

Minutes of the regular monthly meeting of the Jerusalem Town Board held on July 16, 2014 at 7:00 P.M. PRESENT were: Supervisor Killen, Councilors Dinehart, Jones, Parson, Town Attorney Bailey, Town Clerk McMichael, Highway Superintendent Martin, Town Engineer Ackart.

Excused: Councilor Steppe

GUESTS: Jim Crevelling, Cindy Gorham Crevelling, Debbie Koop, Lisa Saether, Tim Cutler, Donna Gridley, Steve McMichael, Doug Paddock, Joan Paddock, Bob Evans, Lynn Donaldson, Bill Sutherland, John Christensen; *Chronicle Express* Reporter

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

RESOLUTION #113-14
APPROVAL OF MINUTES

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

ADOPTED	Ayes	4	Dinehart, Jones, Killen, Parson
	Nays	0	

Resolved that the minutes of the June 13, 2014 special meeting be approved as read.

RESOLUTION #114-14
APPROVAL OF MINUTES

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

ADOPTED	Ayes	4	Dinehart, Jones, Killen, Parson
	Nays	0	

Resolved that the minutes of the June 18, 2014 meeting be approved as read.

RESOLUTION #115-14
AUDIT OF CLAIMS

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

ADOPTED	Ayes	4	Dinehart, Jones, Killen, Parson
	Nays	0	

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

General:	\$14,356.66
Outside Village	\$ 2,314.91
Highway DB:	\$17,431.32

Sewer: \$40,764.94
Water: \$15,882.61
Branchport Light \$ 188.73
Trust: \$ 3,990.00

June Utilities:

General: \$ 6,303.02
Outside Village: \$ 200.00
Sewer: \$ 4,723.97
Water: \$ 284.71
Trust: \$25,847.00

RESOLUTION #116-14

SUPERVISOR REPORT

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

ADOPTED Ayes 4 Dinehart, Jones, Killen, Parson
Nays 0

Resolved that the Supervisor's Report on the Town's finances for the month of June 2014 be accepted as presented.

PUBLIC HEARING - PROPOSED LOCAL LAW A-2014 ZONING AMENDMENT -
AGRICULTURAL-RESIDENTIAL DISTRICTS

With proof of notice having been duly published and posted, Supervisor Killen opened the Public Hearing at 7:05 P.M., asking for comments on the proposed amendments to the Zoning Ordinance, modifying certain provisions for Agricultural-Residential Districts (Exhibit A).

Jim Crevelling, Subcommittee Chair stated the proposed zoning changes were a group effort by the Subcommittee who put forth a lot of time on them. These changes support the Town's Comprehensive Plan to maintain open space. He offered to assist in answering any questions that may come forward.

Debbie Koop spoke in favor of the changes and urged the Board to adopt them as proposed.

Doug Paddock, Steve McMichael and Bill Sutherland spoke against the proposed changes. Noted concerns related to increasing the minimum lot size from one to two acres and changing the maximum lot coverage with structures to 10% total rather than individual.

The public hearing was left open.

TOWN OFFICIALS:

HIGHWAY SUPERINTENDENT

- Written Budget Highway report on file in the Office of the Town Clerk.
- Road work scheduled under the CHIPS Capital reimbursement program has begun.
- Rob Ayers has resigned his position as of July 30, 2014.
- Highway Superintendent Martin is looking to purchase a used equipment trailer.

RESOLUTION #117-14

AUTHORIZE TRAINING - HIGHWAY SUPERINTENDENT

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

ADOPTED	Ayes	4	Dinehart, Jones, Killen, Parson
	Nays	0	

Resolved Highway Superintendent be authorized to attend the NYS Association of Town Superintendents of Highways Annual Conference on September 16-19, 2014 in Callicoon, New York.

PRESENTATION - SALT STORAGE BUILDING:

Mari Louise Merksa of Hybrid Building Solutions, LLC presented an overview of the proposed salt storage building project and associated costs.

RESOLUTION #118-14

SEQR DETERMINATION - SALT STORAGE BUILDING

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

ADOPTED	Ayes	4	Dinehart, Jones, Killen, Parson
	Nays	0	

Whereas the Town is proposing to construct a 65' x 100' snow/ice control salt storage building at the Town Highway complex on Guyanoga Road; and

Whereas the Town has conducted an uncoordinated review of said project; and

Whereas said project is an unlisted action and the Short Environmental Assessment Form has been completed; now, therefore be it

Resolved that it is determined that the above project will not result in any significant environmental impacts; and, be it further

Resolved that the Supervisor be directed to sign the Short Environmental Assessment Form indicating a negative declaration.

