

Minutes of the regular monthly meeting of the Jerusalem Town Board held on October 20, 2021 at 7:00 P.M. PRESENT were: Supervisor Sisson, Councilors Castner, Jones, Stewart, Town Clerk McMichael, Highway Superintendent Hurd.

Excused: Councilor Lent.

GUESTS: Jason Schwartz of B.P. Donegan, Inc., Doug Paddock, Bill Gerhardt, Sarah Purdy, Greg Lehman, Joe Miran, Tim Cutler, Dave Mortensen, Nancy Oppel, Paul Enos, Jim Higgins, Bill Wolff.

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

RESOLUTION #148-21

APPROVAL OF MINUTES

On a motion of Councilor Stewart, seconded by Councilor Castner, the following was

ADOPTED Ayes 4 Castner, Jones, Sisson, Stewart
 Nays 0

Resolved that the minutes of the September 15, 2021 meeting be approved as read.

RESOLUTION #149-21

APPROVAL OF MINUTES

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

ADOPTED Ayes 4 Castner, Jones, Sisson, Stewart
 Nays 0

Resolved that the minutes of the September 20, 2021 Special meeting be approved as read.

RESOLUTION #150-21

AUDIT OF CLAIMS

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

ADOPTED Ayes 4 Castner, Jones, Sisson, Stewart
 Nays 0

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

General:	\$ 24,446.16
Outside Village	\$ 4,764.49
Highway DB:	\$155,003.04
Sewer:	\$ 52,943.45
Water:	\$ 9,113.05
Branchport Light	\$ 185.10
Capital:	\$ 3,698.68

September Utilities:

General:	\$533.58
Outside Village:	\$ 70.65
Sewer:	\$170.37
Water:	\$376.49

RESOLUTION #151-21

SUPERVISOR REPORT

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

ADOPTED	Ayes	4	Castner, Jones, Sisson, Stewart
	Nays	0	

Resolved that the Supervisor's Report on the Town's finances for the month of September 2021 be accepted as presented.

PUBLIC HEARING - CONSOLIDATED WATER DISTRICT IMPROVEMENTS CAPITAL PROJECT - REHAB PHASE 2

With proof of notice having been duly published and posted, Supervisor Sisson opened the Public Hearing at 7:02 P.M., asking for comments on the Water Rehab Phase 2 capital project.

Supervisor Sisson explained the project in response to comments from members of the Branchport/Keuka Park Fire Department regarding the size of the mains.

The hearing was left open.

PUBLIC HEARING - 2022 TOWNWIDE, WATER AND SEWER BUDGETS

With proof of notice having been duly published and posted, Supervisor Sisson opened the Public Hearing at 7:08 P.M., asking for comments on the 2022 Townwide, Water and Sewer budgets.

No one from the public wished to comment.

The hearing was left open.

TOWN OFFICIALS

HIGHWAY SUPERINTENDENT

- Written Budget Highway report on file in the Office of the Town Clerk.
- An update on road work was provided. A number of areas flooded in August are still being worked on.
- The screener broke down today.
- The Sheriff was notified that numerous road signs have been stolen.

WATER/SEWER REPORT

Councilor Stewart provided a project update:

- Plans for the Water Rehab Phase 2 capital project will be submitted to NYSDH for review with approval anticipated in early 2022. Bids will be awarded in the spring with construction to begin in the summer.
- We received revised design documents for Crispin Hill water and sewer connections. The applicant is awaiting NYSDH and NYSDOT approvals.
- We are considering using ARPA funds to install sewer on Ritchey Blvd.
- Town of Milo employees Doug Marchionda, Jr. and Jeff Fingar were thanked for assisting us with changing out our West Lake Road meter pit.

SUPERVISOR

- Supervisor Sisson met with the Finger Lakes Museum to stay updated on their long-range building and campus plan.
- Employee sexual harassment training is scheduled next month

SUBCOMMITTEE REPORT

CODE ENFORCEMENT OFFICER

Amendments to Chapter 65 Building Code Administration proposed by CEO Gerhardt to address and improve property maintenance violation penalties will be sent to Attorney Graff to draft into local law.

ZONING BOARD RESIGNATION - JOSEPH CHIAVERINI

Joseph Chiaverini resigned from the Zoning Board. Alternates, Steve Schmidt and Randy Rhoads will be contacted to determine their interest is moving into the vacant position.

RESOLUTION #152-21

KEUKA PARK SEWER & WATER RELEVIES

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

ADOPTED	Ayes	4	Castner, Jones, Sisson, Stewart
	Nays	0	

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

Whereas, the Town Sewer & Water office has compiled a listing of the 2021 sewer and water delinquent accounts in the following amounts;

Water	\$16,088.35
Sewer	\$ 9,565.82
Relevy fee	\$ 3,450.00
	<u>\$29,104.17</u>

NOTE: Final amounts: Water \$15,743.95
Sewer \$ 9,565.82
Relevy Fee: \$ 3,350.00

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 2022 tax bills.

