

Minutes of the regular monthly meeting of the Jerusalem Town Board held on September 21, 2022 at 7:00 P.M. PRESENT were: Councilors Bird, Jones, Lent, Purdy, Town Clerk McMichael, Highway Superintendent Hurd.

Excused: Supervisor Sisson

GUESTS: Tim Cutler, Lucy Lavery, Ed Bronson

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

RESOLUTION #121-22

APPROVAL OF MINUTES

On a motion of Councilor Purdy, seconded by Councilor Lent, the following was

ADOPTED Ayes 4 Bird, Jones, Lent, Purdy
 Nays 0

Resolved the minutes of the August 17, 2021 meeting be amended with a correction to the attendance; add Councilor Bird and delete Councilor Castner.

RESOLUTION #122-22

AUDIT OF CLAIMS

On a motion of Councilor Bird, seconded by Councilor Purdy, the following was

ADOPTED Ayes 4 Bird, Jones, Lent, Purdy
 Nays 0

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

General:	\$ 20,507.33
Outside Village	\$ 441.26
Highway DB:	\$283,364.27
Sewer:	\$ 54,126.39
Water:	\$ 60,045.06
Branchport Light	\$ 426.77
Capital:	\$189,125.32

August Utilities:

General:	\$ 2,569.14
Sewer:	\$ 61.50
Trust:	\$23,248.59

RESOLUTION #123-22

SUPERVISOR REPORT

On a motion of Councilor Bird, seconded by Councilor Lent, the following was

ADOPTED Ayes 4 Bird, Jones, Lent, Purdy

Nays 0

Resolved that the Supervisor's Report on the Town's finances for the month of August 2022 be accepted as presented.

RESOLUTION #124-22

OPEN PUBLIC HEARING - SEWER DISTRICT EXT. #1B - 2869 RTE. 54A

On a motion of Councilor Purdy, seconded by Councilor Bird, the following was

ADOPTED Ayes 4 Bird, Jones, Lent, Purdy
 Nays 0

With proof of notice having been duly published and posted, the public hearing was opened at 7:02 asking for comments to establish Keuka Park Sewer District Extension #1B at Keystone Custom Deck, 2869 Rte. 54A.

No one from the public wished to comment.

The hearing was left open.

TOWN OFFICIALS

HIGHWAY SUPERINTENDENT

- Written Budget Highway report on file in the Office of the Town Clerk.
- A cross-over pipe is being installed on West Bluff Drive.
- Preparations for winter are beginning.
- Councilor Bird complimented the Highway for their work on Brown Hill Road.

WATER/SEWER REPORT

- Councilor Lent emailed his summary report including:
- Keuka Park Phase 2 water system capital project update.
- The County deemed the West Lake Road failure to be an emergency repair. Bids are due September 28th.
- We continue to work on quotes to contract out after-hours grinder pump services.
- Hydrant flushing continues.
- The Committee discussed fees established to charge negligent customers for after hour call-ins and equipment replacements.
- Kasey Christensen resigned his position effective September 30th.

ASSESSOR

- Councilors Bird and Lent reviewed the software program being purchased to assist the Assessor with her field work. The

Assessor and CEO are also reviewing a software upgrade for the Building Department.

RESOLUTION #125-22

SEQR DETERMINATION - KEUKA PARK SEWER DISTRICT EXTENSION #1B

On a motion of Councilor Purdy, seconded by Councilor Bird, the following was

ADOPTED Ayes 4 Bird, Jones, Lent, Purdy
 Nays 0

WHEREAS, the Town of Jerusalem Town Board, hereinafter referred to as Town Board, has determined the above referenced action to be an Unlisted Action under the State Environmental Quality Review (SEQR) Regulations, and,

WHEREAS, the Town Board has reviewed and accepted the Environmental Record prepared on said action, and

WHEREAS, the Town Board has considered the potential impacts associated with said action.

NOW, THEREFORE, BE IT RESOLVED THAT the Town Board makes this Determination of Non-Significance based upon: the map and plan prepared by Grove Engineering; the Town Board Public Hearing Record on said action; and, the Environmental Record prepared on said action.

