

Minutes of the regular monthly meeting of the Jerusalem Town Board held on December 17, 2014 at 7:00 P.M. PRESENT were: Supervisor Killen, Councilors Dinehart, Jones, Parson, Steppe, Deputy Supervisor Stewart, Town Attorney Bailey, Town Clerk McMichael, Highway Superintendent Martin, Town Engineer Ackart.

GUESTS: Gary B. Olin, Sharon Olin, Tom Pritchard, Bob Evans, John Christensen; *Chronicle Express* Reporter

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

RESOLUTION #182-14
APPROVAL OF MINUTES

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

| | | | |
|---------|------|---|---|
| ADOPTED | Ayes | 5 | Dinehart, Jones, Killen, Parson, Steppe |
| | Nays | 0 | |

Resolved that the minutes of the November 19, 2014 meeting be approved as read.

RESOLUTION #183-14
AUDIT OF CLAIMS

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

| | | | |
|---------|------|---|---|
| ADOPTED | Ayes | 5 | Dinehart, Jones, Killen, Parson, Steppe |
| | Nays | 0 | |

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

| | |
|------------------|-------------|
| General: | \$21,644.24 |
| Outside Village | \$ 5,369.51 |
| Highway DB: | \$20,203.46 |
| Sewer: | \$42,613.39 |
| Water: | \$49,424.23 |
| Branchport Light | \$ 188.73 |

November Utilities:

| | |
|------------------|-------------|
| General: | \$45,419.21 |
| Outside Village: | \$ 142.68 |
| Highway DB: | \$ 6,581.23 |
| Sewer: | \$ 513.05 |
| Water: | \$ 1,023.65 |
| Trust: | \$21,936.18 |

RESOLUTION #184-14

SUPERVISOR REPORT

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

| | | | |
|---------|------|---|---|
| ADOPTED | Ayes | 5 | Dinehart, Jones, Killen, Parson, Steppe |
| | Nays | 0 | |

Resolved that the Supervisor's Report on the Town's finances for the month of November 2014 be accepted as presented.

TOWN OFFICIALS

HIGHWAY SUPERINTENDENT

- Written Budget Highway report on file in the Office of the Town Clerk.
- The Town has received approximately \$80,000 to date in FEMA reimbursement for the spring flooding. Supervisor Killen is meeting with Simmons Recovery consultants tomorrow and will ask what process is needed to obtain the remaining 25% of funding from New York State. He will also contact Assemblyman Palmesano on this matter.
- Highway Superintendent Martin had preliminary discussions with the YMCA to purchase a .5 acre parcel that adjoins the Town gravel pit. The additional land can be used for placement of the salt storage building.

TOWN ENGINEER

- Notes of the December 9, 2014 KPSW meeting on file in the Office of the Town Clerk.
- A progress meeting will be held with Aqualogics tomorrow to review the design and schedule of the water project.

COUNCIL

- Councilor Steppe stated the Planning Board is reviewing the Steep Slopes SEQR process for compliance. Notes of the Planning Board meeting will be shared with Attorney Bailey for review once they are drafted. Town Engineer Ackart noted this will tie in with the review he and Highway Superintendent Martin are conducting of SEQR and the East Bluff Drive bank stabilization phenomena.
- Councilor Parson reviewed the 4th quarter 2014 Assessor Report.

SUPERVISOR

- Supervisor Killen and Deputy Supervisor Stewart recommend Jeffrey Graff be hired as the Attorney for the Town with the retirement of Attorney Bailey on December 31, 2014.

- Supervisor Killen drafted a letter to Jud's Stonehouse Nursery thanking them for their gratis work maintaining the lawn at the Town Office.

SUBCOMMITTEE REPORTS

AGR ZONING REVIEW SUBCOMMITTEE

Councilor Jones met with Subcommittee Chair Jim Crevelling. Their suggested AGR zoning amendments were sent to the Town Board and Planning Board.

BRANCHPORT HAMLET SUBCOMMITTEE

Councilor Parson reported guidelines will be sent to the Town Board, Planning Board and business owners to review. Christmas in Branchport was held December 6th. We are awaiting DOT approval on the "Welcome to Branchport" sign. Hunt Country would like to sponsor a Welcome sign. Wood chips will be placed on the Sugar Creek pathway and possibly some boulders. The Subcommittee is looking to submit a streetscape grant application that will need funds to support it.

TOWN LAWN MOWING/MAINTENANCE LAW SUBCOMMITTEE

Councilor Dinehart is currently reviewing the New York State Code.

LANG OPEN DEVELOPMENT APPLICATION

No further report.

