

Minutes of the regular monthly meeting of the Jerusalem Town Board held on September 19, 2018 at 7:00 P.M. PRESENT were: Supervisor Killen, Councilors Anderson, Jones, Sisson, Stewart, Town Clerk McMichael, Highway Superintendent Martin, Town Engineer Ackart.

GUESTS: Terry Kwiecinski, Tim Cutler, Ed Bronson, Mark Morris, Attorney Alan Knauf, Angelo Licciardello, Sal Licciardello, Debbie Licciardello, John Christensen; *Chronicle Express* Reporter

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

RESOLUTION #142-18

APPROVAL OF MINUTES

On a motion of Councilor Stewart, seconded by Councilor Sisson, the following was

ADOPTED Ayes 5 Anderson, Jones, Killen, Sisson, Stewart
 Nays 0

Resolved that the minutes of the August 15, 2018 meeting be approved with the Supervisor's points of clarification received September 20, 2018 (attached).

RESOLUTION #143-18

AUDIT OF CLAIMS

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

ADOPTED Ayes 5 Anderson, Jones, Killen, Sisson, Stewart
 Nays 0

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

General:	\$ 21,734.84
Outside Village	\$ 226.14
Highway DB:	\$320,440.23
Sewer Capital:	\$137,263.36
Sewer:	\$ 41,807.10
Water:	\$ 34,229.40
Branchport Light	\$ 256.81

August Utilities:

General:	\$ 274.91
Outside Village:	\$ 85.95
Highway DB:	\$ 4,470.98
Sewer:	\$ 231.53
Water:	\$ 427.38
Trust:	\$32,831.15

RESOLUTION #144-18
SUPERVISOR REPORT

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

ADOPTED Ayes 5 Anderson, Jones, Killen, Sisson, Stewart
 Nays 0

Resolved that the Supervisor's Report on the Town's finances for the month of August 2018 be accepted as presented.

Supervisor Killen noted the expense for Casella's waste removal caused Clean-Up Day to go over budget.

PRESENTATION - NINE ELEMENT WATERSHED MANAGEMENT PLANS

Mark Morris, Keuka Lake Association Vice President distributed and reviewed a handout from the New York State Department of Environmental Conservation providing an overview of the Nine Element (9E) Plan (attached). Resolution #121-18 provided support to develop a comprehensive watershed plan to include both Keuka and Seneca Lakes. Funding is available from the N.Y.S. Department of State for 75% of the plan's cost; with a 25% local match. The Keuka Lake Association and the Keuka Watershed Improvement Cooperative are working with the Seneca Watershed Intermunicipal Organization, the Seneca Lake Pure Waters Association and the Finger Lakes Institute to apply for funding. The 9E Plan will provide the tools needed to make strategic and sustained progress in improving water quality.

TOWN OFFICIALS

HIGHWAY SUPERINTENDENT

- Written Budget Highway report on file in the Office of the Town Clerk.
- 22 miles of oil and stoning was done this year.
- The Ford 550 truck with dump box has been delivered.
- Construction of the storage barn is underway.
- Stever and Prosser Roads are being prepped for oil and stoning in 2019.

TOWN ENGINEER

- Notes of the September 13, 2018 KPSW meeting on file in the Office of the Town Clerk.
- National Water Main Cleaning Co. completed the sewer rehab capital project under budget.

RESOLUTION #145-18

WATER CAPITAL PROJECT - DELAY BIDDING TIMELINE

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

ADOPTED Ayes 5 Anderson, Jones, Killen, Sisson, Stewart
 Nays 0

Resolved bidding the water capital project be delayed until January 2019 as we have not received final approval from the New York State Department of Health.

ASSESSOR

- A number of the small claims assessment review hearings have been scheduled.
- A resolution will be presented tonight as Supervisor Killen signed an apportionment form in the absence of an Assessor.

RESOLUTION #146-18

ADVERTISE FOR ZONING BOARD VACANCY

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

ADOPTED Ayes 5 Anderson, Jones, Killen, Sisson, Stewart
 Nays 0

Whereas Kerry Hanley resigned as an alternate on the Zoning Board; now, therefore, be it

Resolved a block ad be placed in the Town's official newspaper seeking applicants to fill the Zoning Board vacancy.

