

TOWN BOARD MEETING

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Town of Ulysses

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September 9, 2014

Audio of the minutes are available on the website at [ulysses.ny.us](http://ulysses.ny.us).

The meeting was held at the Ulysses Town Hall at 10 Elm Street, Trumansburg.

**PRESENT:**

Supervisor- Liz Thomas

Board members- Rich Goldman, John Hertzler, Nancy Zahler, David Kerness

Clerk- Carissa Parlato

Environmental planner- Darby Kiley

Mariette Geldenhuys

Jim Meeker

Michelle Wright

**OTHERS PRESENT:**

Diane Hillmann; residents from Maplewood Road: Liz Thorndyke, Dave Beers, Jim White, Amy Panek; Jim Dennis, County Legislator; Robert and Christina Hayes; Bill and Shirley Fearn (arrived around 8pm)

Notice of Town Board meetings are posted on the website and clerk's board.

Ms. Zahler made a motion to go into executive session at 6:43pm, seconded by Mr. Kerness, for the purpose of discussing matters of personnel.

The board returned from executive session at 6:52pm.

Ms. Thomas called the meeting to order at 7 p.m.

**GENERAL BUSINESS:**

**APPROVAL OF MEETING AGENDA**

**RESOLUTION 2014-158:**

BE IT RESOLVED that the Ulysses Town Board approve the agenda for the Sept. 9, 2014 meeting with the addition of a resolution to purchase trucks for highway (under New Business).

Moved: Ms. Zahler

Seconded: Mr. Hertzler

Ms. Thomas            aye

Ms. Zahler            aye

Mr. Kerness           aye

Mr. Goldman          aye

Mr. Hertzler          aye

Vote: 5-0

Date Adopted: 9/9/14

**APPROVAL OF MINUTES: 8/12 Public Hearing & 8/12 Town Board meeting**

**RESOLUTION 2014-159:**

BE IT RESOLVED that the Ulysses Town Board approve the minutes of the 8/12/14 Public Hearing and the 8/12/14 Town Board meeting.

Moved: Ms. Hertzler                      Seconded: Ms. Zahler

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Kerness	aye
Mr. Goldman	aye
Mr. Hertzler	aye

Vote: 5-0

Date Adopted: 9/9/14

**APPROVAL OF CLAIMS**

**RESOLUTION 2014-160:**

BE IT RESOLVED that the Ulysses Town Board approve payments of claims 100 to 133 plus non-vouchered regular payments totaling \$39,567.20.

Moved: Mr. Kerness                      Seconded: Ms. Zahler

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Kerness	aye
Mr. Goldman	aye
Mr. Hertzler	aye

Vote: 5-0

Date Adopted: 9/9/14

**PRIVILEGE OF THE FLOOR:**

Ms. Thorndyke of 27 Maplewood Road spoke on behalf of herself and three of her neighbors. She presented photos of the damage due to the August 5 storm. The group will need to spend thousands to repair their damage. They are hoping that the town will be able to help control the potential damage of future flooding by installing a swale and culvert to redirect the flow of water coming down their shared driveway.

Mr. Meeker reported that a culvert would not solve issue, but other options might help.

Ms. Thomas suggested that Mr. Meeker work with the group on solutions.

Mr. White, Mr. Beers, and Ms. Panek also experienced damage and echoed the comments of Ms. Thorndyke.

Ms. Hayes encouraged the board to consider their request for their 30-day liquor license application waiver. She and Mr. Hayes submitted a letter of support from the current Rascal's bar and restaurant owner.

Ms. Hillmann inquired about communications with Exxon/Mobil and the status of weatherizing the old Jacksonville church for winter.

Ms. Thomas responded that the board has been in communication and Exxon/Mobil has expressed in interest in the issue.

Ms. Hillmann also inquired about the TTHM (total trihalomethane) issue for the water district.

