

Minutes of the regular monthly meeting of the Jerusalem Town Board held on May 17, 2017 at 7:00 P.M. PRESENT were: Supervisor Killen, Councilors Dinehart, Jones, Parson, Town Clerk McMichael, Highway Superintendent Martin, Town Engineer Ackart.

Excused: Councilor Anderson

GUESTS: Tim Cutler, Amy Daines, Tony Tufano, Jerry Hiller, Jim Cunningham, Arlene Wilson, John Manley, Matt Kelly, Taylor Fitch, Valerie Gardner, Jamie L. Sisson, Doug Paddock, John Christensen; *Chronicle Express* Reporter, Ron Spike, Sue Spike, Ed Bronson.

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

RESOLUTION #100-17  
CHANGES TO THE AGENDA

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

ADOPTED Ayes 4 Dinehart, Jones, Killen, Parson  
Nays 0

Resolved the Annual Accounting of the Justice Books be added to the agenda.

RESOLUTION #101-17  
APPROVAL OF MINUTES

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

ADOPTED Ayes 4 Dinehart, Jones, Killen, Parson  
Nays 0

Resolved that the minutes of the April 19, 2017 meeting be approved as read.

RESOLUTION #102-17  
AUDIT OF CLAIMS

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

ADOPTED Ayes 4 Dinehart, Jones, Killen, Parson  
Nays 0

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

General:	\$ 40,773.13
Outside Village	\$ 8,798.65
Highway DB:	\$ 5,723.27
Sewer:	\$137,065.65
Water:	\$142,674.14
Branchport Light	\$ 242.81

April Utilities:

General:	\$	623.47
Outside Village:	\$	64.62
Highway DB:	\$	13,656.27
Sewer:	\$	230.72
Water:	\$	473.15
Trust:	\$	41,778.55

RESOLUTION #103-17

SUPERVISOR REPORT

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

ADOPTED       Ayes       4   Dinehart, Jones, Killen, Parson  
                  Nays        0

Resolved that the Supervisor's Report on the Town's finances for the month of April 2017 be accepted as presented.

RESOLUTION #104-17

OPEN PUBLIC HEARING - PROPOSED LOCAL LAW C-2017 PARKING RESTRICTIONS

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

ADOPTED       Ayes       4   Dinehart, Jones, Killen, Parson  
                  Nays        0

With proof of notice having been duly published and posted, the Public Hearing on Proposed Local Law C-2017 Parking Restrictions was opened at 7:03 P.M.

Supervisor Killen read a letter from Prof. Jorge Diaz-Herrera, Ph.D., Keuka College President requesting the hours of restricted parking be changed and adding a mechanism to issue a 24-hour waiver to the parking ordinance for special events. Jerry Hiller, Vice President introduced College staff members Tony Tufano, Facilities Manager and Jim Cunningham, Campus Safety Director in attendance to answer any questions.

In response to the College's request, Highway Superintendent Martin stated:

1. His concern is snow plowing and he does not support the requested change from 7:30 to 6 a.m. He suggested a seasonal road posting from December 1 - April 1 to help the situation, but Mr. Hiller responded the College prefers year-round prohibition as proposed.

2. A waiver mechanism is currently in place through the Sheriff's Department so alerts on pre-planned College events can be sent out.

John Manley questioned the number of registered cars with no parking stickers, asking if the violators are students or visitors. He suggested keeping this internal to the College by allowing Campus Safety to ticket violators instead of the Sheriff's Department and the College could keep the fines.

Supervisor Killen stated this would require making Campus Security a peace office or law enforcement of some type.

The hearing was left open.

RESOLUTION #105-17

OPEN PUBLIC HEARING - SALE OF KPSW LAWNMOWER

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

ADOPTED	Ayes	4	Dinehart, Jones, Killen, Parson
	Nays	0	

With proof of notice having been duly published and posted, the Public Hearing for the sale of the Keuka Park Sewer & Water lawnmower was opened at 7:12 P.M. in accordance with Town Law section 198(12).

No one from the public wished to comment.

RESOLUTION #106-17

OPEN PUBLIC HEARING - KPSW 2012 FORD F-150 PICK-UP TRUCK

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

ADOPTED	Ayes	4	Dinehart, Jones, Killen, Parson
	Nays	0	

With proof of notice having been duly published and posted, the Public Hearing for the sale of the Keuka Park Sewer & Water 2012 Ford F-150 Pick-Up Truck was opened at 7:14 P.M. in accordance with Town Law section 198(12).

No one from the public wished to comment.

