

Minutes of the regular monthly meeting of the Jerusalem Town Board held on February 20, 2013 at 7:00 P.M. PRESENT were: Supervisor Jones, Councilors Killen, Parson, Steppe, Town Attorney Bailey, Town Clerk McMichael, Highway Superintendent Martin, Town Engineer Ackart.

GUESTS: Taylor Fitch, Paul Butler, Mike Sullivan, Jerry Hiller, David Specksgoor; *Dundee Observer* Reporter, John Christensen; *Chronicle Express* Reporter

Excused: Councilor Folts

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

RESOLUTION #35-13

APPROVAL OF MINUTES

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

ADOPTED	Ayes	4	Jones, Killen, Parson, Steppe
	Nays	0	

Resolved that the minutes of the January 9, 2013 Organizational Meeting be approved as read.

RESOLUTION #36-13

APPROVAL OF MINUTES

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

ADOPTED	Ayes	4	Jones, Killen, Parson, Steppe
	Nays	0	

Resolved that the minutes of the January 16, 2013 meeting be approved as read.

RESOLUTION #37-13

AUDIT OF CLAIMS

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

ADOPTED	Ayes	4	Jones, Killen, Parson, Steppe
	Nays	0	

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

General:	\$13,669.88
Outside Village	\$ 1,734.24
Highway DB:	\$12,749.74
Sewer:	\$39,166.24
Water:	\$16,088.84
Branchport Light	\$ 396.20

Water Repair Reserve: \$62,080.00
Trust: \$ 4,100.00

January Utilities:

General: \$ 722.54
Outside Village: \$ 30.56
Sewer: \$ 196.78
Water: \$42,678.45
Trust: \$32,581.91

RESOLUTION #38-13
SUPERVISOR REPORT

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

ADOPTED Ayes 4 Jones, Killen, Parson, Steppe
Nays 0

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

PRESENTATION - KEUKA COLLEGE/WATERFRONT REVITALIZATION GRANT

Jerry Hiller, Vice President of Finance and Administration stated Keuka College is working on their Master Plan and exploring collaborative opportunities. The College would like to align and work with the Town on the Waterfront Revitalization Strategy grant, offering \$10,000 to offset the Town's costs. Mr. Hiller stated the College does not have any specific plans at this time, but noted the campus sits in a nice spot in the Keuka Park community with a public beach, along with undeveloped beach.

RESOLUTION #39-13

RESOLUTION TO APPOINT SUPERVISOR JONES AS REPRESENTATIVE FOR THE NEW YORK STATE DEPT. OF STATE PROJECT

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

ADOPTED Ayes 4 Jones, Killen, Parson, Steppe
Nays 0

WHEREAS: the Town of Jerusalem has been selected by the New York State Department of State to receive \$27,500 in matching Grant funds for a Waterfront Revitalization Strategy, to be administered by Donald Naetzker, Executive Director for the Finger Lakes Cultural Museum; and,

WHEREAS: the Town of Jerusalem has budgeted \$20,000 and the Finger Lakes Museum has agreed to provide \$7,500 in funds and/or in-kind-services; and

WHEREAS: Keuka College wishes to participate in the Waterfront Revitalization Strategy, have offered to provide \$10,000 to offset the Town's costs;

NOW THEREFORE, BE IT:

RESOLVED THAT Supervisor Jones is authorized to execute a Grant Agreement with the New York State Department of State and any and all other contracts, documents and instruments necessary to bring about the Waterfront Revitalization Strategy and to fulfill the Town of Jerusalem's obligations under the Consolidated Funding Application #18725

TOWN OFFICIALS

HIGHWAY SUPERINTENDENT

- Written Budget Highway report on file in the Office of the Town Clerk.
- In light of recent highway barn fires, Highway Superintendent Martin is looking into sensaphone, an alarm system that monitors temperature. This could also potentially reduce our fire insurance premium. The Highway Committee will discuss this further at their meeting tomorrow.

TOWN ENGINEER

- Notes of the February 11, 2013 KPSW meeting on file in the Office of the Town Clerk.

COUNCIL

Councilor Killen reported the following:

- The Town Clerk Committee met on January 31st to discuss improving efficiencies, communication and streamlining data.
- The Sunshine Committee met on January 18th and will be planning a summer picnic.
- The Personnel Committee is scheduled to meet February 28th.

Councilor Parson reported the Town Board received a comprehensive 4th quarter 2012 report from the Assessor. 206 agricultural exemptions have been recorded, along with five Cold War exemptions and several are pending.

Councilor Steppe reported the following:

- There were no applications before the Planning Board in February.

- A Historic Roadside Marker grant application is being submitted to the William G. Pomeroy Foundation to fund the purchase of a marker that will be placed at the Route 54A overlook.
- Informal SEQR training was conducted to benefit the two new Planning Board members.
- In response to County budget reductions, Yates County Soil and Water will charge \$50 for each additional inspection conducted after their initial review of a project to the Town. This item will be placed on the March Town Board agenda for further discussion.