## **TOWN REPORTS:**

### **MR. DENNIS, COUNTY LEGISLATOR:**

- The county budget was received on Sept. 2 from County Administrator Joe Mareane. The tax cap has been set at 2.6% with a levy of 2.34%. The county has not spent down its fund balance as other counties have had to do, and is near the end of payments of bonds.
- Airport finance is an increasing problem. Enplanement is down. There is a new interim director. The county will not request the \$125K annual payment from the airport this year to assist with the airport's financial difficulties. The county will use their fund balance to close that revenue gap.
- The county will probably commit funds to OAR (Opportunities, Alternatives and Resources- formerly known as Offender Aid and Restoration).
- They will add 5% of the levy to the highway budget each year for future needs.
- The county budget process starts Wednesday night with six evenings of presentations and three nights of voting. Oct. 21 is the tentative date for the final vote.
- TCCOG (Tompkins County Council of Governments) sent a letter to Albany requesting a longer tax look back period to enable our communities to get credit for shared services that began before the Governor's term.
- A new Commissioner of Personnel was hired- Debra Griffith Prato.

### **PLANNING/ZONING-**

#### Planning Board

- On August 19, the Planning Board held a public hearing and approved the Special Permit and Site Plan for the Lakshmi Institute proposal to re-use the mini-golf property.
- The PB also re-approved a two-lot subdivision for the Parker property on Trumansburg Road.
- On September 2, the board held a public hearing and approved a three-lot subdivision on the corner of Krums Corners Rd and Iradell Rd Ext.
- The town is in need of a Town Engineer on retainer to review site plan and subdivision proposals. A memo with proposed procedures has been submitted to the Town Board and Planning Board. A request for qualifications and statement of work is being developed.

#### BZA

- In August the BZA approved area variances for a proposed residence in the Lakeshore District, and after much discussion, the board tabled an area variance request for a proposed new lot in the A1-Agricultural District near Jacksonville.

#### Enforcement actions

- Stormwater violation: Continuing to work with property owners and engineer on Pennsylvania Ave property.
- Zoning violation: 1942 Trumansburg Rd – At the court appearance on 8/19/14, Mr. Dodge’s Attorney, John Stevens, asked to meet on the property to review the zoning violations. Dave Kerness and Darby met with Mr. Stevens at the property on 8/28/14. Mr. Stevens will work with Mr. Dodge to bring the property into compliance. The next court date is scheduled for 9/23/14.

#### Grants

- Energy Projects: Grant – The Project Team will move forward with the project when NYSERDA signs the grant contract.

#### Other Meetings/Issues

- Cayuga Lake Watershed Intermunicipal Organization met in Interlaken on August 27, 2014. The group continued to discuss how to grow the membership. The Town of Ithaca is moving forward with accepting grant funds for updating the watershed management plan. A grant will be submitted next year to support a staff person for the organization.
- ITCTC met on September 2, 2014. The Draft 2035 Long Range Transportation Plan is available for review here: <http://www.tompkinscountyny.gov/itctc>. There will be a public meeting later in September to receive comments on the Plan. Including the joint Ulysses-Trumansburg sidewalk project application, there were five applications within the County to the State Transportation Alternatives Program. We might expect to have one of the projects funded.

### **HIGHWAY SUPERINTENDENT- Jim Meeker**

Mr. Meeker reported that the Highway Department worked on the following in August:

- Performed shoulder repairs on Glenwood Heights Road and Maplewood Road
- Read water meters
- Unplugged culverts on Falls Road
- Put new tires on 10 wheeler
- Helped Ithaca with paving on Sandbank Road
- Mowed roadsides
- Received new roadside culvert

#### **RESOLUTION 2014-161:**

RESOLVED that the town board of the Town of Ulysses authorizes Town Highway Superintendent James Meeker to purchase two trucks based on quotes provided by VanBortel Ford as outlined in the Letter of Intent from Supervisor Elizabeth Thomas.

Moved: Ms. Thomas

Seconded: Mr. Kerness

Discussion: Mr. Goldman inquired as to whether this purchase was already in the budget. Ms. Thomas responded in the affirmative.

