

Minutes of the regular monthly meeting of the Jerusalem Town Board held on January 21, 2015 at 7:00 P.M. PRESENT were: Supervisor Killen, Councilors Dinehart, Jones, Parson, Steppe, Deputy Supervisor Stewart, Deputy Town Clerk Goebel, Highway Superintendent Martin, Town Engineer Ackart.

GUESTS: Tim & Janette Cutler, Ms. Olsen-DeVoe, Art Hunt, Kevin Bailey, and Jim Crevelling

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

RESOLUTION #23-15

APPROVAL OF MINUTES – DECEMBER 2014

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

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

Resolved that the minutes of the December 17, 2014 meeting be approved as read.

RESOLUTION #24-15

APPROVAL OF MINUTES – 2015 ORGANIZATIONAL MEETING

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

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

Resolved the minutes of the 2015 Organizational Meeting be approved as amended.

RESOLUTION #25-15

AUDIT OF CLAIMS – 2014 YEAR-END

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

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

Resolved that the 2014 year-end bills be paid as presented in the following amounts:

General:	\$19,439.52
Outside Village:	\$171.42
Highway DB:	\$20,749.70
Sewer:	\$39,895.90
Water:	\$771.35

RESOLUTION #26-15

AUDIT OF CLAIMS – JANUARY 2015

On a motion of Councilor Dinehart, seconded by Supervisor Killen,

the following was

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

Resolved that the January 2015 bills be paid as presented in the following amounts:

General:	\$8,616.41
Outside Village	\$1,277.75
Branchport Light:	\$ 188.73
Sewer:	\$1,234.09
Water:	\$6,393.55

December Utilities:

General:	\$2,775.71
Outside Village:	\$ 64.63
Sewer:	\$ 383.09
Water:	\$ 825.05
Trust:	\$1,839.53

RESOLUTION #27-15

SUPERVISOR REPORT

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

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

Resolved that the Supervisor's Report on the Town's finances for the month of December 2014 be accepted as presented.

TOWN OFFICIALS

HIGHWAY SUPERINTENDENT

- Written Budget Highway report on file in the Office of the Town Clerk.
- Superintendent Martin gave an update on the salt storage building to be constructed in May 2015. Behind the Town Highway Barn there is a small piece of land that belongs to the YMCA which the Town desires to purchase for placement of the building. Superintendent Martin will meet with Chris Marx from YMCA by the end of the week.
- The Highway Department is beginning to cut brush.

TOWN ENGINEER

- Notes of the January 13, 2015 KPSW meeting on file in the Office of the Town Clerk.
- Paul Enos will be retiring from the KPSW Department on February 14, 2015.

- We have received a request to extend the water line on Skyline Drive.
- KPSW collected samples for the Environmental Protection Agency on January 12.
- The Town of Pulteney wants to meet with Jerusalem to review procedures for taking THM samples.

COUNCIL

- The Planning Board continues to discuss improving the SEQR review process.
- Planning Board Secretary Ashley Williamson is resigning her position this spring as she is moving. Councilor Steppe said that Mrs. Williamson has done a great job and the Planning Board is sorry to be losing her.
- Councilor Parson commended Town Clerk McMichael on providing a list of resolutions that made following the agenda easier.
- Deputy Supervisor Stewart stated Water Maintainer Paul Enos will be missed. Mr. Enos was instrumental in mapping for KPSW that will be used for years to come.

PRIVILEGE OF THE FLOOR - ART HUNT, HUNT COUNTRY VINEYARDS

Art Hunt presented his plans to offer café style lunches in the tasting room at Hunt Country Vineyards. Mr. Hunt was referred to Code Enforcement Officer John Phillips to assist him with the required application process.

SUBCOMMITTEE REPORTS:

AGR ZONING REVIEW SUBCOMMITTEE

The AGR Zoning Review Subcommittee will combine the proposed zoning amendments as to off-season boat storage (proposed Local Law A-2015) and lot coverage (proposed Local Law A-2014) in the AGR District.

