

Minutes of the regular monthly meeting of the Jerusalem Town Board held on December 18, 2013 at 7:00 P.M. PRESENT were: Supervisor Jones, Councilors Folts, Killen, Parson, Steppe, Deputy Supervisor Stewart, Town Attorney Bailey, Town Clerk McMichael, Town Engineer Ackart.

Excused: Highway Superintendent Martin.

GUESTS: Taylor Fitch, Bob Morse, Louis & Donna Gridley, Fred Thomas, Bill Sutherland, Bob Evans, Gary Dinehart, Renee Bloom, Ron Rubin, David Specksgoor; *Dundee Observer* Reporter, John Christensen; *Chronicle Express* Reporter and several other unidentified guests.

Supervisor Jones called the meeting to order with the Pledge to the Flag at 7:05 P.M.

**RESOLUTION #170-13**  
**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 November 13, 2013 meeting be approved as read.

**RESOLUTION #171-13**  
**AUDIT OF CLAIMS**

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

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

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

General:	\$16,449.89
Outside Village	\$ 4,918.78
Highway DB:	\$15,961.94
Sewer:	\$35,765.90
Water:	\$51,335.73
Branchport Light	\$ 278.16

November Utilities:

General:	\$ 131.16
Outside Village:	\$ 68.90
Sewer:	\$ 5,318.88

Water: \$ 186.37  
Trust: \$33,166.31

RESOLUTION #172-13

SUPERVISOR REPORT

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

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

Resolved that the Supervisor's Report on the Town's finances for the month of November 2013 be accepted as presented.

PRESENTATION POSTPONEMENT

The presentation from Steve Griffin, FLEDC has been postponed until the January 15, 2014 meeting.

TOWN OFFICIALS

HIGHWAY SUPERINTENDENT

- Written Budget Highway report on file in the Office of the Town Clerk.

TOWN ENGINEER

- Notes of the December 10, 2013 KPSW meeting on file in the Office of the Town Clerk.

COUNCIL

- Robert Catlin was present and expressed an interest in the upcoming vacancy on the Town Board. Some community members in attendance provided support for Mr. Catlin's appointment.
- Renee Bloom, Keuka Housing Council Executive Director addressed the Board on why she feels Yates County needs a Comprehensive Plan to enhance grant funding opportunities. County Legislator Fitch stated the County Government Operations Committee needs to be addressed on this matter.

RESOLUTION #173-13

LETTER OF SUPPORT TO DEVELOP A YATES COUNTY COMPREHENSIVE PLAN

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

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

Resolved the Town Clerk write a letter to the Yates County Legislature supporting the development of a comprehensive plan for Yates County.

COUNCIL (cont'd.)

- David Owen is resigning from the Planning Board in January 2014.
- A holiday lunch is planned for the employees tomorrow.
- Councilor Killen will be resigning his position as Town Council to assume the position of Supervisor on January 1, 2014.

SUPERVISOR

- The Organizational Meeting will be held at 4:00 P.M. on Friday, January 3, 2014.
- The following 280-a Policy proposed by the Planning Board Chair will be placed on the January 15, 2014 agenda:  
When the Town receives a request for the Division of Property Not Subject to Subdivision Approval, and one or more of the lots being created does not have road frontage on a town, county, or state road, an application (under NYS Code 280-a) for Approval of a site plan for a Private Road be required.

All conditions of Town Code section 93:19-27 must be met, including a site plan of the lots and the private road, which is to be provided to the Planning Board, CEO, Highway Superintendent, Water and Sewer Superintendent, Fire Chief, and Yates County Soil and Water (YCSW) for review and comments **prior** to the application being considered by the Planning Board. The Planning Board's recommendations must then be reviewed and acted upon by the Town Board before any work can begin.

A Pre-Construction meeting will be required involving CEO, Highway, Water and Sewer, Fire Chief and possibly YCSW before any road construction can begin.

A Building Permit, if applicable, shall not be issued until a final decision by the Town Board on the proposed Private Road has been made.

- It has been determined the process flow chart developed in 2012 needs to be utilized with signatures acknowledging receipt to ensure involved parties understand the required process.

SUBCOMMITTEE REPORT:

BRANCHPORT HAMLET/CDB GRANT STEERING SUBCOMMITTEE:

Jennifer Gruschow is the new Branchport Hamlet Subcommittee chair. A mission statement has been developed and they are in the process

of setting goals and identifying grant applications to apply for. Renee Bloom is talking to local businesses owners on their needs.

RESOLUTION #174-13

TABLE - LANG OPEN DEVELOPMENT AREA APPLICATION

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

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

Resolved the Lang Open Development Area application be tabled as it is incomplete.

