

Minutes of the regular monthly meeting of the Jerusalem Town Board held on July 15, 2009 at 7:00 P.M. PRESENT were: Supervisor Jones, Councilpersons Folts, Hopkins, Simmons, Stewart, Highway Superintendent Payne, Town Engineer Ackart, Town Clerk McMichael.

GUESTS: Heidi Bauer, Bob Evans, Max Parson, Bill Pringle, Tom Close, Doug Paddock, Donna Alexander, Anne Salisbury, Stewart VanBuren and several other unidentified guests.

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

RESOLUTION #121-09
APPROVAL OF MINUTES

On a motion of Councilperson Stewart, seconded by Councilperson Folts, the following was

ADOPTED	Ayes	4	Folts, Jones, Simmons, Stewart
	Nays	0	
	Abstain	1	Hopkins

Resolved that the minutes of the June 17, 2009 meeting be approved as read.

RESOLUTION #122-09
AUDIT OF CLAIMS

On a motion of Councilperson Simmons, seconded by Councilperson Hopkins, the following was

ADOPTED	Ayes	5	Folts, Hopkins, Jones, Simmons, Stewart
	Nays	0	

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

General:		\$ 10,891.76
Highway DA:		\$ 1,861.64
Highway DB:		\$181,762.83
Sewer:		\$ 26,280.68
Water:		\$171,710.51
Light:		\$ 254.00
June utilities:	General:	\$ 3,832.72
	Water:	\$ 23,841.76
	Sewer:	\$ 20,824.15
	Trust:	\$ 43,375.99

RESOLUTION #123-09
SUPERVISOR REPORT

On a motion of Councilperson Hopkins, seconded by Councilperson Stewart, the following was

ADOPTED	Ayes	4	Folts, Hopkins, Jones, Stewart
	Nays	1	Simmons

Resolved that the Supervisor's Report on the Town's finances for the month of June 2009 be accepted as presented.

PUBLIC COMMENT

Heidi Bauer addressed the Board concerning her property maintenance matter currently in the Town Court system and her neighbor, Neil Alden violating Town law by being allowed to have too many RV's in use on his property. The Town Board will discuss this situation with the Code Enforcement Officer.

REPORT OF TOWN OFFICIALS

HIGHWAY SUPERINTENDENT

- Written Highway Roadwork Budget Report for June 2009 on file in the Office of the Town Clerk.

RESOLUTION #124-09

AUTHORIZE PURCHASE OF LOADER

On a motion of Councilperson Simmons, seconded by Councilperson Hopkins, the following was

ADOPTED Ayes 5 Folts, Jones, Hopkins, Simmons, Stewart
Nays 0

Whereas, the Town Highway Superintendent has received five bid quotes for a new wheel loader and after review of all bid quotes has found the John Deere from Five Star Equipment, Inc. best meets the specification set for our highway department needs; now, therefore, be it

Resolved that the Town Highway Superintendent is hereby authorized to purchase the following: one new, unused 2009 John Deere Wheel Loader, Model 624K from Five Star Equipment located in Rochester, New York in the amount not to exceed \$126,652.00.

The proceeds for this purchase shall be taken from Highway Appropriations, Machinery Account #DA5130.2.

TOWN ENGINEER

- Town Engineer Ackart stated lightning struck the upper State Park water tanks again. It caused minimal damage, but required manual operations between Jerusalem and Pulteney while it was down. We are evaluating further lightning protection systems as this has been a recurring situation.
- Two scheduled improvements will be made to install a strainer and the spring assist to the SV2 valve at the lower water tank location in the State Park.
- Work has begun on the 2010 sewer and water budgets.
- Ackart will check into making additional water district bond principal payments given the credits we will receive from Penn

Yan on our upcoming water invoices due to over billing our water consumption.

- Ackart thanked Carol Goebel, interim KPSW Clerk for her work during Mrs. Wheeler's leave of absence.