PRESENTATION - AMY DAINES, YATES COUNTY BOARD OF ELECTIONS

Amy Daines, Yates County Board of Elections Republican Commissioner presented the 2016 Annual Report, which is also available on the County website. The 2017 Political Calendar is available. Petition filing starts June 6. She explained a significant cost savings

could be recognized by consolidating federal, state and local primaries to one day. The Board of Elections is working on a contingent plan should a disaster occur on election day, such as a power outage. Their Facebook address to <https://www.facebook.com/Yates-County-Board-of-Elections-744401492393339/>.

PRESENTATION - RON SPIKE, YATES COUNTY SHERIFF - STATS FOR JERUSALEM

Ron Spike, Yates County Sheriff summarized the 2016 Annual Municipality Report. Jerusalem is one of the busiest towns with 1,516 calls; 1,467 by the County Sheriff, 42 by State Police and 7 by DEC Officers. The number one call is animal complaints followed by motor vehicle-deer accidents.

PRESENTATION - ARLENE WILSON, YATES COUNTY CORNELL COOPERATIVE EXTENSION EXECUTIVE DIRECTOR

Arlene Wilson, Yates County Cornell Cooperative Extension Executive Director briefly addressed the Board regarding resources and services available. Carolyn Hunt was recently hired as the full-time agricultural educator. Notices of educational programs will be shared with the Town Clerk for posting at the Town Hall.

TOWN OFFICIALS

HIGHWAY SUPERINTENDENT

- Written Budget Highway report on file in the Office of the Town Clerk.
- The equipment trailer has been delivered. We anticipate delivery of the mini excavator July 1.
- Work continues on the gravel roads. Dust oiling will be scheduled. Shimming will start Monday.

RESOLUTION #107-17

FARMLAND AGREEMENT

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

ADOPTED Ayes 4 Dinehart, Jones, Killen, Parson  
Nays 0

Whereas the sample farmland agreement received from the Village of Penn Yan was submitted to the Attorney for the Town for review and comment; and

Whereas an agreement needs to be put in place prior to the June Town Board meeting due to the planting schedule; now, therefore, be it

Resolved as follows:

1. If there are no objections from the Attorney, the farmland agreement will be modified for use by the Town to rent land adjacent to our gravel pit that is currently not being mined.
2. The Highway Superintendent will gather the annual rent offered by the two inquiring parties.
3. The Supervisor is hereby authorized to execute the farmland agreement with the party offering the highest offer.

TOWN ENGINEER

- Notes of the May 4, 2017 KPSW meeting on file in the Office of the Town Clerk.

ASSESSOR

Monthly report on file. Councilor Parson will follow-up on the budget for data collection and the possibility of reducing to one data collector with Assessor Brand.

COUNCIL

- Clean Up Day will be June 24, 2017, 8:30-2:30. The cost to accept electronic items continues to be a concern. Supervisor Killen will ask Benton what company they use as an option.

NOISE ORDINANCE

Attorney Graff will draft the Noise Ordinance into local law.

SUPERVISOR

- Supervisor Killen reported on the panel convened by the County Administrator charged with formulating a plan to share services or merge government functions in response to the Countywide Shared Services Initiative (CWSSI) included in the State Budget. Subcommittees have been established on healthcare and justice courts for further review. The first public hearing is scheduled for May 30<sup>th</sup>.
- Supervisor Killen has not received the Keuka Park speed analysis report from the Yates County Sheriff's Department.

RESOLUTION #108-17

2017 HIGHWAY DB BUDGET AMENDMENT - USED TIRES

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

ADOPTED	Ayes	4	Dinehart, Jones, Killen, Parson
	Nays	0	

Whereas 4 size 17.5R25 tires were declared as surplus equipment under Resolution #196-16; and

Whereas, Highway Superintendent Martin received a check in the amount of \$3,250 from Auctions International, Inc. for the sale of such tires on May 10, 2017; now, therefore, be it

Resolved the proceeds will be deposited into the DB5130.4 account and the 2017 Highway DB budget be amended.

RESOLUTION #109-17

Schedule Public Hearing - Local Law D-2017 Chapter 152 Water Amendments

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

ADOPTED       Ayes       4   Dinehart, Jones, Killen, Parson  
                  Nays       0

WHEREAS, the Town Board of the Town of Jerusalem, after due deliberation, finds it in the best interests of the Town to schedule a public hearing to solicit public comment upon a proposed Local Law entitled, "A Local Law to Amend Chapter 152 (Water) of the Code of the Town of Jerusalem"; and

WHEREAS, the Town Board of the Town of Jerusalem has reviewed the draft of the aforementioned proposed Local Law attached hereto as Exhibit "1" and deems it in the best interests of the Town of Jerusalem to proceed in accordance with the Code of the Town of Jerusalem and the Laws of the State of New York in adopting said Local Law,

WHEREAS, this action by the Town Board is a "Type 2" action under the regulations promulgated by authority contained in the State Environmental Quality Review Act (SEQRA), which appear in 6 NYCRR Part 617.5 (20) and (27), thereby requiring no further action by the Town Board.

