

Minutes of the regular monthly meeting of the Jerusalem Town Board held on October 16, 2013 at 7:00 P.M. PRESENT were: Supervisor Jones, Councilors Folts, Killen, Parson, Steppe, Deputy Supervisor Stewart, Town Attorney Bailey, Town Clerk McMichael, Highway Superintendent Martin, Town Engineer Ackart.

GUESTS: Richard Clouser, Jan & Gary Molyneaux, Delores & Len Lang, Valerie Gardner, Bob Evans, Patricia Larzelere, Mike Morton, Art Carcone, Elaine Nesbit, Conrad Tunney.

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

RESOLUTION #145-13

APPROVAL OF MINUTES

On a motion of Councilor Killen, seconded by Councilor Parson, the following was

ADOPTED	Ayes	5	Folts, Jones, Killen, Parson, Steppe
	Nays	0	

Resolved that the minutes of the September 18, 2013 meeting be approved as read.

RESOLUTION #146-13

APPROVAL OF MINUTES

On a motion of Councilor Steppe, seconded by Councilor Parson, the following was

ADOPTED	Ayes	4	Jones, Killen, Parson, Steppe
	Nays	0	
	Abstain	1	Folts

Resolved that the notes of the September 26, 2013 budget hearing be approved as read.

RESOLUTION #147-13

APPROVAL OF MINUTES

On a motion of Councilor Steppe, seconded by Councilor Killen, the following was

ADOPTED	Ayes	5	Folts, Jones, Killen, Parson, Steppe
	Nays	0	

Resolved that the minutes of the October 2, 2013 budget hearing be approved as read.

RESOLUTION #148-13

AUDIT OF CLAIMS

On a motion of Councilor Folts, seconded by Councilor Parson, the following was

ADOPTED Ayes 5 Folts, Jones, Killen, Parson, Steppe
 Nays 0

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

General:	\$ 9,976.22
Outside Village	\$ 661.60
Highway DB:	\$91,355.91
Sewer:	\$41,195.43
Water:	\$ 5,130.50
Branchport Light	\$ 257.76

September Utilities:

General:	\$ 237.95
Sewer:	\$ 117.12
Water:	\$ 127.13
Trust:	\$33,298.88

RESOLUTION #149-13
SUPERVISOR REPORT

On a motion of Councilor Steppe, seconded by Councilor Killen, the following was

ADOPTED Ayes 5 Folts, Jones, Killen, Parson, Steppe
 Nays 0

Resolved that the Supervisor's Report on the Town's finances for the month of September 2013 be accepted as presented.

RESOLUTION #150-13
PUBLIC HEARING - 2014 TOWNWIDE, CONSOLIDATED WATER DISTRICT & SEWER DISTRICTS AND EXTENSIONS BUDGETS

With proof of notice having been duly published and posted, Supervisor Jones opened the Public Hearing at 7:05 P.M., asking for comments on the tentative 2014 Townwide, Water & Sewer Budgets.

No one from the public wished to comment.

The hearing was left open.

Outstanding issues of pictometry and the Justice salary were discussed by the Town Board.

Mike Morton questioned the Local/State Sources reduction to \$268,544. Budget Officer Muscarella made reference to the General Fund revenue detail on pages 4 and 5, noting other than the mortgage tax, most of the monies are for the Post-Employment

Reserve to pay retiring employees for unused sick time.

RESOLUTION #151-13

AMEND ASSESSOR'S PRELIMINARY 2014 BUDGET

On a motion of Councilor Killen, seconded by Councilor Parson, the following was

ADOPTED Ayes 5 Folts, Jones, Killen, Parson, Steppe
Nays 0

Resolved the Assessor's preliminary budget 1355.4 be increased by \$1,800 for the 2014 budget toward the \$3,723 cost of pictometry.

Health plan offerings need to be determined. The Town can only offer two plans and one must satisfy the terms of the Teamster's contract. Enrollment must be completed by December 1st.

Supervisor Jones made the motion that the \$1,200 health benefit given to the Town Justice during his 2010-2013 term be added to the 1110.1 Justice salary. Budget Officer Muscarella noted the \$11,051 is already reflected in the 2014 preliminary budget figures. Supervisor Jones withdrew his motion.

