

Minutes of the regular monthly meeting of the Jerusalem Town Board held on December 18, 2024 at 7:00 P.M. PRESENT were: Supervisor Sisson, Councilors Bird, Jones, Lent, Purdy, Town Clerk McMichael, Highway Superintendent Hurd.

GUESTS: Joe Matthews, James McKinley, Steve Schmidt, Dave Hostutler, Valerie Newell, Randy Rhoads, Ed Bronson, Douglas Derr.

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

CHANGES TO THE AGENDA

Keuka Park Sewer/Water Training Request was added to the agenda.

RESOLUTION #185-24

APPROVAL OF MINUTES

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

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

Resolved that the minutes of the November 20, 2024 meeting be approved as read.

RESOLUTION #186-24

AUDIT OF CLAIMS

On a motion of Councilor Bird, seconded by Councilor Jones, 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:	\$ 14,631.40
Outside Village	\$ 10,781.55
Highway DB:	\$ 40,112.06
Water Capital:	\$ 32,705.81
Sewer:	\$456,536.02
Water:	\$130,443.89
Branchport Light	\$ 551.89
Escrow:	\$ 11,153.00

November Utilities:

General:	\$ 2,812.97
Outside Village:	\$ 65.32
Light:	\$ 551.89
Sewer:	\$ 241.67

Water:	\$	481.18
Escrow:	\$	350.00
Trust:		\$151,475.46

RESOLUTION #187-24

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 2024 be accepted as presented.

PUBLIC HEARING - PROPOSED LOCAL LAW D-2024 AMENDING ZONING BOARD OF APPEALS & PLANNING BOARD CHAIR APPOINTMENT

Supervisor Sisson stated the public hearing scheduled for tonight needs to be rescheduled as proper notice was not given for a zoning amendment.

The Board discussed the need for County referral as the County exempted certain actions back in 2017. The County Planning Board referral exemption list will be sent to Attorney Graff.

The Board also discussed removing the Planning Board verbiage and only amending the ZBA section. Supervisor Sisson will email Attorney Graff to determine if deleting the amendment to §39-2 Planning Board is considered a substantial change. If so, a new local law will have to be introduced.

RESOLUTION #188-24

RESOLUTION AUTHORIZING SCHEDULING OF PUBLIC HEARING FOR A PROPOSED LOCAL LAW AMENDING THE CODE OF THE TOWN OF JERUSALEM REGARDING THE METHOD OF DESIGNATING A CHAIRPERSON TO THE PLANNING BOARD AND ZONING BOARD OF APPEALS

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

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

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 Amending the Code of the Town of Jerusalem Regarding the Method of Designating a Chairperson to the Planning Board and Zoning Board of Appeals"; 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, and

WHEREAS, the extra notice provisions required for the December 18, 2024 public hearing were not met;

NOW, THEREFORE, BE IT RESOLVED, that the Town Clerk be, and she hereby is, directed to schedule a public hearing to be held on January 15, 2025, 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 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.

TOWN OFFICIALS

HIGHWAY SUPERINTENDENT

- The Highway Department continues to chop brush and cut trees, weather permitting.

COUNCIL

- Councilor Lent reported on the Water/Sewer meeting. Larson Design Group was present to discuss the water main replacement project. 175 grinder pumps were delivered last week. We continue to develop specifications for the water meter replacement project.
- Councilor Purdy and Supervisor Sisson attended the Saunders Finger Lakes Museum Open House.
- Councilor Bird presented the Assessor and Code Officer reports. New building and zoning fees will be recommended at the 2025 Organization Meeting. Two zoning applications were tabled this month as the sites were not staked out as required. A fee will be added for this as it requires the Zoning Board members to revisit the sites.

SUPERVISOR

Jerusalem Town Board
December 20, 2024

Supervisor Sisson, Highway Superintendent Hurd and Councilor Purdy attended training developed by DHSES intended for those with a roll in emergency management or disaster responses.

3057 TOWNLINE ROAD - VIOLATION #24-0032

Code Officer McKinley and Douglas Derr, tenant at 3057 Townline Road addressed the Board regarding Violation #24-0032 for an unsafe structure and no commercial utilities at this location. Property owner Ivan Zimmerman was not in attendance, but agrees with Code Officer McKinley working with Attorney Graff to resolve the situation.

Mr. Derr left the meeting at 7:30 P.M.

RESOLUTION #189-24

2024 BUDGET MODIFICATIONS

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

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

Resolved the following 2024 Budget Modifications be approved:

GENERAL A FUND

From: 1990.4-Contingent \$12,324.00
To: 1660.4 Supply room \$ 1,200.00
 1910.4 Insurance \$ 6,254.00
 9010.8 Retirement \$ 4,870.00

From: 8160.4 (CE)- Cleanup Day \$ 171.00
To: 8160.1 (PS) Cleanup Day \$ 171.00

From: Unappropriated Fund Balance
To: 1995.4- Loss on Fixed Asset \$33,514.00
 (Excavator accident costs)

SEWER FUND

From: 1990.4-Contingent \$264.00
To: 9010.8 Retirement \$264.00

WATER FUND

From: 1990.4-Contingent \$1,532.00
To: 9010.8 Retirement \$1,532.00

From: 8340.2-Transmission (EQ) \$28,000.00
To: 8340.4 Transmission (CE) \$28,000.00

RESOLUTION #190-24

2024 SEWER BUDGET AMENDMENT FOR THE REPLACEMENT OF WORN-OUT APPARATUS AND/OR EQUIPMENT IN THE KEUKA PARK SEWER DISTRICT EXT. #2

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

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

Whereas Resolution #181-24 authorized a serial bond in an aggregate principal amount not to exceed \$420,00 to finance said purpose at the November 20,2024 regular meeting; and

Whereas the shipment of 175 grinder pumps was delivered on December 12, 2024; and

Whereas Siewert Equipment invoiced the entire shipment of pumps at \$399,525.00; and

Whereas said financing should become available within the early part of 2025; now, therefore be it

RESOLVED that the Sewer 2024 Budget be amended to allocate \$399,525.00 out of the unappropriated fund balance into the 8189.4 Grinder Pump expense code.