RESOLUTION #175-13

ACCEPT DEED OF GIFTS - MTS DEVELOPMENT, LLC/BRANDY BAY HEIGHTS

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

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

Resolved the Town of Jerusalem accept the Deed of Gifts from MTS Development, LLC contingent upon releases of the liens of Lyons National Bank mortgage and the Yates County IDA financing on the sewer and water mains constructed at Brandy Bay Heights senior living complex.

RESOLUTION #176-13

AUTHORIZE CODE ENFORCEMENT OFFICER TRAINING

On a resolution of Councilor Folts, seconded by Councilor Parson, the following was

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

Resolved the Code Enforcement Officer be authorized to attend the Finger Lakes Building Officials Association educational conference to be held March 17-20, 2014 in Henrietta, New York at a cost of \$390.00 to be funded from 8010.4.

RESOLUTION #177-13

ABANDONMENT OF DISBROW ROAD

On a resolution of Councilor Folts, seconded by Councilor Parson, the following was

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

Whereas, a Town Road known as Disbrow Road, in the Town of Jerusalem, County of Yates, commencing at the intersection of Pepper Road for a distance of 0.34 miles in a westerly direction has not been worked nor maintained by Town of Jerusalem Highway forces in the past six years from this date, said Town Road shall cease to be a Town Road and every public right of way that shall not have been used for said period shall be deemed abandoned; and

Whereas, the effect of such abandonment, with respect to the Town Road described shall be: It shall no longer be worked at the public expense by the Town of Jerusalem; now, therefore, be it

Resolved that this Town Board of the Town of Jerusalem, duly convened at a regular meeting, hereby agrees to abandon such Town Road and public right of way known as Disbrow Road in the Town of Jerusalem; and, be it further

Resolved the Town Clerk file the Abandonment of Disbrow Road Under Section 205 of the Highway Law of the State of New York certification with NYSDOT.

RESOLUTION #178-13

ADVERTISE FOR TRUCK-MOUNTED EXCAVATOR

On a resolution of Councilor Folts, seconded by Councilor Parson, the following was

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

Whereas the Highway Superintendent desires authorization for the purchase of a new 2014 or a used 2013 (with less than 500 hours use) truck-mounted excavator; and

Whereas the 2014 budget appropriates the purchase of such within DB5130.2; now, therefore, be it

Resolved that the Highway Superintendent be authorized to advertise in the Town's official newspaper to take sealed bids through 1/10/2014 for the purchase of a new 2014 or a used 2013 (with less than 500 hours use) truck-mounted excavator.

RESOLUTION #179-13

AUTHORIZE SUPERVISOR TO EXECUTE SEWER #2 GRINDER PUMP AGREEMENT

On a resolution of Councilor Folts, seconded by Councilor Parson, the following was

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

Whereas the Town Of Jerusalem Sewer Department owns and maintains the E One Grinder Pumps in Sewer District #2; and

Whereas the Town of Jerusalem is responsible for the service, removal, replacement and repair of the E One Grinder Pumps in the Keuka Park Sewer District #2; and

Whereas the current Memorandum of Agreement between Dean Roberts and the Town of Jerusalem has expired; and

Whereas Dean Roberts would like to renew the Memorandum of Agreement to service, remove, replace and/or repair of the E One Grinder Pumps in the Keuka Park Sewer District #2; and

Whereas the cost associated with maintaining the E One Grinder Pumps in the Keuka Park Sewer District Extension 2 are passed along the property owners in the Keuka Park Sewer District 2; and

Whereas the Town of Jerusalem wishes to renew the Memorandum of Agreement for an additional year;

Now therefore, be it resolved that the Town Board authorizes Supervisor Daryl Jones to sign the Grinder Pump Memorandum of Agreement between the Town of Jerusalem and Dean Roberts for a term of 1 year.

RECOGNITION - GARY DINEHART

Gary Dinehart will be retiring as of December 31, 2013 and was recognized for his years of service to the Keuka Park Water and Sewer Department.

RESOLUTION #180-13

2013 BUDGET MODIFICATIONS

On a resolution of Councilor Folts, seconded by Councilor Parson, the following was

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

Resolved the following 2013 Budget Modifications be authorized:

General

From 1990.4 Contingent Account	\$4,971.49
To 1110.4-Justice	\$4,068.01
To 8160.4-clean up day	\$ 903.48

Sewer

From 9789.7-Long Term Debt interest	\$34,000.00
To 9789.6- Long Term Debt principal	\$34,000.00

Water

From 9789.7-Long Term Debt interest	\$24,000.00
To 9789.6-Long Term Debt principal	\$24,000.00

With there being no further business, on a motion of Supervisor Jones, seconded by Councilor Killen, the meeting was adjourned at 8:17 P.M.

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Sheila McMichael, Town Clerk