NOW, THEREFORE, BE IT RESOLVED, that the Town Clerk be, and she hereby is, directed to schedule a public hearing to be held on June 21, 2017, at 7:00 p.m. at the Jerusalem Town Hall, 3816 Italy Hill Road, Branchport, New York; and be it further

RESOLVED, that the Town Clerk, be and hereby is, authorized to forward to the official newspaper(s) of the Town a Notice of Public Hearing in the form substantially the same as that attached hereto as Exhibit "2"; and be it further

RESOLVED, that the Town Clerk be, and she hereby is, directed to post a copy of the proposed Local Law on the Town of Jerusalem sign board and take any and all other necessary actions to properly bring the aforementioned Local Law before the Town Board of the Town of

Jerusalem for its consideration; and be it further

RESOLVED, that the Town Clerk be, and hereby is, authorized to provide all other notices as required by law for the adoption of this local law.

RESOLUTION #110-17

Keuka Park Water District - Update Water Connection Standards

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

ADOPTED       Ayes       4   Dinehart, Jones, Killen, Parson  
                  Nays        0

Whereas, in accordance with Town Code 152-5 - Material; Construction Specifications, the Water and Sewer Committee recommends updating the Standards For Connection To Public Water Mains to reflect current practice and materials;

Now therefore be it resolved that said Standards for Connection to Public Water Mains be so updated.

(Standards attached)

RESOLUTION #111-17

Appointment - Planning Board

Councilor Jones made the motion, seconded by Councilor Dinehart:

Whereas there is a vacancy Planning Board after the resignation of Ed Pinneo and

Whereas the Town has advertised several times for a resident from the Agriculture community to submit application and

Whereas only one person submitted an application but later withdrew his application and

Whereas after interviews with 2 applicants who do have ties with the agriculture community; now

Therefore be it resolved the committee appointed by the Town Board recommends Paul Zorovich be appointed to the Town of Jerusalem Planning Board for a term that expires 12-31-23.

Discussion:

Supervisor Killen stated the Committee's recommendation does not meet the agricultural component desired. Councilor Jones replied this is the recommendation of the committee and called the question. Supervisor Killen debated the proposed resolution, noting Mr. Zorovich is new to the community and has no agricultural

background compared to Mr. Catlin, a lifelong resident whose family has been in agriculture for decades.

The vote was taken as follows:

DEFEATED	2	Ayes	Dinehart, Jones
	2	Nays	Killen, Parson

CONTINUE PUBLIC HEARING - PROPOSED LOCAL LAW C-2017 PARKING RESTRICTIONS

Highway Superintendent Martin noted the reference to the speed sign needs to be removed in Section 145-24.

RESOLUTION #112-17

CLOSE PUBLIC HEARING - PROPOSED LOCAL LAW C-2017 PARKING RESTRICTIONS

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

ADOPTED	Ayes	4	Dinehart, Jones, Killen, Parson
	Nays	0	

With all persons desiring to be heard, the public hearing was closed at 8:30 P.M.

The regular meeting was reconvened.

RESOLUTION #113-17

CLOSE PUBLIC HEARING - SALE OF KPSW LAWNMOWER

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

ADOPTED	Ayes	4	Dinehart, Jones, Killen, Parson
	Nays	0	

With all persons desiring to be heard, the public hearing was closed at 8:31 P.M.

The regular meeting was reconvened.

RESOLUTION #114-17

CLOSE PUBLIC HEARING - KPSW 2012 FORD F-150 PICK-UP TRUCK

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

ADOPTED	Ayes	4	Dinehart, Jones, Killen, Parson
	Nays	0	

With all persons desiring to be heard, the public hearing was closed at 8:32 P.M.

The regular meeting was reconvened.



