

Minutes of the regular monthly meeting of the Jerusalem Town Board held on August 21, 2024 at the Branchport Fire Hall, 3686 Route 54A at 7:00 P.M. PRESENT were: Supervisor Sisson, Councilors Bird, Jones, Lent, Purdy, Deputy Town Clerk Gillett, Highway Superintendent Hurd.

GUESTS: Jill Lerch, Ken Lerch, Jon Nelson, Bill Bohnert, Jean Geertz, Dave Mortensen, Karen Jensen, Myron Jensen, Mike Ventone, Gary Banas, Tracy Green, Penny Hayes, Stephen Green, Douglas Nichols, Gerald Pease, Chuck Lamacchia, Judy Dunning, William Dunning, Kala Halbert, Laurie Hopkins-Halbert, Dorothy Williams, Greg Lechner, Joe Miran and other unidentified persons.

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

RESOLUTION #118-24
CHANGES TO THE AGENDA

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

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

Resolved the following change be made to the agenda:
Accept Easements - Delete "Keuka Management Group, LLC"

RESOLUTION #119-24
APPROVAL OF MINUTES - JULY 17, 2024

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 minutes of the July 17, 2024 be approved as read.

RESOLUTION #120-24
APPROVAL OF MINUTES - SPECIAL MEETING AUGUST 7, 2024

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

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

Whereas Resolution #117-24, item 5. states the resolution is effective immediately; and

Whereas the effective date of this resolution is August 19, 2024; now, therefore, be it

Resolved that the minutes of the August 7, 2024 Special Meeting be approved as amended.

RESOLUTION #121-24

AUDIT OF CLAIMS

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 bills be paid as presented in the following amounts:

General:	\$ 27,650.40
Outside Village	\$ 2,747.89
Highway DB:	\$371,353.88
Sewer:	\$ 66,276.91
Water:	\$ 20,256.86
Escrow:	\$111,615.40
Trust:	\$ 273.82

July Utilities:

General:	\$ 692.08
Outside Village:	\$ 76.90
Highway DB	\$49,905.33
Sewer:	\$ 101.85
Water:	\$ 949.25
Trust:	\$26,143.53

RESOLUTION #122-24

SUPERVISOR REPORT

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 Supervisor's Report on the Town's finances for the month of July 2024 be accepted as presented.

TOWN OFFICIALS

HIGHWAY SUPERINTENDENT

- Superintendent Hurd reported storm cleanup is complete.

COUNCIL

- Councilor Purdy reported MRB representative Matt Horn will be at the September 18th meeting to discuss grant writing and prioritizing of projects.

- Councilor Bird reports the Assessor's office is still busy from the reevaluation. The Code office is also very busy, note changes in Branchport
- Councilor Jones reported samples taken by Keuka Lake Watershed Improvement Cooperative (KWIC) at Sugar Creek and Cold Brook (Hammondsport) tested positive for Fecal Coliform and Ecoli. Results are below DEC limits and will be retested. KWIC is allowed to inspect all septic systems within 200 feet of creeks and tributaries.

SUPERVISOR

- 2025 Budget process has begun.
- Lift station was overwhelmed with water during the August 9th storm. Factors include sump pumps and gutters tied into the sewer system that are not supposed to be. This may require inspections of illegal connections in the future. The Village of Penn Yan is already doing so.

RESOLUTION #123-24

AUTHORIZING ADOPTION OF PROPOSED LOCAL LAW NO. B-2024 TO AMEND CHAPTER 147 (VESSELS, MOORING OF)"

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

DEFEATED BY ROLL CALL VOTE:

Sisson	Nay
Lent	Nay
Jones	Nay
Purdy	Nay
Bird	Nay

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 July 17, 2024, 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 to Amend Chapter 147 (Vessels, Mooring of)"; and

WHEREAS, notice of said public hearing was duly advertised in the official newspaper of the Town of Jerusalem, on June 27 and July 11, 2024 and other notices required to give by law were properly served, posted or given; and

WHEREAS, said public hearing was duly held on July 17, 2024, at 7:05 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 proposed Local Law No. B of 2024, entitled "A Local Law to Amend Chapter 147 (Vessels, Mooring of)", 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 #124-24

ACCEPT EASEMENTS - WATER PROJECT PHASE 2

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

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

WHEREAS, the Town of Jerusalem, by its officers or representatives, has engaged in discussions with Robert Brown and with Keuka College regarding the Town's obtaining water and utility easements from them over portions of their respective premises located in the Town of Jerusalem; and

WHEREAS, Town of Jerusalem officials have recommended to the Town Board that Robert Brown and Keuka College each grant to the Town a water and utility easement over their respective lands; and

WHEREAS, said easements have been offered by Robert Brown and Keuka College to the Town of Jerusalem; and

WHEREAS, the Town Board of the Town of Jerusalem is desirous of accepting said offered easements on behalf of said Town; and

WHEREAS, the Town Board of the Town of Jerusalem has examined said instruments and finds the consideration described above to be fair and reasonable.

