

Minutes of the regular monthly meeting of the Jerusalem Town Board held on February 18, 2009 at 7:00 P.M. PRESENT were: Supervisor Jones, Councilpersons Folts, Hopkins, Simmons (late), Stewart, Town Engineer Ackart, Town Clerk McMichael.

GUESTS: William Pringle, Jim Crevelling, Mary Coriale, Annette Taospern, George Sproule, Debbie Koop, Susan Close, Tom Close, Taylor Fitch, Dave Wegman, Alice Hunt, Bob Evans, Max Parson, Doug Paddock.

EXCUSED: Highway Superintendent Payne

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

RESOLUTION #36-09
APPROVAL OF MINUTES

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

ADOPTED Ayes 4 Folts, Hopkins, Jones, Stewart
Nays 0

Resolved that the minutes of the January 21, 2009 meeting be approved as read.

RESOLUTION #37-09
AUDIT OF CLAIMS

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

ADOPTED Ayes 4 Folts, Hopkins, Jones, Stewart
Nays 0

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

General:	\$ 10,070.72
Highway DB:	\$ 16,510.85
Branchport Light:	\$ 289.27
Sewer:	\$132,095.64
Water:	\$ 3,783.79
January utilities: General:	\$ 1,357.78
Sewer:	\$ 1,367.13
Water:	\$ 580.02
Trust:	\$ 64,316.92

RESOLUTION #38-09
SUPERVISOR REPORT

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

ADOPTED Ayes 4 Folts, Hopkins, Jones, Stewart
Nays 0

Resolved that the Supervisor's Report on the Town's finances for the month of January 2009 be accepted as presented.

REPORT OF TOWN OFFICIALS

HIGHWAY SUPERINTENDENT

Written financial report on roadwork done to date (on file in the Office of the Town Clerk).

TOWN ENGINEER

- We continue to work on the Pulteney Water District Agreement.
- Town Engineer Ackart reported we have seen a number of frozen water services and/or water leaks due to the harsh winter conditions.
- Councilperson Stewart added the Town has identified numerous water leaks utilizing our automated remote meter read system that allows us to read meters from the pick up truck. He felt it was important to bring to the public's attention due to the perception that KPSW personnel are just "riding around" here, there and everywhere.

A mailing will be sent to all water customers with water shut off information and request that emergency contact information be updated and on file at the Town Office.

RESOLUTION #39-09

AMEND KEUKA PARK SEWER & WATER FEE SCHEDULE

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

ADOPTED	Ayes	4	Folts, Hopkins, Jones, Stewart
	Nays	0	

Resolved Resolution #180-08 be amended by changing the weekend call-in rate to after hours call-in rate for both water and sewer.

Councilperson Simmons entered at 7:16 P.M.

COUNCIL

- Councilperson Stewart received an e-mail from Chuck Mitchell, Jerusalem representative to the Yates County Planning Board complimenting the Town of Jerusalem for the work done on our Comprehensive Plan. Kathy Disbrow, Keuka Housing Council Director, has recommended the County use Jerusalem's Plan as a model when developing their plan.
- Supervisor Jones will follow-up with the County and State on the Town's desire to install crosswalks at the Library and four-corners in Branchport, along with moving the 35 MPH sign to the east side of Sugar Creek.

RESOLUTION #40-09

SCHEDULE PUBLIC HEARING SENIOR EXEMPTION

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

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

Whereas Supervisor Jones was informed by the Yates County Real Property Tax Service Director that the recently enacted Senior Exemption income levels are inaccurate; and

Whereas Local Law #7-08 will need to be amended to reflect the correct income levels; now, therefore, be it

Resolved that a Public Hearing be held at the March 18, 2009 Town Board meeting at 7:00 P.M. on proposed Local Law A-2009; and, further

Resolved that the Town Clerk advertise for said Public Hearing in a manner consistent with law.

SUBCOMMITTEE REPORTS

ZONING REVIEW/TOWNHOUSE SUBCOMMITTEE

Zoning Review/Townhouse Subcommittee Chair Annette Toasperm made a presentation on the proposed regulations allowing townhouses as a permitted use in the Branchport Service Park. An overhead of a project site outlining area, setback, height, lot coverage and building groups provided a visual representation to assist in understanding the regulations as written. Highlights included site plan review provisions will apply to townhouses and all exterior design and materials must be approved by the planning board. Extensive information was provided on the utilizing certified green building products and practices as outlined by the United States Green Building Council's Leadership in Energy and Environmental Design.