RESOLUTION #185-14

AMEND RESOLUTION #167-14 SETTLEMENT OF SWINGLE-OLIN COMPLAINT

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

| | | | |
|---------|------|---|---|
| ADOPTED | Ayes | 5 | Dinehart, Jones, Killen, Parson, Steppe |
| | Nays | 0 | |

Whereas the New York State Office of General Services (OGS) e-mailed the proposed Stipulation of Settlement of the Keuka Lake complaint on December 12, 2014 to Mr. Swingle; and

Whereas due to the delay by the State in getting this done, they will extend the work deadline to a more reasonable date with the cooperation of the Town; now, therefore, be it

Resolved Resolution #167-14 Settlement of Swingle-Olin Complaint, item 8. 1. be amended by changing the conformance date from December 31, 2014 to April 30, 2015 to allow sufficient time for OGS to work through the process on the proposed settlement.

RESOLUTION #186-14

ADOPT 2015 KEUKA PARK SEWER/WATER FEES, RATES AND EDU SCHEDULE

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

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

WHEREAS, the Town Board, acting as the Board of Commissioners of the Keuka Park Water and Sewer Districts establishes the fees for sewer and water customers of the districts; and

WHEREAS, Section 198(3)(d) of the Town Law of the State of New York authorizes the Town Board to establish the rates for use of water by customers of the district; and

WHEREAS, Section 152-8 of the Code of the Town of Jerusalem provides that the rate schedule be kept on file in the office of the Town Clerk; and

WHEREAS, Section 131-25 of the Code of the Town of Jerusalem authorizes the Town Board to establish the fees for use of water by customers of the district; and

WHEREAS, Equivalent Dwelling Units (EDU's) are assessed on each individual property, regardless of common owner; now, therefore, be it

RESOLVED that the proposed Fee Schedule, Rate Schedule and Equivalent Dwelling Unit (EDU) Schedule Guideline of the Keuka Park Sewer and Water Districts attached to this resolution be and it hereby is approved to go into effect on January 1, 2015 and continue in effect thereafter until further resolution of this Board.

| 2015 SEWER FEE SCHEDULE | FEE |
|---|--|
| APPLICATION FEE | \$350.00 |
| **IMPACT FEE SEWER ORIGINAL, Ext 1, Ext 3 | \$23.08 MULTIPLIED BY # OF EDU'S |
| **IMPACT FEE SEWER Ext 2 | \$602.68 MULTIPLIED BY # OF EDU'S |
| TURN ON/OFF | FIRST ON/OFF PER YEAR - NC; SUBSEQUENT ON/OFF \$25.00 |
| *HOURLY RATE | \$30.00 PER HOUR |
| *AFTER HOUR CALL IN | \$90.00 |
| *PARTS | COST |

| 2015 WATER FEE SCHEDULE | FEE |
|--------------------------------|--|
| APPLICATION FEE | \$350.00 |
| **IMPACT FEE | \$220.54 MULTIPLIED BY # of EDU'S |
| TURN ON/OFF | FIRST ON/OFF PER YEAR-NC; SUBSEQUENT ON/OFF \$25.00 |
| METER (new and/or replacement | \$200.00 FOR 5/8"; METERS LARGER THAN 5/8" BILLED AT COST |
| *HOURLY RATE | \$30.00 PER HOUR |
| *AFTER HOURS CALL IN | \$90.00 |
| *PARTS | COST |
| RETURN CHECK | \$20.00/PER RETURNED CHECK |
| RELEVY FEE | \$50.00/PER ACCOUNT (Minimum Relevy Amount \$50.00) |

*These fees would only apply to repairs made due to customer negligence or request. Hourly rate will only apply if outside the normal working hours and will be in addition to the after hour call in fee.

**Impact fee will apply to vacant property or property that is split from a parcel of land that is permitted to connect to water and/or sewer and currently does not pay capital charge. It will not apply to those properties that have paid the lump sum payment for either water or sewer capital. Fee will be equal to the current capital charge for that district multiplied by the number of EDU's. They will also be charged an application fee in addition to the impact fee. Capital charges for water commence when building permit is issued. Sewer Charges commence first billing cycle after issuance of building permit.

***Water and Sewer Permits are valid for 90 days. Permits may be renewed 1 time for a total of 180 days for no additional charge. After 180 days, the original permit will become void, and the applicant will need to re-apply for water and/or sewer connection permit and pay an additional application fee (\$350.00).