RESOLUTION #152-13

2014 HEALTH AND DENTAL BENEFITS

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

ADOPTED Ayes 5 Folts, Jones, Killen, Parson, Steppe
Nays 0

Resolved \$269,000 be included in the 2014 budget for medical and dental benefits.

Each fund includes Employee Benefits 9010.8, 9030.8, 9050.8, 9055.8, and 9060.8 and are detailed within each fund. The tax rate increase is 1.15% as compared to 1.5% last year. The Town has healthy fund balances. The State recommends a 20-25% ratio of unappropriated funds to appropriations. The tentative budget figures included a 17% medical premium increase, but the cost is dropping substantially. Excess funds from this reduction in medical costs will be used toward the highway salt storage barn. Employees will contribute 5% of the medical premium in 2014.

RESOLUTION #153-13

CLOSE PUBLIC HEARING - 2014 TOWNWIDE, CONSOLIDATED WATER DISTRICT & SEWER DISTRICTS AND EXTENSIONS BUDGETS

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

ADOPTED	Ayes	5	Folts, Jones, Killen, Parson, Steppe
	Nays	0	

Resolved that the Public Hearing be closed at 8:06 P.M. and that the Board return to the Regular Town Board meeting.

RESOLUTION #154-13

ADOPT 2014 TOWNWIDE BUDGET

On a motion of Councilor Killen, seconded by Councilor Folts, the following was

ADOPTED	Ayes	5	Folts, Jones, Killen, Parson, Steppe
	Nays	0	

Resolved the 2014 Townwide Budget be adopted.

RESOLUTION #155-13

ADOPT 2014 CONSOLIDATED WATER DISTRICT & SEWER DISTRICTS AND EXTENSIONS BUDGETS

On a motion of Councilor Killen, seconded by Councilor Parson, the following was

ADOPTED	Ayes	5	Folts, Jones, Killen, Parson, Steppe
	Nays	0	

Resolved the 2014 Consolidated Water District and Sewer Districts and Extensions Budgets be adopted.

TOWN OFFICIALS

HIGHWAY SUPERINTENDENT

- Written Budget Highway report on file in the Office of the Town Clerk.
- The 1961 Oshkosh 4x4 dump truck declared as surplus equipment by Resolution #123-13 was sold for \$3,400.
- The \$3,800 bid on the 1996 Ford 6-wheeler dump truck declared as surplus equipment by Resolution #122-13 was rejected.
- Highway Superintendent Martin appointed Dale Fitzwater as Deputy Superintendent during Tony Hurd's medical leave.

TOWN ENGINEER

- Notes of the October 8, 2013 KPSW meeting on file in the Office of the Town Clerk.

COUNCIL

Councilor Killen will review issues expressed by staff regarding the Verizon wireless phone system.

PRIVILEGE OF THE FLOOR

Yates County District Attorney candidate Valerie Gardner addressed the Board regarding the upcoming election.

SUBCOMMITTEE REPORTS

Branchport Hamlet/CDB Grant Steering Subcommittee is looking for more participation as attendance was low at their last meeting.

PROPOSED LOCAL LAW - SIGN LAW AMENDMENT

The Planning Board will schedule a public information meeting to solicit public input and educate them on the Town's jurisdiction over the placement of signs.

RESOLUTION #156-13

RESOLUTION ESTABLISHING THE "SALT STORAGE BUILDING CAPITAL RESERVE FUND OF THE TOWN OF JERUSALEM" UNDER SECTION 6-C OF THE GENERAL MUNICIPAL LAW

On a motion of Councilor Killen, seconded by Councilor Folts, the following was

ADOPTED	Ayes	5	Folts, Jones, Killen, Parson, Steppe
	Nays	0	

The Town Board of the Town of Jerusalem, duly convened in regular session, does hereby resolve as follows:

SECTION 1. That there is hereby established a capital reserve fund in the amount of Two Hundred Fifty Thousand Dollars (\$250,000.00) to accumulate all or part of the cost of the construction of a building for the storage of salt.

SECTION 2. That this fund is to be known as the "Salt Storage Building Capital Reserve Fund of the Town of Jerusalem."

SECTION 3. That the estimated maximum cost of the Salt Storage Building is the sum of Two Hundred Fifty Thousand Dollars (\$250,000.00).

SECTION 4. That out of the moneys of said Town now on hand for the year 2013 the sum of Twenty-one thousand three hundred dollars (\$21,300.00) was appropriated for this purpose and shall be transferred to this fund.