RESOLUTION #147-18

INTERVIEW PLANNING BOARD APPLICANTS

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

ADOPTED Ayes 5 Anderson, Jones, Killen, Sisson, Stewart
 Nays 0

Resolved that Councilor Jones, Councilor Sisson and Planning Board Chair Cutler schedule interviews with the two applicants for the vacancy on the Planning Board.

SUPERVISOR

- DEC is presenting a water quality summit at Keuka College on Monday, August 20th.
- A meeting was held with Keuka College to review their Engineering Report Stormwater Drainage Analysis.

- We are working on complying with the new Mandatory Sexual Harassment Training. This will be placed on the October meeting agenda.
- Information is being gathered for the SAM grant to fund masonry repairs to the control system of locks in the Keuka Lake outlet.
- Supervisor Killen encouraged volunteers to help with hand pulling the starry stonewort invasive species from the Sugar Creek area on Saturday, September 29th at 8:30 A.M.

COMPREHENSIVE PLAN REVIEW SUBCOMMITTEE

Subcommittee Chair Cutler has nothing new to report.

RESOLUTION #148-18

AWARD 2018-2020 AUDIT

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

ADOPTED Ayes 5 Anderson, Jones, Killen, Sisson, Stewart
 Nays 0

Whereas two quotes were received in response to the Proposal for Professional Services for the Town's 2018, 2019 and 2020 audit engagements as follows:

Bonadio & Co., LLP	2018 \$10,000	Justice	\$1,700
Pittsford, NY	2019 \$10,250	Justice	\$1,700
	2020 \$10,500	Justice	\$1,700

Raymond F. Wager, CPA, PC	2018 \$10,250
Henrietta, NY	2019 \$10,550
	2020 \$10,950

Resolved that the audit be awarded to the low bidder, Bonadio & Co., LLP; and, be it further

Resolved the Supervisor be authorized to execute the Engagement Letter from Bonadio & Co., LLP to perform the audit of the Town of Jerusalem as of and for the years ending December 31, 2018-2020.

RESOLUTION #149-18

ADVERTISE FOR ASSESSOR

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

ADOPTED Ayes 3 Anderson, Killen, Sisson
 Nays 2 Jones, Stewart

Whereas the Sole Appointed Assessor position is vacant due to the resignation of Vernon Brand, now, therefore, be it

Resolved the Assessing Committee be authorized to place an advertisement in the *Chronicle Express* and *Finger Lakes Times*; and, be it further

Resolved, recruitment efforts be coordinated with Yates County Civil Service.

RESOLUTION #150-18

CONSTITUTION WEEK PROCLAMATION - SEPTEMBER 17 - 23

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

ADOPTED	Ayes	5	Anderson, Jones, Killen, Sisson, Stewart
	Nays	0	

WHEREAS, Our Founding Fathers, in order to secure the blessings of liberty for themselves and their posterity, did ordain and establish a Constitution for the United States of America; and

WHEREAS, It is the greatest importance that all citizens fully understand the provisions and principles contained in the Constitution in order to effectively support, preserve and defend it against all enemies, and

WHEREAS, The anniversary of the signing of the Constitution provides an historic opportunity for all Americans to remember the achievements of the Framers of the Constitution and the rights, privileges and responsibilities they afforded us in this unique document, and

WHEREAS, The independence guaranteed to American citizens, whether by birth or naturalization, should be celebrated by appropriate ceremonies and activities during Constitution Week, September 17 through 23, as designated by proclamation of the President of the United States of America in accordance with Public Law 915, now

THEREFORE, I, Patrick Killen, by virtue of the authority vested in me as Jerusalem Supervisor, County of Yates, State of New York do hereby proclaim the week of September 17 through 23 as

CONSTITUTION WEEK

In the Town of Jerusalem, and urge all our citizens to reflect during that week on the many benefits of our Federal Constitution and the privileges and responsibilities of the American Citizens.

MANDATORY SEXUAL HARASSMENT TRAINING

This will be placed on the October meeting agenda.

