it right.	Well traveled	No Auto Repair	Family friendly
Want Variety of services: not 4 gift shops side by side; variety of services and land uses	Need to draw lines for rules r/t areas	Sell it to the public	New Road	No drilling including heavy industrial	Nice place to visit
Continuity of design- some rules but not all the same	Problems with zoning – precedence- must allow r/t allowed before	Opportunity to put in utilities at the same time.	Paved road	No stop lights	Style and character

The 2006 Town of Jerusalem Comprehensive Plan outlined a community based vision and a set of policies/actions aimed at preserving rural and scenic character. It recommends directing future development toward the hamlet areas and developing guidelines and standards to ensure quality design. The information collected at the Workshop confirmed this direction. In conclusion, the following priorities were identified:

- Preserve scenic quality and rural character by maintaining expansive views of farmland and open space.
- Front and side setback areas should be green and not include large parking areas.
- Large scale commercial and industrial development, strip type development, automotive centers, typical suburban subdivision design, typical commercial corporate development and design, and billboards should not be permitted.

Following the community workshop the Committee met several times to discuss the input gathered at the workshop and based on the input and the comprehensive plan developed a preliminary approach to the 54A

corridor. A second community meeting was held on September 22, 2011 at the Branchport Fire Hall. The meeting summarized the information obtained at the first community meeting and included a presentation on scenic overlay districts in general. Example provisions addressing district purpose, boundary, land uses, and building and site design were also included. After the presentation, attendees were encouraged to ask questions, make comments, and share ideas regarding the development of a Route 54 scenic overlay district. In addition, attendees were encouraged to email comments or ideas to a project specific email address or share written comments on a sheet that was handed out at the meeting.

After the second community meeting, several Committee members drove the corridor with the intention of developing a district boundary. This "windshield survey" focused on what can and cannot be seen while driving on Route 54A. The draft district boundaries were discussed by the Committee over the course of several meetings. In addition to the development of the draft boundary, the Committee discussed the features and characteristics that typically contribute to scenic quality in rural places. It discussed examples from other places that have utilized overlay districts to protect scenic quality along with features and topics such as hedgerows, ridgelines, open pastures, woodlots, topography, building design, and site design. Based on these discussions and the direction from the Comprehensive Plan as well as two community meetings, the Committee developed the draft Route 54A Scenic Overlay District.

The Committee held a third community meeting on Saturday, September 8, 2012 at the Town Hall to present and discuss the draft Route 54A Scenic Overlay District. The proposed district was well received with many praising the hard work of the Committee.

The Planning Board and the Zoning Review Committee believe that future development along the Town's main corridors should be planned in a manner to maintain and achieve what the people identified in the Town comprehensive plan as being most valued while at the same time remaining sensitive to the input to the people who live along 54A. Creating a sustainable future is about creating balance between preserving the rural and scenic qualities that people value and, at the same time, provide economic opportunity, which can lead to growth in jobs and the tax base.

A map of the proposed scenic corridor will be shared with the Town Board.

INTRODUCE PROPOSED LOCAL LAW H-2012 CREATING THE ROUTE 54-A SCENIC OVERLAY DISTRICT

Councilor Steppe introduced proposed Local Law H-2012 entitled "Amendment to the Town Zoning Ordinance to Create the Route 54-A Scenic Overlay District", a copy of which was given to the Town Clerk for filing in her office, and moved that the Town Engineer be directed to prepare an Environmental Assessment Form pertaining to the same, that the Town Clerk be directed to file the appropriate request for review with the Yates County Planning Board including all documents required by law, that a Public Hearing on Local Law H-2012 be held at the regular meeting of this board on November 14, 2012 at 7:05 P.M., and that the clerk be directed to advertise the public hearing in accordance with law. So Ordered.

Draft materials will be posted on the website.

Councilor Folts will flow chart the SEQR process for use by the Town Board.

CONSERVATION/RENEWABLE ENERGY COMMITTEE:

There were approximately 25 attendees at the Conservation/Renewable Energy Committee energy forum held September 18 for residents to learn more about implementation of renewable energy at home, farm or business. A field day renewable energy tour will launch from Brookside Farm, 2944 Corwin Rd., Branchport, NY and visit four farms on September 22, 2012 from 9:00am-1:00pm

PROCESS COMMITTEE:

The flow chart was developed and is being used by the Code Enforcement Officer, customizing the packets as needed.

