

Minutes of the regular monthly meeting of the Jerusalem Town Board held on December 13, 2023 at 7:00 P.M. PRESENT were: Supervisor Sisson, Councilors Bird, Jones, Lent, Purdy, Town Clerk McMichael.

GUESTS: Gregory Lechner, Joe Miran, Marilyn Miran, Bruce Churches, Tina Churches, Bill Bohnert, Lucy Lavery, Randy Rhoads, Chris Johnson, Erika Morse, Linda Starsmore, Shawn Morse, Natalie Payne.

Excused: Highway Superintendent Hurd

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

CHANGES TO THE AGENDA

The Yates County Animal Control Agreement renewal was added and the Executive Session was cancelled.

RESOLUTION #182-23

APPROVAL OF MINUTES

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

ADOPTED	Ayes	5	Bird, Jones, Lent, Purdy, Sisson
	Nays	0	

Resolved that the minutes of the November 15, 2023 meeting be approved as amended correcting the spelling of "Board" in Resolution #164-23.

RESOLUTION #183-23

AUDIT OF CLAIMS

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

ADOPTED	Ayes	5	Bird, Jones, Lent, Purdy, Sisson
	Nays	0	

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

General:	\$ 17,263.56
Outside Village	\$ 7,517.27
Highway DB:	\$368,367.23
Sewer:	\$ 13,861.73
Water:	\$112,469.95
Branchport Light	\$ 285.88
Capital:	\$ 1,944.81
Trust:	\$ 50.00

November Utilities:

General:	\$ 4,070.06
Outside Village:	\$ 45.30
Highway DB:	\$66,300.00

Sewer:	\$12,174.15
Water:	\$28,285.31
Trust:	\$25,643.47

RESOLUTION #184-23
SUPERVISOR REPORT

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

ADOPTED	Ayes	5	Bird, Jones, Lent, Purdy, Sisson
	Nays	0	

Resolved that the Supervisor's Report on the Town's finances for the month of November 2023 be accepted as presented.

PUBLIC HEARING - PROPOSED LOCAL LAW C-2023 CHAPTER 131 SEWER AMENDMENT

With proof of notice having been duly published and posted, Supervisor Sisson opened the Public Hearing at 7:03 P.M., asking for comments on the proposed amendments to Chapter 131. Sewer.

No one from the public wished to comment. The hearing was left open.

CRESCENT BEACH LOCAL LAW REQUEST UPDATE

Crescent Beach residents submitted a petition to the Town Board requesting an amendment to the current mooring laws to include anchoring to address the increased number of boats close to the shoreline, and the resulting navigational issues and noise that would move the boats further from shore.

TOWN OFFICIALS

HIGHWAY SUPERINTENDENT

- No report.

COUNCIL

- Councilor Purdy stated the Town was not awarded the CDBG grant funds to update our Comprehensive Plan. She participated in an EFC webinar that could potentially fund the proposed Ritchey Blvd. sewer project.
- Councilor Bird and Supervisor Sisson are interviewing Code Enforcement/Zoning Officer applicants.
- Councilor Bird thanked the Town Board for their support to encourage the Yates County Legislature to revise the proposed Agricultural District No. 1 map.
- Councilor Jones reported on the KWIC/KLOC meeting. They continue to be frustrated working with DEC to manage lake levels. It was suggested Senator O'Mara or Assemblyman Palmesano be contacted.

SUPERVISOR

- Supervisor Sisson reported the Mayor/Supervisor's meeting, they discussed funding Laserfiche document storage and a grant writer for all municipalities.
- He continues to serve as Water/Sewer Department Head.

CEO Verification: Open Development Area #1-23 4870 East Bluff
Private Road

CEO verification of conditions on Open Development Area #1-23 at 4870 East Bluff private road have not been verified to date.

CEO Verification: Open Development Area #2-23 5044 East Bluff
Private Road

Site visit was conducted by Deputy Highway Superintendent and Fire Officials. We are awaiting written findings from the Fire Department so the CEO can sign off.

Resolution #185-23
2023 Budget Modifications

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

ADOPTED Ayes 5 Bird, Jones, Lent, Purdy, Sisson
 Nays 0

General A fund

From: 1990.4-Contingent \$ 3,854.00
To: 1340.4 Budget \$ 1,000.00
 1910.4 Insurance \$ 2,825.00
 3989.4 Public Safety \$ 29.00
 (Fire Dept gas)

From: 9060.8-BCBS \$ 2,000.00
To: 1010.1 Town Board \$ 2,000.00

From: 6510.4-Veterans Services \$ 5,200.00
To: 5182.4- Street Lights \$5,200.00

From: Building Reserve \$5,000.00
To: 1680.4 (Data Processing) \$5,000.00

Resolution #186-23
Authorize Highway Department Vacation Carryover

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

ADOPTED Ayes 5 Bird, Jones, Lent, Purdy, Sisson
 Nays 0

Whereas the Highway Superintendent is out on extended medical leave as of December 4, 2023; and

Whereas the Employee Handbook 802 Vacation Leave allows the Supervisor to approve carry-over requests by December 1st; now, therefore, be it

Resolved the Highway employees be allowed to carry-over up to 40 hours of vacation accrued in 2023 into 2024 based on their current staffing situation.

Resolution #187-23
Employee Early Release 12/22/23

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

ADOPTED Ayes 5 Bird, Jones, Lent, Purdy, Sisson
 Nays 0

Resolved employees be released at noon on December 22, 2023.

Resolution #188-23
Schedule 2024 Organization Meeting

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

ADOPTED Ayes 5 Bird, Jones, Lent, Purdy, Sisson
 Nays 0

Resolved the 2024 Organization Meeting be held at 4:00 P.M. on Wednesday, January 3, 2024.

