

Minutes of the regular monthly meeting of the Jerusalem Town Board held on April 15, 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: Max Parson, Bill Pringle, Tom Close, Sue Close, Taylor Fitch, Alice Hunt, Peg Thompson, Doug Paddock, Bob Evans.

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

RESOLUTION #69-09
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 March 2009 meeting be approved as read.

RESOLUTION #70-09
AUDIT OF CLAIMS

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 the bills be paid as presented in the following amounts:

General:		\$11,979.07
Outside Village:		\$ 710.00
Highway DA:		\$ 5,104.84
Highway DB:		\$ 8,983.93
Sewer:		\$ 6,364.79
Water:		\$65,921.94
Branchport Light:		\$ 254.00
Trust:		\$ 48.57
March utilities:	General:	\$ 796.27
	Sewer:	\$20,757.55
	Water:	\$ 276.70
	Trust:	\$42,419.34

RESOLUTION #71-09
SUPERVISOR REPORT

On a motion of Councilperson Hopkins, seconded by Councilperson Stewart, 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 March 2009 be accepted as presented.

REPORT OF TOWN OFFICIALS

HIGHWAY SUPERINTENDENT

- Written Highway Roadwork Budget Report for April 2009 on file in the Office of the Town Clerk.
- Highway Superintendent Payne reported the roads wintered well. They are flushing as roads are scrapped to keep the dust down.
- He will follow up on a complaint Supervisor Jones received today from a resident regarding pot holes on Willett Road.

TOWN ENGINEER

- Town Engineer Ackart stated notices will be sent to water customers regarding winter shut offs and updated contact information as an insert to the Annual Water Quality Report.
- We are in receipt of our first PY Municipal electric bill at the industrial rate for the Indian Pines Pump Station. The NYSEG and PYMUB bills for the Indian Pines Pump Station will be monitored to determine our savings.
- We are reviewing the requirements for establishing reserve funds in the Keuka Park Sewer District.

COUNCIL

- Councilperson Stewart stated the cleaning person has resigned effective April 26, 2009.
- Councilperson Simmons stated meetings are being held with community members exploring options for the use of the Branchport School.
- Councilperson Hopkins stated meetings are being held with community members regarding property maintenance issues.

RESOLUTION #72-09

RESIGNATION - ZONING BOARD - RON RUBIN

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

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

Resolved that the Board regretfully accepts the resignation of Ron Rubin from the Zoning Board of Appeals as he has taken a position on the Yates County Planning Board, effective in April.

Mr. Rubin has been asked to continue on the Zoning Review Subcommittee and the Communications Group.

Supervisor Jones will send Mr. Rubin a commendation letter for his service to the Town.

RESOLUTION #73-09

ZONING BOARD APPOINTMENT - ED SEUS

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 Alternate Zoning Board member Ed Seus be appointed to the Zoning Board to fill the unexpired term of Ron Rubin through December 31, 2009; and, be it further

Resolved that an advertisement be placed for Zoning Board applicants.

SUBCOMMITTEE REPORTS

ZONING REVIEW/TOWNHOUSE SUBCOMMITTEE

The Yates County Planning Board review is scheduled for April 23rd on the proposed townhouse regulations. Councilperson Stewart encouraged a Subcommittee member attend this meeting in case there are any questions.

SUBDIVISION SUBCOMMITTEE

Chair Tom Close stated they continue to meet to finalize the proposed subdivision regulations. They will complete the review and decide the format of the public information presentation at their next meeting.

WIND FARM SUBCOMMITTEE

Bob Evans reported Subcommittee Chair Jim Barre will present on wind farm regulations at the May Planning Board meeting.

ADDRESSING SUBCOMMITTEE

Subcommittee member Alice Hunt reported two public informational meetings will be held April 28 and May 5, 7:00 P.M. at the Branchport Fire Hall. A power point presentation will be made to help provide a better understanding of the proposals to the public. Information has also been provided to the local newspapers to make the public aware of this issue.

The May Town Board meeting will be held at the Branchport Fire hall to accommodate the anticipated attendance at the addressing resolution public hearing.

ZONING ASSESSING PLANNING OPERATIONS REVIEW SUBCOMMITTEE

Councilperson Folts stated the Assessor's office has been successfully moved that allows for privacy when meeting with the Assessor. Signs are posted for his office. The Highway employees were thanked for assisting with the move.

The need for improved signage throughout the Town Hall was noted.

