

Minutes of the regular monthly meeting of the Jerusalem Town Board held on June 17, 2009 at 7:00 P.M. PRESENT were: Supervisor Jones, Councilpersons Folts, Simmons, Stewart, Highway Superintendent Payne, Town Engineer Ackart, Town Clerk McMichael.

Excused: Councilperson Hopkins

GUESTS: Bill Pringle, Eleanor Williams, Bob Johnson, Alice Hunt, Jim Barden, Susan Close, Taylor Fitch, Bob Evans.

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

RESOLUTION #100-09

APPROVAL OF MINUTES

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

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

Resolved that the minutes of the May 20, 2009 meeting be approved as read.

RESOLUTION #101-09

AUDIT OF CLAIMS

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

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

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

General:	\$ 11,583.70
Highway DA:	\$ 1,616.15
Highway DB:	\$ 45,935.04
Sewer:	\$ 4,110.96
Water:	\$ 2,902.89
Trust:	\$ 11,499.01
May utilities: General:	\$ 688.45
Sewer:	\$ 163.79
Water:	\$ 799.97

RESOLUTION #102-09

SUPERVISOR REPORT

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

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

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

RESOLUTION #103-09

PUBLIC HEARING - PROPOSED SEWER DISTRICT #3 EXTENSION

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

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

Resolved the public hearing on the proposed Sewer District #3 Extension be opened at 7:03 P.M.

It was clarified the sewer line was constructed by Keuka College in Assembly Avenue.

There were no further comments.

RESOLUTION #104-09

PUBLIC HEARING - PROPOSED LOCAL LAW C-2009 - OFF-SEASON BOAT STORAGE AMENDMENT

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

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

Resolved the public hearing on proposed Local Law C-2009 zoning amendment clarifying off-season boat storage be opened at 7:07 P.M.

Supervisor Jones stated the current zoning code is susceptible to differing interpretations and has been proposed to read, "There shall be no more than one building devoted to off-season boat storage on any one lot." The recommended change came forward following an application to the Zoning Board.

There were no further comments.

YATES COUNTY DISTRICT ATTORNEY CANDIDATE

Jason Cook, Yates County Assistant District Attorney, was granted the privilege of the floor to introduce himself as a candidate for the Yates County District Attorney position.

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 there was minimal damage

following the recent rains.

The Highway Department continues to oil and stone on the bluff and expects to be on Skyline Drive next week.

Bids for the new loader were opened yesterday and being reviewed for presentation to the Town Board.

#### TOWN ENGINEER

The Wholesale Water Partners (Jerusalem, Milo, Benton, Pulteney and Dresden) attended the June 11, 2009 Village of Penn Yan Municipal Utilities Board meeting.

The 2010 budget calendar has been established for the Water & Sewer Department. The next KPSW Committee meeting will be changed to July 7 to stay within the budget timeline.

The Village of Penn Yan has reconciled the 2008-2009 budget and will submit their written findings by July 1. The Wholesale Water Partners will be invited to the exit conference in mid-August.

The Town Board has a resolution on the books that allows us to automatically pass on any rate increase from the Village of Penn Yan to our water and sewer customers. However, after an extensive review, no water or sewer increase will be passed on to Jerusalem customers at this time. Rates will be reviewed again as part of the budget process later this year.

A meeting was held May 19 to discuss necessary improvements to the Water Treatment Plant and the associated costs. Jerusalem is obligated to pay a portion of these costs by contract. Town Attorney Bailey is researching how the Town will finance our share.

#### COUNCIL

Following discussion, the R-2 zoning amendment proposed by the Planning Board was sent back to the Planning Board for further clarification.

Zoning Board member Jim Crevelling will sit on the Zoning Review Subcommittee, following Ron Rubin's resignation.

Councilperson Simmons has been addressing the NYS Department of Health's requirement to have properly trained personnel at our Summer Recreation Program as we are more than five minutes from a hospital. The Program will be held at the Keuka Lake State Park from July 13 - August 13. The Town of Italy contributed their allocated recreation funds from Yates County to Jerusalem as they do not have a program.