RESOLUTION #119-14

AWARD BID

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

ADOPTED	Ayes	4	Dinehart, Jones, Killen, Parson
	Nays	0	

Whereas after advertising and accepting bid quotes for a fabric membrane covered structure for the salt storage building, the Town of Jerusalem received one bid from Hybrid Building Solutions, 9780 Brauer Road, Clarence Center, New York in the amount of \$125,401; now, therefore be it

Resolved the bid be awarded to Hybrid Building Solutions; and, be it further

Resolved the Supervisor be authorized to sign the contract dated July 16, 2014; and, be it further

Resolved the Supervisor be authorized to pay the 25% down payment in the amount of \$31,350.25 with the proceeds to be taken from Highway Account DB5142.4.

TOWN ENGINEER:

- Notes of the July 8, 2014 KPSW meeting on file in the Office of the Town Clerk.
- The insurance claim was submitted and payment received from NYMIR for the emergency roof repair at the Keuka Park Sewer Pump Station roof repair authorized by Resolution #105-14.

COUNCIL:

- The Summer Recreation Program began July 8th at the Keuka Lake State Park.
- Clean Up Day is scheduled for August 23, 2014.
- Art Carcone submitted his resignation letter from the Planning Board due to family matters and issues. The Board thanked Mr. Carcone for his years of service to the Town.
- The Peasant Man Triathlon will be held Sunday, August 17, 2014. It was suggested Supervisor Killen discuss changing their transition area away from the four-corners of Branchport due to safety concerns.

- A request from Mercy Flight for a contribution will be considered during our 2015 budget process.
- 2015 Budget worksheets have been distributed. Budget workshops will be advertised.
- Supervisor Killen was notified that the Town's \$350 annual contribution to our cemeteries will not sustain them financially. The Town Board will consider increasing their contribution in the 2015 budget.
- Yates County received federal disaster designation so the Town will need to navigate the FEMA process to receive reimbursement. Rick Ayers, Yates County Soil & Water offered assistance with the process. Services are also available from Simmons Recovery Consulting who made a presentation at the June 18, 2014 meeting. Expenses related to the disaster are reimbursed 75% by FEMA, 12.5% by the State and 12.5% local funds. The meeting with FEMA has not been scheduled to date.
- The Highway Department was commended for the great job done during the disaster.

SUBCOMMITTEE REPORTS:

LOCAL WATERFRONT REVITALIZATION PROJECT

Councilor Steppe is making a presentation on the Local Waterfront Revitalization Project at the July 19, 2014 Bluff Point Association meeting.

BRANCHPORT HAMLET SUBCOMMITTEE:

Jack Wheeler, Basin Park Marina sponsored the "Welcome to Branchport" sign. The sign has been ordered and will be placed on Route 54A.

EVENT PERMIT APPLICATION SUBCOMMITTEE:

Councilor Parson will make the suggested changes to the Event Permit Application and bring it back to the Board.

SUPERVISOR:

YATES COUNTY AGRICULTURAL DISTRICT - 8-YEAR REVIEW

Yates County has one Agricultural District that covers the whole county. Parcels can be added to the district annually, during the open enrollment period which is always held November 1 - 30. However, parcels can only be removed from the district during the 8-year review period and the Yates County's Agricultural District is going through its 8-year review this year (2014).

Open enrollment to add OR remove your parcel to or from the agricultural district has been set by the legislature and will close on August 29th. In order to add or remove your parcel, visit the Yates County Soil and Water office at 417 Liberty Street, Penn Yan to pick up the necessary forms or visit www.yatescounty.org. Maps of the agricultural district (with parcels identified) are available for viewing at the Yates County Soil and Water office. For more information, please call Elizabeth Newbold at Cornell Cooperative Extension, 315-536-5123.

RESOLUTION #120-14

RESOLUTION FOR BUDGET AMENDMENT TO TRANSFER FUNDS FROM THE KEUKA PARK WATER UNAPPROPRIATED FUND BALANCE TO THE WATER ROUTINE REPAIR RESERVE FUND OF THE KEUKA PARK CONSOLIDATED WATER DISTRICT

On a motion of Supervisor Killen, seconded by Councilor Dinehart, the following was

ADOPTED	Ayes	4	Dinehart, Jones, Killen, Parson
	Nays	0	

Whereas; the Water Department has established a Routine Repair Reserve Fund of the Keuka Park Consolidated Water District;

Whereas; the Consolidated Water District transferred monies from the Routine Repair Reserve Fund for a project that was completed in 2013;

Whereas; the Keuka Park Consolidated Water District established the reserve fund limit to be \$150,000;

Whereas; the Keuka Park Consolidated Water District has monies in the unappropriated water fund balance to transfer back to the Water Routine Repair Reserve Fund;

Therefore; be it resolved that the 2014 Water Budget be amended to appropriate \$61,000 from the unappropriated fund balance to Water Routine Repair Reserve Fund of the Keuka Park Consolidated Water District