BE IT FURTHER RESOLVED THAT, the Town Board makes this Determination of Non-Significance based on the following reasons supporting this determination:

1. The Town Board considered the action as defined in subdivisions 617.2(b) and 617.3(g) of Part 617 of the SEQR Regulations; and,
2. The Town Board did review the EAF, the criteria contained in subdivision (c) of 617.7 and other supporting information to identify the relevant areas of environmental concern; and,
3. The Town Board did thoroughly analyze the identified relevant areas of environmental concern to determine if the action may have significant adverse impact on the environment; and
4. The Town Board did set forth its determination of significance in written form containing a reasoned elaboration and providing reference to all supporting documentation.

RESOLUTION #126-22

CLOSE PUBLIC HEARING - SEWER DISTRICT EXT. #1B - 2869 RTE. 54A

On a motion of Councilor Purdy, seconded by Councilor Lent, the following was

ADOPTED Ayes 4 Bird, Jones, Lent, Purdy
 Nays 0

With all persons desiring to be heard, the public hearing on Sewer District Ext. #1B was closed.

The regular meeting was reconvened.

RESOLUTION #127-22

APPROVE CREATION OF KEUKA PARK SEWER DISTRICT EXTENSION #1B

On a motion of Councilor Lent, seconded by Councilor Bird, the following was

ADOPTED Ayes 4 Bird, Jones, Lent, Purdy
 Nays 0

WHEREAS, a written Petition dated June 8, 2022 has been presented and filed with the Town Clerk of the Town of Jerusalem, Yates County, New York, requesting establishment of Keuka Park Sewer District Extension #1B ("District") with boundaries as described in a Map and Plan relating to the establishment of the District, attached hereto as Exhibit 1, prepared by Grove Engineering in a manner and such detail as has been determined by this Town Board to be sufficient and has been duly filed with the Town Clerk, in accordance with the requirements of Article 12 of the Town Law; and

WHEREAS, an Order was duly adopted by this Town Board on August 17, 2022, reciting the filing of said Map and Plan, the improvements proposed, the boundaries of the proposed District, the fact that the Map and Plan describing the same were on file in the Town Clerk's Office for public inspection, and stating all other matters required by law to be stated, and specifying September 21, 2022, at 7:00 p.m., at the Town of Jerusalem Town Hall, 3816 Italy Hill Road, Branchport, New York, as the place where this Town Board would meet and consider said Map and Plan and to hear all persons interested in the subject thereof, concerning the same, and to take such action thereon as required or authorized by law; and

WHEREAS, the hearing on said matter was duly held by said Town Board on September 21, 2022, at the Jerusalem Town Hall, at which all interested persons desiring to be heard were heard; and

WHEREAS, pursuant to part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law it has been determined by the Town Board that approval of this District would not have a significant effect upon the environment and could be processed by other applicable governmental agencies without further regard to SEQR.

NOW, THEREFORE, upon the evidence given at said public hearing, be it RESOLVED as follows:

1. That said Petition is signed, acknowledged or proved as required by law and is otherwise sufficient;
2. The Order Calling Public Hearing was duly published in the Town's official newspaper on September 7, 2022 and duly posted on the Town's official sign board on August 22, 2022, all as required by law and is otherwise sufficient;
3. All of the property owners within the proposed District are benefited thereby;
4. All of the property and property owners benefited are included within the limits of the proposed District;
5. It is in the public interest to establish said District;
6. The proposed expenses for on-going maintenance and capital improvements, as set forth in the Petition referred to herein, be and are hereby approved;
7. The costs and expenses of the proposed on-going construction, on-going maintenance and improvements associated with said District be assessed, levied and collected from the several lots and parcels of land within said District in proportion as nearly as may be to the benefit which each lot or parcel will derive therefrom, all pursuant to Section 202(2) of the Town Law;
8. That the establishment of the District, as set forth in said Map and Plan, be and hereby is approved; that the improvements therein mentioned be constructed by the Petitioner; and such District shall be bounded and described as set forth in Exhibit 1 attached hereto and made a part hereof;
9. That the Town Board members execute the Order Establishing this District and that the Town Clerk be, and hereby is, authorized and directed to file a certified copy of the Order Establishing the District in the Office of the Clerk of the County of Yates and in the office of the State Department of Audit and Control at Albany, New York.

RESOLUTION #128-22

SCHEDULE 2023 BUDGET WORKSHOP

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

ADOPTED	Ayes	4	Bird, Jones, Lent, Purdy
	Nays	0	

Resolved a budget workshop be scheduled for Wednesday, September 28, 2022 at 9:30 A.M.