RESOLUTION #151-18

RESOLUTION TO DESIGNATE ELAINE NESBIT TO REPRESENT TOWN OF
JERUSALEM FOR SMALL CLAIMS ASSESSMENT REVIEW (SCARS) CASES IN
ABSENCE OF TOWN ASSESSOR

Supervisor Killen offered the following, seconded by Councilor
Sisson:

Whereas Vernon Brand abruptly resigned his position as Town of
Jerusalem Assessor, leaving 18 or more SCARS hearings to schedule
and hold, and

Whereas we had discussions with Attorney Paul Keneally, and
adjacent Town Assessors about options for TOJ representation at the
hearings, and

Whereas Paul Keneally advised that attorney representation at the
hearings would be cost prohibitive, and there is no legal reason
why a TOJ employee or official could not represent TOJ at the SCARS
hearings, and

Whereas Elaine Nesbit has 27 years of experience with assisting TOJ
Assessors, and

Whereas Elaine has agreed to assist with the Assessor's tasks for
SCARS in the absence of a TOJ Assessor, and

Whereas reviewing files, reviewing comparable properties,
scheduling and attending 18 or more hearings takes time, and

Therefore be it resolved that the Town of Jerusalem designates
Elaine Nesbit to represent the Town at current SCARS hearings while
there is no Town Assessor, with help from Councilmen or Supervisor,

Therefore be it resolved that she is authorized to work overtime if
needed or adjust her schedule to work on the SCARS with any needed
funds to be taken from the Assessors unused pay, and

Therefore be it resolved that Christy Woodworth be authorized to
fill in covering office and phones when Elaine is unable to cover
her usual work due to covering what normally would be Assessors
tasks on SCARS with any needed funds to be taken from the Assessors
unused pay.

DISCUSSION - APPOINT ASSESSING CLERK AS SCAR REPRESENTATIVE

The proposed resolution utilizes funds in the Assessor budget, but
there are no parameters set on the number of hours allowed.

RESOLUTION #152-18
AMEND RESOLUTION #151-18 RESOLUTION TO DESIGNATE ELAINE NESBIT TO
REPRESENT TOWN OF JERUSALEM FOR SMALL CLAIMS ASSESSMENT REVIEW
(SCARS) CASES IN ABSENCE OF TOWN ASSESSOR

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

ADOPTED Ayes 5 Anderson, Jones, Killen, Sisson, Stewart
 Nays 0

Resolved Resolution #150-18 authorizing additional work hours as needed for Small Claims Assessment Review Cases be amended to cap the additional hours at 25 for Christy Woodworth and 15 for Elaine Nesbit to be funded by the 1355.1 account code.

RESOLUTION#153-18
BAR APPOINTMENT - ED WEBB

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

ADOPTED Ayes 5 Anderson, Jones, Killen, Sisson, Stewart
 Nays 0

Resolved that Ed Webb appointed to the Board of Assessment Review for a five-term October 1, 2018 - September 30, 2023.

RESOLUTION #154-18
APPROVE WAR MEMORIAL LANDSCAPING INVOICE

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

DEFEATED Ayes 1 Killen
 Nays 4 Anderson, Jones, Sisson, Stewart

Resolved the Jud's Nursery invoice to place additional trees at the Lest We Forget Memorial be approved for payment.

The Town Budget includes an annual contribution to the Memorial for maintenance. Expenses are handled by the War Memorial Committee.

RESOLUTION #155-18
JUSTICE COURT ASSISTANCE PROGRAM GRANT APPLICATION

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

ADOPTED Ayes 5 Anderson, Jones, Killen, Sisson, Stewart
 Nays 0

Whereas the Town Justice has requested the purchase of office equipment that is not included in the 2018 Town Budget; and

Whereas funds are available through the New York Justice Court Assistance Program Grant; now, therefore, be it

Resolved that the Supervisor be authorized to submit a grant application for office equipment.