Ms. Thomas

aye

Ms. Zahler            aye  
 Mr. Kerness         aye  
 Mr. Goldman        aye  
 Mr. Hertzler        aye

Vote: 5-0

Date Adopted: 9/9/14

### **TOWN CLERK- Carissa Parlato**

Ms. Parlato reported the following for the clerk's office in August:

#### Financial report:

- Collected \$ 4174. in fees for licenses (dog, marriage, sporting)
- The town keeps \$911. of that.

#### Licenses issued:

- Sporting licenses- 16
- Disabled parking permits- 6
- Dog licenses and renewals- 49
- Marriage licenses- 7

#### Activities:

- Spent time working on records management- made a master inventory list of town records and where kept, etc. Worked with Town Historian, John Wertis to organize and develop longer term plans, get rid of the things that can be gotten rid of.
- Updated outdated sections of the town's website.
- Attended health consortium mtg. They have a Bronze plan proposal.
- Spent time preparing the clerk's budget for next year.
- Sent out a listserv message
- Executed a water billing
- Routine tasks- collected and processed water payments, answered questions, issued licenses, ordered supplies, kept clerk's accounts balanced and organized, etc.

### **CODE ENFORCEMENT OFFICER-**

(none)

Mr. Goldman would like a monthly report, especially if Mr. Rachun is unavailable to attend the meeting.

### **SUPERVISOR- Elizabeth Thomas**

#### **Water District – meetings**

- Prepared and sent chlorination by-product reports to Department of Health.
- Wrote quarterly letter to WD3 customers outlining status of system.
- Wrote draft contract with Bolton Point to manage parts of WD3, reviewed with Fred/Jim and sent on to Bolton Point for review.
- Met and communicated with engineer and Cornell water system expert. Modeling is complete. Next step: decide measures to ensure WD3 stays within Health Dept. limits.
- Met with Tim Steed (Hunt Engineering), Michael Boggs (Jacksonville resident), and Fred Dean (Water Superintendent). The group created a model of the water system to help determine a

solution to the TTHM problem. They looked at options of closing the loop on the system, putting in smaller pipes did some modeling on whether putting in smaller pipes would be better. The best long term plan seems to be hooking in to Trumansburg. Putting in smaller lines would cost more than an aerator. They must have a model to the Dept. of Health by Sept. 15<sup>th</sup> and discuss best plans with them.

Diane Hillman noted that she would like Jacksonville residents to be involved in the decision.

The current modelling project seems to indicate that an aerator will be the best short-term fix.

#### **Dog control – Met 8/25**

- The coalition made final agreement to forego a formal enumeration in favor of other methods of tracking dogs in combination with education about the importance of vaccination and requirement to license dogs.
- Follow one last lead on dog enumerator.
- TC Dept. of Health met with us to discuss a shared database of rabies vaccinations. The database could also be helpful for locating lost dogs and hosting licensing information. The Dept. of Health hopes to have this running by next year. This will automate some of the work now done by hand.

#### **TCCOG – met on 8/28**

Had reports on the following

- Cornell Relations – Joel Malina, Vice President of Cornell University Relations, gave a quick overview of how Cornell can help local governments.
- Stormwater – head of the Soil and Water Conservation Service, John Negly and County Planner, Scott Doyle gave a review of their roles in stormwater management. A request was made for education materials explaining what stormwater management is and its importance.
- Emergency response – Lee Shurleff and Beth Harrington, both from TC Emergency Management Services, urged municipalities to update their emergency management plans, outlined who needs to be trained, what the county role is, and how municipalities can get more help. Training and planning is often required in order to be eligible for FEMA aid should it be necessary.
- Youth Services – Amie Hendrix presented the Youth Services annual report. A significant amount of soft funding will be gone in 2015 possibly requiring more cuts in youth services or an increase in contributions.
- Shared services - TCCOG passed a resolution Urging State Leadership to Rescind Look-Back Period Associated with the Property Tax Freeze Legislation. Passed unanimously.