RESOLUTION #121-14

AUTHORIZE TRAINING - FINGER LAKES WATER WORKS CONFERENCE SUMMER MEETING/VENDOR EXHIBIT

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

ADOPTED	Ayes	4	Dinehart, Jones, Killen, Parson
	Nays	0	

Whereas; Finger Lakes Water Works Conference is hosting the Summer Meeting/Vendor Exhibit at the Penn Yan Fireman's Field; and

Whereas; the cost for a pre-paid, pre-registered 2014 Conference Member for Thursday, August 14, 2014 is \$25.00/person; and

Whereas; accreditation of operator contact hours will be given for attendance; and

Whereas; operator contact hours are a requirement of the NYS Department of Health for recertification; and

Whereas; instruction and training expenses were approved in the 2014 budget; now, therefore, be it

Resolved to authorize attendance of up to (6) people from the Water/Sewer Department to attend the Finger Lakes Water Works Conference Summer Meeting at a cost of \$25.00/person with the expense being funded by the 8340 account.

RESOLUTION #122-14

AUTHORIZE TRAINING - ASSESSMENT DEPARTMENT

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

ADOPTED Ayes 4 Dinehart, Jones, Killen, Parson
 Nays 0

Resolved the Assessor and Zoning, Assessing & Planning Clerk be authorized to attend Reval Training sessions. The three-part program was held June 4, July 9 and tentatively August 6, 2014 at ORPTS, Batavia, New York.

RESOLUTION #123-14

SUMMER RECREATION PROGRAM - APPOINTMENTS/SALARIES

On a motion of Supervisor Killen, seconded by Councilor Dinehart, the following was

ADOPTED Ayes 4 Dinehart, Jones, Killen, Parson
 Nays 0

RESOLVED that the following items related to the Summer Recreation Program be made:

1. Resolved that Beverly Eggleston be appointed Jerusalem Recreation Director for 2014.
2. Resolved that Beverly Eggleston be compensated at the 2014 budgeted amount of \$ 4,229.57.
3. Resolved that the appointments and hourly rate for the Jerusalem Recreation Employees be set as follows:

Gerard Conyers	Recreation Leader	\$ 9.18
Rebekah Donovan	Recreation Assistant/First Aid	\$12.00
Alyssa Broome	Recreation Assistant	\$ 9.02

Emily Dinehart	Recreation Assistant	\$ 9.02
James Willson	Recreation Assistant	\$ 8.25
Joe Tortolon	Recreation Assistant	\$ 8.25

RESOLUTION #124-14

SCHEDULE PUBLIC HEARING - ROUTINE REPAIR RESERVE FUND

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

ADOPTED Ayes 4 Dinehart, Jones, Killen, Parson
 Nays 0

Whereas the Keuka Park Consolidated Water District is proposing a project with Aqualogics to update the instrumentation and control system in the Keuka Lake State Park-Branchport area;

Whereas; the project is proposed to be funded by the Keuka Park Consolidated Water District Routine Repair Reserve;

Whereas; the Town Board must schedule a public hearing to transfer funds from the Routine Repair Reserve Fund of the Keuka Park Consolidated Water District to the Keuka Park Water District expense item 8340.4 in the 2014 Annual Budget; now, therefore, be it

Resolved; said public hearing be scheduled for August 20, 2014 at 7:05 P.M. at the Town Hall.

DISCUSSION - PROPOSED LOCAL LAW A-2014 ZONING AMENDMENT -
AGRICULTURAL-RESIDENTIAL DISTRICTS

Supervisor Killen has received numerous e-mails, letters and phone calls in addition to comments heard tonight regarding the proposed changes. Subcommittee Chair Jim Crevelling and his committee were commended for their work. It was noted two public hearings were held earlier, but there was little public input received at that time. Had feedback been received earlier, subcommittee members could have been weighed in on their decisions and recommendations to the Board.

Deputy Supervisor Stewart entered the meeting at 8:15 P.M.

CLOSE PUBLIC HEARING - PROPOSED LOCAL LAW A-2014 ZONING AMENDMENT -
AGRICULTURAL-RESIDENTIAL DISTRICTS

With all persons desiring to be heard, Supervisor Killen closed the hearing at 8:18 P.M.

RESOLUTION #125-14

MOVE TO EXECUTIVE SESSION

On a motion of Supervisor Killen, seconded by Councilor Dinehart, the following was

ADOPTED	Ayes	4	Dinehart, Jones, Killen, Parson
	Nays	0	

Resolved that this meeting be interrupted to enter into Executive Session to discuss union negotiations.

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

Deputy Supervisor Stewart and Attorney Bailey remained for the session.

The following information was provided by Supervisor Killen:

RESOLUTION #126-14

RETURN TO REGULAR SESSION

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

ADOPTED	Ayes	4
	Nays	0

Resolved that the Board return to regular session.