SECTION 5. That such additional sums as may hereafter be appropriated shall become part of the fund.

SECTION 6. That the moneys in the fund shall be deposited in a separate bank account in Five-Star Bank.

SECTION 7. That the Supervisor is authorized to invest, from time to time, the moneys of this fund pursuant to Section 10 of the General Municipal Law. Any interest earned or capital gains realized on the moneys so deposited or invested shall accrue to and become a part of the fund.

SECTION 8. That no expenditure shall be made from the fund except by authorization of the Town Board of the Town of Jerusalem pursuant to the provisions of section 6-c of the General Municipal Law.

SECTION 9. That this resolution is subject to permissive referendum.

SECTION 10. That the Town Clerk is directed to give notice of the adoption of this resolution pursuant to the provisions of Article Seven of the Town Law.

RESOLUTION #157-13

AUTHORIZE SUPERVISOR TO EXECUTE CONTRACT WITH THE TOWN OF PULTENEY FOR THE TRANSMISSION OF WATER

On a motion of Councilor Killen, seconded by Councilor Parson, the following was

ADOPTED	Ayes	5	Folts, Jones, Killen, Parson, Steppe
	Nays	0	

Resolved the Supervisor be authorized to sign the Intermunicipal Agreement between the Town of Jerusalem and the Town of Pulteney for the Transmission of Water from Penn Yan to Pulteney.

RESOLUTION #158-13

KPSW RELEVIES

On a motion of Councilor Folts, seconded by Councilor Parson, the following was

ADOPTED	Ayes	5	Folts, Jones, Killen, Parson, Steppe
	Nays	0	

Whereas, the Jerusalem Town Code provides for the collection of delinquent water and sewer bills by the County of Yates by the relevy of those accounts on the January tax bills; and

Whereas, the Town Water/Sewer office has compiled a listing of the final 2013 water and sewer delinquent accounts in the following amounts:

WATER	\$23,677.18
SEWER	\$23,012.56
RELEVY FEE	\$ 4,550.00

; now, therefore, be it

Resolved, that the Jerusalem Town Board does hereby approve the transfer of these delinquent accounts to the County for relevy on their 2014 tax bills.

NOTE: Final relevy amounts:

WATER	\$23,189.97
SEWER	\$22,072.56
RELEVY FEE	\$ 4,400.00

RESOLUTION #159-13

RESOLUTION CLARIFYING AND AMENDING RESOLUTION 148-12

On a motion of Councilor Parson, seconded by Councilor Killen, the following was

ADOPTED	Ayes	5	Folts, Jones, Killen, Parson, Steppe
	Nays	0	

WHEREAS Resolution number 148-12 of this Town Board provided for a reduced fee for building permits for agricultural structures, and

WHEREAS in the opinion of the attorney for the town the definition of "Agricultural Accessory Building" contained in the next to the last sentence of that resolution does not include all of the structures that the Town Board intended to be affected by the said resolution, and

WHEREAS this Town Board wishes to amend the said Resolution number 148-12 so as to more clearly and definitively reflect the structures for which the reduced fee for building permits shall be charged;

NOW THEREFORE BE IT RESOLVED, that Resolution number 148-12 of the Town of Jerusalem adopted on August 21, 2013 is hereby amended to read in full as follows:

WHEREAS the cost of a building permit for an agriculture accessory building is three times higher in the Town of Jerusalem than in any of the surrounding towns in our area,

WHEREAS the Town of Jerusalem stated in its comprehensive plan that it will continue to support its current farming industry recognizing its valuable and aesthetic contributions to the town,

THEREFORE be it RESOLVED that the fee for an agriculture accessory building permit be revised from fifteen cents per square foot to five cents per square foot with a cap of five hundred dollars total fee for an agriculture accessory building. For the purposes of this Resolution, the term "agriculture accessory building" shall mean buildings and other structures that are exempt from real property taxation pursuant to Sections 483, 483-a, 483-c, and 483-d of the New York State Agriculture and Markets Law. This revision shall go into effect January 2, 2013.

FURTHER RESOLVED that because this amending resolution merely clarifies and restates the prior resolution so as to reflect the original effect of the same as intended by the Town Board and therefore does not create a new regulation for the town, this resolution shall be deemed effective as of January 2, 2013.

