

Minutes of the regular monthly meeting of the Jerusalem Town Board held on June 15, 2011 at 7:00 P.M. PRESENT were: Supervisor Jones, Councilors Folts, Parson, Simmons, Stewart, Highway Superintendent Payne, Town Clerk McMichael, Town Attorney Bailey, Town Engineer Ackart.

GUESTS: Taylor Fitch, Mike Steppe, Bob Evans, Joe Hoff, Ed Seus, Larry Muscarella, Ron Kenville, Jim Fitzgibbons, Joseph Klehammer, Jon Christensen, *Chronicle Express* reporter, John Keuhne, Sprague Insurance, .

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

RESOLUTION #100-11  
APPROVAL OF MINUTES

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

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

Resolved that the minutes of the May 18, 2011 regular meeting be approved as read.

RESOLUTION #101-11  
AUDIT OF CLAIMS

On a motion of Councilor Folts, seconded by Councilor Stewart, 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:		\$ 8,274.38
General OV:		\$ 2,203.16
Highway DA:		\$13,327.36
Highway DB:		\$39,323.50
Sewer:		\$ 9,420.35
Water:		\$41,745.39
Branchport Light:	\$	235.08
June utilities:	General:	\$ 2,948.27
	General OV:	\$ 38.41
	Sewer:	\$ 48,274.11
	Water:	\$101,823.12
	Light:	\$ 239.64

In response to a query from Councilor Parson, Supervisor Jones stated Connect-A-Service was contacted to clean the basement at 556 Assembly Avenue following a water main break. The advertisements for the Assessor resulted in 7 applicants.

RESOLUTION #102-11

SUPERVISOR REPORT

On a motion of Councilor Parson, seconded by Councilor 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 June 2011 be accepted as presented.

OFFICIALS REPORTS:

HIGHWAY SUPERINTENDENT

- June 2011 Highway Budget report on file. Fuel costs continue to be a concern.
- Highway Superintendent stated the truck has been delivered.
- Yates County EMS Deputy Director Diane Caves is scheduling a meeting with SEMA and FEMA for possible reimbursement for damages following the April storms.

TOWN ENGINEER:

- Notes of the June 13, 2011 KPSW Subcommittee meeting on file.
- The Keuka Park tank was inspected last week and found to be in good shape with only minor corrosion. The tank will be inspected in five years at which time we anticipate painting the tank and installing a mixer at an estimated cost of \$100,000. Today's replacement cost for this tank is \$1 million.
- We have been notified that a black bear has caused damage to the grinder pump control at 7763 East Bluff Drive.
- KPSW Department Head Gary Dinehart is working with the Branchport/Keuka Park Fire Department to provide instruction on how to properly shut down our water hydrants.

COUNCILOR:

- Councilor Simmons stated a cost figure for worker's compensation insurance coverage has been obtained from an independent company and discussed with Yates County Legislator Taylor Fitch. Fitch distributed various scenarios reviewed by the County Government Operations Committee. Their review was inconclusive because the financial impact related to the possibility of up to four towns withdrawing from the County program is not known at this time. Also, they were not able to place a value on the volunteer fire department. John Keuhne of Sprague Insurance stated the population served basis is used to calculate this value. The impact of the proposed 2% property tax cap is also a concern should the towns need to raise funds necessary to cover the cost of workers' compensation insurance.
- Councilor Parson thanked Joe DeGeorge and the Highway Department for hanging the American flags throughout Branchport. The issue

with placing the flags on the NYSEG poles has been resolved.

- Councilor Parson thanked the Yates County Sheriff's Department SWEEPS, Councilors and the Highway Department for assisting with Clean-Up Day.
- A steep slopes applicant will provide new plans for the Planning Board's consideration at their July meeting.
- The Zoning Board granted one variance.
- The Chronicle Express contained a report on the June 7<sup>th</sup> community workshop to evaluate the zoning from Penn Yan to Branchport along the 54A corridor. A second public session will be scheduled.

#### SUPERVISOR

- Supervisor Jones shared information on areas within the County treated by DEC due to the presence of hogweed. Residents can notify Cornell Cooperative Extension and the Master Gardeners with any concerns.
- Following considerable research, Mrs. Fagan was informed her address will remain 397 Orange Street. Her request to change back to 397 Lake Avenue can only be done if a driveway is installed from Lake Avenue.

#### RESOLUTION #103-11

##### REMOTE COMPUTER ACCESS

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

DEFEATED	Ayes 2	Jones, Stewart
	Nays 3	Folts, Parson, Simmons

Whereas the water and sewer department has requested that the Town Board authorize Ted Miller of STI Company Team to install the necessary hardware to allow authorized users remote access to their desktop computers;

Whereas; the desktop computers at the Town Hall have valuable information stored on the hard drives;

Whereas; a small box would be installed on the network that would work in tandem with the firewall which would allow authorized users to connect to Remote Web Workplace (email, computer desktops, etc.) from anywhere in the world, using any computer. The connection would be very secure, using similar technology to that used by online banking, shopping, online payroll services, etc;

Whereas; the Water and Sewer Department operates seven days a week; 24 hours a day;

Whereas; remote access for the Water and Sewer Department employees would be beneficial during an emergencies, while away for training and/or conferences, or for unforeseen absences;

Whereas; the Water and Sewer Department has budgeted for computer system upgrades in the 8110.4 and 8310.4 of the 2011 budget;

Whereas; other departments within the Town of Jerusalem have expressed an interest and need for remote access;

Therefore be it resolved that Ted Miller with STI Company Team be authorized to purchase and install the hardware to allow Town Employees remote access to their computers for a total cost of \$1511.38; with this expense being funded evenly by 8110.4, 8310.4 and 1680.4.