SUPERVISOR:

- The Climbing Keuka for Kids 5K is planned for May 4th, the Branchport School Alumni day in conjunction with the Finger Lakes Museum to benefit children in Branchport for Vince's Playground Project and children in Coya, Peru where a local resident (Ellyn Jameson) is currently leading a not-for-profit organization, Abrepuertas.
- The Brrranchport Winter Fest will be held February 23rd from 2:00-8:00 P.M. sponsored by the Branchport Fire Department and the Finger Lakes Museum.

ANNUAL ACCOUNTING OF THE JUSTICE'S BOOKS

The Annual Accounting of the Town Justice's books was conducted on January 25, 2013.

ANNUAL ACCOUNTING OF THE SUPERVISOR'S BOOKS

The Supervisor's books are available for review and will be part of the annual audit to be conducted by Bonadio & Company, LLP.

RESOLUTION #40-13

AUTHORIZE TRAINING REQUEST - HIGHWAY SUPERINTENDENT

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

ADOPTED Ayes 4 Jones, Killen, Parson, Steppe
Nays 0

Resolved that Highway Superintendent Martin be authorized to attend the 2013 Grassroots Advocacy Campaign for Local Roads & Bridges in Albany, New York on March 5-6, 2013.

RESOLUTION #41-13

TRAINING CREDIT

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

ADOPTED Ayes 4 Jones, Killen, Parson, Steppe

Nays 0

Resolved that Planning Board member Ron Rubin be credited 2.5 continuing education credits for attending the Marcellus Shale Task Force Municipal Forum on January 29, 2013 as certified by Yates County Planner Shawna Bonshak.

RESOLUTION #42-13

AUTHORIZE PURCHASE OF TOSHIBA COPIER AND SUBMISSION TO NYSERDA REBATE PROGRAM

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

ADOPTED Ayes 4 Jones, Killen, Parson, Steppe
Nays 0

Whereas in January 2013 the Town Of Jerusalem was notified by RICOH/IKON that the maintenance agreement for the Canon Copier would not be renewed;

Whereas; starting April 1, 2013, RICOH may experience delays or be unable to secure parts and supplies to maintain the Canon copier;

Whereas; \$350,000 in funding is available for NYSERDA's "Buy Green, Save Green Rebates for New York State Local Governments" program to help eligible small municipalities replace inefficient appliances and equipment with energy-efficient models;

Whereas; rebates are awarded on a first-come, first-served basis for complete applications and pay 75% of the purchase price of eligible products, which include ENERGY STAR® qualified;

Whereas; the purchase price for an individual piece of equipment cannot exceed \$4,999;

Whereas; in order to be eligible for the rebate, the purchase and delivery of the equipment must take place by March 12, 2013 and all documentation must be submitted no later than April 20, 2013;

Whereas; the Town of Jerusalem has a quote for a new Toshiba E-Studio 356 in the amount of \$4995.00;

Whereas; the Toshiba E-Studio 356 is eligible for this grant;

Whereas; the service agreement for the Toshiba E-Studio 356 is \$57.00 per month;

Therefore, be it resolved that the supervisor be authorized to execute the Toshiba E Studio 356 contract and process payment in

the amount of \$4995.00.

Councilor Steppe will contact the Toshiba salesman to discuss the cost per printed page.

SUBCOMMITTEE REPORTS:

AGR/ZONING REVIEW SUBCOMMITTEE:

The Subcommittee will meet next month to continue reviewing lot coverage in the Agricultural-Residential (AGR) zoning district.

YATES COUNTY MARCELLUS SHALE TASK FORCE:

Taylor Fitch reported the January 29th Municipal Forum was well attended. The Forum provided a resource sharing opportunity to develop a common approach among municipalities.

PROPOSED LOCAL LAW B-2012 FENCE REGULATIONS

Councilor Killen will review changes to the proposed local law with Town Attorney Bailey. The draft regulations will be placed on the Town website, www.jerusalem-ny.org.

RESOLUTION #43-13

INTRODUCE PROPOSED LOCAL LAW I-2012 RIGHT TO FARM

Councilor Parson introduced proposed Local Law I-2012 entitled "Right to Farm", a copy of which was given to the Town Clerk for filing in her office, and moved that a Public Hearing on Local Law I-2012 be held at the regular meeting of this board on March 20, 2013, and that the clerk be directed to advertise the public hearing in accordance with law. So Ordered.

RESOLUTION #44-13

2012 BUDGET MODIFICATIONS:

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

ADOPTED Ayes 4 Jones, Killen, Parson, Steppe

Nays 0

Resolved the following 2012 budget modifications be approved:

Sewer

From 1990.4	Contingent	\$ 23,842.00
To 8130.4	Treatment/ Disposal	\$ 23,842.00

From 8120.4	Sanitary Sewer	\$ 12,600.00
To 8130.4	Treatment/Disposal	\$ 12,600.00

Penn Yan's Sewer charges to the Town.