COUNCIL

- Councilperson Stewart stated the Planning Board requested a Town Code amendment to Section 160-32 that currently allows multiple dwellings having no more than 50 dwelling units as a special use in R-2, but they did not specify the number of units they recommend it be reduced to. Supervisor Jones will follow-up with the Planning Board on their request.
- Issues related to Marcellus shale drilling were discussed at the July Planning Board meeting. Councilperson Simmons will provide Planning Board Chair Evans with literature from Farm Bureau on this subject.
- Councilperson Simmons reported the Summer Recreation Program started July 13th. There are 111 children enrolled in our program. The Jerusalem program will receive additional funding because Benton and Italy do not have programs. The Jerusalem Republican Committee also donated \$400 to our program.
- Issues related to the erection of an 8' fence in the hamlet of Branchport were discussed. Currently, the Town does not regulate fences.
- Councilperson Simmons introduced a resolution to withdraw the authority of the Planning Board to approve plats according to Section 39-2 of the Town Code. Discussion of issues related to filings at the County and this authority ensued. The Town Board directed the Town Attorney to prepare the necessary documents to present the resolution in the form of a local law in time to hold the public hearing at the August 19th meeting.

SUPERVISOR

- The Monument Rededication of Red Jacket's Mother, Drooping Blue Flower, will be held July 19th.
- We have been advised that the Yates County Industrial Development Agency approved a three-year payment in lieu of tax (PILOT) agreement for TLM Excavating & Associates. The proposed PILOT Agreement will provide real property tax abatement to the duplex rental housing units located on Skyline Drive exempted at 100% for year 1, 75% for year 2 and 50% for year 3.

RESOLUTION #125-09

OAK KNOLL CEMETERY CONTRIBUTION

On a motion of Supervisor Jones, seconded by Councilperson Stewart, the following was

ADOPTED	Ayes	5	Folts, Hopkins, Jones, Simmons, Stewart
	Nays	0	

Whereas, the Town makes an annual budgetary contribution in the amount of \$250.00 each toward St. Michael's, Italy Friend, Branchport, and Bitley cemeteries; and

Whereas, the Town has been approached to contribute toward the Oak Knoll cemetery in Keuka Park; now, therefore, be it

RESOLVED that the Town will hereby add Oak Knoll Cemetery to the list of cemeteries receiving a \$250.00 contribution yearly, with funds being appropriated out of the General Budget code 8810.4 (cemetery).

Supervisor

- The New York State Department of Transportation evaluated our request for crosswalks at the 4-corners in Branchport and determined that only two of the four legs can be painted because of the sidewalk alignment. Crosswalks will be on the Northern (Guyanoga Road) and Western (Italy Hill Road) legs. Supervisor Jones requested they re-evaluate this area and asked to be present to get a better understanding of their reason for not painting crosswalks on Route 54A.
- Zoning Board Chairman Herbert has requested the Town Board change the special use application process that currently requires review by both the Planning Board and the Zoning Board of Appeals. They feel that special use permits that do not require variances should not require review by the Zoning Board. Planning Board Chairman Evans noted his concern with the current workload of the Planning Board and their ability to take on further responsibilities. Supervisor Jones will discuss this matter further with Town Attorney Bailey.

SUBCOMMITTEE REPORTS:

ZONING REVIEW SUBCOMMITTEE:

No report.

SUBDIVISION SUBCOMMITTEE:

Subcommittee Chair Tom Close is scheduled to make a presentation on the draft subdivision regulations at the August 6th Planning Board meeting.

WIND FARM SUBCOMMITTEE:

Subcommittee Chair Bill Pringle stated they are trying to address the concern of the noise associated with wind turbines. Draft regulations have been presented to the Planning Board.

RESOLUTION #126-09

RESOLUTION NAMING STATE ROUTE 54A

On a motion of Councilperson Stewart, seconded by Councilperson Hopkins, the following was

ADOPTED Ayes 5 Folts, Hopkins, Jones, Simmons, Stewart
 Nays 0

Whereas the Addressing Committee has devoted months researching the possibility of clearing up addresses in the area, and

Whereas residents on State Route 54A from the Village of Penn Yan limits to the Steuben County Line have numerous mailing addresses, and

Resolved that the Town of Jerusalem does hereby recognize the following: State Route 54A from the Village of Penn Yan limits to the intersection in the hamlet of Branchport, be known as State Route 54A and

Resolved the section of State Route 54A from the main intersection in Branchport to the Yates/Steuben County line be officially named West Lake Road, Branchport.

ZONING ASSESSING PLANNING OPERATIONS REVIEW SUBCOMMITTEE:

- The Assessor is currently working on the gas leases.
- There have been numerous requests for the town map currently being worked on.

With there being no further business, on a motion of Councilperson Stewart, seconded by Councilperson Hopkins, the meeting was adjourned at 8:49 P.M.

Sheila McMichael, Town Clerk