

Minutes of the regular monthly meeting of the Jerusalem Town Board held on October 18, 2023 at 7:00 P.M. PRESENT were: Supervisor Sisson, Councilors Bird, Jones, Lent, Purdy, Town Clerk McMichael.

GUESTS: Jason Schwartz, Bernard P. Donegan, Inc., Tim Cutler, Fred Brundige, Rick Morlok, Michael Moynihan,

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

RESOLUTION #149-23

APPROVAL OF MINUTES

On a motion of Councilor Purdy, seconded by Councilor Bird, the following was

ADOPTED	Ayes	5	Bird, Jones, Lent, Purdy, Sisson
	Nays	0	

Resolved that the minutes of the September 22, 2023 meeting and September 27, 2023 and October 4, 2023 Budget Workshops be approved as read.

RESOLUTION #150-23

AUDIT OF CLAIMS

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

ADOPTED	Ayes	5	Bird, Jones, Lent, Purdy, Sisson
	Nays	0	

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

General:	\$ 26,522.86
Outside Village	\$ 7,470.27
Highway DB:	\$436,308.96
Sewer:	\$ 57,935.46
Water:	\$ 26,526.79
Branchport Light	\$ 285.90

September Utilities:

General:	\$ 1,260.16
Outside Village:	\$ 45.27
Sewer:	\$ 284.20
Water:	\$ 80.42
Trust:	\$25,465.57

RESOLUTION #151-23

SUPERVISOR REPORT

On a motion of Councilor Jones, seconded by Councilor Purdy, the

following was

ADOPTED	Ayes	5	Bird, Jones, Lent, Purdy, Sisson
	Nays	0	

Resolved that the Supervisor's Report on the Town's finances for the month of September 2023 be accepted as presented.

PUBLIC HEARING - 2024 TENTATIVE TOWNWIDE, WATER & SEWER BUDGETS

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 tentative 2024 Townwide, Water and Sewer budgets.

Jason Schwartz, Bernard P. Donegan, Inc. reviewed the 2024 budget highlights and tax cap calculation. The proposed tax rate will increase from \$1.99 to \$2.06 per \$100,000 of assessed valuation. Supervisor Sisson stated Keuka Park Sewer & Water rates are held at the current 2023 levels. They will be reviewed next year when we have information on the Village 2024 budget that starts 6/1/2024.

Fred Brundige stated he has noticed decreased water pressure on East Bluff Drive that past 12 months. He was instructed to report this to the office for further review.

TOWN OFFICIALS

COUNCILOR

- Councilor Lent emailed notes from the October 3rd Water/Sewer staff meeting.

HIGHWAY SUPERINTENDENT

- Supervisor Sisson reported for Highway Superintendent Hurd. Preparations for winter are underway. Roadwork continues as weather permits. Cross over pipes are being installed on West Bluff Drive and Yoder Hill Road.

SUPERVISOR

- The Water/Sewer Department continues flushing hydrants to ensure good water is transmitted to Pulteney. Sewer and water curb boxes that were black topped over on West Lake Road, Penn Yan are being uncovered.

OPEN DEVELOPMENT AREA #1-23 4870 EAST BLUFF DRIVE PRIVATE ROAD

CEO verification of conditions on Open Development Area #1-23 at 4870 East Bluff private road have not been verified to date.

RESOLUTION #152-23

KEUKA PARK SEWER & WATER RELEVIES

On a motion of Councilor Bird, seconded by Councilor Purdy, the following was

ADOPTED Ayes 5 Bird, Jones, Lent, Purdy, Sisson
 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 2023 sewer and water delinquent accounts in the following amounts:

Water	\$29,649.31
Sewer	\$19,103.33
Relevy fee	\$ 4,450.00
	<hr/>
	\$53,202.64

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 2024 tax bills.