Resolution #156-18

APPROVE SEWER REHAB CAPITAL PROJECT PAYMENT APPLICATION

On a motion of Councilor Stewart, seconded by Councilor Sisson, the following was

ADOPTED Ayes 5 Anderson, Jones, Killen, Sisson, Stewart
 Nays 0

Whereas the Sewer Rehabilitation Capital Project was awarded to National Water Main Cleaning Co. in the amount of \$155,190.00 (Resolution #79-18); and

Whereas said project has been completed; now, therefore, be it

Resolved the Supervisor be authorized to sign the following documents to close out said project:

- 1. Change Order No. 1 5,000.00
- 2. Change Order No. 2 (36,104.64)
- 3. Final Payment Application: \$124,088.36

And; be it further,

Resolved that payment will be released upon notification from KPSW Department Head Hardy that the manhole brackets are complete.

RESOLUTION #157-18

AUTHORIZE PURCHASE OF CELLULAR SERVICES

On a motion of Councilor Stewart, seconded by Councilor Sisson, the following was

ADOPTED Ayes 5 Anderson, Jones, Killen, Sisson, Stewart
 Nays 0

Whereas, upon the appointment of a provisional water system operator/ wastewater maintainer, the department would like to acquire new cellular service. The cost of the monthly service was not in the 2018 budget and would require funding for September, October, November and December. The new cellular line cost is \$40.00 per month totaling \$160.00 less a Verizon credit of \$100.00 total expense of \$60.00; now,

Therefore; be it resolved that the Sewer/Water Dept. be authorized to acquire a cellular line from Verizon Wireless.

Be It Further; Resolved that monies for this purchase be taken from the 2018 Sewer/Water appropriation; 70 percent 8310.4 and 30 percent 8110.4.

RESOLUTION #158-18
2018 BUDGET AMENDMENT - HIGHWAY DB

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

ADOPTED Ayes 5 Anderson, Jones, Killen, Sisson, Stewart
 Nays 0

Whereas, Highway Superintendent Martin completed FEMA related work on town roads and

Whereas, the Town has received payment from FEMA for such

Now be it resolved that the Highway DB 2018 budget be amended as follows

Assign to the 8760.4 Emergency Disaster expense	\$28,929.90
Assign to the 3960 State Aid revenue	\$27,727.81
Assign to the 4960 Federal Aid revenue	\$ 1,202.09

RESOLUTION #159-18
2018 BUDGET AMENDMENT - POMEROY GRANT - TROLLEY DEPOT SIGN

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

ADOPTED Ayes 5 Anderson, Jones, Killen, Sisson, Stewart
 Nays 0

Whereas, the Town was awarded the Pomeroy Foundation grant to assist with the purchase and installation of the Trolley Depot historical sign;

NOW BE IT RESOLVED that the 2018 General A fund be amended as follows

Increase revenue 3889	\$1,100.00
Increase expense 7510.4	\$1,100.00

RESOLUTION #160-18
AUTHORIZE SUPERVISOR TO SIGN ASSESSOR PAPERWORK

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

ADOPTED Ayes 5 Anderson, Jones, Killen, Sisson, Stewart
 Nays 0

Resolved the Supervisor be authorized to sign paperwork needed on behalf of the assessor until the vacancy is filled.

PUBLIC COMMENT

- A lengthy discussion ensued with Attorney Alan Knauf, on behalf of his clients Angelo and Deborah Licciardello, 8242 East Bluff Drive, appealing the Planning Board's ruling on the private road serving his property. Supervisor Killen requested Mr. Licciardello provide the Town Board with enlarged copies of the deed reference attached to Attorney Knauf's September 17, 2018 letter that alleges Mr. Licciardello owns the triangular piece of land where the Road enters the right-of-way of East Bluff Drive. Thus the Road does not encroach on the neighbor's property and he should not have to relocate the mouth of his existing driveway.
- An arrangement with Keuka College has resulted in increased usage of the Yates Transit System.
- The County Planning Board is seeking two at-large members for Jerusalem.
- Funding is still available through the septic and sewer repair grant award to Yates County. Recipients are eligible for 50% of the cost up to a maximum of \$10,000.
- The Legislature supported the Centralized Arraignment Plan (CAP) to be implemented about October 1, 2018.
- September is Hunger Action Month. Food banks serve approximately 1,250 residents monthly.
- WIC recipients will now be utilizing an EBT card.
- County Administrator candidates are being interviewed.