RESOLUTION #41-09

GML239 REFERRAL AND SCHEDULE PUBLIC HEARING - PROPOSED LOCAL LAW B-2009 REGULATING TOWNHOUSES

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

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

Resolved that a Public Hearing be held at the March 18, 2009 Town Board meeting at 7:05 P.M. on proposed Local Law B-2009; and, further

Resolved that a GML 239 Referral be submitted to the Yates County Planning Board for review on said local law and, further

Resolved that the Town Clerk advertise for said Public Hearing in a manner consistent with law.

RESOLUTION #42-09

ACCEPT MISSION STATEMENT - CONSERVATION OF NATURAL RESOURCES AND RENEWABLE ENERGIES SUBCOMMITTEE

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

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

Whereas the Conservation of Natural Resources and Renewable Energies Subcommittee has identified their mission to assist the Town of Jerusalem in implementing the Conservation Action Strategies defined in the Town of Jerusalem's Comprehensive Plan; and

Whereas their first action steps will be an updated Open Space inventory and the creation of an Open Space Plan; and

Whereas the subcommittee's mission is also to act as a conservation and renewable energy education resource to help Jerusalem become environmentally and economically sustainable; now, therefore be it

Resolved the Town Board adopt the subcommittee's mission as presented.

OFFICIAL TOWN MAP

Supervisor Jones will follow up with Assessor Comstock and Yates County Soil & Water on the status of the town map. Yates County Legislator Doug Paddock will also follow up on the status at the County level.

SUBDIVISION SUBCOMMITTEE

Subdivision Subcommittee Chair Tom Close reported they met yesterday and resolved the majority of issues identified. They are proceeding to draft subdivision regulations and will address issues as they arise.

WIND FARM SUBCOMMITTEE

Wind Farm Subcommittee Chair Art Hunt stated a meeting was held today and the Subcommittee is pulling relevant information from sample laws received as they draft regulations for the Town of Jerusalem. They anticipate presenting a draft to the Planning Board in the spring.

ADDRESSING SUBCOMMITTEE

Addressing Subcommittee member Alice Hunt distributed minutes of their February 10, 2009 meeting. The Subcommittee membership has been expanded to allow input from residents from several different areas of the Community. Their original focus was Route 54A corridor, but addressing problems have been identified town wide. Concern has been expressed that changing addresses in Jerusalem could bring about the desire to change addresses countywide that would impact both the workload/overtime expenses to Emergency Services and Verizon that supports their telecommunication system. Their next meeting is scheduled for February 24.

ZONING ASSESSMENT PLANNING OPERATION REVIEW SUBCOMMITTEE

Councilperson Stewart stated discussions have occurred, but no issues resolved to date.

PUBLIC COMMENT - TOWNHOUSE REGULATIONS

Dave Wegman thanked the Planning Board and the Townhouse Subcommittee for involving him in the process and for all their work done to develop the draft regulations that would allow townhouses in the Branchport Service Park.

RESOLUTION #43-09

APPOINTMENT BOARD OF ASSESSMENT REVIEW

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

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

Whereas, an open position exists on the Assessment Board of Review in the Town of Jerusalem; and

Whereas, the position was advertised, and the selection committee, comprised of two Town Board members, one Assessment Board of Review member and one Town staff person interviewed the applicants; now, therefore be it

Resolved, that a consensus of the selection committee recommends that Mary St. George of 122A West Lake Road, Penn Yan be appointed to that position, term running until 9/30/2013; and, be it further

Resolved, that the Town Clerk formally notify Ms. St. George of her appointment and send a letter thanking all candidates for interest in the position.

RESOLUTION #44-09

APPROVE BARRINGTON INTERMUNICIPAL AGREEMENT

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

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

Resolved that the Supervisor be authorized to execute the Inter-municipal Cooperation Agreement with the Town of Barrington to cover the usage of the tractor and boom mower that was purchased jointly in 2005 with funds furnished by the State Shared Services Program.