RESOLUTION #191-24

2024 GENERAL A BUDGET AMENDMENT -TRANSFER FUNDS TO BUILDING RESERVE

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

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

Whereas the Building Repair Reserve fund has been utilized for repairs throughout the years; and

Whereas the Town received unanticipated sales tax monies from Yates County in February 2024; now, therefore, be it

RESOLVED that General A fund transfer \$12,200 into the Building Repair Reserve

RESOLUTION #192-24

SCHEDULE 2025 ORGANIZATION MEETING

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

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

Resolved the 2025 Organization Meeting be held at 4:00 P.M. on Wednesday, January 8, 2025.

RESOLUTION #193-24

AUTHORIZE KPSW TRAINING - E-ONE GRINDER PUMP

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

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

Whereas Environment One Corporation (E-One) will be hosting a factory service training in early 2025 at 2773 Balltown Road, Niskayuna, NY; now, therefore, be it

Resolved Water/Sewer Department Head Joe Matthews be authorized to attend E-One grinder pump trouble-shooting training in 2025 at a cost not-to-exceed \$400 to be funded from account code 8189.4.

RESOLUTION #194-24

DECLARE CEO iPad AS SURPLUS EQUIPMENT

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

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

Resolved the Code Officer's iPad 9th Generation, Wi-Fi only, be declared as surplus and CEO McKinley be authorized to advertise the sale of said item. Proceeds from this sale to be deposited into account code 8010.4.

RESOLUTION #195-24

AUTHORIZE KPSW TRAINING - CLASS C OPERATORS INITIAL CERTIFICATION

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

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

Whereas; the Grade C Operators Initial Certification Course is being offered at SUNY Morrisville State College on January 21-23, 2025 at a cost of \$525; and

Whereas; the NYS Health Department requires that the Keuka Park Water District Operators have Class C Operator certification; now,

Therefore, be it resolved that Spencer Enos be authorized to attend the Class C Operators Certification Course at a cost of \$525.00 plus lodging, with expenses funded from account 8310.4.

COUNTY REPORT

Legislator Bronson presented the County report.

RESOLUTION #196-24

EXECUTIVE SESSION - EMPLOYMENT HISTORY OF A PARTICULAR PERSON

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 this meeting be interrupted to enter into Executive Session to discuss the employment history of a particular person.

The Executive Session convened at 7:43 P.M.

RESOLUTION #197-24

RETURN TO REGULAR SESSION

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

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

Resolved that the Board return to regular session.

The Board reconvened in regular session at 8:12 P.M.

With there being no further business, on a motion of Councilor Lent, seconded by Supervisor Sisson, the meeting was adjourned.

Sheila McMichael, Town Clerk

Exhibit 1
Local Law No. D of the year 2024

A Local Law Amending the Code of the Town of Jerusalem Regarding the Method of Designating a Chairperson to the Planning Board and Zoning Board of Appeals

Be it enacted by the Town Board

Town of Jerusalem as follows:

Section 1. Article I (General Provisions) of Chapter 39 (Planning Board) of the Code of the Town of Jerusalem is hereby amended with the adoption of a new § 39-2 to read as follows:

§ 39-2 Designation of Chairperson

The town board shall, by resolution, designate the chairperson of the Planning Board from the appointed members. In the absence of a chairperson, the planning board may designate a member to serve as chairperson.

Section 2. Paragraph C of § 160-68 (Creation; membership; chairperson; compensation) of Article XV (Zoning Board of Appeals) of The Town of Jerusalem Zoning Ordinance is hereby repealed and a new paragraph C is inserted in its place to read as follows:

- C. Appointment. The Town Board shall appoint the members of the Zoning Board of Appeals and shall designate the chairperson thereof. In the absence of a chairperson, the Zoning Board of Appeals may designate a member to serve as acting chairperson. No person who is a member of the Town Board shall be eligible for membership on such Zoning Board of Appeals. Of the members of the Zoning Board of Appeals first appointed, one shall hold office for the term of one year; one for the term of two years; one for the term of three years; one for the term of four years; and one for the term of five years from and after his appointment; provided, however, that such Town Board may, by resolution, increase the number of members of the Zoning Board of Appeals to seven, and, thereafter, such additional members shall be first appointed for terms of two and four years, respectively. Their successors, including such additional members as may be appointed by the Town Board, shall be appointed for terms of five years from and after the expiration of the terms of their predecessors in office.

Section 3. 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 affect, 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 immediately upon filing with the Secretary of State.

Exhibit 2
TOWN OF JERUSALEM
NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE, that a public hearing will be held by the Town Board of the Town of Jerusalem on January 15, 2025 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 2025, which would amend the Code of the Town of Jerusalem to provide that the town board shall designate the chairpersons of the Planning Board and of the Zoning Board of Appeals from the appointed members of each respective board and that, in the absence of a chairperson, each board may designate a member thereof to serve as chairperson.

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

This by Resolution of the Town Board of the Town of Jerusalem.

Sheila McMichael, Town Clerk