#### RESOLUTION #105-09

##### PROPERTY TRANSFER SEPTIC INSPECTION FEE PROCESS

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

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

Whereas the current policy of collecting the \$50 fee for real estate property transfer inspections after the inspection has been performed has resulted in the loss of revenue to the Town in the amount of approximately \$300-400/annually; now, therefore, be it

Resolved that the procedure for real estate property transfer septic inspections be changed to collect fees prior to the inspection being done.

RESOLUTION #106-09

APOINT SUMMER RECREATION PROGRAM DIRECTOR

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

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

Resolved that Bev Eggleston be appointed Summer Recreation Program Director at an annual salary of \$3,673 as included in the 2009 budget.

SUPERVISOR

Supervisor Jones will follow-up on the free health screening available to all Town personnel made available through a grant awarded to Yates and Ontario Counties.

Supervisor Jones read a letter from Eleanor Williams, 149 West Lake Road, requesting the placement of "No Parking" signs to address vehicles that park in front of her residence. The matter was discussed at length with Mrs. Williams. Supervisor Jones will contact the Department of Transportation on the matter.

Supervisor Jones copied the Town Board members with a letter he received from Mr. & Mrs. Hopper regarding the abandonment of Mill Street.

SUBCOMMITTEE REPORTS

SUBDIVISION

Subcommittee Chair Tom Close stated draft subdivision regulations have been presented to the Planning Board and are available on the Town website ( HYPERLINK "<http://www.jerusalem-ny.org>" [www.jerusalem-ny.org](http://www.jerusalem-ny.org)), at the Town Hall and Branchport Library.

WIND FARM

Draft wind farm regulations have been presented to the Planning Board.

RESOLUTION #107-09

STREET/ROAD NUMBERS

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

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

RESOLUTION SPECIFYING THE NUMBERING SYSTEM TO BE USED THROUGHOUT THE TOWN OF JERUSALEM

WHEREAS, in 2007 the town board created a committee to look into the aspects of reported addressing problems along the Route 54A corridor, and

WHEREAS, it had been brought to the attention of this Board that the departments of Jerusalem Town Hall and, many businesses, residents and travelers are experiencing difficulties with regards to both location of property and mailing difficulties as caused by the addressing system being currently used in the Town of Jerusalem, and

WHEREAS, the Town of Jerusalem is in the process of updating and revising the addressing system in a step-by-step manner, and

WHEREAS, a great need exists to establish a comprehensive numbering system for the Town, and

WHEREAS, the requirements and needs placed on the numbering system are different along roads near the lake than along roads not near the lake, and

WHEREAS, the two grids being proposed complement each other well, and

WHEREAS, the new grid being introduced has many of the familiar and easy-to-understand characteristics of the old lake number system used for nearly a century, and

WHEREAS, confusion resulting from several causes, including but not restricted to, duplicate house numbering, multiple numbers used that require the addition of alpha lettering to differentiate locations, and house numbering out of sequence along the same road has plagued its addressing system for decades, now therefore be it,

RESOLVED, that the Town of Jerusalem does hereby,

Schedule a Public Hearing on the Proposed Road Names,  
Consider for Adoption,

The Town of Jerusalem does hereby officially adopt the following

numbering system:

The property numbering system to be used throughout the Town of Jerusalem shall consist of two complementary grids: the 4-digit fire code grid shall be used along non-lake roads and the "1000-numbers per mile" grid shall be used along the lake roads.

Definitions:

Lake Roads includes those roads running "parallel to" and along the shore of Keuka Lake, and the roads that are located between those roads and the lakeshore.

The 1000-numbers per mile grid assigns the street number to a property based on the distance along the centerline of the road between the property and the starting point for the grid.