BRANCHPORT HAMLET SUBCOMMITTEE

The Branchport Hamlet Subcommittee is meeting next week.

RESOLUTION #28-15

RESCIND RESOLUTION #11-15, ITEM 2.

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

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

Whereas Resolution #11-15 appointed Rodgers Williams as an alternate to the Zoning Board for a 2-year term; and

Whereas on January 3, 2014, Rodgers Williams was appointed to this position by Resolution #12-14; now, therefore, be it

Resolved Resolution #11-15, Item 2. be rescinded as the 2014 appointment of Rodgers Williams as a Zoning Board alternate is in effect through 12/31/2015.

RESOLUTION #29-15

AUTHORIZE SUPERVISOR TO SIGN LARSON DESIGN GROUP CONTRACT

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

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

Resolved the Supervisor be authorized to sign the Agreement effective 1/1/15 between the Town of Jerusalem and LDG Engineers and Architects, P.C. (dba Larson Design Group) 2015-2016 Retainer for Consulting Services.

RESOLUTION #30-15

AUTHORIZE SUPERVISOR TO EXECUTE YATES COUNTY INTERMUNICIPAL AGREEMENT - REAL PROPERTY IMAGERY SERVICES (PICTOMETRY)

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

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

THIS INTER-MUNICIPAL AGREEMENT dated as of September 15, 2014 (the "Agreement") between YATES COUNTY (the "County"), a municipal corporation organized and existing under the laws of the State of New York having an office located at 417 Liberty Street, Penn Yan, New York and the TOWN OF JERUSALEM (the "Town"), a municipal corporation organized and existing under the laws of the State of New York having an office located at 3816 Italy Hill Rd., Branchport, New York;

WITNESSETH:

WHEREAS, the County has entered into a contract with Pictometry International Corp. wherein Pictometry International Corp. is providing the County with 4-way neighborhood ortho images, one fly-over in 2014, and services and products concerning the geographical area of the County for the years 2014, 2015 and 2016 (the "Pictometry Contract"); and

WHEREAS, the Town is a beneficiary of said Pictometry Contract in that it will have access to the real property imagery services and products provided to the County therein; and

WHEREAS, in recognition of the aforementioned benefits it will be receiving by virtue of the existence of the Pictometry Contract, the Town wishes to make a contribution to the County toward the costs the County will incur pursuant to said Pictometry Contract; and

WHEREAS, Article 5-G of the New York General Municipal Law authorizes municipal corporations to enter into agreements providing for municipal cooperation;

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the parties hereby agree as follows:

1. In the first quarters of 2014, 2015 and 2016 the Town shall make an annual payment to the County as contribution toward the County's payment obligations under the Pictometry Contract; with said annual payment being based upon the following formula:

$$(\text{Town Parcel Count} / \text{Total County Parcel Count}) \times (40\% \text{ of the Pictometry Contract Price Allocation for a given year}) = \text{Town Contribution (the "Annual Contribution")}$$
.

The aforementioned Pictometry Contract Price Allocation for a given year shall be a portion of the total cumulative Pictometry Contract price for the time period covering 2014 - 2016, such portion allocation to be determined by the County's Office of Real Property Tax Service, who will determine such portion allocation for the 2014, 2015 and 2016 years respectively, with such respective portion allocations equaling the total cumulative Pictometry Contract price for the time period covering 2014 - 2016.

2. Each year the County will send the Town an invoice reciting the Annual Contribution due for that particular year and showing how said Annual Contribution amount was calculated. And the Town shall pay the County said Annual Contribution amount within 45 days of receiving said invoice.

3. The Town shall have access to the real property imagery services and products provided to the County pursuant to the Pictometry Contract. IN WITNESS WHEREOF, the parties hereto have entered into this Agreement as of the date first written above.

4. The parties hereby acknowledge that the Annual Contribution due from the Town for the year 2014 and payable in the first quarter of 2014 was calculated in the amount of \$3723.42, and that the Town has duly paid said amount in full to the County.