#### **EMS/Fire**

- EMS: Prepare policy for low income patients.
- Review fire/EMS budgets, refigure % change,

#### **Historic Preservation – Meetings: 8/18, 8/19**

- Discuss how to move forward with historic church to prevent its deterioration. Work with historic preservationist and Nancy.
- Accept inventory of historic buildings done over the summer.
- Meet contractor to evaluate building condition.

**Youth**

- Follow up on changes to Memo of Understanding between Village and Town over budget, send to Village for signature.
- Review budget projections from Village and budget request from Youth Commission

**Budget**

- Work with Mary to prepare YTD spending and 2015 budget request forms for department heads, send out with letter of explanation.

**Shared Services – Meet 8/27 and 9/4**

- Continue to work with other municipalities to find new opportunities for shared services.
- Request for documentation on court case load, submit to subgroup working on shared services.

**Ag**

- 8/26 - Meet with core organizers of the Ag Committee to plan November meeting of potential members.
- Field concerns over purchase of development rights. Meet with concerned residents 8/22, 9/3.

**Energy**

- Keep up with articles on effects of gas drilling, pipelines, energy policy, alternate energy,

**Stormwater**

- Field resident concerns over erosion and stormwater issues on farms
- Tour flood affected sites with Highway Superintendent.
- Respond to resident complaints re flooding.
- Clarify questions over stormwater pollution prevention plan currently under review.

**Communications**

- Write newsletter, send out for edits, rewrite, more edits, more edits, send to printer.

**Other**

- Filled in while various staff are on vacation
- 8/21: Attended meeting of Girl Scouts on their Master Plan for the camp, give feedback.
- Trails: continued planning of meeting to map trails in Tompkins County.
- Computer support: failed hard drive, new operating system installed, reinstalled programs.
- 8/5 all day: Review of records by the Office of the State Comptroller.
- Weekly review of topics with attorney for the town.
- Prepared agendas and background documents; reviewed topics with TB members; conducted meetings; reviewed minutes.
- Reviewed civil service requirements for town position.
- Reviewed claims and budget, made suggested budget modifications to be approved by TB, reviewed payroll, signed checks,
- 30 day waiver of review for liquor license for bar/restaurant changing hands.
- EMS – reviewed work with Michelle.
- Completed survey from NY Commission on Community Services.
- Interviews with media on storm and tax cap.

**DEPUTY SUPERVISOR- Ms. Wright:**

- Finished newsletter- will go out on Tuesday. Developed the apartment list so that tenants can receive newsletters too.
- Now have a zone-specific list so that we can mail to people by zone that they live in.
- Started doing clerking for PB/BZA.

**MR. GOLDMAN-**

- A health consortium retreat is scheduled for Sept. 15.
- The consortium will be able to keep their rate increase down to 5% rather than 8% over the next 5 years due to huge fund balance.
- Passed platinum plan. Any plan higher will get taxed, so all will have to move to that plan to avoid tax.
- Liaison to Planning Board

**MS. ZAHLER:**

- The Youth Commission met and is requesting modest increases to continue existing programs for 2015. No new proposals. They updated their memorandum of understanding.
- The village passed their deer plan.
- Working on EMS billing

**MS. GELDENHUYS:**

- The motion to uphold the Dryden Middlefield decision looks promising.

**OLD BUSINESS:****LOCAL LAW #5 of 2014: A LOCAL LAW TO AMEND THE ENFORCEMENT PROVISIONS OF LOCAL LAW #1 OF 2007, WHICH PROVIDES FOR ADMINISTRATION AND ENFORCEMENT OF THE NYS UNIFORM FIRE PREVENTION AND BUILDING CODE, ZONING CODE AND STORMWATER LAW.**

The board discussed the proposal and asked clarifying questions.

Mr. Meeker was excused at 8:35pm.

Ms. Thomas

**PRIVILEGE OF THE FLOOR:**

Mr. Fearn expressed concerns about the Glenwood buffalo farm. He doesn't think the land has been managed well; overgrazing has led to increased erosion and depletion of groundcover. Mr. and Mrs. Fearn request that the grant that the farm applied for not be accepted until the Ag Committee can review this issue. He urged board members to go see property.