RESOLUTION #115-17

AUTHORIZE SALE OF KPSW SURPLUS EQUIPMENT: LAWN MOWER AND 2012 TRUCK

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

ADOPTED       Ayes       4   Dinehart, Jones, Killen, Parson  
                  Nays        0

Whereas, the 2006 John Deere Lawn Mower LX280, Resolution #90-17 and 2012 Ford F-150 Pick-up Truck, Resolution #44-17 were declared surplus; and

Whereas, the Keuka Park Sewer & Water Department is a special district of the Town of Jerusalem, in accordance with Town Law Section 198 (12); a Public Hearing was advertised May 3, 2107 in "The Chronicle Express" and held on May 17, 2017; and

Whereas, the Town Board of the Town of Jerusalem, after due deliberation, authorizes the sale of the 2006 John Deere Lawn Mower LX280 and the 2012 Ford F-150 Pick-up Truck, VIN#1FTFX1EF4CFC22681; now, therefore, be it

Resolved, the Keuka Park Sewer & Water Department be authorized to sell said surplus equipment with the proceeds from this sale recognized as revenue as stated in the 2017 water and sewer adopted budgets.

RESOLUTION #116-17

APPOINTMENT - CHRISTY WOODWORTH, BOARD OF ASSESSMENT REVIEW SECRETARY

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

ADOPTED       Ayes       4   Dinehart, Jones, Killen, Parson  
                  Nays        0

Whereas the Jerusalem Board of Assessment Review is in need of secretarial assistance, and

Whereas Christy Woodworth has agreed to assist this year's Board of Assessment Review, now

Therefore be it resolved that Christy Woodworth be appointed as Secretary for 2017 Board of Assessment Review at a rate of \$12.50 per hour, not to exceed 20 hours without Town Board approval.

RESOLUTION #117-17

TABLE - MUNICIPAL COOPERATION AGREEMENT FOR CODE ENFORCEMENT ACTIVITIES WITH TOWN OF BARRINGTON

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

ADOPTED       Ayes       4   Dinehart, Jones, Killen, Parson  
                  Nays       0

Resolved the Municipal Cooperation Agreement for Code Enforcement Activities with the Town of Barrington be tabled.

RESOLUTION #118-17

AMEND RESOLUTION #98-10 ATTORNEY SERVICES AUTHORIZATION

On a motion of, seconded by, the following was

ADOPTED       Ayes       4   Dinehart, Jones, Killen, Parson  
                  Nays       0

Whereas Resolution #98-10 requires prior authorization from two (2) Town Board members before the Attorney for the Town has discussions with any party outside of Board members; and

Whereas the Town Board desires to amend this policy; now, therefore, be it

Resolved the Attorney for the Town be notified that prior authorization from one (1) Town Board member is required before having discussions with any party outside of Board members.

RESOLUTION #119-17

AUTHORIZE KPSW TRAINING - FINGER LAKES WATER WORKS SPRING WORKSHOP

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

ADOPTED       Ayes       4   Dinehart, Jones, Killen, Parson  
                  Nays       0

Whereas; Finger Lakes Water Works is hosting a spring workshop at King's Catering, 4031, Rtes. 5 & 20, Canandaigua, NY on June 1<sup>st</sup>, 2017 at 8:30 am.

Whereas; the cost for a pre-paid, pre-registered 2017 Member is \$25.00/person;

Whereas; accreditation of operator contact hours will be given for attendance;

Whereas operator contact hours are a requirement of the NYS Department of Health for recertification;

Whereas; Water Operators, Lee Hardy and Kasey Christensen and Wayne Ackart, Town Engineer will be attending. Total cost for workshop is

\$75.00, which were approved in the 2017 Budget for instruction and training expenses.

Therefore be it resolved to authorize attendance for up to (3) person(s) from the Water / Sewer Department to attend the Finger Lakes Water Works Conference Spring Meeting at a cost of \$25.00/person. This expense to be funded 70% from the 8340.4 and 30% by 8120.4.

RESOLUTION #120-17

EMPLOYEE HANDBOOK REVISION - SECTION 504 CLARIFYING FLSA EXEMPT DAILY RECORD OF ATTENDANCE

Supervisor Killen made the motion and it was seconded by Councilor Parson.

Upon clarification of the motion, Councilor Parson withdrew his second. The motion was seconded by Councilor Dinehart, and the following was

DEFEATED	Ayes	2	Dinehart, Killen
	Nays	2	Jones, Parson

Whereas accurate record keeping of attendance with leave usage are necessary functions of Town of Jerusalem,

Therefore be it resolved that the following language be placed in section 504 paragraph 2 replacing existing language:

"An FLSA exempt employee is required to submit a time sheet which shall indicate any authorized paid leave taken."