RESOLUTION #129-22

DECLARE HIGHWAY ITEMS AS SURPLUS

On a motion of Councilor Bird, seconded by Councilor Lent, the

following was

ADOPTED Ayes 4 Bird, Jones, Lent, Purdy
 Nays 0

Resolved the following items be declared as surplus and the Highway Superintendent be authorized to advertise the sale of said items:

- 2001 Gradall plus spare tire and rim
- 2006 Sterling with plow and wing
- 4 17.5 R25 Grader tires
- 10' Tareo sander
- 3 stone boxes
- 2 garage doors with electric openers (14' and 16')
- Main electric box Culter and Hammer
- 200' used 12/2 electric wire
- 300 gallon oil tank
- 2 National handing heaters
- Miscellaneous parts: electric motors, wiper motors, pto throttle cables, hydraulic pumps, pole saw, lug wrenches, Dailea clock, file cabinets, 8 teeth Yale loader bucket, 9 boxes used grinder stingers
- 3300 ton 1's and 2's round stone (dry)

and be it further

Resolved that the proceeds from this sale will be deposited into the Highway Machine Reserve.

RESOLUTION #130-22

AUTHORIZE ATTENDANCE AT NYS HIGHWAY & PUBLIC WORKS EXPO

On a motion of Councilor Purdy, seconded by Councilor Lent, the following was

ADOPTED Ayes 4 Bird, Jones, Lent, Purdy
 Nays 0

Resolved the Highway employees be authorized to attend the NYS Highway & Public Works Expo on October 19, 2022 in Syracuse, NY.

RESOLUTION #131-22

APPOINT WATER OPERATOR/WASTEWATER MAINTAINER - PAUL ENOS

On a motion of Councilor Lent, seconded by Councilor Purdy, the following was

ADOPTED Ayes 4 Bird, Jones, Lent, Purdy
 Nays 0

Whereas Kasey Christensen resigned his position as Water Operator/Wastewater Maintainer as of September, 30, 2022; and

Whereas Paul Enos has agreed to provide temporary coverage until the position is filled; now, therefore, be it

Resolved that Paul Enos be reinstated as a Water Operator/Wastewater Maintainer effective immediately as follows:

1. Hourly rate of \$30/hour
2. Use of the Town's cell phone and Water/Sewer truck
3. No weekend, night or holiday call-in

And; be it further

Resolved Supervisor Sisson will assume the position of Water/Sewer Department Head.

RESOLUTION #132-22

BUILDING DEPARTMENT MONIES DEPOSIT

On a motion of Councilor Purdy, seconded by Councilor Lent, the following was

ADOPTED Ayes 4 Bird, Jones, Lent, Purdy
 Nays 0

Resolved the Supervisor be authorized to contact MuniPay to deposit Building Department credit card payments directly into the Town Clerk bank account instead of the Outside Village bank account to improve and streamline accounting functions.

RESOLUTION #133-22

REQUEST ATTORNEY DRAFT LOCAL LAW TO INCREASE VETERANS' EXEMPTION

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

ADOPTED Ayes 4 Bird, Jones, Lent, Purdy
 Nays 0

Whereas on August 8, 2022, the Yates County Legislature adopted Local Law 6-2022 increasing the limits for the Alternative Veterans' Exemption for county taxes; and

Whereas the exemption limit changes will go into effect for the 2023 assessment roll. Taxpayers who are receiving this exemption will first see a savings on their 2024 town/county tax bill; now, therefore, be it

Resolved that Attorney Graff draft a local law increasing our limits so the Town and County are at the same exemption limits for the Alternative Veterans' Exemption.

RESOLUTION #134-22

APPOINT LITIGATION COUNSEL - TREETOPS CIDERY ARTICLE 78

On a motion of Councilor Purdy, seconded by Councilor Lent, the following was

ADOPTED Ayes 3 Jones, Lent, Purdy
 Nays 0
 Abstain 1 Bird (on ZBA when application reviewed)

Resolved the Supervisor be authorized to execute the Engagement Letter with Hodgson Russ Law Firm for legal representation related to Treetops Cidery Article 78.

RESOLUTION #135-22

NAME OFFICIAL NEWSPAPER - THE CHRONICLE EXPRESS

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

ADOPTED Ayes 4 Bird, Jones, Lent, Purdy
 Nays 0

Whereas Resolution #111-22 named The Dundee Observer as the official newspaper due to The Chronicle Express ceasing publication; and

Whereas The Chronicle Express news operation has been purchased and will continue to serve Yates County; now, therefore, be it

Resolved that The Chronicle Express be designated as the official newspaper for the Town of Jerusalem.

