

TOWN BOARD MEETING

Town of Ulysses

November 25, 2014

Audio of the minutes are available on the website at ulysses.ny.us.

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

PRESENT:

Supervisor- Liz Thomas

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

Clerk- Carissa Parlato

2nd Deputy Supervisor- Michelle Wright

OTHERS: Jason Fulton, (Trumansburg Fire chief), Dave Schurman

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

Ms. Thomas called the meeting to order at 7:12 p.m.

GENERAL BUSINESS:

APPROVAL OF MEETING AGENDA

RESOLUTION 2014-198:

BE IT RESOLVED that the Ulysses Town Board approve the agenda for the Nov. 25, 2014 meeting with the following additions: an announcement after Privilege of the Floor; resolutions for new truck, pipeline, and a contract with Bolton Point.

Moved: Ms. Thomas

Seconded: Mr. Goldman

Ms. Thomas aye

Ms. Zahler aye

Mr. Hertzler aye

Mr. Kerness aye

Mr. Goldman aye

Vote: 5-0

Date Adopted: 11/25/14

APPROVAL OF MINUTES: 11/12

RESOLUTION 2014-199:

BE IT RESOLVED that the Ulysses Town Board approve the minutes for the meetings of 11/12, as amended by Ms. Zahler.

Moved: Ms. Zahler Seconded: Mr. Kerness

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

Vote: 5-0

Date Adopted: 11/25/14

PRIVILEGE OF THE FLOOR:

Mr. Fulton announced that the Fire Company has successfully submitted grant applications for equipment totaling \$440,000.

ANNOUNCEMENTS:

Ms. Thomas announced that the Town has been awarded a sidewalk grant. Work on the project must be completed by the end of 2016.

Ms. Wright further commented.

OLD BUSINESS:

WATER DISTRICT-3 – PRELIMINARY DECISION ON REMEDIATION OF CHLORINATION BY-PRODUCTS

RESOLUTION 2014-200:

WHEREAS it is a violation of Subpart 5-1.52 of the New York State Sanitary Code to exceed the Maximum Contaminant Level of 80 ug/l (micrograms/liter) of total trihalomethanes (TTHMs) in a municipal water system; and

WHEREAS the yearly average of water tests for total trihalomethanes at the designated testing location in Town of Ulysses Water District 3 has consistently exceeded the limit since August 2013; and

WHEREAS on June 27, 2014 the Tompkins County Board of Health passed a resolution ordering the Town of Ulysses to submit an engineering report and plan by January 15, 2015 indicating how the annual maximum contaminant level will be reduced to under 80 ug/l; and

WHEREAS this plan must be implemented and operational by September 15, 2015; and

WHEREAS Tim Steed, from Hunt Engineers, provided a model of the age of water in Water District 3 which relates to the level of TTHMs in the system, and analyzed the effectiveness and cost of many remediation options including:

1. Operational changes such as flushing, varying the water tank levels, and reducing the chlorine levels
2. Installation of a water tank mixer
3. Installation of a mixer/aerator for the water tank
4. Reducing the diameter of water mains

- 5. Adding charcoal filters either at each point of use or at the point of entry to the system
- 6. Connecting to the Village of Trumansburg well water supply
- 7. Modifying the tank inlet to increase the flow through the water tank including a new inlet pipe on Iradell Road or a separate inlet pipe on Van Dorn Road and

WHEREAS in Mr. Steed’s conclusions he recommends the installation of a tank treatment (i.e. aerator/mixer) to address the immediate Board of Health violation,

WHEREAS Mr. Steed’s model indicated that because the water district was overbuilt to provide the Village of Trumansburg with a second source of water, the water tank is by-passed altogether during times of low water usage, but he feels enough aerated water will enter the system to reduce the TTHMs to under the 80 ug/l threshold even in the most remote ends of the water system.