RESOLUTION #31-15

AUTHORIZE SUPERVISOR TO SIGN INTERMUNICIPAL MUTUAL AID AGREEMENTS

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

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

WHEREAS, pursuant to Federal and State law the Provider and the Requester are allowed to enter into Mutual Aid Agreements to assist in times of emergency; and

WHEREAS, the Provider and the Requester desire to enter into a post and pre-event Mutual Aid Agreement; and

WHEREAS, the Provider and the Requesters have in the past been subjected to various disaster events, whether natural or manmade, resulting in damages and necessitating emergency responses and mutual aid; and in the future may have similar disaster events, and

WHEREAS, the parties intend this agreement to facilitate the reimbursement of expenses incurred by the Providing Entity by the Requester through the Federal Emergency Management Agency ("FEMA"); now, therefore, be it

RESOLVED the Supervisor be authorized to sign the mutual aid agreement with various municipalities or entities within Yates County.

RESOLUTION #32-15

2014 BUDGET AMENDMENT - SIMMONS RECOVERY CONSULTING

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

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

Whereas, the Town Board extended the contract with Simmons Recovery Consulting for assistance with the FEMA process in reference to the May 2014 flooding by Resolution #168-14; and

Whereas, payment for such consulting for the entire 2014 year is \$105,927.34; and

Whereas, the 2014 budget was amended by resolution #140-14 for \$48,000.00 there are additional expenses due to the extension of the contract; now, therefore, be it

Resolved that the Town Board amends the 2014 budget to recognize the additional \$ 57,927.34 expended out of the Emergency Disaster Work (8760.4) for Simmons Recovery Consulting.

RESOLUTION #33-15

2014 BUDGET AMENDMENT - NYS 25% SHARE OF 2014 FLOOD REIMBURSEMENT

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

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

Whereas, the Town Supervisor was informed January 9, 2015 that the State of New York will reimburse the Town 25% of flooding issues due to the May 2014 flood; and

Whereas, the Federal Government is reimbursing the Town 75% of flooding issues under FEMA; now, therefore, be it

Resolved that the 2014 Budget be amended to recognize the expenses incurred in 2014 as follows:

Increase General Revenue 3960 (State Emergency Disaster) \$26,481.84
Increase General Revenue 4960 (Fed. Emergency Disaster) \$79,445.50

Increase Hwy. DB Revenue 3960 (State Emergency Disaster) \$ 5,479.63
Increase Hwy. DB Revenue 4960 (Fed. Emergency Disaster) \$16,438.88

RESOLUTION #34-15

2014 BUDGET MODIFICATIONS

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

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

Resolved the following 2014 Budget modifications be accepted:

General

From	1010.1 Town Board PS	\$1,499.64	
From	1010.4 Town Board CE	\$ 0.72	
To	1220.1 Supervisor	\$1,500.36	Medical buy-out in wrong code
From	1110.1 Justice PS	\$2,000.00	
To	1110.4 Justice CE	\$2,000.00	\$1,800 program and \$166 SCT Computer Unbudgeted expense
From	1990.4 Contractual	\$4,700.87	

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To 1220.4 Supervisor CE \$ 253.87 File cabinet, \$25 extra Acctg. Program
1340.1 Budget PS \$ 0.17
1340.4 Budget CE \$ 303.49 Under-budgeted
1410.1 Town Clerk PS \$ 0.22
3989.4 Public Safety CE \$ 325.83 Reimbursable - Fire Dept. gas
5010.1 Supt. Highway PS \$ 0.44
5010.4 Supt. Highway CE \$ 325.09 Villa Roma Conference
8160.1 Refuse/Garbage PS \$ 133.85 Under-budgeted
9050.8 Unemployment \$3,357.91 No control

From 1990.4 Contractual \$3,079.03
From 1420.4 Attorney CE \$3,697.71
To 8030.4 Research \$6,776.74 Sewer study grant

From 7310.4 Recreation Contractual \$ 515.32
To 1620.4- Building Contractual \$ 515.32 TV and mount

From 8989.4 Other Home/Community CE \$7,125.00
To 9010.8 Retirement \$7,125.00 No control