CONSOLIDATED FUNDING APPLICATION (CFA):

Supervisor researched why some area businesses were not included in the CFA/Main Street grant process. The Town will send letters to businesses in February 2013 for grant submission in the spring. Councilor Folts suggested Jennifer Gruschow be invited to attend the October Town Board meeting to make a presentation.

PROPOSED LOCAL LAW -2012 FENCE REGULATIONS:

Councilor Killen received numerous suggestions to be incorporated into the proposed fence regulations.

Matt Piczak pleaded with the Board to adopt the fence regulations to assist in rectifying his current situation on Assembly Avenue. He thanked Councilor Killen for all his assistance on this matter.

Code Enforcement Officer Phillips will be asked to check into this further upon return from his vacation.

PROPOSED LOCAL LAW F-2012 UNIFORM LANGUAGE AS TO MAXIMUM BUILDING COVERAGE

Supervisor Jones introduced proposed Local Law F-2012 entitled "A Local Law amending the Zoning Ordinance of the Town of Jerusalem to adopt uniform language in the various districts as to maximum building coverage", a copy of which was given to the Town Clerk for filing in her office, and moved that the Town Engineer be directed to prepare an Environmental Assessment Form pertaining to the same, that the Town Clerk be directed to file the appropriate request for review with the Yates County Planning Board including all documents required by law, that a Public Hearing on Local Law F-2012 be held at the regular meeting of this board on November 14, 2012 at 7:10 P.M., and that the clerk be directed to advertise the public hearing in accordance with law. So Ordered.

PROPOSED LOCAL LAW -2012 2% PROPERTY TAX CAP

Supervisor Jones introduced proposed Local Law G-2012 entitled "Local Law to Override 2% Tax Levy Limit", a copy of which was given to the Town Clerk for filing in her office, and moved that a Public Hearing on Local Law G-2012 be held at the regular meeting of this board on October 17, 2012 at 7:10 P.M., and that the clerk be directed to advertise the public hearing in accordance with law. So Ordered.

RESIGNATION - PLANNING BOARD MEMBER

Supervisor Jones read a letter from Mary Coriale tendering her resignation from the Planning Board effective October 30, 2012. The Board commended her on her years of service, leadership and work on the Planning Board.

Councilors Steppe and Killen will contact current applicants on file to determine their continued interest in serving on the Planning Board and make a recommendation to the Town Board.

BOARD OF ASSESSMENT REVIEW

An appointment to the Board of Assessment Review will be made at the October 17th meeting as their terms expire on September 30th.

RESOLUTION #157-12

2012 BUDGET AMENDMENT BASED ON 2011 AUDIT

On a motion of Supervisor Jones, seconded by Councilor Killen, the following was

ADOPTED Ayes 5 Folts, Jones, Killen, Parson, Steppe
Nays 0

Whereas, the Town recognized an inequity during the 2012 budget process within the Highway DA fund with regards to a decreased need for inside the village expenses and

Whereas, the Town Board decided to budget a more reasonable amount of expenses for 2012 due to such inequity and

Whereas, the 2012 Highway DA budget illustrates minimal expenses and

Whereas, the 2011 Audit report demonstrated a boost in the Highway DA unappropriated fund balance and

Whereas, a portion of the unappropriated Highway DA fund balance could be transferred to the General A fund, now be it

RESOLVED that \$ 25,768.00 of the unappropriated Highway DA fund balance be transferred to the General A fund by increasing the 9901.9 (interfund transfer)

RESOLUTION #158-12

2012 TRANSFER OF FUNDS BASED ON 2011 AUDIT

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

ADOPTED Ayes 5 Folts, Jones, Killen, Parson, Steppe
Nays 0

Whereas, a portion of the 2011 Audited Highway DA unappropriated fund balance will be transferred to the General A Fund due to Resolution #157-12 and

Whereas, the 2012 General A fund budget needs to be amended to recognize such transfer of funds from the unappropriated Highway DA fund balance, now be it

RESOLVED that the 2012 General A Fund budget code 5031 (interfund revenue) increase \$ 25,768.00.

RESOLUTION #159-12

AUTHORIZE TRUST AND AGENCY TRANSFER

On a motion of Supervisor Jones, seconded by Councilor Killen, the following was

ADOPTED Ayes 5 Folts, Jones, Killen, Parson, Steppe
Nays 0

Whereas, the 2011 Audit management letter states that the Trust and Agency fund has outstanding checks in the amount of \$1,417.95; and

Whereas this finding has been noted since the 2002 Audit and needs resolution; now, therefore be it

Resolved that the Trust and Agency transfer \$1,417.95 to the General Fund to remove said checks from the outstanding status.

