

Minutes of the regular monthly meeting of the Jerusalem Town Board held on 20, 2016 at 7:00 P.M. PRESENT were: Supervisor Killen, Councilors Anderson, Dinehart, Jones, Parson, Town Clerk McMichael, Highway Superintendent Martin, Town Engineer Ackart.

GUESTS: Ray Stewart, Doug Paddock, Tim Cutler, John Christensen; *Chronicle Express* Reporter

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

A moment of silence was taken in honor of community member Lawrence McMinn who recently passed.

CHANGES TO THE AGENDA

Two resolutions were added to appoint a Board of Assessment Review member and authorize the organization of Town records.

RESOLUTION #70-16

AUDIT OF CLAIMS

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

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

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

General:	\$56,720.89
Outside Village	\$ 1,627.45
Highway DB:	\$45,901.76
Sewer:	\$40,714.50
Water:	\$ 6,649.94

March Utilities:

General:	\$ 2,503.77
Outside Village:	\$ 39.47
Branchport Light:	\$ 234.75
Sewer:	\$ 183.75
Water:	\$ 207.55
Trust:	\$30,033.70

RESOLUTION #71-16

SUPERVISOR REPORT

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

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

Resolved that the Supervisor's Report on the Town's finances for the month of March 2016 be accepted as presented.

RESOLUTION #72-16

APPROVAL OF MINUTES

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

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

Resolved that the minutes of the April 20, 2016 meeting be approved as read.

TOWN OFFICIALS

HIGHWAY SUPERINTENDENT

- Written Budget Highway report on file in the Office of the Town Clerk.
- Roads are being prepped for gravel.
- The Highway Committee met to review the request from Havah Hume, 4682 Morrison Road to install an alternative culvert pipe. Further information on the flooding problem was submitted to the Supervisor in her April 16, 2016 letter.
- A lengthy discussion ensued regarding a recommendation from the Highway Committee to replace the 1997 Champion grader this year due to the difficulty obtaining replacement parts. Funds are available in the equipment reserve for this purchase.

RESOLUTION #73-16

TABLE GRADER PURCHASE

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

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

Resolved the request to replace the grader be tabled to review all options and determine the budget impact.

PROPOSED BEST VALUE LOCAL LAW

During recent training, Highway Superintendent Martin learned of a local law to permit "best value" as an alternative to the "lowest possible bidder" for purchase and public works contracts. Councilor Jones will request a legal opinion from Attorney Graff on this matter.

TOWN ENGINEER

- Notes of the April 14, 2016 KPSW meeting on file in the Office of the Town Clerk.
- The Annual Water Quality reports will now be available on-line at <http://www.jerusalem-ny.org/awqr.pdf>. This distribution method is approved by the Department of Health.

- No detectable contaminant levels were reported by the EPA as a result of their data collection in the KPWD.

COUNCIL

- The Assessor Quarterly Report was submitted. Future reports will be monthly like the other departments.

2016 SUMMER RECREATION PROGRAM

Councilor Jones reported on the Recreation Committee meeting with the Village of Penn Yan to discuss the upcoming summer programs. Registration is May 18 from 5:30-7:30 at the State Park.

RESOLUTION #74-16

2016 SUMMER RECREATION PROGRAM FEES

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

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

Resolved the following change be made for the Summer Recreation Program fees:

1. Increase the registration fee to \$15/camper with a \$45/family maximum.
2. Admission fee will be charged for field trips/activities.
3. Busing fees will be charged at \$3/person for field trips/activities to offset the cost of busing.

SUPERVISOR

- The Lest We Forget War Memorial site will be prepped for the upcoming Memorial Day holiday.
- Supervisor Killen is trying to find someone to take over the maintenance of Herrick Cemetery. Many of our cemeteries are in financial distress.
- Code Enforcement Officer John Phillips is retiring April 29, 2016 after 21 years of service. He will be recognized with a gift from the Board.
- Simmons Consultant waived their fee to follow up on our FEMA payment for road work done on Belknap Hill Road.
- Employees Carrie Wheeler and Jen McKay thanked the Supervisor for purchasing their new office chairs and the coffee pot.
- The annual Dog Control Officer and shelter inspections received satisfactory ratings.
- The sale of the bond anticipation notes for the salt storage building is tomorrow.

RESOLUTION #75-16

CLIMBING KEUKA FOR KIDS 5K RUN

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

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

Resolved the Town has been notified Climbing Keuka for Kids 5K fundraiser be held on May 14, 2016 beginning at the Esperanza Mansion and ending at the Branchport Fire Department.

RESOLUTION #76-16

APPOINTMENT - BOARD OF ASSESSMENT REVIEW TODD C. WHITFORD

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

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

Whereas Town of Jerusalem Board of Assessment Review has a vacant position due to the passing of a member, Mark Smith

Therefore be it resolved that Todd C. Whitford be appointed to the remainder of the open five year term which was October 1, 2014 to September 30th, 2019 and this will be effective 4/20/16.