Mr. Bill Fearn expressed further concern over the culvert that Mr. Reynolds put in.

**RESOLUTION 2014-162:**

BE IT RESOLVED that the Ulysses Town Board approves budget modifications as stated:

A7510.4	Historian CE	increase	\$1,194.00
A1990.4	Contingency	decrease	\$1,194.00

For replacement historical marker costs (will be reimbursed by insurance)

A7520.4	Historical Property CE	increase	\$3,500.00
A1990.4	Contingency	decrease	\$3,500.00

To cover cost of surveying historical properties in town and village.

Moved: Ms. Zahler    Seconded: Mr. Kerness

Discussion- Mr. Hertzler expressed concern on the shared historical survey project due to the fact that the town is paying more although fewer houses in the town were surveyed.

Ms. Thomas	aye	
Ms. Zahler	aye	
Mr. Kerness	aye	
Mr. Goldman	aye	
Mr. Hertzler		nay

Vote: 4-1

Date Adopted: 9/9/14

**RESOLUTION 2014-163:**

BE IT RESOLVED that the Ulysses Town Board accepts the proposed local law #5 of 2014 a local law to amend the enforcement provisions of local law #1 of 2007, which provides for administration and enforcement of the NYS Uniform Fire Prevention and Building Code, Zoning Code and Stormwater Law; and

FURTHER RESOLVED that the Ulysses Town Board amends the time for a Public Information meeting to 6:00pm on Tuesday, Sept. 23 and a Public Hearing at 6:30pm.

Moved: Ms. Thomas    Seconded: Mr. Kerness

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Kerness	aye
Mr. Goldman	aye
Mr. Hertzler	aye

Vote: 5-0

Date Adopted: 9/9/14

**EMS:**

The group discussed the latest information gathered with regards to developing an EMS billing policy.

**RESOLUTION 2014-164:**

Resolved that the Ulysses Town Board amend the approval of claims 100 to 133 for vouchered items totaling \$40,860.73 and non-vouchered items totaling \$18,414.21 for a total of \$59,274.84.

Moved: Ms. Thomas

Seconded: Ms. Zahler

Ms. Thomas            aye  
 Ms. Zahler            aye  
 Mr. Kerness           aye  
 Mr. Goldman          aye  
 Mr. Hertzler          aye

Vote: 5-0

Date Adopted: 9/9/14

**RESOLUTION 2014-165: TO ADOPT LOCAL LAW NO. 4 of 2014, TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW §3- C**

*WHEREAS, municipalities of the State of New York are limited in the amount of real property taxes that may be levied each year under the tax levy limit established in General Municipal Law §3-c, and*

*WHEREAS, subdivision 5 of General Municipal Law §3-c expressly authorizes a municipality to override the tax levy limit by the adoption of a local law approved by vote of at least sixty percent (60%) of the governing body, and*

*WHEREAS, at its meeting on August 12, 2014 the Town Board of the Town of Ulysses reviewed and discussed a proposed local law to override the tax levy limit and adopted a resolution for a public hearing to be held by said Town on September 9, 2014 at 6:30 p.m. to hear all interested parties on the proposed local law entitled "A 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 Ithaca Journal on September 1, 2014;*

*THEREFORE BE IT RESOLVED that the Town of Ulysses Town Board enacts LOCAL LAW NUMBER 4 of 2014, TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW §3- C*

Be it enacted by the Town Board of the Town of Ulysses 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 Ulysses, County of Tompkins pursuant to General Municipal Law §3-c, and to allow the Town of Ulysses, County of Tompkins to adopt a town budget for (a) town purposes, (b) fire protection districts, and (c) any other special or improvement district, and Town improvements provided pursuant to Town Law Article 12-C, governed by the Town Board for the fiscal year beginning January 1, 2015

and ending December 31, 2015 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 vote of at least sixty percent (60%) of the Town Board.