RESOLUTION #160-13

APPROVE PURCHASE OF WAGSys COMPUTER PROGRAM

On a motion of Councilor Killen, seconded by Councilor Parson, the following was

ADOPTED	Ayes	5	Folts, Jones, Killen, Parson, Steppe
	Nays	0	

Resolved the Supervisor be authorized to execute an agreement to purchase the WAGSys computer system at a cost of \$3,200. Payment timing detail will be determined at a later date.

ASSESSOR VEHICLE

Councilor Parson stated the Assessor has reported the Town vehicle is burning oil. He will have it looked at to determine our course of action.

RESOLUTION #161-13

ADOPT 2014 KEUKA PARK SEWER/WATER FEES, RATES AND EDU SCHEDULE

On a motion of Councilor Folts, seconded by Councilor Parson, the following was

ADOPTED	Ayes	5	Folts, Jones, Killen, Parson, Steppe
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Nays 0

WHEREAS, the Town Board, acting as the Board of Commissioners of the Keuka Park Water and Sewer Districts establishes the fees for sewer and water customers of the districts; and

WHEREAS, Section 198(3)(d) of the Town Law of the State of New York authorizes the Town Board to establish the rates for use of water by customers of the district; and

WHEREAS, Section 152-8 of the Code of the Town of Jerusalem provides that the rate schedule be kept on file in the office of the Town Clerk; and

WHEREAS, Section 131-25 of the Code of the Town of Jerusalem authorizes the Town Board to establish the fees for use of water by customers of the district; and

WHEREAS, Equivalent Dwelling Units (EDU's) are assessed on each individual property, regardless of common owner; now, therefore, be it

RESOLVED that the proposed Fee Schedule, Rate Schedule and Equivalent Dwelling Unit (EDU) Schedule Guideline of the Keuka Park Sewer and Water Districts attached to this resolution be and it hereby is approved to go into effect on January 1, 2014 and continue in effect thereafter until further resolution of this Board.

2014 SEWER FEE SCHEDULE	FEE
APPLICATION FEE	\$350.00
**IMPACT FEE SEWER ORIGINAL, Ext 1, Ext 3	\$24.00 MULTIPLIED BY # OF EDU'S
**IMPACT FEE SEWER Ext 2	\$604.00 MULTIPLIED BY # OF EDU'S
TURN ON/OFF	FIRST ON/OFF PER YEAR - NC; SUBSEQUENT ON/OFF \$25.00
*HOURLY RATE	\$30.00 PER HOUR
*AFTER HOUR CALL IN	\$90.00
*PARTS	COST

2014 WATER FEE SCHEDULE	FEE
APPLICATION FEE	\$350.00
**IMPACT FEE	\$225.12 MULTIPLIED BY # of EDU'S
TURN ON/OFF	FIRST ON/OFF PER YEAR-NC; SUBSEQUENT ON/OFF \$25.00
METER (new and/or replacement)	\$200.00 FOR 5/8"; METERS LARGER THAN 5/8" BILLED AT COST

*HOURLY RATE	\$30.00 PER HOUR
*AFTER HOURS CALL IN	\$90.00
*PARTS	COST

RETURN CHECK	\$20.00/PER RETURNED CHECK
RELEVY FEE	\$50.00/PER ACCOUNT (Minimum Relevy Amount \$50.00)

*These fees would only apply to repairs made due to customer negligence or request. Hourly rate will only apply if outside the normal working hours and will be in addition to the after hour call in fee.

**Impact fee will apply to vacant property or property that is split from a parcel of land that is permitted to connect to water and/or sewer and currently does not pay capital charge. It will not apply to those properties that have paid the lump sum payment for either water or sewer capital. Fee will be equal to the current capital charge for that district multiplied by the number of EDU's. They will also be charged an application fee in addition to the impact fee. Capital charges for water commence when building permit is issued. Sewer Charges commence first billing cycle after issuance of building permit.

***Water and Sewer Permits are valid for 90 days. Permits may be renewed 1 time for a total of 180 days for no additional charge. After 180 days, the original permit will become void, and the applicant will need to re-apply for water and/or sewer connection permit and pay an additional application fee (\$350.00).