RESOLUTION #121-17

EMPLOYEE HANDBOOK REVISION - SECTION 504 CLARIFYING FLSA EXEMPT DAILY RECORD OF ATTENDANCE

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

DEFEATED	Ayes	2	Dinehart, Jones
	Nays	2	Killen, Parson

Whereas accurate record keeping of attendance with leave usage are necessary functions of Town of Jerusalem,

Therefore be it resolved that the following language be placed in section 504 paragraph 2 replacing existing language:

"An FLSA exempt employee is required to submit a time card which shall indicate any authorized paid leave taken"

RESOLUTION #122-17

AMEND RESOLUTION #116-17 - BAR SECRETARY APPOINTMENT

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

ADOPTED       Ayes       4   Dinehart, Jones, Killen, Parson  
                  Nays        0

Resolved the not to exceed "20 hours without Town Board approval" clause in Resolution #116-17 be modified not to exceed "the \$532.00 budgeted."

PUBLIC COMMENT:

- Supervisor Killen stated the refund was processed for monies held in escrow on the Brandy Bay Heights project.
- County Legislator Paddock reported:
  1. The County audit resulted in no significant findings.
  2. A grant is being put together for the Hazard Mitigation Plan.
  3. He echoed the Supervisor's comments regarding the Countywide Shared Services Initiative (CWSSI).
  4. A broad band study will be done.
  5. Pat Brede has resigned as the Yates County Real Property Tax Service Director.
- County Legislator Bronson added the first Yates Transit Service report is available.
- Valerie Gardner provided a brief summary of her background and experience seeking support for her re-election as Yates County District Attorney.

ANNUAL AUDIT

Bonadio & Co., LLP will present the annual audit at the June 21st meeting. Detail will be obtained on their invoice for additional hours billed for reviewing our prepaid health insurance and renewal of the salt storage bond anticipation note.

RESOLUTION #123-17

ANNUAL ACCOUNTING - JUSTICE BOOKS

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

ADOPTED       Ayes       4   Dinehart, Jones, Killen, Parson  
                  Nays        0

Resolved the annual accounting of the Justice books was conducted on January 24, 2017 by the Town Justice Subcommittee; and be it further

Resolved no significant abnormalities were noted.

Jerusalem Town Board  
May 17, 2017

With there being no further business, on a motion of Supervisor Killen, seconded by Councilor Parson, the meeting was adjourned at 8:55 P.M.

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Sheila McMichael, Town Clerk

**Local Law No. D of the year 2017**  
**A Local Law to Amend Chapter 152 (Water) of the Code of the Town of Jerusalem**

Section 1. Chapter 152 of the Code of the Town of Jerusalem (Water) is hereby amended by repealing Article I in its entirety and adding a new Article I to read as follows:

**Article I**

**Keuka Park Consolidated Water District and Extensions**

**§ 152-1. Purpose; rules and regulations.**

The Town of Jerusalem (hereinafter "Town") having established the Keuka Park Consolidated Water District and extensions (hereinafter "District"), the purpose of said District being to provide water service within said District, sets forth hereinbelow rules and regulations for every person and/or corporate owner supplied with water service by the District. These rules and regulations shall be accepted by all parties receiving water service from the District and shall constitute a part of the contract between the parties and the District. Whenever the word "consumer" shall be used in these rules and regulations, it shall mean the owner of the property.

**§ 152-2. Application for service permit; street openings.**

- A. Work in highway rights-of-way is subject to either Town, county or state permitting and requirements of the appropriate highway authorities. The application for the service must be submitted 48 hours prior to commencing work.
- B. Work in highway rights-of-way is subject to either Town, county or state permitting and requirements of the appropriate highway authorities. All excavations and backfills necessary for the installation of said service pipe and appurtenances, and tapping of the main are to be made by the consumer, who assumes all liability in case of damages of any kind which may arise during the progress of the work authorized by the permit or by reason thereof. Red signal lights, barricades, railings and all other necessary means of protection against accidents shall be provided by the applicant.

**§ 152-3. Taps.**

A separate tap and service is required for each residence or commercial establishment supplied with water. In extenuating circumstances, on a case-by-case basis, the Town may allow service to be shared. The agreement between sharing property owners is subject to review by the Town.

**§ 152-4. Cost of installation.**

When a new main is constructed by the District, the District will bear the cost of the tap and service within the right-of-way, to and including a curb stop for each residence or commercial establishment in existence at the time of water main construction. Water service on private property will be the responsibility of the property owner. Thereafter, property owners of new residences or commercial

establishments built after completion of water main construction must bear the entire cost of the materials and installation of the tap and service in both the public right-of-way and on private property. The installation of said service from the main to the curb stop shall be made by the District or its approved agent at the expense of the consumer.