FOR CLARIFICATION:

Lake Roads – road running parallel to and along the lake shore

<u>Road Name</u>	<u>Section</u>	<u>NY/Y/J/Priv</u>	<u>Lake/Non</u>
East Bluff Dr	Bluff	Town Rd	Lake
Esperanza Dr	Bluff	Private	Lake
West Bluff Dr	Bluff	Town Rd	Lake
Branchport West Lake	Bpt	NYS 54A	Lake
Crescent Beach Rd	Bpt	Town Rd	Lake
Central Ave	KP	Co Rd 25	Lake
West Lake Rd	PY	Co Rd 21	Lake

Lake Roads – roads between Lake Roads listed above and the lakeshore

<u>Road Name</u>	<u>Section</u>	<u>NY/Y/J/Priv</u>	<u>Lake/Non</u>
East Bluff Dr Ext	Bluff	Town Rd	Lake
Acorn Rd	Bpt	Private	Lake
Aumick Rd	Bpt	Private	Lake
Beechnut Rd	Bpt	Private	Lake
Mill St	Bpt	Town Rd	Lake
Lake Ave	KP	Town Rd	Lake
Oak Rd	KP	Town Rd	Lake
Cook's Rd	PY	Town Rd	Lake
Sylvan Rd	PY	Town Rd	Lake

Non-Lake Roads

<u>Road Name</u>	<u>Section</u>	<u>NY/Y/J/Priv</u>	<u>Lake/Non</u>
Penn Yan - Branchport Rd		Bluff	NYS 54A Non-Lake

RESOLUTION #108-09

GUIDELINES FOR ASSIGNING NUMBERS

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

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

LOCAL LAW ESTABLISHING SECTION IN THE JERUSALEM TOWN CODE  
ENTITLED - ASSIGNING NUMBERS - GUIDELINES FOR

WHEREAS, in 2007 the town board created a committee to look into the aspects of reported addressing problems along the Route 54A corridor, and

WHEREAS, it had been brought to the attention of this Board that the departments of Jerusalem Town Hall and, many businesses, residents and travelers are experiencing difficulties with regards to both location of property and mailing difficulties as caused by the addressing system being currently used in the Town of Jerusalem, and

WHEREAS, a great need exists for specific guidelines for assigning address numbers, and

WHEREAS, the same procedures should be used by all who assign address numbers to addressable properties, both now and in the future, and

WHEREAS, confusion resulting from several causes, including but not restricted to, duplicate house numbering, multiple numbers used that require the addition of alpha lettering to differentiate locations, and house numbering out of sequence along the same road has plagued its addressing system for decades, and

WHEREAS, there are no guidelines currently in effect for assigning address numbers in the Town of Jerusalem, therefore be it,

RESOLVED, that the Town of Jerusalem does hereby,

Schedule a Public Hearing on the Proposed Road Names,  
Consider for Adoption,

The Town of Jerusalem does hereby officially adopt the following Guidelines for Assigning Numbers.

ASSIGNING NUMBERS - GUIDELINES FOR

These guidelines are for addressing or re-addressing existing buildings, and for numbering new and existing buildings along both planned and existing roads, whether on public or private roads.

**General Guidelines**

1. The road name used in the street part of an address shall typically be that of the road the driveway entering the property intersects.
2. Street numbers shall be assigned uniformly, that is, in an equally spaced manner, along a road.
3. Street numbers shall be assigned in a manner so that each house/primary building/building entrance on the same street has a unique number, and each number is assigned to exactly one property.
4. The street numbers assigned shall be composed entirely of Arabic numerals; fractions and alpha characters cannot be used.
5. Odd numbers will be used on the left side of the road and even numbers on the right side, when facing in direction of increasing numbers.
6. Numbers shall increase as the road goes primarily to the west or to the south.
7. Numbers shall be assigned so that properties opposite each other along the same road have consecutive numbers.
8. Numbers shall be assigned so that they will be in sequence when posted along the road.
9. Numbers shall be assigned in a manner that will minimize any foreseeable need for renumbering due to future changes or developments.
10. The marker (point) used to determine the assigned number shall typically be located at the intersection of the centerline of the road and the centerline of the driveway.
11. The relative locations of the house/primary building, the driveway, and the building-entrance(s) may be used as a secondary factor in determining the location of the marker.
12. The location of adjacent areas that may in the future be developed or sold separately may also serve as secondary considerations in determining the location of the marker.
13. Guidelines 11 and 12 shall be used in conjunction with guideline 10 by exercising judgment to best accomplish the goal expressed in guideline 9.