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Jerusalem does hereby accept the Easement attached hereto as Exhibit 1 from Robert Brown and the Easement attached hereto as Exhibit 2 from Keuka College in accordance with the terms and conditions

contained in said instruments and approves the recording of both in the Office of the Clerk of the County of Yates, the fee for said recording to be borne by the Town, and be it further

RESOLVED, that the Town Supervisor was authorized to take any and all actions necessary to carry forth the intent of this resolution, including but not limited to the execution of all documents necessary to complete the conveyance of the premises referenced herein.

RESOLUTION #125-24

ACCEPT EASEMENT - WATER PROJECT PHASE 3

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

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

WHEREAS, the Town of Jerusalem, by its officers or representatives, has engaged in discussions with Jamie L. Sisson and Virginia S. Turner regarding the Town obtaining water and utility easements from them over portions of their respective premises located in the Town of Jerusalem; and

WHEREAS, Town of Jerusalem officials have recommended to the Town Board that Jamie L. Sisson and Virginia S. Turner grant to the Town a water and utility easement over their respective land; and

WHEREAS, said easement has been offered by Jamie L. Sisson and Virginia S. Turner to the Town of Jerusalem; and

WHEREAS, the Town Board of the Town of Jerusalem is desirous of accepting said offered easement on behalf of said Town; and

WHEREAS, the Town Board of the Town of Jerusalem has examined said instruments and finds the consideration described above to be fair and reasonable.

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Jerusalem does hereby accept the Easement attached hereto as Exhibit 3 from Jamie L. Sisson and Virginia S. Turner in accordance with the terms and conditions contained in said instrument and approves the recording the Office of the Clerk of the County of Yates, the fee for said recording to be borne by the Town, and be it further

RESOLVED, that the Town Deputy Supervisor was authorized to take any and all actions necessary to carry forth the intent of this resolution, including but not limited to the execution of all

documents necessary to complete the conveyance of the premises referenced herein.

RESOLUTION #126-24

ACCEPT EASEMENTS - EAST BLUFF ROAD RECONSTRUCTION,

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

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

WHEREAS, the Town of Jerusalem, by its officers or representatives, has engaged in discussions with the respective trustees of the Pfeffer Family Trust and with the John Pfeffer Trust regarding the Town's obtaining drainage and utility easements from them over portions of their respective premises located in the Town of Jerusalem; and

WHEREAS, Town of Jerusalem officials have recommended to the Town Board that the Pfeffer Family Trust and the John Pfeffer Trust each grant to the Town a drainage and utility easement over their respective lands; and

WHEREAS, said easements have been offered by the Pfeffer Family Trust and the John Pfeffer Trust to the Town of Jerusalem; and

WHEREAS, the Town Board of the Town of Jerusalem is desirous of accepting said offered easements on behalf of said Town; and

WHEREAS, the Town Board of the Town of Jerusalem has examined said instruments and finds the consideration described above to be fair and reasonable; and

WHEREAS, the Town Supervisor has previously signed both easements on August 7, 2023.

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Jerusalem does hereby retroactively to August 7, 2023 accept the Easement attached hereto as Exhibit 4 from the Pfeffer Family Trust and the Easement attached hereto as Exhibit 5 from the John Pfeffer Trust in accordance with the terms and conditions contained in said instruments and approves the recording of both in the Office of the Clerk of the County of Yates, the fee for said recording to be borne by the Town, and be it further

RESOLVED, that the Town Board retroactively to August 7, 2023 has authorized the Town Supervisor to take any and all actions necessary to carry forth the intent of this resolution, including but not

limited to the execution of all documents necessary to complete the conveyance of the premises referenced herein.

RESOLUTION #127-24

VILLAGE OF PENN YAN INTERMUNICIPAL SEWER AGREEMENT EXTENSION

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

ADOPTED	Ayes	4	Bird, Jones, Lent, Purdy
	Nays	0	
	Abstain	1	Purdy

Whereas the Supervisor updated the Board on discussions with the Village of Penn Yan to amend/renew our Intermunicipal Sewer Agreement to aid in obtaining financing that will decrease the anticipated 19% Wastewater Treatment Plant budget increase; and

Whereas the Town of Jerusalem's contract expires in 2035/11 years and the Town of Milo's expires in 2042/18 years; and

Whereas the attached Debt Service Analysis provided by the Village was updated to June 2024 figures showing the financial impact if the current contracts with Milo and Jerusalem are not extended; now, therefore, be it

Resolved the Supervisor be authorized to pursue discussions to extend said contract with the Village of Penn Yan.