RESOLUTION #74-09

AUTHORIZE SUPERVISOR TO SIGN ANIMAL CONTROL SERVICES CONTRACT

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

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

Whereas under resolution #46-09, the Town Board authorized renewal of the animal control agreement with Yates County; and

Whereas the original renewal agreement did not reflect the current changes in the Animal Control Officer; now, therefore, be it

Resolved that the Supervisor be authorized to sign the revised renewal agreement with Yates County to furnish animal control services commencing on 1/1/09 and terminating 12/31/10.

Councilperson Simmons questioned the distribution of fees within the contract terms.

RESOLUTION #75-09

AUTHORIZE GENERAL CODE EDITORIAL ANALYSIS

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 Code was published in 1992 and since then we have found that we have a need for a total editorial analysis including the following:

- Identify duplications, conflicts and inconsistencies within our legislation.
- Identify areas where there appear to be conflicts or inconsistencies with NYS Law.
- Recommendations for enforcement, fines, fees, and penalties.
- Suggestions on modernizing our Code and new subjects for legislation to take a proactive approach to potential problems.

Now, therefore, be it

Resolved the Town Board authorize the purchase of the services of General Code, LLC from accounts 1670.4 and 8020.4 for the 50% deposit amount of \$1,402.50 in 2009; and, be it further

Resolved that the remaining \$1402.50 balance due be budgeted in our 2010 budget to complete the editorial analysis.

RESOLUTION #76-09

AUTHORIZE ARC VIEW SOFTWARE UPDATE

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

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

Whereas; the Town purchased ArcView mapping software from Environmental Systems Research Institute (ESRI) in 2005; and

Whereas; it has been found that updating the ArcView software will be a very important aid to several Town of Jerusalem Departments (Water/Sewer, Assessing and Planning); and

Whereas; four separate options have been offered by ESRI as possible ArcView software updates; now, therefore, be it

Resolved that the Town Board authorize the ArcView software update at a total cost not to exceed \$5,600.00 that will allow 2 users anytime on any computer. Funds for these licenses and upgrade will be paid from the following accounts: Sewer (8110.4), Water (8310.4), Assessing (1330.4) and Planning (8020.4); and be it further

Resolved that a copy of this resolution be forwarded to Environmental Systems Research Institute, Inc., the Water & Sewer Department, the Assessing Office and the Planning Department.

RESOLUTION #77-09

AUTHORIZE KWIC CONTINGENCY PLAN FOR WATERSHED MANAGER ABSENCE

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

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

Whereas KWIC has established a contingency plan to follow during the absence of the Watershed Manager to ensure the implementation of the KWIC Wastewater Management Program; now, therefore, be it

Resolved that the Town of Jerusalem approve the contingency plan as proposed by KWIC.

PUBLIC COMMENT

- Town Historian Bob Evans announced a dedication ceremony is scheduled for July 19th at Red Jacket's Mother's Memorial. Details will be forthcoming.
- Max Parson questioned the executive session listed on tonight's agenda given Resolution #35-09 that states Town Attorney Bailey will send a letter to Teamsters not recognizing them as representative for Town employees. Supervisor Jones stated the Town is not negotiating with Teamsters at this time.
- Max Parson requested clarification on the Board's prior decision to allow employees to work through their lunch hour. Supervisor Jones stated we will need to research the matter discussed April 2007.
- County Legislator Doug Paddock stated they are in receipt of the 2009 Youth Development Delinquency Prevention (recreation program) funding allocation.

RESOLUTION #78-09

OPPOSITION TO LEGISLATION S.1241 (THOMPSON) / A.3659 (HOYT) REGARDING IDA "REFORM"

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

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

Whereas legislation S.1241 (Thompson) / (A.3659 (Hoyt)) has been introduced that would significantly harm the economic development efforts of the State and the Town of Jerusalem; and

Whereas the Town Board desires to lend support to the Finger Lakes Economic Development Council's fight against this economically harmful legislation; now, therefore, be it

Resolved that the Supervisor be authorized to write legislators opposing this legislation.

RESOLUTION #79-09

MOVE TO EXECUTIVE SESSION

On a motion of Supervisor Jones, seconded by Councilperson Stewart, 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 8:11 P.M., noting the Board will be returning to regular session.

The following information was provided by the Town Supervisor:

RESOLUTION #80-09

RETURN TO REGULAR SESSION

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

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

Resolved the meeting return to regular session at 8:44 P.M.

RESOLUTION #81-09

INSTRUCTION TO ATTORNEY

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 Attorney Lippett be contacted with new information received today.

With there being no further information, on a motion of Councilperson Stewart, seconded by Councilperson Simmons, the meeting was adjourned at 8:48 P.M.

Sheila McMichael, Town Clerk