PRESENT TENTATIVE 2019 BUDGET

The Tentative 2019 Town, Water & Sewer Budget were presented. Supervisor Killen provided an overview. Department Heads were notified of modifications to their budget worksheets as submitted. Budget Workshops will be held September 27, 2018 and October 4, 2018 at 9:00 A.M. .

With there being no further business, on a motion of Councilor Jones, seconded by Councilor Stewart, the meeting was adjourned at 8:45 P.M.

Sheila McMichael, Town Clerk

Minutes clarification:

1. Supervisor Killen will try to borrow one to install the Branchport Trolley sign this fall. Should say "Supervisor Killen will try to borrow one to help drill hole" I am not doing install, nor did I offer to, Highway was asked to do that. Rob just advised that he will be renting an auger for work on his new building which is good as my contact for an auger is a grape farmer who is busy with harvest now.

Supervisor

2. Killen will obtain the associated labor cost to have Yates County stripe Italy Friend Road and request the Sheriff's speed monitoring trailer be placed there. Rob was asked to get a cost for this. Should say "Supt. Martin will obtain labor costs from Yates County Highway for striping. Supervisor Killen will request YC Sheriff place speed monitoring trailer." Has been requested. Also I was going to look into a speed study from NYS DOT.

Regarding the speed study on Italy Friend, per Cornell- request for speed study to NYS Highway must be joint request from Highway Supt. and Town Board.

To change speed limits on these roads, the town board and the county highway superintendent must file a joint request with the Regional Office of the New York State Department of Transportation to conduct a speed limit study.

See attached letter,

(Conversation with Sheila indicates that Dave Hartman has sent a letter to NYS DOT, and Sheila will copy our minutes, so I don't think this letter I drafted is needed to show NYSDOT we want a study of Italy Friend.

Lastly

Daryl's state of opinion is mislabeled as fact.

His first line mirrors exactly what was indicated in the letter to the editor, that I could listen by phone to a public meeting.

I am not available only two days a week. As usual, my hours may vary but again this week I am here all day Monday with tasks to do. I am generally here part of 3-4 business days and often here early morning (ask Zac or Kasey or late afternoon, ask Elaine who is often last out), or evening.

I have taken calls both day and evening for SCT matters, and responded. Ask Jennifer, or Ginny or Elaine, all of whom have reached me for prompt reply on computer matters.

The draft letter from Stephen Butchko was sent on June 19th, for our meeting June 20th, and due by weeks end 6/22 if I am not mistaken. Stephen did not give me the exact wording of his letter until the day before our meeting and it was one line in the letter I had issue with, as has been discussed.

Pat

Jerusalem Town Board
September 19, 2018

September 9th, 2018

Marty Butler Traffic & Safety Engineer NYS DOT

107 Broadway

Hornell, NY 14843

Dear Mr. Butler,

Recent constituent concerns and possible increased incidence of accidents, use by larger commercial vehicles and frequent speeding occurring on Italy Friend Road in the Town of Jerusalem, have caused the Town Board to request a NYS Highway study of Italy Friend Road.

We are seeking any recommendations on speed limit or improvements or modifications of signage, or other means to improve safety of travel on Italy Friend Road.

Sincerely,

Patrick Killen, Supervisor

Rob Martin, Highway Superintendent

Cc: Yates County Highway Supt. Dave Hartman

NINE ELEMENT WATERSHED MANAGEMENT PLANS

An Introduction



Department of
Environmental
Conservation

What is a 9E Plan?

A Nine Element Watershed Management (9E) Plan is a type of clean water plan that details a community's water quality concerns and a strategy to address these concerns. 9E Plans are developed by people who live and work within the watershed with support from local and state agencies. The nine minimum elements are intended to ensure that the contributing causes and sources of nonpoint source pollution are identified, that key stakeholders are involved in the planning process, and that restoration and protection strategies are identified that will address the water quality concerns.



