

Minutes of the regular monthly meeting of the Jerusalem Town Board held on February 21, 2018 at 7:00 P.M. PRESENT were: Supervisor Killen, Councilors Anderson, Jones, Sisson, Stewart, Town Clerk McMichael, Highway Superintendent Martin, Town Engineer Ackart.

GUESTS: Tim Cutler, Steve Stork; Stork Insurance, John Christensen; *Chronicle Express* Reporter, Dixon Zorovich.

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

RESOLUTION #41-18
CHANGES TO THE AGENDA

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

ADOPTED Ayes 5 Anderson, Jones, Killen, Sisson, Stewart
Nays 0

Resolved 2018 Budget amendment to purchase computers be added to the agenda.

RESOLUTION #42-18
APPROVAL OF MINUTES

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

ADOPTED Ayes 5 Anderson, Jones, Killen, Sisson, Stewart
Nays 0

Resolved that the minutes of the January 17, 2018 meeting be approved as read.

RESOLUTION #43-18
APPROVAL OF MINUTES

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

ADOPTED Ayes 5 Anderson, Jones, Killen, Sisson, Stewart
Nays 0

Resolved that the minutes of the January 29, 2018 special meeting be approved as read.

RESOLUTION #44-18
AUDIT OF CLAIMS

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

ADOPTED Ayes 5 Anderson, Jones, Killen, Sisson, Stewart
Nays 0

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

General:	\$22,352.20
Outside Village	\$ 1,557.75
Highway DB:	\$21,151.55
Sewer:	\$38,335.42
Water:	\$ 6,205.60
Trust:	\$ 40.00

January Utilities:

General:	\$ 819.01
Outside Village:	\$ 77.89
Highway DB:	\$ 7,436.69
Sewer:	\$ 1,359.89
Water:	\$ 1,115.19
Trust:	\$36,317.76

RESOLUTION #45-18
SUPERVISOR REPORT

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

ADOPTED	Ayes	5	Anderson, Jones, Killen, Sisson, Stewart
	Nays	0	

Resolved that the Supervisor's Report on the Town's finances for the month of January 2018 be accepted as presented.

PUBLIC HEARING - PROPOSED LOCAL LAW A-2018 TAX CAP OVERRIDE

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 proposed Local Law A-2018 overriding the tax cap.

No one from the public wished to comment.

The hearing was left open.

INSURANCE PRESENTATION - STORK INSURANCE

Steve Stork, Stork Insurance presented an overview of their proposal with Selective Insurance, an A (Excellent) rated insurance company by AM Best. The 2017-2018 annualized premium is \$39,981.15 with options to include Terrorism, Earthquake, Flood, Crisis Response or Data Compromise coverage at an additional cost. Mr. Stork will research and follow-up on the following two items:

1. Clarification if Earthquake and Flood coverage includes underground utilities or buildings and contents only.
2. Councilor Jones referenced a claim when he was Supervisor and asked if the policy is still written requiring Town authorization before Stork/Selective could negotiate a settlement on our behalf.

TOWN OFFICIALS
HIGHWAY SUPERINTENDENT

- Written Budget Highway report on file in the Office of the Town Clerk.
- Cutting brush continues as weather permits.
- Delivery of the 10-Wheeler authorized by Resolution #152-17 is expected in two weeks.

TOWN ENGINEER

- Notes of the February 8, 2018 KPSW meeting on file in the Office of the Town Clerk.

ASSESSOR

- Report on file.
- The Senges tax certiorari trial will be held in October at the Ontario County Courthouse, Canandaigua.

RESOLUTION #46-18

AUTHORIZE PURCHASE OF OUTDOOR ASH TRAY

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

ADOPTED Ayes 5 Anderson, Jones, Killen, Sisson, Stewart
 Nays 0

Resolved an outdoor ash tray be purchased for the Town Hall entrance from Longs' Cards & Books.

SUPERVISOR

- Grant monies available through Bridge NY were discussed with the Highway Superintendent.
- DEC is seeking public input on the Canandaigua Highlands Unit Management Plan Update.
- The Keuka Comfort Care 10-K Race is scheduled for September 15, 2018.
- Town Engineer Ackart stated Governor Cuomo announced septic system replacement program funding to protect water quality. Yates County's first year allocation is \$225,000. Information is available through the Yates County Planner and Soil & Water Conservation District.
- The Sunshine Committee met February 1. Councilor Stewart is Chair.
- The KPSW Committee Chair is Councilor Stewart. The Highway Committee Chair is Councilor Jones.