§ 152-5. **Materials; construction specifications.**

The Town Board will adopt and amend, from time to time, appropriate material and construction specifications for water services, metering and appurtenances.

§ 152-6. **Laying of service pipes.**

Service pipes will be required to be laid not less than 54 inches below the surface of the earth. This applies to the established grade where it has been fixed. A water service pipe cannot be laid in the same trench with a sewer lateral and shall have a minimum of six feet horizontal clearance from any sewer lateral. No trench will be backfilled in any manner before inspection for leaks and clearances is made by a duly authorized agent of the district.

§ 152-7. **Trench backfilling.**

Sand bedding will be used around the service for a depth of one foot or the service may be placed in a corrugated PVC sleeve as approved by District personnel. In public rights-of-way, bankrun gravel will be placed and tamped in one-foot lifts until the trench is back to original grade. On private property, care shall be taken to eliminate any large and or sharp stones in the backfill above the sand bedding or PVC sleeve, which may ultimately damage the service. Under all public road pavements, services shall be placed through casings and installed in a manner approved by the District and applicable highway jurisdiction.

§ 152-8. **Supplying of service; rates and charges.**

The District will supply water to consumers within its boundaries in accordance with the scheduled rates and charges on file in the office of the Town Clerk.

§ 152-9. **Maintenance of service pipe.**

The owner of the property into which water is supplied by a service pipe will be required to maintain, in perfect order at his own expense, said service pipe from the curb stop to his building. Failure to make necessary repairs after due notice in writing, by the District, will result in the water being turned off until such time as satisfactory repairs are made. Maintenance of the service pipe from the main to the curb cock will be performed by the District.

§ 152-10. **Backflow preventors.**

Where required by the New York State Department of Health Sanitary Code, Part 5, or local law, a backflow preventor of a suitable type that is currently approved by the Health Department must be installed.

§ 152-11. **Cross-connection control.**

In the interest of public health, the Keuka Park Water District will not permit its mains or services to be connected with any service pipe or piping which is connected with any source of water supply not approved by the Department of Health of the State of New York. In conformance with Part 5 of the New York State Sanitary Code, the District has implemented a cross-connection control program and shall not permit its mains or service pipes to be connected in any way to any piping, tank, vat or other apparatus which contains liquids, chemical or any other matter which might flow back into the district's service pipe or mains and consequently endanger the water supply without the installation of a proper backflow prevention device as approved by the New York State Department of Health at a location and installation approved by the District and the State of New York Department of Health. All present and/or future customers who present the potential danger of being in violation of the New York State Sanitary Code shall install a backflow prevention device at their expense, in accordance with the New York State Department of Health Public Water Supply Guide, Cross Connection Control, dated January 1981, or the latest revision. A copy of the New York State Department of Health Public Water Supply Guide, Cross Connection Control, is available for review at the District offices at Town Hall. After fulfilling the aforementioned requirement, the device is to be tested annually by a certified tester, in compliance with the Public Water Supply Guide, Cross Connection Control, at the customer's sole expense and shall provide the District with a certification of said test on a form provided by the District. The customer may retain the services of an independent certified tester or may retain the District to provide that service at cost.

§ 152-12. **Operation of water facilities.**

No curb stop, valve or hydrant shall be operated by any person except a duly authorized agent of the District or, in the case of a hydrant, by a properly trained fireman.

§ 152-13. **Meters.**

A. **General.**

- (1) All services, except those used exclusively for fire protection, shall be metered. In new Districts or extensions funded by the Town, the District will furnish a meter for each residence or commercial establishment in existence at the time of watermain construction, provided that the connection to the system is made within two years after completion of the watermain construction. Property owners of residences or commercial establishments built after completion of the water main owner shall be responsible for the purchase of a meter, at cost, from the District.
- (2) Property owners are responsible for meter installation and cost thereof to the standards set by the district. There shall be a shutoff valve on either side of the meter. There shall be a AWWA double check valve on the customer's side of the meter between the meter and the shutoff valve. Pressure-reducing valves are required where normal line pressure exceeds 75 psi. Pressure-reducing valves shall be installed between the shutoff valves on the Town side of the meter.