**Section 3. Tax Levy Limit Override:** The Town Board of the Town of Ulysses, County of Tompkins is hereby authorized to adopt a budget for the fiscal year 2015 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, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted 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, subdivision, 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.

Moved: Ms. Zahler                      Seconded: Mr. Kerness

Discussion- Ms. Zahler stated this law is necessary to allow the board flexibility. It is her goal to develop a budget within the tax cap, but they need to be able to account for costs beyond the town’s control.

Ms. Thomas agrees. For example, last year EMS went up 11%. The override is necessary to continue offering services that the town is mandated to supply.

Mr. Kerness thinks that the town has enough in the fund balance to pay for extra costs.

Ms. Thomas	aye	
Ms. Zahler	aye	
Mr. Kerness		nay
Mr. Goldman	aye	
Mr. Hertzler	aye	

Vote: 4-1

Date Adopted: 9/9/14

**PERSONNEL POLICY – POSSIBLE ADOPTION**

The board began a discussion of the personnel policy but decided to table it to later in the meeting.

**WAIVER OF 30 DAY GRACE PERIOD FOR LIQUOR LICENSE**

**RESOLUTION 2014-166:**

WHEREAS, Robert and Christine Hayes, (Horshack, LLC) submitted a Notice of Intent to file a new application for an On-Premises Alcoholic Beverage License for liquor, wine and beer to be sold at 1710 Trumansburg Road, Ithaca, NY; and

WHEREAS, pursuant to the applicable provisions of the Alcohol and Beverage Control Law Section 64, Subdivision 2(a), the Town of Ulysses has been notified of their intent to file an application for a liquor license with the New York State Liquor Authority; and

WHEREAS, a thirty (30) day hold before said application can be filed is mandated by New York Alcohol and Beverage Control Law, however, this time period may be waived by the municipality; and

WHEREAS, the Ulysses Town Board wishes to assist the applicant in expediting the application process so as to allow a new business to achieve the greatest level of success by advancing this approval process; now, therefore be it

RESOLVED, that to the extent permitted by the New York State Liquor Authority, the Ulysses Town Board hereby waives the requirement that written notice of the application be given to the Town at least thirty (30) days prior to submitting this application; and be it further

RESOLVED, that the Town Clerk is hereby authorized to issue a letter to the applicant and to the New York State Liquor Authority to confirm the Town's receipt of the Notice of Intent to file for the liquor license and a waiver of the thirty (30) day hold on the processing of said application.

Moved: Ms. Zahler

Seconded: Mr. Kerness

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Kerness	aye
Mr. Goldman	aye
Mr. Hertzler	aye

Vote: 5-0

Date Adopted: 9/9/14

**NEW BUSINESS:**

**REQUEST TO NYS FOR DIFFERENT "LOOKBACK" DATE ON TAX FREEZE**

**RESOLUTION 2014-167:**

Requesting New York State Revise the Time Period Considered When Computing Savings Associated with Shared Services, Efficiencies, and Reforms in the Government Efficiency Plan Required by the State's Property Tax Freeze Law

WHEREAS, the New York State Department of Taxation and Finance released Publication 1030 dated July 14, 2014, providing guidance on the Property Tax Freeze Credit, and

WHEREAS, the Property Tax Freeze Credit is a State-funded program that reimburses qualifying New York State homeowners for increases in local property taxes on their primary residence, and

WHEREAS, in order for the credit to be available to the homeowners in a local taxing jurisdiction, the jurisdiction must comply with the New York State Property Tax Cap and, after the first year, must also develop a “Government Efficiency Plan” that documents the way the jurisdiction proposes to generate sustained savings equal to one percent of its property tax levy for at least three years through efficiencies, shared services, and reforms, and

WHEREAS, the State legislation that enacted the property tax freeze expressly requires the consideration of “past efficiencies, shared services, and reforms” in determining whether the cost-saving requirements of the law have been met, and

WHEREAS, this “look-back” provision is intended to recognize and reward local governments that took actions such as those now being advocated by the State long before the enactment of the property tax freeze legislation, and that are generating recurring annual savings for local taxpayers, and