RESOLUTION #47-18

TOJ Server Replacement

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

ADOPTED Ayes 5 Anderson, Jones, Killen, Sisson, Stewart
Nays 0

Resolved the server be purchased from SCT Computers as planned and budgeted.

Quotes: from Dell \$4,821.11 & SCT \$4,300 for server only, install and software is additional.

SCT quote has twice the memory, (Ram), 64 gigabytes vs Dell 32 gigabytes (extra \$350 or so in memory). Memory - price is going up for some reason, per both Dell and SCT. Dell said if we do not purchase now, price will go up @ \$1000 for same thing. SCT said that since his quote, cost has risen but he will honor his quote.

SCT Warranty - 1 year- (power supply and motherboard), parts and labor. Covered through manufacturer- CPU has 5 year, Hard Drive has 5 year, RAM has lifetime warranty, can get any part next day. It is very unlikely for power supply or motherboard going in first 5 years, like 1 in 5000 chance.

DELL - 5 years support, parts and labor, next business day repair (pro level) 1-2 days. Parts come from Houston.

Dell subcontracts install work. SCT estimated 2 days work, \$1000 for installation labor.

RESOLUTION #48-18

LED STREETLIGHT REPLACEMENT - GENESEE/FINGER LAKES REGIONAL PLANNING COUNCIL ASSISTANCE

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

ADOPTED Ayes 5 Anderson, Jones, Killen, Sisson, Stewart
Nays 0

Resolved Genesee/Finger Lakes Regional Planning Council assist in gathering information on converting at least half of the municipal cobra-head-style street lights to energy-efficient LED technology. Grant money is available.

COMPREHENSIVE PLAN REVIEW SUBCOMMITTEE REPORT

Subcommittee Chair Cutler reported the draft community survey was reviewed by the Keuka Park Association. Their next meeting will be in mid-March.

REPORT FROM YATES COUNTY LEGISLATORS:

County Legislator Cutler reported Assemblyman Phil Palmesano and State Senator Tom O'Mara will hold an open meeting on Monday at 1:30 in the County Chambers.

INTERMUNICIPAL ASSISTANCE AGREEMENT WITH MILO AND KPSW ADDENDUM

We are awaiting additional information from Milo.

RESOLUTION #49-18

AUTHORIZE HIGHWAY 550 TRUCK PURCHASE

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

ADOPTED Ayes 5 Anderson, Jones, Killen, Sisson, Stewart
 Nays 0

Resolved the Highway Superintendent be authorized to submit an OGS Mini Bid Request for a Ford 550 truck with dump box and plow in an amount not-to-exceed \$70,000.00 to be funded from the Highway Fund Balance.

RESOLUTION #50-18

APPOINT BOARD OF ASSESSMENT REVIEW BOARD SECRETARY - ROSANNA BATES

On a motion prepared and offered by Supervisor Killen, seconded by Councilor Anderson, the following was

ADOPTED Ayes 5 Anderson, Jones, Killen, Sisson, Stewart
 Nays 0

Whereas the Jerusalem Board of Assessment Review needs a secretary, and

Whereas Rosanna Bates has experience as a Prattsburgh School secretary, and

Therefore be it resolved that Rosanna Bates be appointed secretary to the Jerusalem Board of Assessment Review, at a rate of \$12.50 per hour.

RESOLUTION #51-18

AUTHORIZE SUPERVISOR TO EXECUTE LARSON TASK ORDER - WATER CAPITAL PROJECT

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

ADOPTED Ayes 5 Anderson, Jones, Killen, Sisson, Stewart
 Nays 0

Whereas the Town Board held a public hearing on Proposed Improvements to the Keuka Park Consolidated Water District on

January 18th, 2018 and thereafter passed Resolution #30-18, authorizing same;

Now, therefore be it resolved that the Town Supervisor is hereby authorized to sign Task Order #18-1 in accordance with item 16 of the Consultant Agreement between the Town of Jerusalem and Larson Design Group effective 01/01/2018, for Town of Jerusalem Water System Improvements Scope of Services and 2018-2019 Retainer Agreement in the amount of \$98,000.00.

RESOLUTION #52-18

ADVERTISE FOR BIDS - SEWER CAPITAL PROJECT

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

ADOPTED	Ayes	5	Anderson, Jones, Killen, Sisson, Stewart
	Nays	0	

Whereas the Town Board retained Larson Design Group to prepare construction documents to rehabilitate selected portions of the sanitary sewer collection system located within the Keuka Park Sewer District (Resolution #187-17);

Now, therefore be it resolved that the Town Clerk and Larson Design Group are hereby authorized to advertise the above project for public bid and provide all notices as required. The advertisement will be made public on February 28, 2018. Bids will be opened on April 5, 2018.