- (3) Meters shall be installed in accessible locations within the building or basement. The property owner shall install a meter pit when the building served or terminus of the service is more than the distance prescribed in the current Keuka Park Water District Material and Construction Specifications for Water Services, Metering and Appurtenances from the curb stop. A pit shall also be required when there is no accessible location within the building acceptable to the District for meter installation. All meter pits shall be constructed and maintained at the property owners expense to District standards.
  - (4) The customer shall pay all repair costs of meters broken by vandalism or freezing. All repairs and testing must be done by the District.
- B. The District shall institute periodic tests on all water meters so as to maintain the meters in proper working condition. If, when testing a water meter, it is found to be beyond repair, the property owner must purchase a new meter approved by the District at the property owner's expense.
  - C. All water meters when set shall be sealed to prevent tampering. No person, except a duly authorized agent of the District, shall break such seal or tamper with said meter.

**§ 152-14. Inspections.**

- A. A duly authorized agent of the district, upon proper identification, shall have the right to enter upon any premises where Town water is being supplied for the purpose of inspecting, installing, removing or reading a meter, plumbing and fixtures of the water service and all work in connection with the service.
- B. Approval by the Town or its agent shall in no way relieve the contractor or owner of any responsibilities for workmanship, materials or any other liabilities. The owner shall indemnify the Town from any loss or damage that may directly or indirectly be occasioned by the installation of the water connection.

**§ 152-15. Liability for damage from shutting off water.**

In the event of an emergency, including but not limited to breaks in the main, the District shall not be liable for any damage which may result to any person or premises from the shutting off of the water from any main or service for any purpose whatever, even in cases where notification is not given, but the district will try to give notification as soon as possible.

**§ 152-16. Fire services.**

- A. The building/property owner shall promptly notify the Town should they require fire service from the District. Any water service which provides fire protection via hydrants, sprinklers, etc. must be coordinated with the Town, designed by a registered New York State Professional Engineer and meet all Town and New York State Department of Health standards. The building owner shall provide, maintain and test annually any backflow prevention devices as required by the Town and/or the New York State Health Department.

- B. Where separate fire services are allowed, the entire cost of materials, installation and maintenance of the service from the main to the building or within the limits of the premises shall be borne by the consumer. Failure to make proper repairs to the system after due notice will result in the water being turned off. When the consumer or a representative of the consumer desires to test the flows or make repairs to the fire service system, except in emergencies, he must give the district 48 hours' notice before commencing such testing or repairs.

§ 152-17. **Water main extensions.**

A developer or contractor that desires to have a water main extended into a subdivision or on a street must notify the District at least six months prior to construction. All water mains to be constructed shall consist of six-inch pipe or larger. All cost of installation shall be incurred by the developer or contractor. The developer or contractor must submit engineering plans for approval to the New York State Department of Health and the district. The engineering and approved plans must encompass the total project.

§ 152-18. **Abandonment of service.**

When a building is torn down and the water service to the property or properties is no longer required, the owner of said property is required to excavate at the water main, at the owner's expense, so that the abandoned waterline can be disconnected from the water main. The duly authorized agent of the district will do the actual disconnection. The owner is responsible for refilling the excavation.

§ 152-19. **Charges in event of meter failure.**

If a meter fails to record the amount of water used due to a stopped meter, the consumer will be charged either at the average daily consumption from the date the meter was last installed or the corresponding period of the previous year.

§ 152-20. **Responsibility for water rents.**

The owner of any premises which is supplied with water shall be liable for charges for the water used or other charges and expenses in connection with such water service.

§ 152-21. **Nonpayment of water bills.**

Individual residential and commercial customers will be billed quarterly the first of the month. The District reserves the right to bill larger commercial or multiple residential customers on a monthly basis. All delinquent bills and penalties unpaid on October 15 of each year shall be added to the state, Town and county tax bill of the property on which the charge was incurred. If a customer becomes more than two quarters delinquent, the District has the right to shut off the water until the back payments are made. If the water is turned off for nonpayment, there will be a charge of \$50 to turn the water back on during the normal workday hours. To have the water turned back on other than normal work hours, the cost will be that of the actual cost to the District for the employee responding to the turn-on call.

§ 152-22. **Buildings with multiple meters.**

The District requires that all water pass through a master meter, which will be billed to the property owner. Submetering of individual tenants shall be at the expense of the property owner. The District has no involvement in the landlord's recovery of water fees, rents, etc. from tenants.

§ 152-23. **Penalties for offenses.**

A violation of this article shall constitute a violation as defined in the Penal Law of the State of New York and shall be punishable by a fine of not exceeding \$250.00 or by imprisonment for a term not exceeding 15 days, or by both such fine and imprisonment. The Town also reserves the right to enforce this article by a court injunction.