**Guidelines for selecting the grid used for numbering a road**

1. The lake roads (roads running "parallel to" and along the shore of Keuka Lake), public or private, will be numbered using the 1000-number per mile lake road numbering system.
2. A road, public or private, located between a lake road and the shore of Keuka Lake:
  - a. Will be considered a lake road.
  - b. Will be numbered using the 1000-number per mile numbering system.
  - c. When parallel to the lake road, may be assigned numbers according to the corresponding position along the lake



- road.
- d. When perpendicular to the lake road, will be assigned numbers starting at the intersection with the lake road and continuing from the lake road number at the center of the intersection.
- 3. The non-lake roads, public or private, will be numbered using the 4-digit fire code grid system.
  - a. A non-lake east-west road or predominately east-west road will use the east-west fire code grid.
  - b. A non-lake north-south road or predominately north-south road will use the north-south fire code grid.
  - c. Side roads, public or private, that intersects a fire code grid-numbered road once shall be assigned numbers according to the other fire code grid.
  - d. Side roads, public or private, that intersect a fire code grid-numbered road twice (forming a loop) may be assigned numbers according to either fire code grid.
    - i. If there is no foreseeable possibility of additional roads branching off the loop road in the future, the numbers may be assigned a range of numbers from the fire code grid based on the locations of the loop's two intersections with its intersecting road.
    - ii. If there is any foreseeable possibility of additional roads branching off the loop road in the future, the numbers shall be assigned starting at the smaller fire code numbered intersection and use the other grid.

**Calculation Procedure to determine the assigned number using the lake numbering system**

1. Determine the distance (measured along the center line of the road) between the point identifying the location (center of driveway entrance to the property, center of building, or building entrance) and the end of the road (or starting point). Divide this distance by 5.28. Then, round to the nearest odd or even number depending on side of road.

Example: Distance between middle of driveway and end of road is 6953 feet (6953 ft = 1.31685 miles)  
 Divide; 6953 / 5.28 = 1316.85  
 The assigned number will be 1317 if on odd side of road,  
 1316 if even side.

**Calculation Procedure to determine the assigned number using the fire code grid**

1. Determine the range of numbers to be used along a section of road.
  - a. The range of numbers to be assigned to a non-lake road is

the fire-code grid coordinates for the centers of the intersections at the end points of that section of road. The range is the difference.

For example: North or east end is 1350 and, south or west end is 1444; range = 1444 - 1350 = 94

- b. In the case of a loop road, if the initial range doesn't provide sufficient numbers to meet the potential need, numbers may be added to the larger-numbered end of the range to expand the range. Numbers shall be assigned starting at the intersection corresponding to the smaller fire code number forming the range.

2. Determine the distance between consecutive numbers along this road (it will be different for each road).

- a. Determine the length of the road segment from center of intersection to center of intersection along the road's centerline in feet. {Do not use the E-W or N-S grid distance.}

Example, continued: 2,150 ft, which is approx. 0.407 miles along the section of road

- b. Determine the distance per number along this road by dividing the length of road by the range of the numbers.

Example, continued: Divide, 2,150 ft / 94 = 22.87 feet per number

Note 1: The distances along the road are measured along the centerline of the road.

Note 2: If the road runs in a true north-south or east-west direction and is straight, the distance per number will be 17.6, otherwise it will be some number larger than 17.6.

Note 3: The distance per odd number along the odd side of the road is double the calculated number resulting in 2(b). The same is true for the even side of the road. That is, on each side of the road there is a number every 35.2 feet for a road parallel to a grid line, or every 45.74 feet for the example.

3. Determine the distance, measured in feet, between the marker identifying the property location (center of driveway entrance to the property, center of building, or building entrance) and the center of the intersection at the north or east end of the road section. Divide this distance by the number found in 2(b). Add the quotient to the smaller grid number bounding the range for this road. Finally, round to the nearest odd or even number depending on side of road.