RESOLUTION #53-18

CLOSE PUBLIC HEARING - PROPOSED LOCAL LAW A-2018 TAX CAP OVERRIDE

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

ADOPTED:	Ayes	5	Anderson, Dinehart, Jones, Killen, Parson
	Nays	0	

With all persons desiring to be heard, Supervisor Killen closed the hearing at 8:02 P.M.

The regular meeting was reconvened.

RESOLUTION #54-18

RESOLUTION AUTHORIZING ADOPTION BY THE TOWN BOARD OF THE TOWN OF JERUSALEM OF LOCAL LAW NO. 1 OF 2018

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

ADOPTED BY ROLL CALL VOTE:

Councilor Jones	Aye
Councilor Anderson	Aye

Councilor Stewart	Aye
Supervisor Killen	Aye
Councilor Sisson	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 February 21, 2018, at 7:05 p.m. at Jerusalem Town Hall, 3816 Italy Hill Road, Branchport, New York, to hear all interested parties on a proposed Local Law to override the tax levy limit established in General Municipal Law §3-c; and

WHEREAS, notice of said public hearing was duly advertised in the official newspaper of the Town of Jerusalem, on February 7, 2018 and all other notices required by law to be given were properly served, posted or given; and

WHEREAS, said public hearing was duly held on February 21, 2018, at 7:05 p.m. at the Jerusalem Town Hall, 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, the Town Board of the Town of Jerusalem, after due deliberation, finds it in the best interest of the Town of Jerusalem 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. 1 of 2018, entitled, "A local law to override the tax levy limit established in General Municipal Law §3-c", a copy of which is attached hereto and made a part of this resolution, 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 Jerusalem, and to give due notice of the adoption of said local law to the Secretary of State of New York.

RESOLUTION #55-18

Resolution- modify budget, to replace computer in Code Enforcement (Secretary) Office

On a motion prepared and offered by Supervisor Killen, seconded by Councilor Sisson, the following was

ADOPTED	Ayes	5	Anderson, Jones, Killen, Sisson, Stewart
	Nays	0	

Whereas the computer replacement schedule and discussions with SCT computer owner, Bob Wixon had determined that two computers at TOJ need replacement this year, and

Whereas the two oldest computers in need or replacement are identified as those in Code Enforcement (Secretary) Office, and in Bookkeeper's Office, and

Whereas the computer replacements were not placed in 2018 budget when completed, and

Therefore be it resolved that an amount not-to-exceed \$1700 be moved from 1990.4 Contingency to 1680.4 Data Processing to pay for computer for code enforcement office secretary and bookkeeper.

KEUKA PARK SEWER AND WATER (KPSW)

- KPSW is accepting electronic and credit card payments.
- Highway Superintendent Martin will attend the monthly KPSW Committee meetings for the duration of the sewer and water capital projects.

With there being no further business, on a motion of Supervisor Killen, seconded by Councilor Stewart, the meeting was adjourned at 8:06 P.M.

Sheila McMichael, Town Clerk

Local Law No. A of the year 2018

A local law to override the tax levy limit established in General Municipal Law §3-c

Be it enacted by the Town Board

Town of Jerusalem

as follows:

Section 1: Legislative Intent

It is the intent of this local law to override the limit on the amount of real property taxes that may be levied by the Town of Jerusalem, County of Yates pursuant to General Municipal Law §3-c, and to allow the Town of Jerusalem to adopt a town budget for (a) town purposes (b) fire protection districts and (c) any other special or improvement district governed by the town board for the fiscal year 2018 that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law §3-c.

Section 2: Authority

This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes the town board to override the tax levy limit by the adoption of a local law approved by a vote of sixty percent (60%) of the town board.

Section 3: Tax Levy Limit Override

The Town Board of the Town of Jerusalem, County of Yates, is hereby authorized to adopt a budget for the fiscal year 2018 that requires a real property tax levy in excess of the limit specified in General Municipal Law §3-c.

Section 4: Severability

If any clause, sentence, paragraph, section or part of this local law or the application thereof to any person, firm or corporation, or circumstance, shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part of this local law or in its application to the person, individual, firm or corporation or circumstance directly involved in the controversy in which such judgment or order shall be rendered.

Section 5: Effective Date

This local law shall take effect immediately upon filing with the Secretary of State.