

Minutes of the regular monthly meeting of the Jerusalem Town Board held on July 21, 2021 at 7:00 P.M. PRESENT were: Supervisor Sisson, Councilors Castner, Jones, Lent, Stewart, Town Clerk McMichael, Highway Superintendent Hurd.

GUESTS: Sarah Purdy, Tim Cutler, Doug Paddock.

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

RESOLUTION #95-21

CHANGES TO THE AGENDA

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

ADOPTED	Ayes	5	Castner, Jones, Lent, Sisson, Stewart
	Nays	0	

Resolved the following be added to the agenda under New Business:

- A letter of support for Village of Penn Yan Consolidated Funding Application
- A letter of support for Village of Penn Yan CDBG Grant
- Declare 2017 Silverado 1500 Pick-Up Truck as Surplus

RESOLUTION #96-21

APPROVAL OF MINUTES

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

ADOPTED	Ayes	5	Castner, Jones, Lent, Sisson, Stewart
	Nays	0	

Resolved that the minutes of the June 16, 2021 meeting be approved as read.

RESOLUTION #97-21

AUDIT OF CLAIMS

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

ADOPTED	Ayes	5	Castner, Jones, Lent, Sisson, Stewart
	Nays	0	

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

General:	\$16,845.69
Outside Village	\$ 386.03
Highway DB:	\$36,907.38
Sewer:	\$68,165.10
Water:	\$31,567.50
Branchport Light	\$ 126.35
Capital:	\$ 3,528.00

June Utilities:

General:	\$	696.44
Outside Village:	\$	108.45
Highway DB:	\$	435.46
Sewer:	\$	147.69
Water:	\$	247.94
Trust:		\$22,695.83

RESOLUTION #98-21  
SUPERVISOR REPORT

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

ADOPTED       Ayes       5   Castner, Jones, Lent, Sisson, Stewart  
                  Nays        0

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

TOWN OFFICIALS  
HIGHWAY SUPERINTENDENT

- Written Budget Highway report on file in the Office of the Town Clerk.
- Indian Pines 25 MPH speed limit signs are being installed in accordance with Resolution #121-20.
- Clay Ridge Trucking has not picked up the tires from Clean-Up Day yet.
- Concerns with the recent flooding on West Bluff Drive were noted.
- Oil and stoning began today. Brown Hill Road will be done as tractor trailers are using.
- Pot holes on Italy Friend Road have been repaired. County Legislator Paddock will follow up with the County Highway to coordinate posting a 10-ton weight limit sign as part of it is a County road.

WATER/SEWER REPORT

- The Keuka Park sewer inspection hyperlink video from Scanex has been downloaded.
- Curb stop repairs are being done on West Lake Road, Penn Yan.
- Inspection of Keuka Lake State Park water tanks #3 and #4 showed they are in good condition.
- Sewer District Ext. 1A adding eleven EDU's at the Keuka Vista Mobile Home Park, 2548 Route 54A has been constructed.
- The 2021 Ford 150 pick-up truck authorized via Resolution #25-21 has been delivered.
- We are considering changing from E-One to Liberty grinder pumps.

COUNCIL

- Code Enforcement/Zoning Officer interviews were held.
- Councilor Jones reported there was no follow-up discussion from the June Zoning Board meeting this month to possibly change the front yard setback, on both East and West Bluff Dr. on the portion of the lake that is away from the lake.

SUPERVISOR

- Supervisor Sisson thanked Councilor Jones for carrying the Code Enforcement/Zoning Officer cell phone during his vacation.
- Ace Handyman, 2954 Rte. 54A invited Supervisor Sisson to attend their ribbon cutting ceremony. The approval process for this change of use was questioned when compared to the application review for Mahlon Esh, Rte. 54A (Resolution #59-21).
- A meeting will be scheduled with the Finger Lakes Land Trust at their request.
- A request was made to issue a temporary permit to dig footers and they were informed the Supervisor cannot fulfil this request.