RESOLUTION #104-11

JULY AGENDA - REMOTE COMPUTER ACCESS

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

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

Whereas there are concerns related to changing computer passwords noted in the draft preliminary audit; and

Whereas that situation will be rectified upon receipt of the final audit in coordination with Ted Miller with STI Company Team; and

Whereas authorization of remote computer access was defeated by Resolution #103-11; now, therefore, be it

Resolved the resolution authorizing remote access to the office computers be placed on the July 20, 2011 agenda pending further research of the matter.

SUBCOMMITTEE REPORTS

YATES COUNTY MARCELLUS SHALE TASK FORCE:

The Task Force is developing a host community agreement to be combined with the Road Use Agreement to develop regulations for Yates County. This will be shared with the Towns after being refined.

TOJ HYDROFRACKING IMPACT STUDY COMMITTEE:

Chair Joe Hoff stated a community forum for residents to look at hydrofracking is scheduled for July 26<sup>th</sup>, 7:00-9:00 P.M. at a location yet to be determined. Confirmed speakers are Dr. Tony Ingraffea (Cornell professor) and Steve Coffman (Economics). The

goal is to provide a balanced and intensive review of the issue and avoid emotional discussions.

ASSESSMENT COMMITTEE

A resolution was adopted at the May 18<sup>th</sup> Town Board meeting establishing May 27<sup>th</sup> as Assessor Comstock's last day to work. However, we have been informed by the Yates County Real Property Tax Director that Mr. Comstock needs to sign the final tax roll. Mr. Comstock stated he would provide assessing services to the Town until an Assessor is appointed.

RESOLUTION #105-11  
APPOINT SUPERVISOR AS ACTING ASSESSOR  
WITHDRAWN

Councilor Folts made a motion to appoint Supervisor Daryl Jones as Acting Assessor until the final tax roll is signed and the tax correction are made. The motion was seconded by Councilor Simmons.

Following discussion on the compatibility of an elected Supervisor and the appointed Acting Assessor position, the resolution was withdrawn.

RESOLUTION #106-11  
APPOINT ACTING ASSESSOR

On a motion of Councilor Folts, seconded by Councilor Simmons, the following was

ADOPTED	Ayes 3	Folts, Parson, Simmons
	Nays 2	Jones, Stewart

Resolved that Alan Comstock be appointed as Acting Assessor to be paid \$20.00/hour until the Town Board appoints an Assessor; and be it further

Resolved that Mr. Comstock will work on an as needed basis for assessing purposes only and he will be contacted by the Assessment Committee when he is needed.

RESOLUTION #107-11  
ESTABLISH ASSESSOR INTERVIEW COMMITTEE

On a motion of Councilor Simmons, seconded by Councilor Parson, the motion was

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

Resolved that the Assessor interview committee consist of Councilors Parson and Simmons, a Board of Assessment Review member, Real Property Tax Service Director Brede and ZAP Clerk Nesbit; and be it further,

Resolved that initial interviews be conducted by the interview committee who will recommend 2-3 candidates to be interviewed by the Town Board in Executive Session.

WIND FARM SUBCOMMITTEE

Draft wind farm regulations were referred to Town Attorney Bailey for his review.

RESOLUTION #108-11

SET PUBLIC HEARING - HIGHWAY ENCROACHMENT - 5388 WEST BLUFF DRIVE

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

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

Whereas Highway Superintendent Payne submitted a written report on his findings regarding the structure encroachment at 5388 West Bluff Drive; and

Whereas the preliminary determination indicates that such encroachment does not adversely impact upon the users of the town street; now, therefore, be it

Resolved a public hearing to consider a request for a license to continue a highway encroachment at 5388 West Bluff Drive be held at 7:00 P.M. on July 20, 2011.

RESOLUTION #109-11

TOWN OFFICIAL ASSESSMENTS

On a motion of Councilor Folts, seconded by Councilor Simmons, the following was

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

Resolved an assessor selected by the Town Board will conduct assessments on properties of all Town Officials and their spouses to be completed by April 2012.

CERTIFICATE OF RECOGNITION:

Arrangements will be made to present Certificates of Recognition to Marshall Gurnee for his renovation work on the cemeteries and Joe DeGeorge for purchasing the American flags for display in Branchport.

RESOLUTION #110-11

APPOINT SUMMER RECREATION PROGRAM DIRECTOR

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

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

Resolved that Bev Eggleston be appointed as Summer Recreation Program Director.

DONATION TO SUMMER RECREATION PROGRAM:

Taylor Fitch presented a \$325 donation to the Summer Recreation Program on behalf of the Jerusalem Republican Committee.

RESOLUTION #111-11

SCHEDULE PUBLIC HEARING - UNSAFE STRUCTURE - 2958 Route 54A

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

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

Whereas the owner of 2958 Route 54A, Bluff Point, tax map 72.74-1-7 was informed by the Code Enforcement Officer that the premises is in violation of the Town's Unsafe Building Law as well as the New York State Uniform Fire Prevention and Building Code; and

Whereas the Code Enforcement Officer has made written report to the Town Board of his findings for stronger enforcement; now, therefore, be it

Resolved a public hearing be held at 7:05 P.M. on July 20, 2011 in accordance with Town Code Chapter 67 Building and Premises, Unsafe.

With there being no further business, on a motion of Supervisor Jones, seconded by Councilor Simmons, the meeting was adjourned at 9:35 P.M.

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Sheila McMichael, Town Clerk