Water

From 1990.4	Contingent	\$ 3,427.00
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To 8320.4 Source Power Pump \$ 3,427.00
Due to the late billing from Penn Yan for the Town's quarterly water bill.

RESOLUTION #45-13
2013 HIGHWAY DB BUDGET AMENDMENT

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

ADOPTED	Ayes	4	Jones, Killen, Parson, Steppe
	Nays	0	

Whereas, the 2013 Highway DB budget did not include monies received for the auctioning of an old truck and

Whereas, the 2013 Highway DB budget includes the purchase of a mowing tractor and

Whereas, the mowing tractor purchase may be more than the original budgeted amount, now therefore be it

RESOLVED that the Highway DB 2013 budget be amended as follows

Increase revenue code 2665 (sale of equipment)	\$ 11,363.00
Increase expense code 5130.2 (machinery)	\$ 11,363.00

RESOLUTION #46-13
RESOLUTION TO APPOINT SUPERVISOR DARYL JONES AS REPRESENTATIVE FOR THE NYSEFC PROJECT

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

ADOPTED	Ayes	4	Jones, Killen, Parson, Steppe
	Nays	0	

NOW, THEREFORE, BE IT:

RESOLVED that Supervisor Daryl Jones is authorized to execute a Grant Agreement with New York State Environmental Facilities Corporation and any and all other contracts, documents and instruments necessary to bring about the Project and to fulfill the Town of Jerusalem's obligations under the Engineering Planning Grant Agreement.

RESOLUTION #47-13

RESOLUTION FOR AUTHORIZATION AND APPROPRIATION OF LOCAL MATCH (20% LOCAL MATCH) FOR ENGINEERING PLANNING GRANT

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

ADOPTED	Ayes	4	Jones, Killen, Parson, Steppe
	Nays	0	

WHEREAS, the Town of Jerusalem was awarded a grant pursuant to an engineering report to evaluate the feasibility of a Wastewater Collection and Treatment System administered by Larson Design Group (LDG);

NOW, THEREFORE BE IT RESOLVED, that the Town of Jerusalem authorizes and appropriates a minimum of 20% local match as required by the Engineering Planning Grant Program for the Town of Jerusalem Wastewater Collection and Treatment System Engineering Study project. Under the Engineering Planning Grant Program, this local match must be at least 20% of the total project cost. The maximum local share appropriated subject to any changes agreed to by the Supervisor Daryl Jones shall not exceed \$5,820.00 based upon a total estimated maximum project cost of \$29,100. Supervisor Daryl Jones may increase this local match through the use of in kind services without further approval from the Town of Jerusalem.

RESOLUTION #48-13

RESOLUTION FOR SEQR TYPE II DETERMINATION - WASTEWATER STUDY

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

ADOPTED	Ayes	4	Jones, Killen, Parson, Steppe
	Nays	0	

WHEREAS, 6 NYCRR Section 617.5 (Title 6 of the New York Code of Rules and Regulations) under the State Environmental Quality Review Act (SEQR) provides that certain actions identified in subdivision (c) of that section are not subject to environmental review under the Environmental Conservation Law;

NOW, THEREFORE BE IT RESOLVED, that the Town of Jerusalem hereby determines that the proposed engineering study to evaluate the feasibility of a Wastewater Collection and Treatment System is a Type II action in accordance with 6 NYCRR Section 617.5(c) (18) which constitutes the information collection including basic data collection and research, water quality and pollution studies, traffic counts, engineering studies, surveys, subsurface investigations and soils studies that do not commit the agency to

undertake, fund or approve any Type I or Unlisted action; and is therefore not subject to review under 6 NYCRR Part 617.

PUBLIC COMMENT:

Paul Butler stated concerns over the newly enacted 54A Scenic Overlay District. It was clarified for Mr. Butler that the overlay district is not a "no build" zone as he had interpreted the law.

Mike Sullivan was introduced. He recently joined the Finger Lakes Museum as their Education Director. He thanked the Board for announcing the Brrranchport Winter Fest, noting there are more events to be planned as the Museum is becoming more visible to the public prior to their physical doors opening.

OTHER BUSINESS:

Councilor Parson stated it is difficult to prepare for our meetings when information is not received in a timely manner. Items should not be discussed if they are not on the agenda. Supervisor Jones stated while he understands his position, the grant resolutions presented tonight were time sensitive so they needed to be acted on or a special meeting held.

Councilor Parson requested a staff meeting be scheduled to get the departments together. Councilor Killen stated this is being discussed by the Personnel Committee and they are scheduled to meet on February 28th.

With there being no further business, on a motion of Councilor Parson, seconded by Councilor Steppe, the meeting was adjourned at 8:10 P.M.

Sheila McMichael, Town Clerk