RESOLUTION #153-12

AUTHORIZE AN EXPENDITURE FROM A SPECIFIC CAPITAL RESERVE FUND -
EVOQUA SEWER PUMP REPLACEMENT

On a motion of Councilor Stewart, seconded by Councilor Castner, the following was

ADOPTED Ayes 4 Castner, Jones, Sisson, Stewart
Nays 0

Whereas, the Town of Jerusalem Keuka Park Sewer Department requires bioxide be injected directly into the sewer pressure lines for odor control and main maintenance; and

Whereas, the East Bluff Drive sewer is operating on one bioxide pump as one needs to be replaced; 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 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 sixty four thousand three hundred sixty and 00/100 Dollars (\$64,360.00) of the principal and accumulated interest in said Reserve Fund for the purpose of paying Evoqua for the sewer bioxide pump system quoted 10/19/2021.

RESOLUTION #154-21

AUTHORIZE SUPERVISOR TO EXECUTE BONADIO & CO. AUDIT ENGAGEMENT LETTER

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

ADOPTED Ayes 4 Castner, Jones, Sisson, Stewart
Nays 0

Resolved the Supervisor be authorized to sign the Engagement Letter with Bonadio & Co., LLP to conduct the 2021 audit at a cost of \$19,000.

RESOLUTION #155-21

AUTHORIZE SUPERVISOR TO EXECUTE B.P. DONEGAN, INC. AGREEMENT

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

ADOPTED Ayes 4 Castner, Jones, Sisson, Stewart
 Nays 0

Be it Resolved by this Jerusalem Town Board as follows:

1. The firm of Bernard P. Donegan, Inc. be hereby designated Municipal Advisor to the Town of Jerusalem.
2. Said firm shall be compensated for its services to be rendered in accordance with its letter of services dated October 20, 2021.
3. The Town Supervisor is hereby authorized to execute and deliver said letter of services.
4. This resolution shall take effect immediately.

RESOLUTION #156-21

AUTHORIZE SUPERVISOR TO EXECUTE GENERAL CODE MAPLINK AGREEMENT

On a motion of Councilor Castner, seconded by Councilor Stewart, the following was

ADOPTED Ayes 4 Castner, Jones, Sisson, Stewart
 Nays 0

Resolved the Supervisor be authorized to sign the General Code MapLink Agreement to add a link on our website to provide specific property information by presenting zoning regulations from eCode360 in an interactive map at a cost of \$6,490 funded by account 8010.4.

RESOLUTION #157-21

AWARD ITALY FRIEND ROAD CROSSOVER PIPE CONTRACT

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

ADOPTED Ayes 4 Castner, Jones, Sisson, Stewart
 Nays 0

Whereas Request for Proposals were sent to repair damages to Italy Friend Road caused by the August 18, 2021 flood; and

Whereas after advertising and accepting bid quotes for the furnishing of all labor and material necessary for a crossover pipe and stackable stones for head walls on Italy Friend Road, the Town

of Jerusalem received one bid including the Non-Collusion Statement from City Hill Excavating, Inc., 2199 State Route 14, Penn Yan in the amount of \$199,730.00; now, therefore, be it

Resolved the bid be awarded to City Hill Excavating, Inc. with the proceeds to be taken from Highway Account 8760.4 Emergency Disaster Work.

RESOLUTION #158-21
2021 CEMETERY BUDGET AMENDMENT

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

ADOPTED Ayes 4 Castner, Jones, Sisson, Stewart
 Nays 0

Whereas, payment was made to the Keuka Park Cemetery Association for the Town's 2020 annual \$1,000 contribution on 11/18/2020 with check #38522; and

Whereas said check has not cleared our bank account to date and is deemed to be lost; and

Whereas upon research, it was also determined that the Town did not process the 2019 annual \$750 contribution; and

Whereas, the Town desires to reissue the 2020 amount and contribute the 2019 amount that requires an amendment of the 2021 budget to reflect such disbursements; now, therefore, be it

Resolved that the 2021 budget code 8810.4 (Cemetery) be increased \$1,750 allocated from the unappropriated fund balance.

RESOLUTION #159-21
SEQR DETERMINATION - 2021 WATER DISTRICT IMPROVEMENTS CAPITAL PROJECT

On a motion of Councilor Stewart, seconded by Councilor Castner, the following was

ADOPTED Ayes 4 Castner, Jones, Sisson, Stewart
 Nays 0

WHEREAS, on October 20, 2021 the Town Board held a Public Hearing on Proposed Improvements to the Keuka Park Consolidated Water District; and

WHEREAS, Title 6 of the New York Code of Rules and Regulations (6 NYCRR) Section 617.5 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 Water System Improvement Project is a Type II action in accordance with 6 NYCRR Section 617.5(c) (2) which constitutes "replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building, energy, or fire codes unless such action meets or exceeds any of the thresholds in section 617.4" and is therefore not subject to review under 6 NYCRR Part 617.