The Board reconvened in regular session at 9:00 P.M.

With there being no further business, on a motion of Supervisor Killen, seconded by Councilor Dinehart, the meeting was adjourned at 9:00 P.M.

Sheila McMichael, Town Clerk

EXHIBIT A
Local Law Number A of 2014

CHANGES TO THE TOWN ZONING ORDINANCE
MODIFYING CERTAIN PROVISIONS FOR
AGRICULTURAL RESIDENTIAL DISTRICTS

Be it enacted by the Town of Jerusalem as follows:

Section 1: : Section 160-5 of Chapter 160 of the Code of the Town of Jerusalem, constituting the Zoning Ordinance of the Town, is amended by substituting the following definitions for the present definitions of the same terms:

Accessory Use – A use customarily incidental to the principle use of a building. In buildings restricted to a residential use, the office of a professional ~~man~~ person, customary family occupations and workshops not conducted for compensation shall be deemed accessory uses.

Agriculture – The production of crops, ~~plants, vines and trees~~ and/or livestock and livestock products, as those terms are defined at Section 301 of the New York State Agriculture and Markets Law.

Coverage – That percentage of the plot or lot area covered by the building or structures, including accessory buildings and structures. All above-ground buildings and structures that require a permit will count towards coverage.

Farm – ~~Any parcel of land consisting of at least 10 acres which is used for the raising of agricultural products, livestock, poultry or dairy products. It includes necessary farm structures and the storage of equipment used. It excludes riding academies and dog kennels.~~
The land, buildings and farm residential buildings used for the production of agricultural products as defined at Section 301 of the New York State Agriculture and Markets Law.

§ 2: Section 160-18 [Permitted accessory uses and structures.] of Chapter 160 is amended by adding paragraphs (8), (9), (10) and (11) as follows:

(8) Farm markets located in a county adopted, State certified agricultural district under Article 25-AA of the of the New York State Agriculture and Markets Law that are intended to sell products predominantly grown on the farm.

(9) Migrant labor camps, provided that they comply with all applicable federal, state and local regulations.

(10) On-farm wind energy systems erected and installed for the purpose of supplementing a farm's energy need, excluding the farm residence, of a farm operation located within a county adopted, State certified agricultural district under Article 25-AA of the of the New York State Agriculture and Markets Law.

(11) Nurseries and Greenhouses in a county adopted, State certified agricultural district under Article 25-AA of the of the New York State Agriculture and Markets Law.

§ 3: Section 160-20 (Special Uses) of Chapter 160 of the Code of the Town of Jerusalem, constituting the Zoning Ordinance of the Town, is amended by deleting “A-Migrant Labor Camps” and re-lettering the items B through L inclusive as A through K respectively.

§ 4: Sub-paragraphs A and C of Section 160-21 (Area, yard and height restrictions; building coverage) of Chapter 160 of the Code of the Town of Jerusalem, constituting the Zoning Ordinance of the Town, are amended to read as follows:

A. Area per establishment and lot dimensions.

(1) The minimum area per establishment shall be ~~one acre~~ two acres, and the minimum width of the lot at the front building line shall be ~~100~~ 150 feet. The minimum depth of the lot shall be ~~100~~ 200 feet.

(2) Front yards. There shall be a front yard of not less than 30 feet measured from the street line.

(3) Side yards. There shall be two side yards with a total width of not less than 20 feet, and the width of the narrower of the two side yards shall not be less than 10 feet. [No change]

(4) Rear yards. There shall be a rear yard of not less than 20 feet measured from the rear lot line.

C. Maximum building coverage to area of lot. ~~No building or structure shall occupy more than 10% of the area of a lot.~~ All non-farm buildings and structures shall not collectively occupy more than ten (10%) of the area of a lot. All buildings and structures used in farm operations shall not collectively occupy more than twenty per cent (20%) of the area of the lot.

§ 5: Sub-paragraph C of Section 160-23 (Excavation Operation) is amended by adding the following sentence at the end: A plan for storage and disposal of hazardous materials and waste materials, antifreeze, etc. from equipment used, serviced and/or stored on site will be submitted with the special use request.

§ 6: Sub-paragraph A of Section 160-27 (Off Season Boat Storage.) of Chapter 160 of the Code of the Town of Jerusalem, constituting the Zoning Ordinance of the Town, is amended to read as follows:

A. There shall be no more than ~~one building~~ two buildings devoted to off-season boat storage on any one lot, both of which shall meet the requirements of sup-paragraphs (C) through (O) of this paragraph. Otherwise only one building meeting such requirements shall be allowed.

§ 7: This local law shall become effective on being filed by the New York State Secretary of State.

~~Matter stricken through is deleted.~~ Matter underlined is new.