

Minutes of the regular monthly meeting of the Jerusalem Town Board held on November 16, 2016 at 7:00 P.M. PRESENT were: Supervisor Killen, Councilors Anderson, Dinehart, Jones, Parson, Town Clerk McMichael, Highway Superintendent Martin, Town Engineer Ackart.

GUESTS: Ray Stewart, Tim Cutler, Doug Paddock, Ed Bronson

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

RESOLUTION #193-16
APPROVAL OF MINUTES

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

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

Resolved that the minutes of the October 19, 2016 meeting be approved as read.

RESOLUTION #194-16
AUDIT OF CLAIMS

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

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

Points of discussion from Supervisor Killen included:

- Cintas Medical: Continue their service to restock and remove expired product from our first aid kits.
- Ferrell Gas: The cost of propane can be lowered if the tank purchase from Fingerlakes Propane is approved tonight.
- Mileage for banking in accordance with Resolution #160-15 - Resolution for Bank Deposits. The Town Clerk is the accountable officer who manages cash and deposits based on monies received.

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

General:	\$ 8,395.15
Outside Village	\$ 550.89
Highway DB:	\$116,886.67
Sewer:	\$ 75,833.87
Water:	\$ 5,841.46
Trust:	\$126,752.00

October Utilities:

General:	\$ 2,364.35
Outside Village:	\$ 76.48
Sewer:	\$ 227.57
Water:	\$ 342.87
Trust:	\$28,678.82

RESOLUTION #195-16
SUPERVISOR REPORT

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

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

Resolved that the Supervisor's Report on the Town's finances for the month of October 2016 be accepted as presented.

TOWN OFFICIALS
HIGHWAY SUPERINTENDENT

- Written Budget Highway report on file in the Office of the Town Clerk.
- Roadwork continues as weather permits.
- 700 ton of salt has been put up along with 2,100 ton of sand in preparation for winter.
- The pipe installation on Italy Friend Road went well.
- Supervisor Killen will send a letter to Attorney Graff requesting a recommendation on the request from Havah Hume to install an alternative culvert pipe at 4682 Morrison Road.

TOWN ENGINEER

- KPSW has been busy with the sewer blockage on Old Pines Trail.
- KPSW Clerk Carrie Wheeler resigned to take a position with the Yates County Court system. Supervisor Killen thanked Mrs. Wheeler for her service to the Town, noting she will be available to assist during the transition. Councilor Dinehart will serve as KPSW Committee Chair.
- Supervisor Killen distributed correspondence outlining the process for water and sewer services to out-of-district customers.
- Supervisor Killen and Town Engineer Ackart will confer with Attorney Graff on the procedure necessary to take over the private sewer lines on Assembly Avenue and Skyline Drive.

SUPERVISOR

- Dale Fitzwater retired from the Highway Department after over forty years of employment. The Highway Department organized a

party and the Sunshine Fund will recognize him with a \$100 gift.

- The KPSW Committee took Mrs. Wheeler out to lunch today and the Sunshine Fund recognized her with a \$75 gift card.

SUBCOMMITTEE REPORTS:

Solar Energy Subcommittee

Subcommittee Chair Tim Cutler stated the sixth draft of the Solar Energy Regulations is complete.

B1 Zoning Review Subcommittee

The attorney representing Seneca Farms filed the deed on Monday necessary for Attorney Graff to finalize the draft zoning amendment.

RESOLUTION #196-16

DECLARE 4 USED TIRES AS SURPLUS EQUIPMENT

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

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

Resolved that 4 size 17.5R25 tires be declared as surplus equipment, and the Highway Superintendent be authorized to either trade in or advertise the sale of said tires; and be it further

Resolved that if said tires are sold the proceeds will be deposited into the DB5130.4 account.

RESOLUTION #197-16

AUTHORIZE PURCHASE OF SANDER

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

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

Whereas the Highway Superintendent has received quotes for one, new sand/salt spreader as follows:

Thru Way Spring	Smith	Series IV	2.25 cy	\$ 5,849.00
Valley Fab	Salt	Dog SSH	2.75 cy	\$ 5,754.45
Tenco	Smith	SSV-9-MD		\$14,914.00

; and

Whereas after review of the quotes and specifications, has found the Salt Dog sander from Valley Fab to be the best match and price; now, therefore, be it

Resolved the Highway Superintendent be authorized to purchase one, new sand/salt spreader from Valley Fab at the low bid of \$5,754.45. The proceeds for this purchase shall be taken from the Highway DB5130.2.