NOTE: Final amounts: Water \$27,520.53
 Sewer \$16,871.55
 Relevy Fee: \$ 3,800.00
 \$48,192.08

RESOLUTION #153-23

INTRODUCE LOCAL LAW B-2023 SR. EXEMPTION AND CALL A PUBLIC HEARING

On a motion of Councilor Bird, seconded by Councilor Lent, the following was

ADOPTED Ayes 5 Bird, Jones, Lent, Purdy, Sisson
 Nays 0

WHEREAS, the Town Board of the Town of Jerusalem, after due deliberation, finds it in the best interests of the Town to schedule a public hearing to solicit public comment upon a proposed Local Law entitled "A Local Law Amending the Provisions of Chapter 143 of the Code of the Town of Jerusalem Relative to the Senior Citizens Tax Exemption"; and

WHEREAS, the Town Board of the Town of Jerusalem has reviewed the draft of the aforementioned proposed Local Law attached hereto as Exhibit "1" and deems it in the best interests of the Town of Jerusalem to proceed in accordance with the Code of the Town of Jerusalem and the Laws of the State of New York in adopting said Local Law; and

WHEREAS, this action by the Town Board is a "Type II" action under the regulations promulgated by authority contained in the State Environmental Quality Review Act (SEQRA), which appear in 6 NYCRR Part 617.5, thereby requiring no further action by the Town Board, in that Part 617.5 (c) states that actions that are not subject to review under SEQRA include, "(33) adoption of regulations, policies, procedures and local legislative decisions in connection with any action on this list" and subsection (26) on this list includes "routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment". This action involves continuing agency administration and management in that it will replace an existing local law regarding the senior citizens' exemption for town taxes.

NOW, THEREFORE, BE IT RESOLVED, that the Town Clerk be, and she hereby is, directed to schedule a public hearing to be held on November 15, 2023, at 7:00 p.m. at the Jerusalem Town Hall, 3816 Italy Hill Road, Branchport, New York; and be it further

RESOLVED, that the Town Clerk, be and hereby is, authorized to forward to the official newspaper of the Town a Notice of Public Hearing in the form substantially the same as that attached hereto as Exhibit "2"; and be it further

RESOLVED, that the Town Clerk be, and she hereby is, directed to post a copy of the proposed Local Law on the Town of Jerusalem sign board and take any and all other necessary actions to properly bring the aforementioned Local Law before the Town Board of the Town of Jerusalem for its consideration.

RESOLUTION #154-23
2023 CEMETERY BUDGET AMENDMENT

On a motion of Councilor Bird, seconded by Councilor Purdy, the following was

ADOPTED	Ayes	5	Bird, Jones, Lent, Purdy, Sisson
	Nays	0	

Whereas, it has been determined that the 2022 annual contribution to the Keuka Park Cemetery Association was absent; and

Whereas, funds remaining at the end of 2022 closed into the Fund Balance; and

Whereas, the Association is requesting contribution for both 2022 and 2023; now, therefore, be it

Resolved that the 2023 General A budget (8810.4 -Cemetery) be amended to include the \$1,100.00 from 2022.

PUBLIC COMMENT

Following an inquiry from Michael Moynihan, a lengthy discussion ensued regarding ways to fund a sewer main on Ritchey Blvd. Mr. Moynihan offered to contact DEC due to the proximity of septic tanks to the marsh to see if that could open funding options.

RESOLUTION #155-23

CLOSE PUBLIC HEARING - 2024 TOWNWIDE, WATER & SEWER BUDGETS

On a motion of Councilor Bird, seconded by Councilor Purdy, the following was

ADOPTED Ayes 5 Bird, Jones, Lent, Purdy, Sisson
 Nays 0

Resolved that the Public Hearing be closed at 7:32 P.M. and that the Board return to the Regular Town Board meeting.

RESOLUTION #156-23

ADOPT 2024 TOWNWIDE, CONSOLIDATED WATER DISTRICT & SEWER DISTRICTS AND EXTENSIONS BUDGETS

On a motion of Councilor Lent, seconded by Councilor Purdy, the following was

ADOPTED Ayes 5 Bird, Jones, Lent, Purdy, Sisson
 Nays 0

Resolved the 2024 Townwide, Consolidated Water & Sewer District and Extension Budgets be adopted as presented.

