

Minutes of the regular monthly meeting of the Jerusalem Town Board held on November 17, 2010 at 7:00 P.M. PRESENT were: Supervisor Jones, Councilpersons Folts, Parson, Simmons, Stewart, Town Engineer Ackart, Highway Superintendent Payne, Town Clerk McMichael.

GUESTS: Phil Hanna, Larry Muscarella, Taylor Fitch, Peter Gamba, Earle Gleason, Bill Pringle, Michael Steppe, Joe Hoff, Stacey Grabski, John Grabski, Doug Paddock and several other unidentified guests.

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

RESOLUTION #168-10
APPROVAL OF MINUTES

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

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

Resolved that the minutes of the October 20, 2010 meeting be approved as read.

RESOLUTION #169-10
AUDIT OF CLAIMS

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

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

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

General:	\$10,670.13
Highway DA:	\$ 6,761.79
Highway DB:	\$15,307.73
Sewer:	\$ 4,655.54
Water:	\$44,691.30
Branchport Light:	\$ 317.59
Trust:	\$ 9,957.37
September utilities:General:	\$ 2,323.21
Sewer:	\$33,722.16
Water:	\$37,031.95
Trust:	\$48,410.28

RESOLUTION #170-10
SUPERVISOR REPORT

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

ADOPTED Ayes 5 Folts, Jones, Parson, Simmons, Stewart

Nays 0

Resolved that the Supervisor's Report on the Town's finances for the month of October 2010 be accepted as presented.

COLD WAR VETERAN'S EXEMPTION - PHILIP HANNAH, SR.

Philip Hannah requested the Town Board take necessary action to extend exemptions on property taxes afforded to veterans of war time to include cold war veterans as was discussed by the Town Board at the December 17, 2008 meeting. The Town is not able to quantify the cost of this benefit with the current information available to us. It was noted that any action by this Board would only apply to the Town's portion of the property tax bill. Each taxing municipality has to opt to extend the benefit.

Mr. Hannah has been working with Yates County Veterans' Service Agency Director Earle Gleason, Town Assessor Comstock and Supervisor Jones on this matter. Mr. Gleason stated the current veteran's exemption is afforded to any veteran serving during the following:

WWII	Dec. 7, 1941--- Dec 31, 1946
Korea	June 27, 1950--- Jan 31, 1955
Viet Nam	Feb. 28, 1961--- May 7, 1975
Gulf War	Aug. 2, 1990 --- to present

All other veterans who served during the following times would be eligible for the cold war exemption should the Town so desire:

after WWII	Jan. 1, 1947 to June 26, 1950
	Feb. 1 1955 to Feb. 27, 1961
	May 8, 1961 to Aug. 1, 1990

A press release will be done by Supervisor Jones asking veterans contact Town Clerk McMichael and the Veterans' Service Agency with their name and phone number so we can determine the financial impact of extending the exemption.

KEUKA CITIZENS AGAINST HYDROFRACKING - JOE HOFF

Joe Hoff, Keuka Citizens Against Hydrofracking (KCAH) Chairperson spoke to the "Lehman Community Water Rights and Local Self-Government Ordinance" he shared with the Town for their study and consideration. KCAH was impressed with the statement of inalienable rights and the strong pro-active position taken in this ordinance, particularly with regard to:

1. Right to a healthy environment
2. Right to water
3. Rights of natural communities (ecosystems, water systems and

the like)

4. The sovereignty of local governments and the subordination of corporation interests to the rights of Lehman Township residents.

KCAH supports such an ordinance in Jerusalem and offered to assist the Town Board in drafting one.

KCAH works closely with the Yates County Marcellus Task Force and future communications to the Town Board will be as one group.

Concerns of property owners with gas leases were discussed briefly. Peter Gamba, **Town of Jerusalem Member of the Yates County Marcellus Shale Task Force** offered to communicate and help local residents get out of these leases.

REPORT OF TOWN OFFICIALS
HIGHWAY

- November 201 Highway Budget report on file in the Office of the Town Clerk.