RESOLUTION #160-21

CLOSE PUBLIC HEARING- CONSOLIDATED WATER DISTRICT IMPROVEMENTS
CAPITAL PROJECT - REHAB PHASE 2

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

ADOPTED Ayes 4 Castner, Lent, Sisson, Stewart
Nays 0

With all persons desiring to be heard, Supervisor Sisson closed the hearing at 7:42 P.M.

The regular meeting was reconvened.

RESOLUTION #161-21

APPROVE CONSOLIDATED WATER DISTRICT IMPROVEMENTS CAPITAL PROJECT

On a motion of Councilor Stewart, seconded by Councilor Castner, the following was

ADOPTED Ayes 4 Castner, Jones, Sisson, Stewart
Nays 0

WHEREAS, the Town Board of the Town of Jerusalem has duly caused to be prepared design plans and estimates (contract documents) for improvements to the Keuka Park Consolidated Water District, to consist of the replacement of approximately 3,000 linear feet of existing 6- and 8-inch water main that is in poor condition and subject to frequent breaks. New fire hydrants, main line valves, water service lines, and curb stops will also be installed as part of the project. Additional main and valves will be added to improve operator control and system redundancy to help minimize service interruptions; and

Whereas the contract documents show the cost of the proposed improvements, including engineering and administrative costs, is estimated to be approximately \$605,168.00 with such costs to be the

responsibility of the Keuka Park Consolidated Water District. All of this \$605,168.00 is to be financed and repaid by the owners of property within the Keuka Park Consolidated Water District, unless the Town is able to secure grants to offset any part of this cost.

WHEREAS, the Town Board of the Town of Jerusalem duly adopted a resolution on September 15, 2021, calling a public hearing to consider said proposed improvements and estimate of expense, to be held at the Jerusalem Town Hall, 3816 Italy Hill Road, Branchport, New York, on October 20, 2021, at 7:00 p.m.; and

WHEREAS, notice of said public hearing was duly published and posted in the manner provided by law and proof thereof has been submitted to the Town Board; and

WHEREAS, said public hearing was duly held at the time and place aforesaid, at which all persons interested were duly heard; and

WHEREAS, the Town Board has duly considered all of the evidence given at such public hearing; and

WHEREAS, pursuant to part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law it has been determined by the Town Board that approval of these improvements to the Keuka Park Consolidated Water District would not have a significant effect upon the environment and could be processed by other applicable governmental agencies without further regard to SEQR.

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Jerusalem that, based upon the evidence given at the aforesaid public hearing and its Type II determination under the State Environmental Quality Review (SEQR), it is hereby found and determined to be in the public interest to provide for the aforesaid improvements of the facilities of the Keuka Park Consolidated Water District in the Town of Jerusalem, as described in the preambles hereof and in the contract documents prepared for this project, at an estimated cost of \$605,168.00, and the same is hereby authorized.

RESOLUTION #162-21

CLOSE PUBLIC HEARING - 2022 TOWNWIDE WATER AND SEWER BUDGET

On a motion of, seconded by, the following was

ADOPTED	Ayes	4	Castner, Jones, Sisson, Stewart
	Nays	0	

With all persons desiring to be heard, Supervisor Sisson closed the hearing at 7:44 P.M.

Jason Schwartz distributed and reviewed the 2022 Budget Summary and Tax Rate based on budget workshop sessions held. In response to questions from Greg Lechner and Paul Enos, Mr. Schwartz explained the tax cap calculation. The tax rate is projected at \$2.021, down from \$2.185. Mr. Lechner requested clarification on the 2017-2020 State Aid comparative data he obtained from the Open Book New York website which was determined to be Consolidated Highway Improvement Program (CHIPS) monies and a one-time \$50,000 grant monies for a water study.

PUBLIC COMMENT:

- Yates County Legislator Paddock presented the County report:
 1. October is Domestic Violence Awareness month.
 2. October 24-20 is Lead Poison Awareness week.
 3. The Yates County Workers' Compensation budget was adopted.
 4. Residents are encouraged to change at least one light bulb to green to let our veterans know they are supported November 7-13.
 5. \$103,000 Board of Elections expenses have been allocated to Jerusalem related to the election law changes in recent years.
 6. Updated COVID statistics were provided.
 7. An update on the public safety communications project was given.
- Greg Lechner and Jim Miran of Crescent Beach stated the need to dredge Sugar Creek. This area is regulated by DEC.

RESOLUTION #163-21

ADOPT TOWNWIDE WATER & SEWER BUDGETS

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

ADOPTED	Ayes	4	Castner, Jones, Sisson, Stewart
	Nays	0	

Resolved the 2022 Townwide, Water and Sewer Budgets be adopted as presented.

With there being no further business, on a motion of Supervisor Sisson, seconded by Councilor Stewart, the meeting was adjourned at 8:07 P.M.

Sheila McMichael, Town Clerk