Riparian forest buffers are a best management practice used to reduce water pollution

What are the Nine Key Elements?

The New York State Department of Environmental Conservation (DEC) has adopted the U.S. Environmental Protection Agency's (EPA) nine-element framework for developing watershed-based plans. Plans must include all elements to be approvable by DEC.

- A. Identify and quantify sources of pollution in the watershed
- B. Identify the water quality target or goal and pollution reductions needed to achieve the goal
- C. Identify the best management practices (BMPs) that will help to achieve reductions needed to meet the water quality goal/target
- D. Describe the financial and technical assistance needed to implement the BMPs identified in Element C
- E. Describe the stakeholder outreach, explain how their input was incorporated, and include the role of stakeholders in implementing the plan
- F. Estimate a schedule to implement the BMPs identified in the plan
- G. Describe the milestones and estimated timeframes for BMP implementation
- H. Identify the criteria that will be used to assess water quality improvement as the plan is implemented
- I. Describe the monitoring plan to collect water quality data that will be used to measure improvements using the criteria described in Element H

KEY POINTS

Nine Element Watershed Management Plans:

- Causes and sources of nonpoint source pollution are identified
- Key stakeholders are involved in the planning process
- Restoration and protection strategies are identified
- DEC approves 9E plans and should be involved in the planning process

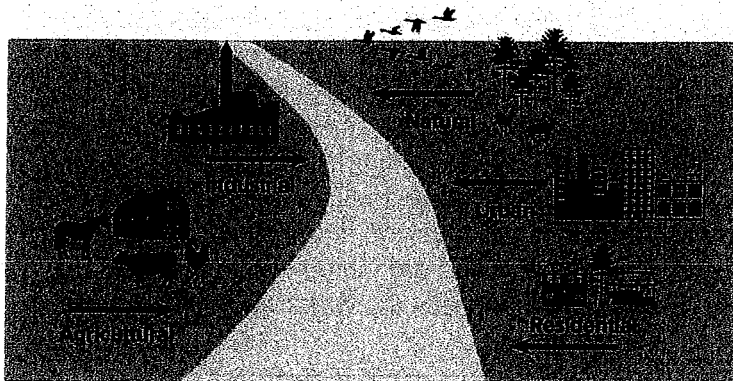
Why and When are Nine Element Plans Used?

DEC encourages (but does not require) watershed communities to develop 9E Plans to protect or restore a waterbody, especially when nonpoint sources of pollution (i.e., agriculture runoff, septic systems) are the primary threat in the watershed. The strength of the 9E plan is the stakeholder involvement during plan development and the comprehensive implementation plan that includes identification of financial assistance, a schedule with milestones, and the evaluation of progress. Although all nine elements must be included in the plan, each watershed community can address them in the way that best meets its goals. People who decide to develop a plan to improve or protect community water resources should contact DEC for advice and information before getting started.

Information Needed to Create a Nine Element Watershed Plan

Information is collected for the entire watershed and includes:

- Watershed area, topography and geology
- Waterbody characteristics (e.g., depth and size)
- Land use data (e.g., forest, developed, pasture, wetland)
- Water quality sampling results
- Description of potential sources of pollution (e.g., residential septic systems, wastewater treatment plants)
- Annual rainfall data



There are many possible sources of pollution in a watershed.

Implementing the Plan

The completed watershed plan describes the actions needed to accomplish the community's protection and restoration goals and a schedule for implementing them. For example, it may include recommendations to improve agricultural practices, repair or replace septic systems, sewer a community of homes, or conduct aquatic plant management.

Financial assistance is usually needed to complete the work. Having a DEC-approved 9E Plan improves eligibility for state and federal funding programs.

Online Resources

- Clean Water Plans: www.dec.ny.gov/chemical/23835.html
- Nine Element Watershed Plans: www.dec.ny.gov/chemical/103264.html
- Best Management Practices (BMPs): www.dec.ny.gov/chemical/96777.html

CONTACT INFORMATION

Division of Water—Bureau of Water Resource Management

New York State Department of Environmental Conservation

625 Broadway, Albany, NY 12233

P: (518) 402-8086

www.dec.ny.gov