RESOLUTION #198-16

2016 HIGHWAY BUDGET AMENDMENT - BOOM MOWER REPAIR

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

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

Whereas Resolution #44-09 authorized execution of the Inter-municipal Cooperation Agreement with the Town of Barrington that apportions maintenance and repair costs to each Township for the tractor and boom mower jointly purchased in 2005; and

Whereas, the Town of Jerusalem expensed 50% of a repair cost for the boom mower directly to John Deere financial on April 20, 2016; and

Whereas, the Town received a check from the Town of Barrington payable toward their 50% repair cost; and

Whereas, the Town needs to forward final payment to John Deere financial; now, therefore, be it

Resolved the Highway DB 2016 budget be amended to recognize the funds received from the Town of Barrington as follows

Increase revenue code 2770-Misc	\$ 2,760.58
Increase expense code 5130.4-Machinery	\$ 2,760.58

Resolution #199-16

2016 HIGHWAY BUDGET AMENDMENT - SALE OF DUMP TRUCKS

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

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

Whereas, the Highway DB fund received monies for the sale of the 1994 Ford F700 and 1996 Ford F800 surplus dump trucks through Auctions International; and

Whereas, Highway Superintendent Martin intends to purchase a generator for the highway garage; and

Whereas, Highway Superintendent Martin plans to utilize such funds to offset the cost of such generator;

Now be it resolved that the Highway DB 2016 budget be amended as follows:

Increase revenue 2665 - sale of equipment	\$7,300.00
Increase appropriation 5132.4 - garage	\$7,300.00

RESOLUTION #200-16

Agreement to purchase sewer pump lift and hauling tool from Jeff Finger

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

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

WHEREAS, Town of Jerusalem, Keuka Park Sewer and Water (KPSW) Department has to periodically lift and remove, haul and/or install sewage pumps; and

WHEREAS, this task frequently requires multiple people to lift or lower the pumps into place; and

WHEREAS, Jeff Finger has created a uniquely designed device for more safely and readily lifting, lowering and hauling sewage pumps by one person, for which he is seeking a patent; and

WHEREAS, Town of Jerusalem KPSW and its employees agree not to share design plans for this device, and

WHEREAS, Jeff Finger has offered to build Town of Jerusalem KPSW one of these devices for the sum of \$1500;

NOW, THEREFORE, BE IT RESOLVED, that the Town of Jerusalem Keuka Park Sewer and Water Department agrees to buy a sewer pump lifting and hauling device from Jeff Finger for the sum of \$1500. The proceeds for this purchase shall be taken from accounting code 8120.4.

RESOLUTION #201-16

BID AWARD - INDIAN PINES PUMP STATION FORCEMAIN REPLACEMENT PROJECT

On a motion prepared and offered by Supervisor Killen, seconded by Councilor Dinehart, the following was

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

Whereas Town of Jerusalem (TOJ) has previously advertised request for bids for a force main sewage line replacement listing specifications in newspaper and online, and

Whereas five bids were received for the work needed (attached), and

Whereas Larson Design Group (LDG) on behalf of the Town of Jerusalem, has reviewed the bids for the Indian Pines Pump Station Forcemain Replacement Project opened November 9, 2016, and

Whereas the apparent low bidder is V&B Underground Utilities, Inc. with a base bid of \$79,071 and

Whereas the submitted documents appear complete and Larson Design Group finds no reason not to award the contract to V&B Underground Utilities Inc., and

Whereas a reference check on V&B Underground Utilities with Village of Penn Yan Municipal by TOJ Engineer Wayne Ackart found only positive response, and

Whereas TOJ Board has previously approved the named force main replacement project and budgeted funds for same, now

Therefore be it resolved that the contract for the Indian Pines Pump Station Force Main Replacement for KPSW be awarded to V&B Underground Utilities Inc., for the amount of \$79,071.

RESOLUTION #202-16

Finger Lakes Water Works Conference Winter Meeting

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

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

Whereas; Finger Lakes Water Works Conference is hosting the Winter Meeting at the Waterloo Holiday Inn on December 1, 2016;

Whereas; the cost for a pre-paid, pre-registered 2016 Conference Member is \$24.00/person;

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

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

Whereas; instruction and training expenses were approved in the 2016 budget;

Therefore be it resolved to authorize attendance of up to (2) people from the Water / Sewer Department to attend the Finger Lakes Water Works Conference Winter Meeting at a cost of \$24.00/person. This expense shall be funded 70% from the 8340 and 30% by 8120.

