

Minutes of the regular monthly meeting of the Jerusalem Town Board held on January 21, 2009 at 7:00 P.M. PRESENT were: Supervisor Jones, Councilpersons Folts, Hopkins, Simmons, Stewart, Highway Superintendent Payne, Town Engineer Ackart, Town Clerk McMichael.

GUESTS: Bob Evans, Taylor Fitch, George Sproule, Douglas Nichols, Susan Close, Tom Close, Alice Hunt, Jim Fitzgibbons.

Supervisor Jones called the meeting to order with the Pledge to the Flag at 7:01 P.M.

RESOLUTION #20-09
APPROVAL OF MINUTES

On a motion of Councilperson Hopkins, seconded by Councilperson Folts, the following was

ADOPTED Ayes 5 Folts, Hopkins, Jones, Simmons, Stewart
Nays 0

Resolved that the minutes of the December 17, 2008 meeting be approved as read.

RESOLUTION #21-09
AUDIT OF CLAIMS - 2008 YEAR END

On a motion of Councilperson Stewart, seconded by Councilperson Hopkins, the following was

ADOPTED Ayes 5 Folts, Hopkins, Jones, Simmons, Stewart
Nays 0

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

General:	\$ 24,337.79
Highway DA:	\$ 5,927.09
Highway DB:	\$ 33,301.76
Sewer:	\$ 24,242.59
Water:	\$ 36,593.58
Branchport Light:	\$ 255.00
Trust:	\$ 89,050.56

RESOLUTION #22-09
AUDIT OF CLAIMS - JANUARY 2009

On a motion of Councilperson Stewart, seconded by Councilperson Hopkins, the following was

ADOPTED Ayes 5 Folts, Hopkins, Jones, Simmons, Stewart
Nays 0

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

General:	\$ 10,579.29
Highway DA:	\$ 3,790.26
Sewer:	\$ 1,284.43
Water:	\$ 46,851.69

RESOLUTION #23-09

YEAR END 2008 TRANSFERS

On a motion of Councilperson Folts, seconded by Councilperson Simmons, the following was

ADOPTED Ayes 5 Folts, Hopkins, Jones, Simmons, Stewart
Nays 0

Resolved that the following 2008 Year End budget transfers be approved:

General

From 1990.4 Contingent Account \$27,370.79

To		
1010.4 Town Board	\$.32
1220.1 Supervisor	\$.21
1220.4 Supervisor	\$	12.36
1330.1 Tax Collector	\$	34.68
1330.4 Tax Collector	\$	100.11
1340.1 Budget	\$.05
1355.1 Assessor	\$.08
1410.1 Clerk	\$.19
1470.1 Grievance	\$	334.19
3989.4 Public Safety	\$	200.58
5010.1 Highway	\$.22
5010.4 Highway	\$	70.25
5132.4 Highway Barn	\$	2,147.82
6510.4 Veterans	\$	23.00
7310.4 Recreation	\$	863.51
8010.4 Zoning	\$	583.22
9901.9 Interfund	\$	23,000.00

General Outside Village

From 9030.8 SS/Med	\$.16
Into 4020.1 Registrar	\$.16

Highway DB

From 5112.4 Improvement	\$2,705.32
Into 5142.4 Snow Removal	\$2,705.32
From 9060.8 Medical	\$6,487.80
From 9030.8 SS/Med	\$ 958.20
Into 9010.8 Retirement	\$7,446.00

Sewer

From 8120.4 Sanitary	\$22,325.43	
Into 8130.4 Treatment	\$22,325.43	(PY CODE)
From 1990.4 Contingent	\$ 395.22	
Into 8110.1 Admin.	\$ 82.05	
Into 8120.1 Sanitary	\$ 313.17	

RESOLUTION #24-09

SUPERVISOR REPORT

On a motion of Councilperson Stewart, seconded by Councilperson Hopkins, the following was

ADOPTED	Ayes	5	Folts, Hopkins, Jones, Simmons, Stewart
	Nays	0	

Resolved that the Supervisor's Report on the Town's finances for the month of December 2008 be accepted as presented.

REPORT OF TOWN OFFICIALS

HIGHWAY SUPERINTENDENT

- Written financial report on road work done for the month of November (on file in the Office of the Town Clerk).
- A plow was purchased for the 2008 Ford pick-up truck, leaving the balance in DA5130.2 to be used for a loader. Highway Superintendent Payne will be studying specifications and a trade-in program used by other municipalities in anticipation of a purchase this spring.
- The Highway Department was commended for the work done in keeping our roads cleared this winter.

TOWN ENGINEER

- Town Engineer Ackart reported numerous water line breaks have occurred due to the harsh winter conditions this year.
- We continue to work on the Pulteney Water District Agreement.
- The electronic control system needs replacing as new parts are no longer available for repairs.
- Ackart provided information to both Sprague Insurance and Stork Insurance Agency to obtain quotes on coverage. He recommended the Town obtain coverage for the Sewer #2 grinder pumps.
- Meetings continue with Keuka College on their water and sewer agreement.
- A prioritized list of projects for the proposed 2009 Federal Economic Stimulus Program was put together by Supervisor Jones and Town Engineer Ackart that include a Highway salt and sand storage facility, rehabbing the Branchport Elementary School for use as Town Offices and a Community Center, and Keuka Park Water District water main replacement.