2015 KEUKA PARK WATER/SEWER DEPARTMENT RATE SCHEDULE

Keuka Park Water District

Usage: \$59.50/Quarter = 10,000 gallons (min)
\$ 5.95/1000 gallons over minimum

Capital: \$220.54/EDU Billed annually on the January Town/
County Tax Bill

Out of District Rate: 25% Surcharge on Usage and Capital

Capital Charges commence when building permit is issued

KEUKA PARK SEWER RATES

CHARGES BELOW ARE ON A PER UNIT BASIS IN ACCORDANCE WITH SECTION 131-26 OF THE SEWER USE LAW

(Sewer Fees are collected in advance)

Keuka Park Sewer District (Original District) & #1

Operation/Maintenance & Capital Combined: \$161.00/quarter

Keuka Park Sewer District Ext. #2

Operation/Maintenance: \$155.00/quarter

Grinder Pump Fee: \$ 11.00/quarter

Capital: \$151.00/Quarter

Keuka Park Sewer District Ext. #3

Operation/Maintenance & Capital Combined: \$155.00/quarter

Out of District Rate: 25% Surcharge on Usage and Capital

Sewer Charges will commence first billing cycle after issuance of building permit

BILLING DATES

Account # Beginning in 1 and 4

Jan 1, April 1, July 1, Oct 1

Account # Beginning in 2 and 3

Feb 1, May 1, August 1, Nov 1

Account # Beginning in 6

March 1, June 1, Sept 1, Dec 1

2015 EQUIVALENT DWELLING UNIT (EDU) SCHEDULE GUIDELINE

EDU's are assessed on each individual property, regardless of common owner. An individual property will initially be assessed based on the following, but the Town Board reserves the right to adjust this determination based on a greater or lesser benefit received.

RESIDENTIAL

1-EDU per dwelling unit

(Separate living unit with bath or shower, toilet, and kitchen)

Property or building with more than one dwelling unit

(i.e. two apartments in one building = 2 EDU's)

MUNICIPAL BUILDINGS/FIRE HALL

2-EDU's

SCHOOL

2-EDU's Per Classroom

CHURCH OR PARSONAGE

1-EDU

COMMERCIAL

RESTAURANT

- 3-EDU'S FOR LESS THAN 50 PERSON SEATING CAPACITY
- 4-EDU'S FOR OVER 50 PERSON SEATING CAPACITY

STORE W/SNACK - BAR

- 3-EDU'S WITH INSIDE SEATING FOR LESS THAN 50 PERSONS

RETAIL STORE

- 1 EDU

GAS STATION/AUTOMOTIVE SERVICE FACILITY

- 2-EDU'S

PROFESSIONAL OFFICE

- 1-EDU

BOAT REPAIR/MARINA

- 1-EDU FOR THE FIRST 50 SLIPS
- 1-EDU FOR EACH ADDITIONAL 50 SLIPS OR PART THEREOF

MOTEL

- ½ EDU (.5) FOR EACH RENTAL UNIT + 1 EDU FOR ANY OWNER OCCUPIED RESIDENCE

BED & BREAKFAST

- ¼ EDU (.25) FOR EACH RENTAL ROOM + 1 EDU FOR ANY OWNER OCCUPIED RESIDENCE

MOBILE HOME PARKS/MOBILE HOMES

- 1-EDU FOR EACH MOBILE HOME ON PROPERTY

CAMPGROUND (RV'S TRAVEL, TRAILER, SITE, ETC.)

- ¼-EDU (.25) EDU FOR EACH APPROVED SITE

WINERY

- 1-EDU/for 25 or less person occupancy
- 2-EDU's/for more 50-75 person occupancy
- 3-EDU's/for more than 75 person occupancy
(Occupancy to be determined by the Town Code Enforcement Officer)

MINI STORAGE/BOAT STORAGE

- 1-EDU per Parcel

COMMUNITY CENTER

- 1-EDU/for 25 or less person occupancy

2-EDU's/for 50-75 person occupancy
3-EDU's/for more than 75 person occupancy

OTHER

KEUKA LAKE STATE PARK

30-EDU'S TOTAL

CAMP GOOD DAYS

10-EDU'S TOTAL

HIGH VOLUME USER

High Volume User is defined as any customer regularly using more than ten million gallons of water per year.

High Volume User shall be charged the greater of (A) 250 units, or (B) one unit for each 40,000 gallons of water used per year (or fraction thereof) on average over the three-year period ending with the last meter reading prior to taxable status date, provided that the charge for a High Volume User newly joining the district shall be determined by the Town Board based on a reasonable projection of water use by such customer until at least one full year of actual usage by such new customer shall be recorded. At the option of a High Volume User, all of its properties may be aggregated in one account for the purpose of calculating and collecting this charge.