RESOLUTION #160-12

CLEANING SERVICES

On a motion of Supervisor Jones, seconded by Councilor Steppe, the following was

ADOPTED Ayes 4 Folts, Jones, Killen, Steppe
Nays 1 Parson

Whereas requests for proposals on cleaning services at the Town Office and Highway Barn were published in the Chronicle Express on August 22, 29 and September 5, 2012; and

Whereas only one proposal was submitted by Connect-A-Service, Inc., 2772 Route 54A, Penn Yan; now, therefore, be it

Resolved that as the sole bid, the Supervisor be authorized to execute the contract with Connect-A-Service for cleaning services per their proposal #2012219 effective 1/1/2013.

RESOLUTION #161-12

RESOLUTION CALLING PUBLIC HEARING REGARDING THE ESTABLISHMENT OF EXTENSION NO. 2-A OF THE KEUKA PARK SEWER DISTRICT IN THE TOWN OF JERUSALEM, COUNTY OF YATES, NEW YORK

On a motion of Supervisor Jones, seconded by Councilor Steppe, the following was

ADOPTED Ayes 5 Folts, Jones, Killen, Parson, Steppe
Nays 0

WHEREAS, a written petition dated September 10, 2012 has been submitted in due form by John F. and Darla A. Holly containing the required signatures, which has been presented and filed with the

Town Board of the Town of Jerusalem, Yates County, New York, for the establishment of an extension to the Keuka Park Sewer District, to be known as Extension No. 2-A, which is bounded and described as set forth on Exhibit A attached hereto and made a part hereof

"SCHEDULE A"

Legal description of Holly Land to be included within the Sewer District

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Jerusalem, Yates County, New York, being Lots 5, 6 and that portion of Lot 7 lying outside of the sewer district as those lots are shown on "Map of an instrument survey of lands owned by John F. and Darla A. Holly" prepared by David W. Andersen, dated August 24, 2007 and last revised August 9, 2012 and filed in the Yates County Clerk's Office as Map # _____ and which is more particularly bounded and described as follows:

Beginning at the northwesterly corner of Lot 8 shown on the above-mentioned map which is in the southerly line of the access road running westerly from East Bluff Drive commonly known as Holly Lane and running thence South 19-54-28 West on the rear (westerly) line of Lot 8 a distance of 125.73 feet to an iron pin in the northerly boundary of lands reputedly of Falvo (Liber 506, page 171); thence along said lands reputedly of Falvo North 84-32-12 West 16.24 feet to an iron pin and South 19-54-28 West 100.00 feet to an iron pin; thence North 84-32-12 West along lands reputedly of Rothfuss (Liber 444, page 251) 143.12 feet to an iron pin; thence South 08-55-10 West along said lands reputedly of Rothfuss and through an iron pin 39.27 feet distant, a second iron pin 32.91 feet further distant and an existing pipe 25.97 feet still further distant and then along lands reputedly of Di Muro (Liber 442, page 355) and through a second existing iron pipe 80.65 feet still further distant and then along lands reputedly of Orcott (Liber 442, page 258) and through a third existing iron pipe 86.30 feet still further distant and then along lands reputedly of Boyd (Liber 505, page 285) a total distance of 326.21 feet to a point which is 0.43 of a foot south of an existing iron pin; thence North 85-54-34 West along lands reputedly of Molyneaux (Liber 408, page 306) 218.23 feet to an iron pin; thence through lands of Holly North 03-25-08 West 230.54 feet to an iron pin and North 31-00-35 East 38.27 feet to a point; thence through lands of Holly and along the southeasterly and southerly lines of the access road running into the Holly property from East Bluff Drive (Holly Lane) North 31-00-35 East 245.38 feet to a point and then on a curve to the right with a radius of 113.33 feet and a delta angle of 41 degrees 04 minutes 38 seconds an arc length of 81.25 feet to a point which is on a chord bearing North 51-45-11 East 79.52 feet from the last mentioned

point and then South 86-33-14 East 309.52 feet to the point of beginning, comprising Lot 5 of 1.350 acres, Lot 6 of 1.151 acres and Lot 7 of 1.046 acres as shown on the above referred to map.

Excepting and reserving therefrom that portion of Lot 7 which is presently included within the sewer district.

; and

WHEREAS, the improvements proposed consist of a sanitary sewer main to connect the property to the East Bluff Drive sewer main to serve said extension of the district in accordance with certain plans made a part of such petition, now on file in the office of the Town Clerk of said Town; and

WHEREAS, the sewer main will be constructed by the applicants, who will transfer it to the Town of Jerusalem, without any consideration, except the privilege of connecting with the trunk sewer line of said Keuka Park Sewer District Extension No. 2 in accordance with the procedures and terms otherwise established for such Extension No. 2.

