

Minutes of the regular monthly meeting of the Jerusalem Town Board held on December 16, 2015 at 7:00 P.M. PRESENT were: Supervisor Killen, Councilors Dinehart, Jones, Parson, Steppe, Deputy Supervisor Stewart, Town Clerk McMichael, Highway Superintendent Martin, Town Engineer Ackart.

GUESTS: Tim Cutler, Doug Paddock, Joyce Hunt, Art Hunt, Nitosha Fingar, Joe Trombley, Marcia & Dave English.

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

CHANGES TO THE AGENDA

Councilor Steppe requested a second Executive Session to discuss potential litigation.

RESOLUTION #164-15

APPROVAL OF MINUTES

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 minutes of the November 18, 2015 meeting be approved with an amendment to Resolution 163-15 Appoint Code Enforcement Officer to be modified per the attached handout at the end of the agenda.

RESOLUTION #165-15

AUDIT OF CLAIMS

On a motion of Councilor Steppe, seconded by Councilor Parson, 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:	\$ 8,653.95
Outside Village	\$ 729.88
Highway DB:	\$195,491.92
Sewer:	\$ 8,750.01
Water:	\$ 9,212.34
Branchport Light	\$ 238.73

November Utilities:

Branchport Light:	\$ 238.73
Sewer:	\$ 34,079.15
Water:	\$ 101.33
Trust:	\$130,601.50
Debt Service	\$ 46,912.50

RESOLUTION #166-15
SUPERVISOR REPORT

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 Supervisor's Report on the Town's finances for the month of November 2015 be accepted as presented.

TOWN OFFICIALS
HIGHWAY SUPERINTENDENT

- Written Budget Highway report on file in the Office of the Town Clerk.
- The new plow truck was delivered Friday.
- The 2008 Ford 350 pick-up truck declared as surplus (Resolution #135-15) sold for \$10,100 on Auctions International.
- No action is necessary on the Local Transportation Funding Resolution presented at the November 18, 2015 Town Board meeting as it was time-sensitive.

TOWN ENGINEER

- Notes of the December 8, 2015 KPSW meeting on file in the Office of the Town Clerk.
- The New York State Department of Health conducted their bi-annual inspection of the Keuka Park Water District on December 2, 2015.
- We are working cooperatively with the Village of Penn Yan on the Indian Pines Pump Station Forcemain Replacement project. The Village of Penn Yan has contacted the NYS Parks and Recreation regarding the Sewer Main Easement that will be needed for this project.
- Deputy Supervisor Stewart reported AquaLogics has completed the Keuka Park Water District Telemetry Project (#WO-14-261). The final payment was approved tonight.

COUNCIL

- Councilor Jones shared information that according to Attorney Jeff Graff, municipalities cannot donate to non-profits under Article VIII (1) of the NYS Constitution.
- Interviews are being scheduled for the Zoning Board applicants.
- Applicants are needed for the vacancy on the Board of Assessment Review.

SUPERVISOR

- We have been awarded \$50,000 in New York State Community Development Block Grant program funds to complete an engineering study to determine the scope and cost of improvements needed for the water system.
- Supervisor Killen followed up with Phil Mann who alleged damage due to a water main break
- We received a request to support the Branchport Keuka Park Fire District fund drive. As previously reported, the Town cannot donate; however, Supervisor Killen encouraged the public to donate and thanked the Fire Department for their service.
- Supervisor Killen is reviewing invoices for legal services to determine if these are reimbursable under Town Code Chapter 86 Reimbursement of Fees.
- Quotes for the annual audit have been requested from four firms. Bonadio & Co. submitted a proposal and we anticipate one from Raymond Wager, Inc. Town Clerk McMichael will seek names of firms from our financial consultant, B.P. Donegan, Inc. to obtain additional quotes.
- Supervisor Killen recognized Councilor Steppe for his service to the Town as his term expires December 31, 2015.

ANNUAL ACCOUNTING OF THE TOWN JUSTICE'S BOOKS

The Annual Accounting of the Town Justice's books was conducted by the Justice Committee in January 2015, but was not entered as a matter of public record in the Town Board meeting minutes. Due to budget constraints, the single audit for the Justice's books was not included in the 2016 budget.

SUBCOMMITTEE REPORTS:

BRANCHPORT HAMLET SUBCOMMITTEE

Councilor Parson stated the Subcommittee will be meeting to review their goals and determine what can be accomplished.

AGR ZONING REVIEW SUBCOMMITTEE

Draft language on the AGR zoning amendments has been received from Attorney Graff. The local law adoption process was discussed, noting the SEQR must accompany the Yates County Planning Board referral. Planning Board Chair Cutler will send the SEQR to Town Engineer Ackart and Supervisor Killen.