TOWN ENGINEER

November 9, 2010 KPSW Committee Meeting minutes/notes on file.

RESOLUTION #171-10

AUTHORIZE ATTORNEY FOR BRANCHPORT TOWNHOUSE SEWAGE WORKS CORPORATION

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

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

Resolved that Town Attorney Phil Bailey be authorized to use Attorney Spitzer of Hodgson Russ for legal assistance in relation to the Sewage Works Corporation for the Branchport townhouses as unanimously agreed upon by the KPSW Committee at their November 9, 2010 KPSW Committee meeting.

COUNCIL

- The first meeting of the Jerusalem Sewage Disposal Subcommittee established to review the 1995 sewer contract with the Village of Penn Yan will be held November 19.
- Councilpersons Simmons and Folts attended the Yates County Government Operations Committee meeting to discuss the County Worker's Compensation program started in 1956. The current method for allocation of funding and creating alternative approaches will be further discussed by the Committee.

RESOLUTION #172-10

TIME CLOCK

Councilperson Simmons presented the following:

TIME CLOCK

Half of our employees have done this for years why not all the employees, well the time has come to either have everyone on a time clock or explain why not. One employee in the office asked for a time clock.

We just demonstrated our respect and appreciation for all our employees with a 3.2 % pay increase and paying more into the benefit fund. All of this at a time when many taxpayers, like people on social security, are getting a 0 % increase.

Reasons for a time clock:

1. Treat all our employees equally
2. We could track people's hours, as we look at the future and ways to restructure jobs.
3. We could ask for special time recording like Elaine punching in and out for one month to record daily how many hours on code enforcement and how many on assessor work

We are going to pay for every hour worked and I wonder if the ones really opposed don't want to be paid for that.

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

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

Resolved, that we buy a time clock and have it installed before January 1st here in the town office.

Resolved, that all nonelected employees will punch in and out dailey for their paycheck.

Note: Supervisor Jones stated he was opposed because he was not aware of this resolution coming before the Board prior to the meeting.

COUNCIL (continued)

- Councilperson Parson stated the Zoning Board is looking to change zoning regulations.
- Planning Board member Art Carcone is Chair of the Sign

Subcommittee.

SUPERVISOR

Supervisor Jones stated the Public Hearing on proposed local law, Reimbursement of Administrative Fees will be held January 19, 2011.

SUBCOMMITTEE

ZONING/54A SUBCOMMITTEE

The Zoning/54A Subcommittee presented their suggestions for businesses on the Route 54A corridor from Indian Pines to Branchport to the Planning Board. A public survey is being developed to solicit input from Jerusalem residents. A public information meeting on the proposed ideas will be scheduled.

The Subcommittee suggestions have not been copied to all Town Board members.

YATES COUNTY MARCELLUS SHALE TASK FORCE

No report as the Task Force meeting was postponed this month.

ROAD PRESERVATION & REPAIR AGREEMENT

Adoption of the Road Preservation & Repair Agreement was defeated at the October Town Board meeting.

The Town of Italy is making minor modifications and anticipates its adoption. This leaves Starkey and Jerusalem as the only municipalities in the County that have not adopted the Agreement.

Following last month's discussion, Legislator Paddock stated that he has been assured that the Agreement has no effect on activities related to normal construction and/or agriculture. It is intended to address high road use by large industrial contractors. Concerns with wording defining "High Frequency, High Impact Traffic" and its impact on the Finger Lakes Museum project were noted. Peter Gamba, **Town of Jerusalem Member of the Yates County Marcellus Shale Task Force** was asked to take these concerns back to the Task Force.

WIND FARM SUBCOMMITTEE

As discussed last month, John Grabski provided the Town Board with Property Value Bond Protection language to be incorporated into the proposed wind farm regulations to mitigate risk and protect our town and our citizens.

Bill Pringle offered to contact previous Subcommittee Chair Jim Barre to see if the Subcommittee can reconvene to consider incorporating the language received from Mr. Grabski as suggested.