WHEREAS, the State’s property tax freeze legislation does not limit the look-back period provided to local governments, thereby providing the State Division of Budget great latitude to consider accomplishments of local governments that have proven to be sustainable and are continuing to generate annual savings to local taxpayers today, and

WHEREAS, the State Division of Budget has chosen to exercise this latitude in an extraordinarily narrow and limited manner, allowing consideration of only those measures put in place since 2012, the initial year of the State’s cap on local property tax levies, and

WHEREAS, the Tompkins County, along with other municipalities within Tompkins County, has been a leader in shared services, consolidations, and efficiencies and has assembled a remarkable list of achievements long-before the 2012 look-back period established by the Division of Budget, and

WHEREAS, major examples of such collaborations involving the County and other local governments include Tompkins Cortland Community College, Tompkins County Area Transit, the Consolidated Emergency Dispatch Center and Interoperable Public Safety Communications system, a centralized Assessment Department, and most recently, the Greater Tompkins Municipal Health Insurance Consortium, and

WHEREAS, the restrictive “look-back” period established by the State ignores the substantial and sustained property tax savings associated with each of these consolidations and shared service arrangements, and

WHEREAS, the savings associated with the Greater Tompkins Municipal Health Insurance Consortium alone approaches \$1 million annually, the equivalent of 1.3% of the aggregate property tax levies of every local government within Tompkins County, including the Town of Ulysses, thereby far exceeding the State’s threshold for the property tax freeze credit, and

WHEREAS, because the Health Consortium began operations in 2011, or one year prior to the “look-back” period established by the State, the savings that continue to be generated by the Health Benefits Consortium will not count toward the savings threshold of any local government other than the City of Cortland in Cortland County which joined the Consortium in 2012, and

WHEREAS, without a longer look-back period the Town of Ulysses, Tompkins County and other local governments within the County will be in a far worse position under the property tax freeze law than those local governments that chose not to initiate any such reforms or generate such savings in the past, and

WHEREAS, the Town of Ulysses concurs with the member municipalities of the Tompkins County Council of Governments that believe that a longer look-back period will afford more municipalities the opportunity to show that savings have been achieved through collaborations such as those sought by the State, now therefore be it

RESOLVED, that the Town of Ulysses requests the State move the “look-back” date to at least January 1, 2000, so as to reward, rather than punish, local governments that initiated consolidations, shared services, and reforms in the past,

RESOLVED, further, That copies of this resolution be sent to Assemblywoman Barbara Lifton, Senators Thomas O’Mara, Michael Nozzolio, and James Seward, Governor Andrew Cuomo, the New York State Division of Budget Director Robert Megna, and to the New York Association of Towns.

Moved: Ms. Zahler    Seconded: Mr. Kerness

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Kerness	aye
Mr. Goldman	aye
Mr. Hertzler	aye

Vote: 5-0

Date Adopted: 9/9/14

## **AUTHORIZING SUPERVISOR TO SIGN STORMWATER OPERATION AND MAINTENANCE MANUALS**

### **RESOLUTION 2014-168:**

WHEREAS, The Town of Ulysses Local Law No. 3 of 2007 for Stormwater Management and Erosion and Sediment Control includes provisions for the Town to approve maintenance agreements for stormwater management facilities; and

WHEREAS, the maintenance agreements will be developed by the Town Stormwater Management Officer, the Attorney from the Town, and appropriate agents for the property owner;

NOW, THEREFORE BE IT RESOLVED, that the Town Board delegates the Town Supervisor to sign maintenance agreements for stormwater management facilities.