DISCUSSION - KEUKA LAKE WATERSHED LAND USE PLANNING GUIDE

The Keuka Lake Watershed Land Use Planning Guide was established by the inter-municipal work and commitment of the six towns and two villages surrounding Keuka Lake, through their participation in the Keuka Lake Land Use Leadership Alliance Training Program (LULA). This program was offered through the Land Use Law Center at Pace University with the assistance of the Genesee Finger Lakes Regional Planning Council, Cornell Cooperative Extension, and the CaRDI and through the benefit of the State of New York and Keuka Lake Association. The representatives of the Keuka Lake LULA participants and town representatives have issued a call for inter-municipal cooperation.

Jim Crevelling submitted comments to support the Keuka Lake Watershed Land Use Planning Guide, noting its value as it addresses the problems of maintaining the rural flavor and natural beauty of this region.

RESOLUTION #45-09

KEUKA LAKE WATERSHED LAND USE PLANNING GUIDE

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

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

Whereas, we are in agreement with the spirit and goals of this project, and acknowledge the importance, value and integrity of Keuka Lake and its watershed area and our reliance on its natural resources; and

Whereas, we recognize and accept our responsibility to care for, preserve and protect the resources of the Keuka Lake watershed and surrounding area for the use and enjoyment of present and future generations; and

Whereas, we realize that inaction and lack of proper stewardship can damage and diminish the value of Keuka Lake watershed resources; and

Whereas, comprehensive planning, land use regulation and the review and approval of land development proposals are among the most important functions of local governments in the state of New York; and

Whereas, members of local administrative boards such as the Planning Board, Zoning Board of Appeals and Agricultural Advisory Boards consider and dispose of many important applications for permits, variances and interpretations of local land use regulations; and

Whereas, local legislative bodies are authorized to use their delegated authority under state law to adopt a wide variety of land use regulations, controls and incentives to provide for the balanced harmonious development of the community; and

Whereas, knowledge of the authority of local governments regarding land use control and responsible decision-making regarding these matters is important to the quality of life and future success of the communities; and

Whereas, we wish to associate and coordinate our activities in such a way as to have a beneficial effect, and

Whereas, we recognize the need for and the long term benefit of a continual review, update and sharing of individual concerns and issues, successes and failures, models and experiences, as we face the future together.

Now, therefore be it resolved that the legislative body of the Town of Jerusalem

THAT it endorses and supports the continuation and/or expansion of the Keuka Lake Local Law Assessment and Analysis, the Keuka Lake Land Use Guide, and the continuation of annual community forums, to share and review concerns and changes relevant to the land use within the Keuka Lake Watershed and surrounding area.

And further resolved that the Jerusalem Town Clerk forward a certified copy of this resolution to Peter Landre, Executive Director of Cornell Cooperative Extension and Keuka Watershed Improvement Cooperative (KWIC).

RESOLUTION #46-09

YATES COUNTY ANIMAL CONTROL AGREEMENT

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

NYS AND LOCAL RETIREMENT SYSTEM REPORTING REQUIREMENT - STANDARD WORKWEEK RESOLUTION

Town Attorney Bailey is preparing the necessary resolution to fulfill new reporting requirements that establish a standard work day for each elected or appointed official for the purpose of determining service credit in the New York State and Local Retirement System.

PUBLIC COMMENT:

- Fees being charged for vehicles entering the Milo Transfer Station were discussed at length. Yates County contracts with Casella Waste Services for these services.
- Bob Evans questioned the process at the January 21, 2009 Town Board meeting whereby according to the minutes; action was taken following the Executive Session held. The process followed is dictated by Town Law.

RESOLUTION #47-09

MOVE TO EXECUTIVE 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 that this meeting be interrupted to go into Executive Session to discuss the employment of a particular person at 8:31 P.M.

The following was provided by Supervisor Jones:

RESOLUTION #48-09

RETURN TO REGULAR 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 that the Board return to regular session at 10:02 P.M.

Jerusalem Town Board
February 18, 2009

With there being no further business, on a motion of Supervisor Jones, seconded by Councilperson Hopkins, the meeting was adjourned at 10:03 P.M.

Sheila McMichael, Town Clerk