- The water capital charges were successfully placed on the County/Town tax bills this year.

COUNCIL

- Councilperson Simmons received a call regarding snow covered sidewalks in the Indian Pines Fruit Stand and Industrial Park area. It is the property owner's responsibility to keep the sidewalk open. The Town Board will keep an eye on this situation.
- Councilperson Simmons was contacted by Stork Insurance Agency with regard to the insurance quote they are preparing for the Town. The major brokers for municipal coverage in upstate New York are NYMIR and Selective Insurance. The Town's current coverage is with NYMIR through Sprague Insurance. Stork Insurance Agency was informed by Selective Insurance that they have a letter on file from the Town of Jerusalem naming Sprague Insurance as the agent of record for quoting purposes. Because of this letter, Selective will only provide a bid to Sprague Insurance, thereby eliminating competitive bidding on our insurance.

RESOLUTION #25-09

AUTHORIZE SUBMISSION OF LETTER TO SELECTIVE INSURANCE TO RECOGNIZE STORK INSURANCE AGENCY

On a motion of Councilperson Simmons, seconded by Councilperson Folts, the following was

ADOPTED	Ayes	3	Folts, Hopkins, Simmons
	Nays	2	Jones, Stewart

Whereas the Town of Jerusalem has requested Stork Insurance Agency to provide a quote for insurance; and

Whereas in order for Stork Insurance Agency to submit a quote, it will be necessary for the Town to negate the broker of record letter on file with Selective Insurance to recognize Stork Insurance Agency for quoting purposes; now, therefore, be it

Resolved that the Supervisor be authorized to send a letter to Selective Insurance to recognize Stork Insurance Agency as our broker of record for quoting our April 1, 2009 insurance renewal.

SUPERVISOR

As discussed at the December 17, 2008 public hearing on the Veteran's Tax Exemption, Supervisor Jones contacted Earl Gleason, Veterans' Service Agency Director. A list of cold war veterans is not available to determine the financial impact of extending the veteran's exemption to cold war veterans. Supervisor Jones will continue to work on this matter.

SUBCOMMITTEE REPORTS

ZONING REVIEW/TOWNHOUSE SUBCOMMITTEE

The Subcommittee continues to work on preparing draft regulations to allow townhouses in the Branchport Service Park.

SUBDIVISION SUBCOMMITTEE

Subcommittee Chair, Tom Close reported meetings have been held to discuss the tracking mechanism and enforcement of the proposed regulations. Mr. Close will be meeting with the Yates County Planner and Real Property Tax Service Director tomorrow.

WIND FARM SUBCOMMITTEE

Bob Evans reported the Subcommittee continues to work on draft regulations.

ADDRESSING SUBCOMMITTEE

It has been determined that the Addressing Subcommittee needs to be expanded to include Sheriff Ron Spike and possibly others. Alice Hunt requested the Town Board confirm that the addressing problem is a situation the Town Board wants pursued. It was the consensus of the Board that there has been a tremendous amount of work done to date and we do not want to see the matter dropped. We have identified a problem with our addresses and the Town Board needs to correct it. Mrs. Hunt will produce notes from future meetings as progress should not be dependent upon member attendance. A meeting will be held to identify additional members for the Subcommittee.

ZONING ASSESSMENT PLANNING OPERATIONS REVIEW

No report.

PUBLIC COMMENT

Max Parson commented on an article in the Daily Messenger regarding property assessed values versus actual sale prices, along with hearing on the radio that New York State has the highest tax rate in the nation. He feels the Town needs to look further into shared services as he anticipates a tough budget process this year and stressed the importance for the Town to improve efficiencies and time management.

Supervisor Jones stated the Town Supervisors are holding their second round table discussion next week on ideas both within and between towns.

County Legislator Taylor Fitch added the County conducted a study on county-wide assessing. The study gives five different scenarios and has been presented to the Assessors. One scenario is already in place as Mary Lilyea is the Assessor for three of our towns.

Supervisor Jones requested a copy of the County's study be provided to the Town.

RESOLUTION #26-09

CLOUGH HARBOR CONSULTING AGREEMENT

On a motion of Councilperson Stewart, seconded by Councilperson Hopkins, the following was

ADOPTED Ayes 5 Folts, Hopkins, Jones, Simmons, Stewart
Nays 0

Resolved that the Supervisor be authorized to execute the 2009 Municipal Consulting Agreement to provide consulting engineering services to the Town, if needed.

DISCUSSION - AUDIT SERVICES

Councilperson Simmons requested the audit be put out for bid this year as Raymond F. Wager, CPA, P.C. has conducted the audit for ten years. He feels a new auditor may bring new ideas and a different way of doing things. Bid specifications will need to be identified for the request for proposal.