RESOLUTION #189-23
RENEW LARSON DESIGN GROUP CONTRACT

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

ADOPTED Ayes 5 Bird, Jones, Lent, Purdy, Sisson
 Nays 0

Resolved the Supervisor be authorized to execute the 2024-2025 General Consulting Services Agreement for Professional Services with Larson Design Group.

RESOLUTION #190-23
PLANNING BOARD APPOINTMENT

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

ADOPTED Ayes 5 Bird, Jones, Lent, Purdy, Sisson
 Nays 0

Resolved Melissa Gerhardt, 3879 Vine Road be appointed to the Planning Board for a 7-year term commencing 1/1/24 through 12/31/30.

PUBLIC COMMENT

Randy Rhoads, 10411 East Bluff Drive thanked the Board for their support to encourage the Yates County Legislature to revise the proposed Agricultural District No. 1 map. He offered his assistance if needed.

RESOLUTION #191-23

CLOSE - PUBLIC HEARING - LOCAL LAW C-2023 CHAPTER 131 SEWER

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

ADOPTED Ayes 5 Bird, Jones, Lent, Purdy, Sisson
 Nays 0

With all persons desiring to be heard, Supervisor Sisson closed the hearing at 7:46 P.M.

The regular meeting was reconvened.

RESOLUTION #192-23

AUTHORIZE ADOPTION OF LOCAL LAW 3-2023 CHAPTER 131 SEWER

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

ADOPTED BY ROLL CALL VOTE:

Councilor Lent	Aye
Councilor Purdy	Aye
Councilor Bird	Aye
Councilor Jones	Aye
Supervisor Sisson	Aye

WHEREAS, a resolution was duly adopted by the Town Board of the Town of Jerusalem for a public hearing to be held by said Town Board on December 13, 2023, at 7:00 p.m. at the Jerusalem Town Hall, 3816 Italy Hill Road, Branchport, New York, to hear all interested parties on a proposed Local Law entitled, "A Local Law Amending the Provisions of Chapter 143 of the Code of the Town of Jerusalem Relative to the Senior Citizens Tax Exemption"; and

WHEREAS, notice of said public hearing was duly advertised in the official newspaper of the Town of Jerusalem, on November 30, 2023 and other notices required to be given by law were properly served, posted or given; and

WHEREAS, said public hearing was duly held on December 13, 2023, at 7:03 p.m. at the Jerusalem Town Hall, 3816 Italy Hill Road, Branchport, New York, and all parties in attendance were permitted an

opportunity to speak on behalf of or in opposition to said Proposed Local Law, or any part thereof; and

WHEREAS, the Town Board of the Town of Jerusalem, after due deliberation, finds it in the best interest of the Town of Jerusalem to adopt said Local Law.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Jerusalem hereby adopts said Local Law No. 3 of 2023, entitled "A Local Law Amending the Provisions of Chapter 143 of the Code of the Town of Jerusalem Relative to the Senior Citizens Tax Exemption", a copy of which is attached hereto and made a part of this resolution, and be it further

RESOLVED, that the Town Clerk be and she hereby is directed to enter said Local Law in the minutes of this meeting and in the Local Law Book of the Town of Jerusalem, and to give due notice of the adoption of said local law to the Secretary of State of New York.

RESOLUTION #193-23

YATES COUNTY ANIMAL CONTROL AGREEMENT

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

ADOPTED Ayes 5 Bird, Jones, Lent, Purdy, Sisson
 Nays 0

Resolved the Supervisor be authorized to execute the Yates County Animal Control Agreement for 2024.

RECOGNITION - TIM CUTLER

Supervisor Sisson took this opportunity to recognize Tim Cutler for his years of service to our community and all the work he has done.

HIGHWAY DEPARTMENT UPDATE

Councilor Jones stated Highway Superintendent Tony Hurd was involved in a motor vehicle accident on December 4th. We wish him a speedy recovery. Deputy Superintendent Jamie A. Sisson is doing well managing the department in his absence and noted the Town Board is here to support him.

With there being no further business, on a motion of Councilor Purdy, seconded by Supervisor Sisson, the meeting was adjourned at 7:55 P.M.

Sheila McMichael, Town Clerk

A Local Law to Amend Regulations in the Sewers Law Pertaining to Sewer Rents

Be it enacted by the Town Board

Town of Jerusalem as follows:

Section 1. Sections 131-26 and 131-27 of Article VII (Rental Rates; Collection) of Chapter 131 (Sewers) of the Code of the Town of Jerusalem is hereby repealed and a new §131-26 and a new §131-27 are hereby inserted in their places to read as follows:

§ 131-26 Unit basis to be used.

Sewer rents shall be charged on a unit basis. Each residence shall be charged one unit, a residence being defined as a separate living unit complete with usual facilities for such purpose. The amount of water used that shall constitute one unit and the unit basis for commercial customers, industrial customers and other customers shall be established by separate resolution of the Town Board provided that water used does not include water used for irrigation if it is separately metered. The Town Board may provide in any such resolution that, subject to conditions established by the Town Board, a customer may have all of its properties aggregated in one account for the purpose of calculating and collecting this charge.

§ 131-27 Rents due on quarterly basis; penalties for late payments.

Sewer rents for the use of the sewer system shall be paid in quarter-annual payments in advance, shall be due and payable on the first day of each quarter, and shall be paid within 30 days after each such quarterly due date. Except for residential customers and customers whose unit basis is fixed for a year at a time, all other customers shall pay a quarterly sewer rent equal to one unit plus any sewer rent for use in excess of the amount of water used that constitutes one unit from the immediately preceding quarter. In the event that payment is not made within said thirty-day period, then a penalty of 10% of the delinquent amount shall be added to the sewer rent.

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