Example, continued:

marker Distance along the middle of road between the property

and end of road is 953 feet.

1391.67 Divide;  $953 / 22.87 = 41.67$ ; Now, add  $1350 + 41.67 =$

1392 if The assigned number will be 1391 if on odd side of road,

even side.

Note 4: The division in step 3 is completed using the distance per number found in step 2(b); NOT the

double of that number. Rounding to the nearest odd or even number in the last step correctly adjusts for both the odd and even numbers.

RESOLUTION #109-09

ADDRESSING SUBCOMMITTEE RESOLUTION #1 - ROAD NAMES

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

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

Resolved that proposed Resolution #1 Road Names, naming sections of NY54A in Jerusalem be referred back to the Addressing Subcommittee for further review as there was no consensus on the matter.

ZAP OPERATIONS

No report at this time.

RESOLUTION #110-09

CLOSE PUBLIC HEARING - PROPOSED KEUKA PARK SEWER DISTRICT EXT. #3

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

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

Resolved that the Public Hearing be closed at 8:43 P.M. and that the Board return to the regular session.

RESOLUTION #111-09

CLOSE PUBLIC HEARING - PROPOSED LOCAL LAW - OFF-SEASON BOAT STORAGE

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

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

Resolved that the Public Hearing be closed at 8:44 P.M. and the Board return to the regular session.

RESOLUTION #112-09

STATE ENVIRONMENTAL QUALITY REVIEW (SEQR) - PROPOSED KEUKA PARK SEWER DISTRICT EXTENSION #3

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

ADOPTED	Ayes	4	Folts, Hopkins, Jones, Stewart
	Nays	0	
	Abstain	1	Simmons (as property owner in

district)

WHEREAS, the Town caused a Map and Plan to be prepared for said Extension to the Keuka Park Sewer District; and

WHEREAS, the Town has been petitioned by landowners and residents situate within the boundaries of said proposed Extension #3 to the Keuka Park Sewer District, and the Town Attorney has reviewed said Petition and found it to be in order; and

WHEREAS , the Town has held a Public Hearing on June 17, 2009 in the matter of the establishment of Extension #3 to the Keuka Park Sewer District; and

WHEREAS, the Town is obligated to fulfill the requirements of the New York Sate Environmental Quality Review Act, comprising Article 8 of the Environmental Conservation Law regarding the proposed establishment of Extension #3 to the Keuka Park Sewer District; now, therefore, be it

RESOLVED the Town makes the following determinations:

That the Jerusalem Town Board wishes to assume Lead Agency Status in connection with the SEQR review of the proposed action,

That the proposed action is an unlisted action,

That the upon review of the Short Form Environmental Assessment Form prepared for such action, the Board determines that the proposed action will not result in any significant environmental impacts;

and, be it further

RESOLVED the Supervisor is hereby authorized to sign a Negative Declaration of Impact and file same with the Jerusalem Town Clerk .

RESOLUTION #113-09

APPROVE THE ESTABLISHMENT OF EXTENSION NO. 3 OF THE KEUKA PARK SEWER DISTRICT

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

ADOPTED	Ayes	4	Folts, Hopkins, Jones, Stewart
	Nays	0	
	Abstain	1	Simmons (as property owner in

district)

WHEREAS, a Petition, together with the necessary map and plan, for the Extension of the Keuka Park Sewer District (the "District") in the Town of Jerusalem, New York (the "Town"),

dated November 3, 2009, has been presented to the Town Board by Edward Castillo, Neil Simmons, Marshal Larrabee, III, Richard Byron, Kirstan E. Seago, Ella Wheeler, Matthew P. Piczak, Timothy McMichael, Lynne E. Barry, Lavern Stiles, Kathleen Stiles, Denise Simshauser and Keuka College; and

WHEREAS, the petition was signed by the owners of taxable real property situate in the District, owning in the aggregate at least one-half of the assessed valuation of all the taxable real property of the District, as shown upon the latest completed assessment roll of the Town; and