ASSESSMENT COMMITTEE

The Assessment Committee is working on a resignation date with Assessor Comstock. They continue to gather information on options for the position. The Committee is scheduled to meet with the County Real Property Tax Service Director, County Personnel Officer, the Board of Assessment Review and Assessor Comstock tomorrow.

RESOLUTION #173-10
HEALTH CARE OPTIONS

On motion of Councilperson Folts, seconded by Councilperson Parson, the following was

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

Where as the Town has been exploring health insurance options:

Where as insurance company's pay insurance consultants work for us at no cost to the Town to explore insurance options.

Where as Sprague Insurance gave us a presentation on health care insurance at our budget workshop.

Be it resolved that Sprague Insurance be our health care insurance consultant for 2011 and be instructed to come up to the Town Offices and discuss with the employees the new health care plan.

Further be it resolved Sprague Insurance be instructed to change our current hospital plan from Blue Healthy Choice to Healthy Blue or Simply Blue with co-pay \$15.00/\$25.00 for 2011 calendar year.

RESOLUTION #174-10
ADOPTION OF 2011 WATER & SEWER RATES, FEES AND EDU SCHEDULE

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

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

Whereas the Town Board adopted the 2011 budgets for the Keuka Park Water and Sewer District(s) at the 10/20/2010 Board meeting; and

Whereas said budgets were predicated upon proposed rates, fees and EDU schedule for 2011; now, therefore, be it

Resolved that said proposed 2011 rates, fees and EDU schedule be adopted and implemented as of 1/01/2011 as follows:

KEUKA PARK WATER RATES

Keuka Park Water District

Usage: \$59.50/Quarter = 10,000 gallons (min)
 \$5.95/1000 gallons over minimum

Capital: \$249.74/EDU Billed annually on the January Town/
 County Tax Bill

Out of District Rate: 25% Surcharge on Usage and Capital

Capital Charges commence when building permit is issued

KEUKA PARK SEWER RATES:
(Sewer Fees are collected in advance)

Keuka Park Sewer District (Original District)

Operation/Maintenance & Capital Combined: \$161.00/quarter

Keuka Park Sewer District Ext. #1, #3

Operation/Maintenance & Capital Combined: \$161.00/quarter

Keuka Park Sewer District Ext. #2

Operation/Maintenance: \$123.00/quarter
Grinder Pump Fee \$18.00/quarter
Capital: \$170.00/Quarter

Out of District Rate: 25% Surcharge on Usage and Capital

Sewer Charges will commence first billing cycle after issuance of building permit

BILLING DATES

Account Numbers Beginning in 1 and 4 (KP Original and Ext 2)

Jan 1, April 1, July 1, Oct 1

Account # Beginning in 2, 3 (Ext 1)

Feb 1, May 1, August 1, November

Account # Beginning in 6 (Ext 3)

March 1, June 1, Sept 1, Dec 1

WATER FEE SCHEDULE	FEE
APPLICATION FEE	\$350.00
November 17, 2010 **CONNECTION FEE	\$250.00 MULTIPLIED BY # of EDU'S
TURN ON/OFF	FIRST ON/OFF PER YR-NC; SUBSEQUENT ON/OFF \$25.00
METER (new and/or replacement)	\$200.00 FOR 5/8"; METERS LARGER THAN 5/8" BILLED AT COST
*HOURLY RATE	\$25.00 PER HOUR
*AFTER HOUR CALL IN	\$75.00
*PARTS	COST

2011 KEUKA PARK WATER/SEWER DEPARTMENT FEE SCHEDULE

SEWER FEE SCHEDULE	FEE
APPLICATION FEE	\$350.00
**CONNECTION FEE SEWER ORIGINAL, Ext 1, Ext 3	\$20.00 MULTIPLIED BY # of EDU'S
**CONNECTION FEE SEWER 2	\$680.00 MULTIPLIED BY # of EDU'S
TURN ON/OFF	FIRST ON/OFF PER YR-NC; SUBSEQUENT ON/OFF \$25.00
*HOURLY RATE	\$25.00 PER HOUR
*AFTER HOUR CALL IN	\$75.00
*PARTS	COST

RETURN CHECK	\$20.00/PER RETURNED CHECK
RELEVY FEE	\$50.00/PER ACCOUNT (Minimum Relevy Amount \$50.00)

*These fees would only apply to repairs made due to customer negligence or request. Hourly rate will only apply if outside the normal working hours and will be in addition to the after hour call in fee.