YATES COUNTY SHARED ASSESSOR AGREEMENT

The Town declined the County's offer to share Assessor services due to concerns with some of the proposed contract provisions such as the Assessor being on site at the Town Office only 2 days per week. However, Jerusalem would be interested in reopening discussions in the future if other Towns are pursuing this option.

RESOLUTION #99-21

NEW CANNABIS LAW OPT-OUT OPTION

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

ADOPTED	Ayes	5	Castner, Jones, Lent, Sisson, Stewart
	Nays	0	

Whereas a provision in the newly enacted NYS Cannabis Law that took effect on March 31, 2021, Section 131 of the Cannabis Law permits towns to opt out of allowing retail dispensaries and on-site consumption sites by passing a local law, which is required to be subject to a permissive referendum, requesting the cannabis control board to prohibit the establishment of such retail dispensary licenses and/or on-site consumption licenses contained in article four of the Cannabis Law, within the jurisdiction of the town; and

Whereas if the Town wants to opt out of allowing these uses, it is required to adopt such a local law on or before December 31, 2021; now, therefore, be it

Resolved Attorney Graff be instructed to draft said local law to move forward with the process to opt out of allowing these uses.

RESOLUTION #100-21  
COURT CLERK SALARY ADJUSTMENT REQUEST

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

ADOPTED     Ayes 3     Jones, Lent, Sisson  
              Nays 2     Castner, Stewart

Whereas Justice Whitford requested a salary increase for newly appointed Court Clerk Tammy Hullings based on her 15 years of experience with the New York State Unified Court and area salary comparisons; now, therefore, be it

Resolved Tammy Hullings' salary be increased to \$17.00 per hour effective immediately.

RESOLUTION #101-21  
Establish Interim Code Enforcement/Zoning Officer Salary and Authorize Payment of Hours Worked

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

ADOPTED     Ayes       5     Castner, Jones, Lent, Sisson, Stewart  
              Nays       0

Resolved the hourly rate for interim Code Enforcement/Zoning Officer coverage be set at \$26.73 per hour; and be it further

Resolved payment of the following be authorized:

Thomas Fulkrod 12 hours  
                                  \$77.84 mileage reimbursement  
Jesse Jayne     7 hours  
                                  \$57.12 mileage reimbursement

RESOLUTION #102-21  
Assessor Assistance - Sylvia Staples

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

ADOPTED     Ayes       5     Castner, Jones, Lent, Sisson, Stewart  
              Nays       0

Whereas Sylvia Staples assisted the Town with our 2021 town wide revaluation process; and

Whereas interim Assessor Terry Kwiecinski has requested Ms. Staples provide further needed technical support; now, therefore, be it

Resolved that the services of Sylvia Staples be authorized in an amount not-to-exceed \$1,200.00 payable at a rate of \$30.00 per hour for RPSV4 Valuation Technical Support to be funded by 1355.4.

RESOLUTION #103-21

Letter of Support for Village of Penn Yan Consolidated Funding Application WWTP Disinfection

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

ADOPTED       Ayes       5   Castner, Jones, Lent, Sisson, Stewart  
                  Nays        0

Resolved the Supervisor be authorized to submit a letter of support for the Village of Penn Yan's Consolidated Funding Application (CFA), seeking funding to assist with a project to install a disinfection system at its wastewater treatment plant. This project is mandated by the Department of Environmental Conservation, desired by our neighboring communities, and estimated to cost \$2,781,000.

RESOLUTION #104-21

Letter of Support for Village of Penn Yan CDBG Grant Application WTP Study

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

ADOPTED       Ayes       4   Jones, Lent, Sisson, Stewart  
                  Nays        0  
                  Abstain 1   Castner

Resolved the Supervisor be authorized to submit a letter of support for the Village of Penn Yan's CDBG Planning Grant seeking funding to assist with a study of their Water Treatment Plant related to algae blooms in Keuka Lake resulting in microcystins in the raw water. The study would consist of developing immediate and long-term plans for updating the Village's water treatment plant to adequately treat future blooms that exceed health advisory levels.