From Building Reserve \$22,000.00
To 1620.4 Building CE \$22,000.00 Town Hall roof repair

General Outside Village

From 8010.2 Zoning EQ \$3,150.00
To 8010.4 Zoning CE \$3,150.00 Computers in the wrong object code

From 8020.1 Planning PS \$2,128.96
From 9060.8 Medical \$5,500.00
To 8020.4 Planning CE \$7,628.96 Waterfront Revitalization grant

From 9060.8 Medical \$28.48
To 4020.1 Registrar PS \$.16
To 4020.4 Registrar CE \$28.32 Shipping cost on Vitals book restoration

Highway DB

From 5112.4 Permanent Improvement \$96,558.56
To 5110.1 General Repairs PS \$13,175.60 Overtime due to May flood
5130.1 Machinery PS \$ 256.21 Overtime due to May flood
5142.1 Snow PS \$ 9,995.58 Overtime due to May flood
9010.8 Retirement \$14,916.34 No control
9030.8 Social Security \$ 1,792.51 No control
9901.9 Interfund Transfer \$56,422.32

From Salt Storage Reserve \$42,594.83 Salt storage building materials
To 5142.4 Snow CE \$42,594.83

Water

From 1990.4 Contractual \$16,743.88
To 8340.1 Treatment PS \$14,054.70 New hire not budgeted

8340.2 Treatment EQ	\$ 1,770.59	Meter
8340.4 Treatment CE	\$ 615.89	File cabinets s/b 8110.4 code
9030.8 Social Security	\$ 302.70	No control

Sewer

From 1990.4 Contractual	\$9,098.75	
To 8110.1 Admin PS	\$ 259.32	1 st payroll split 50%, s/b 30% split
8120.1 Sanitary PS	\$8,453.87	New hire not budgeted
9030.8 Social Security	\$ 349.56	No control
From Grinder Pump Reserve	\$1,789.00	Grinder pump replacement and repairs
To 8189.4 Repairs CE	\$1,789.00	

RESOLUTION #35-15

CODE ENFORCEMENT OFFICER - FINGER LAKES BUILDING OFFICIALS ASSOCIATION TRAINING AND ACCOMMODATIONS

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

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

Resolved the Code Enforcement Officer be authorized to attend the Finger Lakes Building Officials Association educational conference to be held March 16-19, 2015 in Henrietta, New York at a cost of \$390.00 to be funded from 8010.4; and, be it further

Resolved hotel expenses be authorized in the amount of \$376.00 payable to RIT Inn & Conference Center. This expense to be funded from 8010.4.

RESOLUTION #36-15

AUTHORIZE ATTENDANCE THE FINGER LAKES WATER WORKS CONFERENCE

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

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

Whereas Finger Lakes Water Works Conference is hosting the Annual Business Meeting at Club 86 in Geneva, NY on February 5, 2015; and

Whereas the cost for a pre-paid, pre-registered 2015 Conference Member is \$22.00/person; and

Whereas accreditation of operator contact hours will be given for attendance; and

Whereas operator contact hours are a requirement of the NYS Department of Health for recertification; and

Whereas instruction and training expenses were approved in the 2015 budget; now,

Therefore be it resolved to authorize attendance of up to (4) people from the Water/Sewer Department to attend the Finger Lakes Water Works Conference Annual Business Meeting at a cost of \$22.00/person. This expense to be funded 70% from the 8340 and 30% by 8120.

RESOLUTION #37-15

MOVE TO EXECUTIVE SESSION

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

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

Resolved that this meeting be interrupted to enter into Executive Session to discuss pending litigation with Penn Yan.

The Executive Session convened at 8:10 P.M.

The following information was provided by Councilor Dinehart:

RESOLUTION #38-15

RETURN TO REGULAR SESSION

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

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

Resolved that the Board return to regular session.

The Board reconvened in regular session at 8:25 P.M.

With there being no further business, the meeting was adjourned at 8:26 P.M.

Carol Goebel, Deputy Town Clerk