RESOLUTION #203-16

2017 KEUKA PARK SEWER/WATER FEES, RATES AND EDU SCHEDULE

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

ADOPTED Ayes 5 Anderson, Dinehart, Jones, Killen, Parson
 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 sewer 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, 2017 and continue in effect thereafter until further resolution of this Board.

RESOLUTION #204-16

KPSW CLERK PER DIEM APPOINTMENT - CARRIE WHEELER

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

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

Whereas Carrie Wheeler has worked for KPSW for 14 years; and

Whereas Carrie Wheeler has resigned her position as account clerk typist for KPSW for another position elsewhere; and

Whereas there will be a period of time before Yates County Personnel can screen and approve potential applicants for TOJ KPSW to interview and hire as account clerk typist, and

Whereas Town of Jerusalem (TOJ) KPSW needs to have billing, and other paperwork completed that Carrie Wheeler; now,

Therefore be it resolved that the Town of Jerusalem Board approves the per diem hiring of Carrie Wheeler at her current hourly rate of \$16.76, to complete paperwork, billing and service as needed in KPSW.

RESOLUTION #205-16

AUTHORIZE AN EXPENDITURE FROM A SPECIFIC CAPITAL RESERVE FUND - EMERGENCY SEWER MAIN REPAIR

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

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

Whereas; on October 23, 2016 the Keuka Park Sewer District had a 12 inch sewer main failure; and

Whereas; the Keuka Park Sewer District hired Skanex Pipe Services to repair the sewer main; and

Whereas; this was declared an emergency repair; now, therefore, be it

Resolved; pursuant to the provisions of Section 6-c of the General Municipal Law of the State of New York, that the Town Supervisor or Deputy Town Supervisor of the Town of Jerusalem be and he hereby is authorized and directed to withdraw from the Keuka Park Sewer District Capital Reserve Fund, duly established on September 16, 2009 as a specific capital reserve fund, an

amount of thirty four thousand, one hundred and sixty five and 00/100 Dollars (\$34,165.00) of the principal and accumulated interest in said Reserve Fund for the purpose of paying Skanex Pipe Service Inc. for the repair made to the Keuka Park Sewer District's 12 Inch Main, as detailed in invoice number 4719 dated 11/11/16.

RESOLUTION #206-16

PURCHASE 1000 GALLON PROPANE TANK WITH REGULATORS AND DELIVERY

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

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

Whereas Town of Jerusalem (TOJ) currently rents a propane tank costing an additional 10 cents per gallon of propane purchased, and preventing the ability to shop various delivery services to save on propane cost; and

Whereas propane prices can vary widely through the year and owning our own tank can allow TOJ to obtain the best price for propane, and

Whereas Fingerlakes Propane has offered to sell, deliver and help set up a 1000 gallon propane tank with regulators to TOJ for \$2200; now

Therefore be it resolved that the Town of Jerusalem Board approves the purchase of a 1000 gallon propane tank with regulators and delivery from Fingerlakes Propane for an amount not to exceed \$2200.

PUBLIC COMMENT

- Yates County adopted their 2017 budget with a .14% increase.
- A moment of silence was taken in honor of Gary Montgomery who recently passed. Mr. Montgomery served as a District 1 County Legislator.
- The Assessor's Report will be added to the monthly agenda. Copies are to be sent to the Town Board and Town Clerk by the Friday before the monthly meeting.

RESOLUTION #207-16

EXECUTIVE SESSION - INSURANCE MATTER AND POSSIBLE LITIGATION

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

DEFEATED Ayes 2 Killen, Parson
 Nays 3 Anderson, Dinehart, Jones

Resolved that this meeting be interrupted to enter into Executive Session at 8:16 P.M. to discuss an insurance matter and possible litigation with Ray Stewart and Wayne Ackart in attendance.

INSURANCE MATTER AND POSSIBLE LITIGATION

The response time by the NYMIR insurance adjuster to the Indian Pines sewer main break that resulted in backflow into residences and possible litigation were discussed.

RESOLUTION #208-16

EXECUTIVE SESSION - EMPLOYMENT MATTER

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

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

Resolved that this meeting be interrupted to enter into Executive Session to discuss the employment matter of a particular person.

The Executive Session convened at 8:26 P.M.

The following information was provided by Councilor Jones:

RESOLUTION #209-16

RETURN TO REGULAR SESSION

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

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

Resolved that the Board return to regular session.

The Board reconvened in regular session at 9:48 P.M.

With there being no further business, the meeting was adjourned at 9:49 P.M.

Sheila McMichael, Town Clerk