**Connection fee will apply to vacant property or property that is split from a parcel of land that is permitted to connect to water and/or sewer and currently does not pay capital charge. It will not apply to those properties that have paid the lump sum payment for either water or sewer capital. Fee will be equal to the current capital charge for that district multiplied by the number of EDU's. They will also be charged an application fee in addition to the connection fee. Capital charges for water commence when building permit is issued. Sewer Charges commence first billing cycle after issuance of building permit.

***Water and Sewer Permits are valid for 90 days. Permits may be renewed 1 time for a total of 180 days for no additional charge. After 180 days, the original permit will become void, and the applicant will need to re-apply for water and/or sewer connection permit and pay an additional application fee (\$350.00).

KEUKA PARK WATER DISTRICT
EDU SCHEDULE GUIDELINE

EDU's are assessed on each individual property, regardless of common owner. An individual property will initially be assessed based on the following, but the Town Board reserves the right to adjust this determination based on a greater or lesser benefit received.

RESIDENTIAL

1-EDU per dwelling unit
(Separate living unit with bath or shower, toilet, and kitchen)

Property or building with more than one dwelling unit
(i.e. two apartments in one building = 2 EDU's)

MUNICIPAL BUILDINGS/FIRE HALL

2-EDU's

SCHOOL

2-EDU's Per Classroom

CHURCH OR PARSONAGE

1-EDU

COMMERCIAL

RESTAURANT

3-EDU'S FOR LESS THAN 50 PERSON SEATING CAPACITY

4-EDU'S FOR OVER 50 PERSON SEATING CAPACITY

STORE W/SNACK - BAR

3-EDU'S WITH INSIDE SEATING FOR LESS THAN 50 PERSONS

RETAIL STORE

1 EDU

GAS STATION/AUTOMOTIVE SERVICE FACILITY

2-EDU'S

PROFESSIONAL OFFICE

1-EDU

BOAT REPAIR/MARINA

1-EDU FOR THE FIRST 50 SLIPS

1-EDU FOR EACH ADDITIONAL 50 SLIPS OR PART THEREOF

MOTEL

Jerusalem Town Board
November 17, 2010

½ EDU (.5) FOR EACH RENTAL UNIT + 1 EDU FOR ANY OWNER OCCUPIED
RESIDENCE

BED & BREAKFAST

¼ EDU (.25) FOR EACH RENTAL ROOM + 1 EDU FOR ANY OWNER OCCUPIED
RESIDENCE

MOBILE HOME PARKS/MOBILE HOMES

1-EDU FOR EACH MOBILE HOME ON PROPERTY

CAMPGROUND (RV'S TRAVEL, TRAILER, SITE, ECT.)

¼-EDU (.25) EDU FOR EACH APPROVED SITE

OTHER

KEUKA LAKE STATE PARK

30-EDU'S TOTAL

CAMP GOOD DAYS

10-EDU'S TOTAL

PUBLIC HEARING - DOG LICENSING REGULATIONS

The Public Hearing on the proposed local law regulating dog
licensing is December 15, 2010 at 7:00 P.M., as the New York State
Department of Agriculture and Markets will no longer license dogs
as of January 1, 2011.

ANNUAL CHRISTMAS PARTY

The annual Christmas Party hosted by the Town Board is tentatively
scheduled for December 1st at the Esperanza Mansion.

TOWN HALL ELECTRIC SUPPLY SPIKES

Supervisor Jones is addressing power supply spikes occurring at the
Town Hall with NYSEG and an electrician.

With there being no further business, on a motion of Councilperson
Stewart, seconded by Councilperson Simmons, the meeting was
adjourned at 9:10 P.M.

Sheila McMichael, Town Clerk