Mr. Schwartz was excused from the meeting.

YATES COUNTY REPORT

Legislator Cutler presented the Yates County report.

RESOLUTION #157-23

MOVE TO EXECUTIVE SESSION

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

ADOPTED Ayes 5 Bird, Jones, Lent, Purdy, Sisson
 Nays 0

Resolved that this meeting be interrupted to enter into Executive Session to discuss the employment history of particular persons.

The Executive Session convened at 7:38 P.M.

RESOLUTION #158-23

RETURN TO REGULAR SESSION

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

ADOPTED Ayes 5 Bird, Jones, Lent, Purdy, Sisson
Nays 0

Resolved that the Board return to regular session.

The Board reconvened in regular session at 8:11 P.M.

RESOLUTION #159-23

AUTHORIZE RETROACTIVE SALARY ADJUSTMENT - WATER SYSTEM OPERATORS/
WASTEWATER MAINTAINERS

On a motion of Councilor Purdy, seconded by Councilor Bird, the following was

ADOPTED Ayes 5 Bird, Jones, Lent, Purdy, Sisson
Nays 0

Resolved the Water System Operators/Wastewater Maintainers salary adjustment authorized in Resolution #137-23 be approved retroactively from 3/20/2023-9/20/2023 for Bradley Donovan and 8/14/2023-9/20/2023 for Patrick Lewis.

With there being no further business, on a motion of Councilor Lent, seconded by Councilor Jones, the meeting was adjourned at 8:12 P.M.

Sheila McMichael, Town Clerk

Exhibit 1
Local Law No. B of the year 2023

A local law "Amending the Provisions of Chapter 143 of the Code of the Town of Jerusalem Relative to the Senior Citizens Tax Exemption"

Be it enacted by the Town Board

Town of Jerusalem as follows:

SECTION 1. §143-6 (Eligibility limits) of Chapter 143 (Taxation) of the Code of the Town of Jerusalem is hereby repealed and a new §143-6 is inserted in its place to read as follows:

§143-6. Eligibility Limits

A. In accordance with §467 of the Real Property Tax Law, real property owned by persons aged sixty-five years or older will be exempt from taxation to the extent shown below as determined by the owner or owners' corresponding annual income:

<u>Annual Income</u>			<u>Percentage Assessed Valuation Exempt From Taxation</u>
\$0	to	\$20,000.00	50%
\$20,000.01	to	\$20,999.99	45%
\$21,000.00	to	\$21,999.99	40%
\$22,000.00	to	\$22,999.99	35%
\$23,000.00	to	\$23,899.99	30%
\$23,900.00	to	\$24,799.99	25%
\$24,800.00	to	\$25,699.99	20%
\$25,700.00	to	\$26,599.99	15%
\$26,600.00	to	\$27,499.99	10%
\$27,500.00	to	\$28,399.99	5%
\$28,400.00		or more	0%

B. This increase shall be effective with the 2024 assessment roll.

SECTION 2. If any clause, sentence, paragraph, section or part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been ordered.

SECTION 3. This local law shall take effect immediately upon filing with the Secretary of State.

Exhibit 2
TOWN OF JERUSALEM
NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE, that a public hearing will be held by the Town of Jerusalem on the 15th day of November, 2023, at 7:00 p.m., at the Jerusalem Town Hall, 3816 Italy Hill Road, Branchport, New York, regarding the adoption of a Local Law of the Town of Jerusalem for the year 2023, entitled “A Local Law Amending the Provisions of Chapter 143 of the Code of the Town of Jerusalem Relative to the Senior Citizens Tax Exemption”. This local law would amend the real property tax exemption provisions relative to real property owned by persons aged sixty-five years or older.

Any member of the public shall be entitled to be heard upon said proposed Local Law at such public hearing. Copies of said proposed Local Law are available for review at the Town of Jerusalem Town Hall, 3816 Italy Hill Road, Branchport, New York.

This by Resolution of the Town Board of the Town of Jerusalem.
Sheila McMichael, Town Clerk