B1 ZONING REVIEW SUBCOMMITTEE

The B1 Zoning Review Subcommittee met and agreed to the plan proposed by Seneca Farms. The preliminary site plan was presented to the Planning Board on December 3, 2015 and shared with the Town Board. The Planning Board recommends the Town Board amend the B1 zoning to modify the existing boundaries as proposed. The 150'

measuring point for the B1 District boundary is not clear. Town Engineer Ackart and Supervisor Killen will meet tomorrow to discuss the SEQR. It was noted associated legal fees regarding this project may be reimbursable by the applicant under Town Code Chapter 86 Reimbursement of Fees. The applicant was referred to the Zoning, Assessing and Planning Clerk.

RESOLUTION #167-15

USED VEHICLE ASSESSOR

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

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

Whereas quotes for a used vehicle to replace the pick-up truck for the Assessor were received as follows:

Marbles Automotive, Penn Yan	2009 Subaru Forester	\$ 9,200
	+ registration	
Geneva Coach, Geneva	2009 Ford Escape	\$10,000
	+ inspection/registration	
Auto Solutions, Farmington	2009 Subaru Forester	\$10,000
	+ \$630 fees	
Friendly Dodge	2009 Ford Escape	\$ 9,696

Now, therefore, be it

Resolved the 2004 Chevy pick-up truck be declared surplus equipment and sold on Auctions International or traded in if Supervisor Killen determines it is allowed; and, be it further

Resolved purchase of the vehicle be authorized from Marble's Automotive in 2016 at a cost of \$9,200 plus the registration to be funded by 1355.4.

DATA COLLECTOR

Data Collector applicants will be interviewed by the Assessment/ Assessor Committee.

RESOLUTION #168-15

SCHEDULE 2016 ORGANIZATIONAL MEETING

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

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

Resolved the Organizational Meeting be scheduled on January 6, 2016 at 6:00 P.M.

RESOLUTION #169-15

AUTHORIZE ATTENDANCE AT NEWLY ELECTED OFFICIALS TRAINING SCHOOL

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

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

Resolved newly-elected Town Councilor Paul Anderson be authorized to attend the Newly Elected Officials Training School conducted by the Association of Towns on January 6-8, 2016 in Rochester, NY at a cost of \$200 with the expense being funded by 1010.4.

RESOLUTION #170-15

ADVERTISE PART-TIME TYPIST FOR CEO

Supervisor Killen offered a motion, seconded by Councilor Parson

Whereas we anticipate the retirement of the part-time typist for the Code Enforcement Officer in February 2016; and

Whereas funds were included in the 2016 budget for said position; now, therefore, be it

Resolved the Town advertise said part-time typist position to work 7-15 hours/week at an hourly rate of \$9.75.

Councilor Jones stated the resolution was not presented in accordance with the Rules of Procedure as it was just brought up today. Noted concerns related to the retirement of the Code Enforcement Officer (CEO) and allowing the new CEO to determine departmental needs, along with Assessor's needs related to the revaluation given he will be hiring a Data Collector to assist him.

The question was called and the vote taken as follows:

ADOPTED Ayes 3 Killen, Parson, Steppe
Nays 2 Dinehart, Jones

RESOLUTION #171-15

2015 BUDGET AMENDMENT - TANDEM AXLE PLOW TRUCK PURCHASE

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

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

Whereas Resolution #82-15 authorized the purchase of a 2016 Beam Mack tandem axle truck with a dump box, one way plow and wing; and

Whereas the new truck has been delivered to the Town Highway Department; and

Whereas the Town Board authorized the funds to be transferred out of the Highway Machine Reserve to encompass the expense of the Beam Mack truck;

Now, therefore, be it resolved that the funds be transferred out of the Highway Machine Reserve and into the Highway DB to be amended as follows:

Increase 5031	Interfund transfer	\$ 187,550.09
Increase 5130.2	Machinery EQ	\$ 187,550.09

MONTHLY TOWN BOARD MEETING AGENDA

Receipt and distribution of the Town Board agenda was discussed. Supervisor Killen stated it was an oversight on his part the December agenda did not get distributed. Town Clerk McMichael submitted a request to the Town Board to amend the Rules of Procedure Section 7. Agendas on December 15th.

RESOLUTION #172-15

MOVE TO EXECUTIVE SESSION

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

ADOPTED	Ayes	5
	Nays	0

Resolved that this meeting be interrupted to enter into Executive Session to discuss the employment of a particular person.

The following information was supplied by Councilor Jones:

The Executive Session convened at 8:48 P.M.

The Board returned to regular session at 9:45 P.M.

Sheila McMichael, Town Clerk

Offer to Zach DeVoe for Code Enforcement Officer position 40 hrs a week

Hourly pay- \$22.50 (\$46,800 annually)

Medical and dental coverage- 5 % employee contribution

(employee can select individual or family)

(a buy out is available if no coverage taken of \$2000 annually)

Employee can opt in or out of NYS retirement- if in, employee contribution is per NYS Retirement system guidelines (expected 3 1/2 % contribution at pay rate above)

Leave will be according to Jerusalem employee handbook