§ 152-24. **Enlargement of water service.**

When the property owner or tenant requires more water than the existing water pipe can deliver, it is the responsibility of the property owner to pay the cost of the enlargement of said waterline from the water main to the building. The enlargement of the waterline will be considered the same as new water service.

§ 152-25. **License required; revocation.**

- A. Each and every plumber, contractor, excavator or other person, firm or corporation, other than the property owner himself, will, at the option of the district, be required to have a license issued by the Town Clerk before they will be permitted to do any work in the town, insofar as this chapter is concerned.
- B. If, in the opinion of the District, the work performed by the contractor within the District violates the provisions of this article or any other ordinances of the Town within the Town or if, in the opinion of the Town, the contractor's work is substandard, then, in that event, the Town may revoke the license of the contractor to work in the Town.

Section 2. If any clause, sentence, paragraph, section or part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not effect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been ordered.

Section 3. This local law shall take effect upon both the filing with the Secretary of State.

**TOWN OF JERUSALEM  
NOTICE OF PUBLIC HEARING**

**PLEASE TAKE NOTICE**, that a public hearing will be held by the Town of Jerusalem on the 21<sup>st</sup> day of June, 2017, at 7:00 p.m., at the Jerusalem Town Hall, 3816 Italy Hill Road, Branchport, New York, regarding the adoption of a Local Law of the Town of Jerusalem for the year 2017, entitled "A Local Law to Amend Chapter 152 (Water) of the Code of the Town of Jerusalem ", which would repeal in its entirety the existing Article I of Chapter 152 of the Code of the Town of Jerusalem containing the Town's Water Law and adopt a new Article I of Chapter 152 containing new regulations pertaining to the Keuka Park Consolidated Water District and Extensions to take its place.

This local law would adopt regulations contained in Article I dealing with the following:

- Purpose; rules and regulations
- Application for service permit; street openings
- Taps
- Cost of installation
- Materials; construction specifications
- Laying of service pipes
- Trench backfilling
- Supplying of service; rates and charges
- Maintenance of service pipe
- Backflow preventors
- Cross-connection control
- Operation of water facilities
- Meters
- Inspections
- Liability for damage from shutting off water
- Fire services
- Water main extensions
- Abandonment of service
- Charges in event of meter failure
- Responsibility for water rents
- Nonpayment of water bills
- Buildings with multiple meters
- Penalties for offenses
- Enlargement of water service
- License required; revocation

Any resident of the Town of Jerusalem shall be entitled to be heard upon said proposed Local Law at such public hearing. Copies of said proposed Local Law are available for review at the Town of Jerusalem Town Hall, 3816 Italy Hill Road, Town of Jerusalem, New York.

This by Resolution of the Town Board of the Town of Jerusalem.  
Sheila McMichael, Town Clerk

**KEUKA PARK CONSOLIDATED WATER DISTRICT**  
**TOWN OF JERUSALEM**

**Material and Construction Specifications for Water Services,  
Metering and Appurtenances**

The following have been adopted by the Town Board pursuant to Section 152-5 of the Town Code.

**Materials for Water Service Lines.**

Within the public right of way, the service from the tap to the curb stop at the right of way line shall be type K copper, 3/4" minimum or 1" HDPE SDR9, 1" minimum. Materials for services above 2" shall be approved by the district on a case by case basis. Corporation stop shall be a Mueller #H-15025. Curb stop shall be Mueller #H-15204 or 15174 MARK II. Curb box shall be Mueller#H-10334 with extension from 48" TO 60", with lid. Stationary rod shall be Mueller #84154.

On private property, services shall be type K copper (3/4" minimum) or 200 PSI HDPE SDR9 ASTM 1248, NSF, ASTM 2737 (CTS), AWWA C901 (1" minimum). HDPE water service pipe shall be blue or have a well-defined blue strip for identification. HDPE water service shall have a "tracer "wire buried in the trench directly over the service or inside a 2" corrugated PVC sleeve as approved by the Town Water District . The tracer wire shall be exposed at ground level by the curb stop. Materials for services above 2" shall be approved by the district on a case by case basis.

**Seasonal Services**

A seasonal service may be used where the customer elects not to protect the service (on his property) and meter from freezing. The customer will be responsible for the cost and installation of a meter pit in conformance with district standards. The customer will be responsible for district charges to turn the seasonal service on and off.

**Booster Pumps**

Booster Pump Regulations are available at the Keuka Park Water Office, regarding use and approval.

**Meter Pits**

Meter pits are required whenever the distance between the curb stop and the building or device being served is 200' or more. Meter pits must be constructed to current Town standards and are installed at the cost of and maintained by the property owner.