RESOLUTION #136-22

CONSTITUTION WEEK PROCLAMATION - SEPTEMBER 17 - 23

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

ADOPTED Ayes 4 Bird, Jones, Lent, Purdy
 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, Daryl Jones, by virtue of the authority vested in me as Jerusalem Deputy 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.

BOARD OF ASSESSMENT REVIEW APPOINTMENT

Parker Reynolds is not seeking reappointment to the BAR. This will be placed on the October agenda.

COUNTY REPORT

County Legislator Ed Bronson reported the following:

1. Communications project is progressing.
2. 9/18-24 is Sheriff's Week.
3. Public hearing on a local law extending the residency requirement for Deputy Sheriff five (5) miles into neighboring counties will be held October 11 at 1:00 P.M.
4. EMS received grant funds to update the Hazard Mitigation Plan.
5. Highway Department millings will be sold on Auctions International.
6. Snow and Ice Removal contracts were renewed.
7. Delinquent tax properties will be sold October 27.

County Legislator Tim Cutler provided an update on the broadband project.

RESOLUTION #137-22

MOVE TO EXECUTIVE SESSION

On a motion of Councilor Bird, seconded by Councilor Lent, the following was

ADOPTED	Ayes	4	Bird, Jones, Lent, Purdy
	Nays	0	

Resolved that this meeting be interrupted to enter into Executive Session to discuss the employment history of a particular person at 7:41 P.M.

RESOLUTION #138-22

RETURN TO REGULAR SESSION

On a motion of Councilor Purdy, seconded by Councilor Lent, the following was

ADOPTED	Ayes	4	Bird, Jones, Lent, Purdy
	Nays	0	

Resolved that the Board return to regular session.

The Board returned to regular session at 8:33 P.M.

With there being no further business, on a motion of Councilor Purdy, seconded by Councilor Bird, the meeting was adjourned at 8:34 P.M.

Sheila McMichael, Town Clerk

Exhibit 1

ALL THAT TRACT OR PARCEL OF LAND situate in Lot 49, Township 7, Range I of the Phelps and Gorham Purchase, in the Town of Jerusalem, County of Yates and State of New York, bounded and described as follows Beginning at an iron pin set in the southeasterly line of New York State Route 54A which is North 47° 48' 23" East 32.21 feet to a highway monument and North 45° 20' 13" East, 217.79 feet as measured along the southeasterly line of New York State Route 54A from the westernmost southwesterly corner of lands conveyed by Warren J. Frost to Amos S. Hammond and Laura M. Hammond by deed dated August 12, 1975 and recorded in the Yates County Clerk's Office in Liber 266 of Deeds at page 435 and running thence North 45° 20' 13" East along the southeasterly line of New York State Route 54A, 287.37 feet to an iron pin; thence along lands retained by Hammond, South 41° 59' 38" East, 227.62 feet to an iron pin, South 56° 57' 14" East, 314.70 feet to an iron pin and North 48° 00' 22" East, 277.07 feet to an iron pin in the westerly boundary of lands now or formerly of Nicolo as conveyed by deed recorded in the Yates County Clerk's Office in Liber 238 of Deeds at page 99; thence South 00° 12' 03" East along lands conveyed to Nicolo as aforesaid, 320.07 feet to an iron pin which marks the northwesterly corner of lands conveyed by Amos S. Hammond and Laura M. Hammond to Donald A. Schneider by deed dated October 28, 1981 and recorded in the Y County Clerk's Office in Liber 306 of Deeds at page 81; thence South 39° 03' 28" West along lands conveyed to Schneider as aforesaid, 223.03 feet to an iron pin; thence North 56° 58' 10" West along lands retained by Hammond, 819.42 feet to the point of beginning.

Comprising an area of 5.027 acres as shown as Parcel No. 3 on a survey map entitled "Plan of Land to be Conveyed by Amos S. & Laura M. Hammond" prepared by Richard L. Willson on September 16, 1981 which map is filed in the Yates County Clerk's Office in Liber 10A of Maps at page 356.

Intending to describe the same premises conveyed to KEYSTONE CUSTOM DECKS, LLC by Correction Warranty Deed dated February 21, 2022 and recorded February 24, 2022 in the Yates County Clerk's Office as Instrument No. 2022-7872.

Tax Map No.: 72.04-1-28*
Address: 2869 Rte 54A, Bluff Point, NY 14478*