Moved: Mr. Goldman                      Seconded: Mr. Kerness

Ms. Thomas                      aye  
 Ms. Zahler                      aye  
 Mr. Kerness                      aye  
 Mr. Goldman                      aye  
 Mr. Hertzler                      aye

Vote: 5-0  
 Date Adopted: 9/9/14

**ALTERNATE REPRESENTATIVE TO THE CAYUGA LAKE WATERSHED INTERMUNICIPAL ORGANIZATION.**

**RESOLUTION 2014-169:**

WHEREAS, the Town of Ulysses is an active member of the Cayuga Lake Watershed Intermunicipal Organization (IO); and

WHEREAS, Darby Kiley is the appointed Town representative but having an alternate is beneficial for meeting attendance and participation;

NOW, THEREFORE BE IT RESOLVED, that the Town Board appoints Ken Zeserson as the Town's alternate representative to the Cayuga Lake Watershed Intermunicipal Organization.

Moved: Mr. Goldman                      Seconded: Mr. Hertzler

Ms. Thomas                      aye  
 Ms. Zahler                      aye  
 Mr. Kerness                      aye  
 Mr. Goldman                      aye  
 Mr. Hertzler                      aye

Vote: 5-0  
 Date Adopted: 9/9/14

**PERSONNEL POLICY – POSSIBLE ADOPTION**

The board continued its discussion of the proposed Personnel Policy, focusing on:

- Call-in time
- Family plans vs. 2 individual plans
- Retiree eligibility

**RESOLUTION 2014-170:**

Resolved that the Town of Ulysses Town Board adopts the personnel policy of 9/9 as its final draft with the understanding that the draft be discussed with employees before final adoption.

Moved: Ms. Zahler                      Seconded: Mr. Kerness

Ms. Thomas                      aye  
 Ms. Zahler                      aye  
 Mr. Kerness                      aye  
 Mr. Goldman                      aye  
 Mr. Hertzler                      aye

Vote: 5-0

Date Adopted: 9/9/14

## **SUPPORTING COMMUNITY SUPPORTED RESTAURANT/BAR**

### **RESOLUTION 2014-171:**

WHEREAS the business formerly called The Rongovian Embassy (“The Rongo”) on Main Street in Trumansburg was the cultural and social hub of the Village and Town of Ulysses for more than 30 years and

WHEREAS the business foundered in recent years due to diverse factors such as undercapitalization and management problems causing it to shutter its doors in 2012 and,

WHEREAS a community team has emerged intent upon resurrecting this historic bar/restaurant and

WHEREAS this team comprises a core of leaders from various walks of life in Ulysses including our business, hospitality and musical communities among others and

WHEREAS this team has apparently obtained sufficient funding to restore “The Rongo” to its former place as a hub of our community and

WHEREAS an experienced management team has been retained by the emerging entity to guide it into a profitable and successful future and,

WHEREAS this idea to date has encountered nothing by enthusiastic affirmation by the vast majority of Ulysses and Trumansburg residents informally consulted by the Town Board,

THEREFORE BE IT RESOLVED that the Town of Ulysses supports the idea of resurrecting “The Rongo” as we believe it can once again be a desirable community and social resource for the people of Ulysses, and urges the NYS Liquor Authority to look favorably upon the application submitted by “The Rongo” to serve alcoholic beverages in the restaurant which establishment will once again assume an important position in the social life and economic fabric of the Town of Ulysses

AND FURTHER RESOLVED that this recommendation from the Town of Ulysses be forwarded to State Senator Tom O’Mara and Assemblywoman Barbara.

Moved: Mr. Hertzler                      Seconded: Mr. Goldman

Ms. Thomas		abstain
Ms. Zahler	aye	
Mr. Kerness		abstain
Mr. Goldman	aye	
Mr. Hertzler	aye	

Vote: 3-2

Date Adopted: 9/9/14

Ms. Thomas made a motion to move into executive session at 10:15pm, seconded Ms. Zahler, for the purpose of discussing matters of personnel.

The board returned from executive session at 10:48pm.

**PRIVILEGE OF THE FLOOR:**

*(no comments spoken nor submitted)*

**ADJOURN:**

Ms. Zahler made a motion to adjourn the meeting at 11 pm, seconded by Mr. Hertzler.

*Respectfully submitted*

*by Carissa Parlato, 9/18/14*