WHEREAS, the petition was signed by the owners of taxable real property situate in the District, owning in the aggregate at least one-half of the assessed valuation of all the taxable residential real property of the District, as shown upon the latest completed assessment roll of the Town; and

WHEREAS, an Order was duly adopted by the Town Board on May 20, 2009, reciting the filing of said Petition, the boundaries of the proposed extension, the improvements proposed and the cost thereof, and specifying June 17, 2009, at 7:00 p.m. in the Jerusalem Town Hall, 3816 Italy Hill Road, Branchport, New York, as the date, time and place where the said Board would hold a public hearing to consider the Petition and to hear all persons interested in the subject matter thereof concerning the same; and

WHEREAS, such Order was duly posted and published as required by law; and

WHEREAS, a public hearing on the matter was duly held by the Town Board on June 17, 2009, where discussion of the matter was had, and all persons interested were given the opportunity to be heard; and

WHEREAS, the Town Board and the Town have complied in every respect with all applicable federal, state and local laws and regulations regarding environmental matters, including compliance with the New York State Environmental Quality Review Act, comprising Article 8 of the Environmental Conservation Law and, in connection therewith, a Negative Declaration has been ordered to be filed in the office of the Town Clerk; and

WHEREAS, pursuant to [HYPERLINK "http://www.westlaw.com/Find/Default.wl?rs=dfal.0&vr=2.0&DB=1000146&DocName=NYTWS194&FindType=L"](http://www.westlaw.com/Find/Default.wl?rs=dfal.0&vr=2.0&DB=1000146&DocName=NYTWS194&FindType=L) Town Law § 194(6), the approval of the State Comptroller is not required since the entire burden of the financing of the

proposed extension is to be borne by Keuka College, one of the Petitioners, and there is to be no financing to be borne by the Town, the District, or any prior extensions thereof; now, therefore, be it

RESOLVED AND DETERMINED, that: (a) the Petition is signed and acknowledged or proved as required by law and is otherwise sufficient; (b) all property and property owners within the limits of the proposed extension are benefited thereby; (c) all property owners benefited thereby are included within the limits of the proposed extension; and (d) it is in the public interest to grant in whole the relief sought; and it is further

RESOLVED, that the extension of the District in the Town, as proposed in the Petition, be and the same is hereby approved, and that the said sewer district extension include the property bounded and described as set forth in "Schedule A" annexed hereto and made a part hereof; and it is further

RESOLVED, that the total cost of the improvements to be constructed within the boundaries of the said sewer district extension shall be borne by Keuka College, one of the Petitioners at no cost to the Town, the District or any prior extensions thereof; and it is further

RESOLVED, that the plan of financing to finance said cost includes the assessment, levy and collection of special assessments from the several lots and parcels of land within the District which the Town Board shall determine and specify to be especially benefited thereby, so much upon and from each as shall be in just proportion to the amount of benefit conferred upon the same.

RESOLVED, that this resolution and the establishment of the said Extension Number 3 of the Keuka Park Sewer District shall not be effective until but shall become effective when, as, and if title to the improvements constituting the sewer main and appurtenances has been transferred to the Town of Jerusalem; and be it further

RESOLVED, that the Town Clerk shall, within ten (10) days after adoption of this Resolution, file certified copies thereof in duplicate in the Office of the State Department of Audit and Control at Albany, New York, and record a certified copy in the Office of the Clerk of the County of Yates.

#### JANITORIAL SERVICES

A proposal from Connect-A-Service for cleaning services at the Town Hall and the Highway Barn was discussed. Because the cost

was higher than what was budgeted and the lack of cleaning services since April 26, it was agreed to contract with Connect-A-Service for four weeks while we seek alternative services.

KWIC WASTEWATER ENFORCEMENT PROGRAM

Supervisor Jones did not receive any comments from the Board regarding the proposed KWIC Wastewater Enforcement Program.

KWIC FEE SCHEDULE

The Board reviewed the proposed KWIC Fee Schedule. It was felt the late filing fees were too high. Supervisor Jones was asked to take the recommended changes back to KWIC.