RESOLUTION 128-24

SOLE SOURCE DETERMINATION SEWER #2 GRINDER PUMPS

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 Town of Jerusalem Procurement Policy and New York State Finance Law section 163 Purchasing services and commodities allow Sole Source procurement when properly justified; and

Whereas the Town of Jerusalem has previously standardized sole source procurement of sewage grinder pumps for the Keuka Park Sewer District Extension #2 (KPSD2); and

Whereas KPSD2 has over 280 E-One Grinder pumps and appurtenances installed, replacement pumps and parts in stock, as well as a maintenance system and equipment exclusively for E-One grinder pumps; now, therefore, be it

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Resolved that E-One grinder pumps be the sole source for sewage grinder pumps and appurtenances for KPSD2.

RESOLUTION #129-24
DECLARE KPSW SURPLUS EQUIPMENT

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 following items be declared as surplus equipment, and the Water and Sewer Maintenance Supervisor be authorized to advertise the sale of said items:

- 2011 Atlas trailer
- 2021 Ford F150
- 2 Wisconsin motors

RESOLUTION #130-24
AUTHORIZE KPSW TRAINING - FINGER LAKES WATER WORKS

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

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

Whereas, the Finger Lakes Water Works Conference is September 5, 2024 at King's Catering, 4031 Rtes. 5&20, Canandaigua; and

Whereas, accreditation of operator contact hours will be given for attendance as required by the NYS Department of Health for recertification; and

Whereas, instruction and training expenses were approved in the 2024 budget; now, therefore, be it

Resolved to authorize attendance of (2) persons from the Water/ Sewer Department to attend the Finger Lakes Water Works Conference at a cost of \$10.00 funded by account 8340.4.

RESOLUTION #131-24
APPOINT WATER/SEWER MAINTENANCE HELPER

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

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

Whereas Resolution #94-24 authorized advertising for a full-time Water & Sewer Maintenance Helper; and

Whereas the one eligible candidate was interviewed; now, therefore, be it

Resolved that Spencer Enos be appointed to the W&S Maintenance Helper position on August 26, 2024 contingent upon passing the necessary physical exam for town employment. The starting pay rate per hour is \$20.00.

RESOLUTION #132-24

AUTHORIZE SUPERVISOR TO EXECUTE BPD, INC. LETTER OF SERVICES FOR 2025 AND 2026 BUDGET PREPARATION

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

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

BE IT RESOLVED BY THIS TOWN BOARD AS FOLLOWS:

(1) The firm of Bernard P. Donegan, Inc., is hereby designated Municipal Advisor to the Town of Jerusalem.

(2) Said firm shall be compensated for its services to be rendered in connection with the preparation of the Town's Budget for 2025 and 2026 in accordance with its letter of services dated July 31, 2024.

(3) The Town Supervisor is hereby authorized to execute and deliver said letter of services.

(4) This resolution shall take effect immediately.

RESOLUTION #133-24

2024 WATER FUND BUDGET AMENDMENT

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

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

Whereas, the Keuka Park Water Department desired to purchase additional water meters, a flow meter for tank #2, and to complete the Orange Street service lines project, and

Whereas, funds are available within the Water Routine Repair Reserve to cover such expenses, now be it

Resolved that the 2024 Water Fund Budget be amended to reflect these expenses by the following

Increase expense 8340.4 (Transmission)	\$ 80,856.00
Increase Use of Fund Balance	\$ 80,856.00

RESOLUTION #134-24

LETTER OF SUPPORT FOR THE YATES COMMUNITY CENTER CAPITAL PROJECT

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

following was

ADOPTED Ayes 4 Jones, Lent, Purdy, Sisson
 Nays 0
 Abstain 1 Bird

Resolved the Supervisor be authorized to send a letter of support to Senator Kristen Gillibrand for the Yates Community Center Capital Project for a 35,000 sq. ft. indoor multi-use facility that is under consideration for the FY25 Senate Appropriation requests.

RESOLUTION #135-24

AUTHORIZE ASSESSOR TRAINING - NYSAA FALL CONFERENCE

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

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

Resolved the Assessor be authorized to attend the NYSAA Fall Conference training at the Woodcliff Hotel, Fairport, NY on September 24-26, 2024 at a cost of \$260, with the expense funded by 1355.4.

COUNTY REPORT

Legislator Bronson presented the County report.

PUBLIC COMMENT

Comments on the proposed mooring law amendment were received from Karen Jensen who thanked the Board for work done related to the Crescent Beach issues. She asked who to call when issues happen. The Board reiterated to call the Sheriff, write down registration numbers and sign statements.

Laurie Hopkins-Halbert also thanked the Board for taking all comments and concerns into consideration.

With there being no further business, the meeting was adjourned at 7:38 PM.

Emily Gillett, Deputy Town Clerk