NOW, THEREFORE, BE IT ORDERED, that at the regular meeting of the Town Board of the Town of Jerusalem to be held on October 17, 2012 at 7:15 P.M. at the Town Hall, 3816 Italy Hill Road, Branchport, New York, a hearing will be held to consider said petition including the environmental significance thereof and to hear all persons interested in the subject thereof, and for such other and further action on the part of said Town Board, with relation to the premises as may be just and appropriate; and

Further that the Town Clerk is directed to advertise the hearing in accordance with law.

RESOLUTION #162-12

RESOLUTION CALLING PUBLIC HEARING REGARDING THE ESTABLISHMENT OF EXTENSION 3-A OF THE KEUKA PARK SEWER DISTRICT IN THE TOWN OF JERUSALEM, COUNTY OF YATES, NEW YORK

On a motion of Supervisor Jones, seconded by Councilor Killen, the following was

ADOPTED Ayes 5 Folts, Jones, Killen, Parson, Steppe
Nays 0

WHEREAS, a written petition dated September 17, 2012 has been submitted in due form by Timothy L. McMichael containing the required signatures, which has been presented and filed with the Town Board of the Town of Jerusalem, Yates County, New York, for the establishment of an extension to the Keuka Park Sewer District,

to be known as Extension No. 3-A, which is bounded and described as set forth on Exhibit A attached hereto and made a part hereof,

Exhibit A

Legal description of McMichael Land to be included within
Sewer District No. 3

ALL THAT TRACT OR PARCEL OF LAND, situate in Lot 61 in the Town of Jerusalem, County of Yates, State of New York, and bounded and described as follows: Beginning at a point in the westerly line of Skyline Drive which is the northeasterly corner of lands of McMichael (Liber 322, page 227) and running thence North 85-21-59 West through an existing iron pipe 8.89 feet distant, a total distance of 222.26 feet to an iron pin; thence along lands of Simmons (Liber 273, page 96) North 03-01-35 West 267.67 feet to a point and North 01-30-59 East 104.56 feet to an existing iron pin; thence North 87-43-34 East along lands now or formerly of White (Liber 323, page 8) as established by Boundary Line Agreement recorded in Liber 239 of deeds at page 347 a distance of 229.79 feet to an iron pin in the westerly line of Skyline Drive as it existed prior to reconstruction; thence South 00-28-21 East along the westerly line of Skyline Drive and through an iron pin 201.76 feet distant, a total distance of 398.91 feet to the point of beginning, consisting of 1.019 + acres shown as Lot 1 and 1.001 + acres shown as Lot 2 on "Survey Map Lands of Timothy McMichael" prepared by Richard Daugherty and dated as completed on September 14, 2012.

; and

WHEREAS, the improvements proposed consist of a main sanitary sewer line to connect the property to the Assembly Avenue sewer main to serve said extension of the district in accordance with certain plans made a part of such petition, now on file in the office of the Town Clerk of said Town, and

WHEREAS, the sewer main has been constructed by the applicant, who will transfer ownership of it to the Town of Jerusalem, without any consideration, except the privilege of connecting with the trunk sewer line of said Keuka Park Sewer District Extension No. 3 in accordance with the procedures and terms otherwise established for such Extension No. 3.

NOW, THEREFORE, BE IT ORDERED, that at the regular meeting of the Town Board of the Town of Jerusalem to be held on October 17, 2012 at 7:20 pm at the Town Hall, 3816 Italy Hill Road, Branchport, New York, a hearing will be held to consider said petition including the environmental significance thereof and to hear all persons interested in the subject thereof, and for such other and further

action on the part of said Town Board, with relation to the premises as may be just and appropriate; and

Further that the Town Clerk is directed to advertise the hearing in accordance with law.

2013 TENTATIVE BUDGET

A budget workshop is scheduled for September 20, 2012 at 7:00 P.M.

The Public Hearing on the 2013 Town Fiscal Budget was scheduled for October 17, 2012 at 7:30 P.M.

REIMBURSEMENT OF PROFESSIONAL FEES:

Attorney Bailey Was instructed to work with Town Clerk McMichael on implementing Chapter 84. Reimbursement of Professional Consultation Fees.

With there being no further business, on a motion of Councilor Folts, seconded by Councilor Parson, the meeting was adjourned at 8:59 P.M.

Sheila McMichael, Town Clerk