RESOLUTION #114-09

KWIC - DSD WEB WORKS WASTEWATER MANAGEMENT SYSTEM PROPOSAL

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

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

Resolved the Board authorize \$1,500 to purchase the KWIC wastewater management system as proposed by DSD Web Works. Keuka Lake Association will underwrite one half of the \$24,000 cost with the balance to be divided equally among the eight KWIC members.

RESOLUTION #115-09

RESOLUTION AUTHORIZING ADOPTION BY THE TOWN BOARD OF THE TOWN OF JERUSALEM OF LOCAL LAW NO. C OF 2009 (PROPOSED) CLARIFYING OFF-SEASON BOAT STORAGE

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

ADOPTED BY ROLL CALL VOTE:

Supervisor Jones	Aye
Councilperson Simmons	Aye
Councilperson Folts	Aye
Councilperson Stewart	Aye

WHEREAS, a resolution was duly adopted by the Town Board of the Town of Jerusalem for a public hearing to be held by said Town Board on June 17, 2009, at 7:00 P.M. at the Town Hall at 3816 Italy Hill Road, Branchport, New York, to hear all interested parties on a proposed Local Law entitled "A Local Law amending the zoning ordinance of the Town of Jerusalem to clarify off-season boat storage"; and

WHEREAS, notice of said public hearing was duly advertised in The Chronicle Express, the official newspaper of said Town, on June 3 and June 10, 2009; and

WHEREAS, said public hearing was duly held on June 17, 2009, at 7:07 P.M. at the Town Hall at 3816 Italy Hill Road, Branchport, New York, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said Proposed Local Law, or any part thereof; and

WHEREAS, pursuant to part 617 of the implementing regulations pertaining to article 8 State Environmental Quality Review Act (SEQRA) it has been determined by the Town Board of said Town that adoption of said proposed Local Law would not have a significant effect upon the environment and could be processed by other applicable governmental agencies without further regard to SEQRA; and

WHEREAS, the Yates County Planning Board recommended approval of the proposed Local Law on May 28, 2009, pursuant to section 239-m of the General Municipal Law; and

WHEREAS, the Town Board of the Town of the Town of Jerusalem, after due deliberation, finds it in the best interest of said Town to adopt said Local Law.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Jerusalem hereby adopts said Local Law No. 3 of 2009 entitled "A Local Law clarifying off-season boat storage", a copy of which is attached hereto and made a part of this resolution as follows:

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF JERUSALEM

Section 1: The Town Board finds that the language of § 160-27A of the Zoning Ordinance of the Town of Jerusalem is susceptible to differing interpretations and ought to be re-worded so as to make its meaning more clear.

Section 2: Paragraph A of § 160-27 of Chapter 160 of the Code the Town of Jerusalem is hereby deleted and a new Paragraph A is inserted to read as follows:

A. There shall be no more than one building devoted to off-season boat storage on any one lot.

;and be it further

RESOLVED, that the Town Clerk be and she hereby is directed to enter said Local Law in the minutes of this meeting and in the Local Law Book of the Town of the Town of Jerusalem, and to give due notice of the adoption of said Local Law to the Secretary of State of New York.



RESOLUTION #116-09

MOVE TO EXECUTIVE SESSION

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

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

Resolved that this meeting be interrupted to go into Executive Session to discuss real estate negotiations at 9:14 P.M.

The following information was provided by Supervisor Jones:

RESOLUTION 117-09

RETURN TO REGULAR SESSION

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

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

Resolved that the Board return to regular session at 9:45P.M.

RESOLUTION # 118-09

AUTHORIZATION TO CONTACT ATTORNEY

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

ADOPTED	Ayes	4	Foltz, Jones, Simmons, Stewart
	Nays	0	

Resolved that Councilperson Simmons and Assessor Comstock be authorized to contact the Town Attorney regarding the deed to the Town gravel pit as well as the adjacent lands owned by Syracuse.

With there being no further business, on a motion of Councilperson seconded by Supervisor Jones, the meeting was adjourned at 9:49P.M.

Sheila McMichael, Town Clerk

Jerusalem Town Board  
June 17, 2009

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