RESOLUTION #187-14

AUTHORIZE TRAINING GRADE C and D OPERATOR CERTIFICATION COURSES

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

| | | | |
|---------|------|---|---|
| ADOPTED | Ayes | 5 | Dinehart, Jones, Killen, Parson, Steppe |
| | Nays | 0 | |

Whereas; the Grade C Operators Certification Course is being offered at SUNY Morrisville on February 9-12, 2015;

Whereas; the Grade D Operators Certification Course is being offered at SUNY Morrisville on March 17-18, 2015;

Whereas; the NYS Health Department requires that the Keuka Park Water District operator has a Class C and Class D Operator Certification;

Whereas; instruction and training expenses were approved in the 2015 budget;

Therefore be it resolved to authorize Kasey Christensen to attend the Class C and D Operators Certification Course at SUNY Morrisville at a cost not to exceed \$1500.00 which will include

class registration, meals and hotel accommodations. This expense to be funded 30% from 8120 and 70% from 8340.

RESOLUTION #188-14

AUTHORIZE SUPERVISOR TO EXECUTE SEWER #2 GRINDER PUMP MEMORANDUM OF AGREEMENT

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

ADOPTED Ayes 5 Dinehart, 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 will expire on 1/10/15; 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;

Whereas the Town of Jerusalem wishes to renew the Memorandum of Agreement for period 2 years;

Now therefore, be it resolved that the Town Board authorizes Town Supervisor to sign the Grinder Pump Memorandum of Agreement attached to this resolution between the Town of Jerusalem and Dean Roberts for a term of 2 years.

RESOLUTION #189-14

2014 BUDGET AMENDMENT - POMEROY GRANT BEDDOE SIGN

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

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

Whereas, the Town was awarded the Pomeroy grant to assist with the purchase and installation of the Beddoe sign

NOW BE IT RESOLVED that the 2014 general fund budget be amended as follows

| | | |
|------------------|--------|-------------|
| Increase revenue | 2770 | \$ 1,050.00 |
| Increase expense | 7510.4 | \$ 1,050.00 |

RESOLUTION #190-14

RESOLUTION REGARDING TELEVISION PURCHASE FOR BOARDROOM PRESENTATIONS AND TRAINING

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

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

Whereas presenting information to the public at meetings would be facilitated by use of visual aids like power point presentations, displaying budget information, and use of graphs or pictures, on a large screen,

Whereas Cornell offers safety and other highway training courses online that can be viewed on a television with internet access,

Whereas many state agencies offer internet training and broadcast of conferences which could be more easily accessed by a group of employees via a television/internet connection, thus saving the time of travel, and cost of gas to attend such training or conferences in person,

Whereas a prior study of Jerusalem Court facilities by NYS OCA indicated that trials in Town of Jerusalem as it is presently situated do not allow sufficient open access or viewing from the general seating area in the boardroom, and we could correct this limitation via connection of a camera in the courtroom to a television in the boardroom,

Whereas the purchase of the Samsung internet capable television was accomplished at a significant savings of nearly \$160 by timely purchase

Therefore be it resolved that \$515.32 which was budgeted but not used in 7310.4 (Youth Programs) and would otherwise be placed back into general fund, be moved to item 1620.4 (Buildings), and that

\$505 be used to pay for a Samsung television, and associated mount and cables for the boardroom.

RESOLUTION #191-14

AUTHORIZE HIRING ATTORNEY JEFFREY GRAFF AS ATTORNEY FOR THE TOWN

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

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

Whereas Phil Bailey has indicated his plans to resign his position as Attorney for the Town at the year's end, 12/31/14.

Whereas we appreciate his service as Attorney for the Town,

Whereas a search for a new Attorney for the Town was made by Supervisor Killen and Deputy Supervisor Ray Stewart,

Whereas Jeffrey Graff was interviewed and found to have requisite knowledge, and experience for the position of Attorney for the Town,

Therefore be it resolved that we approve Supervisor Killen to sign a retainer agreement (contract) as attached hiring Attorney Jeffrey Graff

RESOLUTION #192-14

SCHEDULE JANUARY ORGANIZATIONAL MEETING

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

ADOPTED Ayes 5 Dinehart, Jones, Killen, Parson, Steppe
Nays

Resolved that the Organization Meeting be scheduled for January 7, 2015 at 6:00 P.M.; and further

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

PUBLIC COMMENT

Attorney Bailey thanked the Board for their token of appreciation. The Board recognized Mr. Bailey for his years of service to the Town.

Jerusalem Town Board
December 17, 2014

With there being no further business on a motion of Councilor Steppe, seconded by Councilor Parson, the meeting was adjourned at 7:58 P.M.

Sheila McMichael, Town Clerk