RESOLUTION #77-16

APPOINTMENT - CODE ENFORCEMENT PART-TIME TYPIST - CHRISTY WOODWORTH

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

ADOPTED Ayes 4 Anderson, Dinehart, Killen, Parson
 Nays 1 Jones

Whereas, Ele Lambert retired from her position as part time typist assisting Code Enforcement;

Whereas, the Town Board approved Resolution #170-15 to advertise and hire a replacement to be paid \$9.75 an hour for up to 15 hours a week;

Whereas, Yates County Personnel assisted in screening applicants and referred four eligible candidates;

Whereas the candidates were contacted for interview, 2 removed themselves from consideration due to other employment and 2 were interviewed by a panel of Town of Jerusalem employees, with a recommendation from the panel to offer the job to Christy Woodworth;

Therefore be it resolved that Christy Woodworth be hired as part time typist

Further be it resolved that Ele Lambert be approved to return on a temporary basis to train Christy Woodworth for up to 25 hours, at her former rate of pay (Resolution #44-16).

RESOLUTION #78-16

RESOLUTION AUTHORIZING SUPERVISOR TO SIGN DEC PERMIT APPLICATION

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

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

WHEREAS, the Town intends to replace the sewage force main crossing the Keuka Outlet conveying sewage from the Keuka Park Sewer District and all Extensions to the Village of Penn Yan for treatment and disposal; and

WHEREAS, the Town has been informed by the Larson Design Group that it will be necessary to obtain a permit from NYS DEC for construction of said replacement crossing;

NOW THEREFORE BE IT RESOLVED, that the Supervisor is authorized to sign any and all necessary applications to DEC to permit and allow said replacement.

RESOLUTION #79-16

RESOLUTION FOR SEQR TYPE II DETERMINATION - TOWN OF JERUSLEM INDIAN PINES SEWAGE FORCE MAIN REPLACEMENT

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

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

WHEREAS, 6 NYCRR Section 617.5 (Title 6 of the New York Code of Rules and Regulations) under the State Environmental Quality Review Act (SEQR) provides that certain actions identified in subdivision (c) of that section are not subject to environmental review under the Environmental Conservation Law;

"(2) replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including buildings to meet building or fire codes, unless such action meets or exceeds any of the thresholds in section 617.4 of this Part."

NOW, THEREFORE BE IT RESOLVED, that the Town of Jerusalem hereby determines that the proposed project to provide Indian Pines Sewage Force Main Replacement is a Type II action in accordance with 6 NYCRR Section 617.5(c)(2), as the proposed project involves

reconstruction in kind on the same site; and is therefore not subject to review under 6 NYCRR Part 617.

RESOLUTION #80-16
RESOLUTION TO PLACE LEGAL NOTICE REQUESTING ENGINEERING
QUALIFICATIONS FOR CBDG GRANT

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

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

WHEREAS, the Town has recently received a grant from New York State Community Block Grants (NYS CBDG) for a total value of \$52,500 for the purpose of conducting a Water System Planning and Feasibility Study; and

WHEREAS; and the Town is seeking Statements of Qualifications from Consulting Engineers for engineering services to conduct said Study;

NOW THEREFORE BE IT RESOLVED, that the Town Clerk is authorized to place a proper Legal Notice on April 27, 2016 requesting the submission of "Qualifications For Engineering Services For CBGD Grant", with said Qualifications submissions due by 3 pm Monday, May 9, 2016 in the Office of the Town Clerk.

RESOLUTION #81-16
AUTHORIZE DATA COLLECTION SUPPLIES FROM \$26,000 APPROVED

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

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

Whereas the Town of Jerusalem has allocated \$26,000 for data collection to bring its assessments up to 100% from 97%.

Whereas the assessor's office requires supplies to complete the data collection per previous discussions.

Therefore let it be resolved that the assessor's department be permitted to purchase the following supplies, at its discretion, from the allotted \$26,000 during the current fiscal year;

2000 labels \$200

Rapid Sketch Software \$149 for drawing properties at the sites

Newspaper ads \$350 for notifying property owners of said data collection

Purchase of a Tablet to enter data \$107.99 presently purchased

ID for data collector \$5 presently purchased

Door Magnets \$60

VWireless additional line for data collector tablet \$40/month \$480 for this year's collection

Therefore let it be resolved that the assessor be able to utilize a total of \$1,361.99 from the current \$26,000 budget for the above goods during the current fiscal year at his discretion.

RESOLUTION #82-16

APPOINTMENT - GRIEVANCE BOARD SECRETARY - CAROL GOEBEL

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

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

Resolved that Carol Goebel be appointed as Grievance Board Secretary.