RESOLUTION #27-09

AUDIT ENGAGEMENT LETTER - RAYMOND F. WAGER, CPA, P.C.

On a motion of Councilperson Hopkins, seconded by Councilperson Folts, the following was

ADOPTED Ayes 4 Folts, Hopkins, Jones, Stewart
Nays 1 Simmons

Resolved that the Supervisor be authorized to execute the Engagement Letter from Raymond F. Wager, CPA, P.C. for the year ended December 31, 2008 audit at an estimated cost of \$12,750.00.

RESOLUTION #28-09

BID - AUDIT SERVICES

On a motion of Councilperson Hopkins, seconded by Supervisor Jones, the following was

ADOPTED Ayes 5 Folts, Hopkins, Jones, Simmons, Stewart
Nays 0

Resolved that the Town submit requests for bids in June 2009 for the year ended December 31, 2009 audit.

RESOLUTION #29-09

ESTABLISH NICHOLS OPEN DEVELOPMENT AREA

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

ADOPTED Ayes 5 Folts, Jones, Hopkins, Simmons, Stewart
Nays 0

Whereas Douglas C. Nichols has applied for an Open Development Area for his properties located off Sid White Road (tax map no. 71.03-1-14) in the Town of Jerusalem depicted on the survey map dated 12/15/2008; and

Whereas any and all properties located within this application site will be subject to any restrictions imposed by this resolution, further noting that said restrictions will apply to all current or future property owners; and

Whereas the necessary reviews have been completed by the Town of Jerusalem Planning Board; now, therefore, be it

Resolved that the Town Board accept the recommendations of the Planning Board and approve the Nichols Open Development Area Application; and be it further

Resolved the private road must satisfy the Town of Jerusalem Rules for Private Roads.

RESOLUTION #30-09

NICHOLS OPEN DEVELOPMENT APPLICATION SEQR- AUTHORIZE THE FILING OF A NEGATIVE DECLARATION UNDER THE SEQR LAW

On a motion of Supervisor Jones, seconded by Councilperson Hopkins, the following was

ADOPTED	Ayes	5	Folts, Hopkins, Jones, Simmons, Stewart
	Nays	0	

Whereas the Town Board of the Town of Jerusalem hereby finds and determines with respect to the Nichols Open Development Area application, it has considered the action, reviewed the short environmental assessment form and determined the adoption will not result in any large and important environmental impacts, and, therefore, is one which will not have a significant effect on the environment; now, therefore, be it

Resolved that a negative declaration be prepared and the Town Board authorizes the Supervisor to sign the negative declaration (determination of non-significance) pursuant to 6 New York Code of Rules and Regulations, section 617.7 with respect to the project.

RESOLUTION #31-09

COMPREHENSIVE FINANCIAL MANAGEMENT POLICY REVIEW

On a motion of Supervisor Jones, seconded by Councilperson Hopkins, the following was

ADOPTED	Ayes	5	Folts, Jones, Hopkins, Simmons, Stewart
	Nays	0	

Resolved the annual review of the Town's Financial Management Policy was conducted and the Policy accepted.

ANNUAL ACCOUNTING - JUSTICE'S BOOKS

More information is needed from the Justice to complete the annual accounting of the Justice's books.

RESOLUTION #32-09

ANNUAL ACCOUNTING - SUPERVISOR'S BOOKS

On a motion of Councilperson Stewart, seconded by Councilperson Simmons, the following was

ADOPTED	Ayes	5	Folts, Jones, Hopkins, Simmons, Stewart
	Nays	0	

Resolved the annual accounting of the Supervisor's books was conducted and accepted.

RESOLUTION #33-09

MOVE TO EXECUTIVE SESSION

On a motion of Supervisor Jones, seconded by Councilperson Hopkins, the following was

ADOPTED	Ayes	5	Folts, Hopkins, Jones, Simmons, Stewart
	Nays	0	

Resolved the regular meeting be interrupted to enter into Executive Session at 8:44 P.M.

The following information was provided by the Town Supervisor:

RESOLUTION #34-09

RETURN TO REGULAR SESSION

On a motion of Councilperson Stewart, seconded by Councilperson Folts, the following was

ADOPTED	Ayes	5	Folts, Hopkins, Jones, Simmons, Stewart
	Nays	0	

Resolved the meeting return to regular session at 9:35 P.M.

RESOLUTION #35-09

AUTHORIZE LETTER TO TEAMSTERS

On a motion of Councilperson Stewart, seconded by Councilperson Folts, the following was

ADOPTED	Ayes	5	Folts, Hopkins, Jones, Simmons, Stewart
	Nays	0	

Resolved that Town Attorney Bailey send a letter to Teamsters not recognizing them as representative for Town employees.

Jerusalem Town Board
January 21, 2009

With there being no further business, on a motion of Supervisor Jones, seconded by Councilperson Hopkins, the meeting was adjourned at 10:00 P.M.

Sheila McMichael, Town Clerk