2014 KEUKA PARK WATER/SEWER DEPARTMENT RATE SCHEDULE

Keuka Park Water District

Usage: \$59.50/Quarter = 10,000 gallons (min)
 \$ 5.95/1000 gallons over minimum

Capital: \$225.12/EDU Billed annually on the January Town/
 County Tax Bill

Out of District Rate: 25% Surcharge on Usage and Capital

Capital Charges commence when building permit is issued

KEUKA PARK SEWER RATES

CHARGES BELOW ARE ON A PER UNIT BASIS IN ACCORDANCE WITH SECTION 131-26 OF THE SEWER USE LAW

(Sewer Fees are collected in advance)

Keuka Park Sewer District (Original District)

Operation/Maintenance & Capital Combined: \$183.00/quarter

Keuka Park Sewer District Ext. #1, #3

Operation/Maintenance & Capital Combined: \$183.00/quarter

Keuka Park Sewer District Ext. #2

Operation/Maintenance: \$176.00/quarter

Grinder Pump Fee: \$ 11.00/quarter
Capital: \$151.00/Quarter
Out of District Rate: 25% Surcharge on Usage and Capital

Sewer Charges will commence first billing cycle after issuance of building permit

BILLING DATES

Account # Beginning in 1 and 4

Jan 1, April 1, July 1, Oct 1

Account # Beginning in 2 and 3

Feb 1, May 1, August 1, Nov 1

Account # Beginning in 6

March 1, June 1, Sept 1, Dec 1

2014 EQUIVALENT DWELLING UNIT (EDU) SCHEDULE GUIDELINE

EDU's are assessed on each individual property, regardless of common owner. An individual property will initially be assessed based on the following, but the Town Board reserves the right to adjust this determination based on a greater or lesser benefit received.

RESIDENTIAL

1-EDU per dwelling unit

(Separate living unit with bath or shower, toilet, and kitchen)

Property or building with more than one dwelling unit

(i.e. two apartments in one building = 2 EDU's)

MUNICIPAL BUILDINGS/FIRE HALL

2-EDU's

SCHOOL

2-EDU's Per Classroom

CHURCH OR PARSONAGE

1-EDU

COMMERCIAL

RESTAURANT

3-EDU'S FOR LESS THAN 50 PERSON SEATING CAPACITY

4-EDU'S FOR OVER 50 PERSON SEATING CAPACITY

STORE W/SNACK - BAR

3-EDU'S WITH INSIDE SEATING FOR LESS THAN 50 PERSONS

RETAIL STORE

1 EDU

GAS STATION/AUTOMOTIVE SERVICE FACILITY

2-EDU'S

PROFESSIONAL OFFICE

1-EDU

BOAT REPAIR/MARINA

1-EDU FOR THE FIRST 50 SLIPS

1-EDU FOR EACH ADDITIONAL 50 SLIPS OR PART THEREOF

MOTEL

½ EDU (.5) FOR EACH RENTAL UNIT + 1 EDU FOR ANY OWNER OCCUPIED RESIDENCE

BED & BREAKFAST

¼ EDU (.25) FOR EACH RENTAL ROOM + 1 EDU FOR ANY OWNER OCCUPIED RESIDENCE

MOBILE HOME PARKS/MOBILE HOMES

1-EDU FOR EACH MOBILE HOME ON PROPERTY

CAMPGROUND (RV'S TRAVEL, TRAILER, SITE, ETC.)

¼-EDU (.25) EDU FOR EACH APPROVED SITE

WINERY

1-EDU/for 25 or less person occupancy

2-EDU's/for more 50-75 person occupancy

3-EDU's/for more than 75 person occupancy

(Occupancy to be determined by the Town Code Enforcement Officer)

OTHER

KEUKA LAKE STATE PARK

30-EDU'S TOTAL

CAMP GOOD DAYS

10-EDU'S TOTAL

HIGH VOLUME USER

High Volume User is defined as any customer regularly using more than ten million gallons of water per year.

High Volume User shall be charged the greater of (A) 250 units, or (B) one unit for each 40,000 gallons of water used per year (or fraction thereof) on average over the three-year period ending with the last meter reading prior to taxable status date, provided that the charge for a High Volume User newly joining

the district shall be determined by the Town Board based on a reasonable projection of water use by such customer until at least one full year of actual usage by such new customer shall be recorded. At the option of a High Volume User, all of its properties may be aggregated in one account for the purpose of calculating and collecting this charge.

With there being no further business, on a motion of Councilor Killen, seconded by Councilor Steppe, the meeting was adjourned at 8:46 P.M.

Sheila McMichael, Town Clerk