RESOLUTION #83-16

AWARD GRAVEL CRUSHING BID

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

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

Whereas Request for Proposals were sent to receive sealed bids for the crushing of gravel at the Town-owned gravel pit, located at 2672 Guyanoga Road, Penn Yan, NY; and

Whereas after advertising and accepting bid quotes, the Town of Jerusalem received the following bids including the Non-Collusion Statement:

Villager Construction, Inc., Fairport, NY	\$3.75/cubic yard
Smith's Heavy Equipment, Inc., Geneva, NY	\$4.50/cubic yard
RMS Gravel, Inc., Dryden, NY	\$3.50/cubic yard

; now, therefore be it

Resolved the bid be awarded to RMS Gravel, Inc. with the proceeds to be taken from Highway DB Account 5110.4.

RESOLUTION #84-16

AUTHORIZE TRAINING - 2016 HIGHWAY SCHOOL

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

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

Resolved the Highway Superintendent be authorized to attend the Association of Towns 2016 Highway School on June 5-8, 2016 in Ithaca, NY at a cost of \$110.00, with the expense being funded by the 5010.4 account.

RESOLUTION #85-16

AUTHORIZE CEO TRAINING - FLOODPLAIN

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

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

Resolved Code Enforcement Officer Devoe be authorized to attend Flood Plain Management on April 21, 2016 at the Yates County Building, Penn Yan, NY at no cost.

RESOLUTION #86-16

AUTHORIZE CEO TRAINING - G/FLRP 2016 SPRING WORKSHOP

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

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

Resolved Code Enforcement Officer Devoe be authorized to attend the Genesee/Finger Lakes Regional Planning Council Local Government Workshop on May 19, 2016 in Pittsford, NY at a cost of \$75.00 with the expense being funded by 8010.4 account.

RESOLUTION #87-16

2016 BUDGET AMENDMENT - SCRAP PIPE SALE

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

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

Whereas, the Highway DB fund received monies for the sale of scrap metal from B&B Recycling; and

Whereas, Highway Superintendent Martin plans to have the high electrical wires relocated underground at the highway barn; and

Whereas, the intention is to relocate such wires prior to the installation of a new roof; and

Whereas, Highway Superintendent Martin plans to utilize such funds to offset the cost of relocating such wires;

Now, therefore, be it resolved that the Highway DB 2016 budget be amended as follows

Increase revenue 2650-sale of scrap	\$ 1,036.80
Increase appropriation 5132.4-general repairs	\$ 1,036.80

RESOLUTION #88-16

RESOLUTION TO PERMIT TOWN OF JERUSALEM CODE ENFORCEMENT OFFICER TO ASSIST THE VILLAGE OF PENN YAN TO PERFORM A FIRE SAFETY INSPECTION ON LYON SMITH BREWERY

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

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

Whereas, the Village of Penn Yan Code Enforcement Officer, Bruce Lyons family owns Lyon-Smith Brewery creating a conflict of interest regarding his duty as Penn Yan Code Enforcement Officer

Whereas, Mayor Leigh MacKerchar has requested the Town of Jerusalem to assist Penn Yan by allowing our code enforcement officer to perform an annual fire safety inspection on the above named business

Whereas, the Village of Penn Yan agrees to hold Town of Jerusalem (hereafter TOJ) harmless against any claim or action made against TOJ based on the performance of this safety inspection

Therefore be it resolved that the Town of Jerusalem will allow our Code Enforcement Officer to perform the required fire safety inspection for the Lyon-Smith Brewery for the Village of Penn Yan

RESOLUTION #89-16

AUTHORIZE SUPERVISOR TO EXECUTE INTERMUNICIPAL AGREEMENT WITH THE VILLAGE OF PENN YAN FOR KPSW ASSISTANCE

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

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

Resolved the Supervisor be authorized to execute an Intermunicipal Agreement with the Village of Penn Yan for backup assistance to the Keuka Park Water and Sewer Department as recommended by the KPSW Committee.

RESOLUTION#90-16

AUTHORIZE ORGANIZATION OF TOWN RECORDS

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

ADOPTED Ayes 4 Anderson, Dinehart, Jones, Killen

Nays 1 Parson

Resolved the Town Board authorize Meredyth McMichael to assist the Records Management Officer in organizing the remainder of Town records moved from the Highway Barn to the Town Hall in accordance with the MU-1 to be paid an hourly rate of \$10 from accounting code 1430.1 personal services.

KWIC proposal regarding Zone 1 expansion to include "watercourses" specifically Sugar Creek

Supervisor Killen provided information on the proposal from the KWIC Chairman to include Sugar Creek in the Zone 1 inspection area and its impact to the Town. The Board was asked to submit their comments to Supervisor Killen to present at the next KWIC meeting.

With there being no further business, on a motion of Councilor Jones, seconded by Councilor Parson, the meeting was adjourned at 8:54 P.M.

Sheila McMichael, Town Clerk