RESOLUTION #105-21

DECLARE 2017 SILVERADO 1500 PICK-UP TRUCK AS SURPLUS

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

ADOPTED       Ayes       5   Castner, Jones, Lent, Sisson, Stewart  
                  Nays        0

Whereas; the 2017 Silverado 1500 is being replaced and will no longer be needed;

Therefore; be it resolved that the 2017 Silverado 1500 Pick-up Truck Vin #1GCVKNEC2HZ305474 be declared as surplus equipment; and, be it further;

Resolved that the Water/Sewer Department be authorized the sale of said Silverado pickup; with the proceeds from this sale be recognized as revenue as stated in the 2021 water and sewer adopted budgets.

PUBLIC COMMENT

Yates County summary report:

- Two COVID cases have been reported.
- An area hiking and biking trail brochure is now available.
- An engineering service contract has been signed and land purchased in the Town of Barrington to improve our emergency communication system.
- Applicants for the Clerk of the Legislature and Deputy Treasurer are being interviewed.
- Pre-registration with the Legislative Clerk is required for the August 28<sup>th</sup> Hazardous Waste & Electronics Collection Day.
- The Mennonite community is working with the County to make travel safer for buggies.
- Starry stonewort removal by means of Diver Assisted Suction Harvesting is scheduled for early August.
- The Criminal Justice Committee will resume meeting.

RESOLUTION #106-21

MOVE TO EXECUTIVE SESSION

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

ADOPTED	Ayes	5	Castner, Jones, Lent, Sisson, Stewart
	Nays	0	

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

The Executive Session convened at 8:20 P.M.

RESOLUTION #107-21

RETURN TO REGULAR SESSION

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

ADOPTED	Ayes	5	Castner, Jones, Lent, Sisson, Stewart
	Nays	0	

Resolved that the Board return to regular session.

The Board reconvened in regular session at 8:42 P.M.

RESOLUTION #108-21

CODE ENFORCEMENT/ZONING OFFICER APPOINTMENT

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

ADOPTED Ayes 4 Jones, Lent, Sisson, Stewart  
Nays 0  
Abstain 1 Castner

Resolved a letter of offer be submitted to William Gerhardt for the full-time position of Code Enforcement/Zoning Officer at a salary of \$25.40/hour; and, be it further

Resolved this will be a provisional appointment until completion of the required certification and is contingent upon passing a pre-employment physical.

RESOLUTION #109-21

MOVE TO EXECUTIVE SESSION

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

ADOPTED Ayes 5 Castner, Lent, Jones, Sisson, Stewart  
Nays 0

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

The Executive Session convened at 8:46 P.M.

RESOLUTION #110-21

RETURN TO REGULAR SESSION

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

ADOPTED Ayes 5 Castner, Lent, Jones, Sisson, Stewart  
Nays 0

Resolved that the Board return to regular session.

The Board reconvened in regular session at 8:59 P.M.

RESOLUTION #111-21

ASSESSOR APPOINTMENT

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

ADOPTED Ayes 5 Castner, Lent, Jones, Sisson, Stewart  
Nays 0

Resolved the following:

- That Terry Kwiecinski be appointed as Assessor at a salary of \$26.08/hour effective July 27, 2021.
- That this appointment is contingent upon approval of her qualifications by the NYS Office of Real Property and passing a pre-employment physical.
- That this is a provisional appointment until completion of the required assessor training within one year.
- One week of unpaid leave in August 2021 is granted.

With there being no further business, on a motion of Councilor Stewart, seconded by Councilor Jones, the meeting was adjourned at 9:06 P.M.

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Sheila McMichael, Town Clerk