THEREFORE BE IT RESOLVED that the Ulysses Town Board authorizes the Town Supervisor, Water District Operator and Engineer for the Town to move forward on bids to find the most appropriate mixer/aerator system to install in the water tank on Van Dorn Road with the goal of reducing the overall TTHMs within the Ulysses Water District 3; and further

RESOLVED that the Town Supervisor, Water District Operator and Engineer for the Town will present the contract for the system to the Town Board for final approval.

Moved: Ms. Thomas Seconded: Mr. Kerness

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

Vote: 5-0

Date Adopted: 11/25/14

EMS BILLING

Ms. Zahler presented the following proposed policies for Emergency Medical Services:

- billing policy
- financial assistance policy
- frequently asked questions (FAQ)

TRUCK PURCHASE FOR THE HIGHWAY DEPARTMENT

RESOLUTION 2014-201:

RESOLVED 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, and

RESOLVED the Town Board authorizes the purchase of the

2015 Ford F-350 XL quoted at \$45,809.60, not to exceed \$48,000, and the
2015 Ford F-150 XL quoted at \$22,159, not to exceed \$26,000.

Moved: Ms. Thomas

Seconded: Mr. Kerness

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

Vote: 5-0

Date Adopted: 11/25/14

BOLTON POINT CONTRACT:

RESOLUTION 2014-202:

RESOLVED that the Ulysses Town Board approves the change in the indemnification language in section 5 of the Operation and Maintenance Agreement by and between the Southern Cayuga Lake Intermunicipal Water Commission and the Town of Ulysses to the language approved by the Attorney for the Town of Ulysses and the Town's insurance provider, NYMIR.

FURTHER RESOLVED that the Ulysses Town Board authorizes the Town Supervisor to sign a revised agreement that include the changes to the indemnification language.

Moved: Ms. Thomas

Seconded: Mr. Kerness

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

Vote: 5-0

Date Adopted: 11/25/14

NEW BUSINESS:

APPROVAL OF THE FIRE SERVICES CONTRACT

RESOLUTION OF THE ULYSSES TOWN BOARD TO APPROVE AN AGREEMENT WITH THE VILLAGE OF TRUMANSBURG FOR FIRE PROTECTION SERVICES IN THE FIRE PROTECTION DISTRICT OF THE TOWNS OF ULYSSES, HECTOR AND COVERT

RESOLUTION 2014-203:

WHEREAS, a fire protection district known as “the Fire Protection District of the Towns of Ulysses, Hector and Covert” (hereafter referred to as “the Fire Protection District”) has been duly established in the said towns; and

WHEREAS, the Fire Protection District encompasses the following territory in the Town of Ulysses: All of the Town of Ulysses, excepting the area within the limits of the incorporated Village of Trumansburg; and

WHEREAS, the Village of Trumansburg (hereafter referred to as “the Village”) maintains a volunteer fire department, with adequate and suitable apparatus, equipment and training for the furnishing of fire protection services within the Fire Protection District; and

WHEREAS, Town Law §184 permits a town to contract with a village which maintains adequate and suitable apparatus and appliances for the furnishing of fire protection services in such fire protection district; and

WHEREAS, the Town wishes to contract with the Village to provide fire protection services in the Fire Protection District; and

WHEREAS, a public hearing as required by §184 of the Town Law was duly advertised, and was held on November 25, 2013 at 7:00 p.m. at the Town of Ulysses Town Hall,

NOW, THEREFORE, BE IT RESOLVED THAT:

The Town Board of the Town of Ulysses hereby approves and authorizes execution of the attached Agreement between the Village and the Town, whereby the Village will provide the Town with fire protection capable of responding to fire related and health related emergencies on an ongoing basis within the Fire Protection District, for the period from January 1, 2015 until December 31, 2015. And be it further

RESOLVED that, pursuant to the Agreement, the Town shall pay the Village the sum of \$165,803.11 for such services, on or before March 1, 2015. And be it further

RESOLVED that, the Supervisor of the Town of Ulysses is hereby authorized to execute the Agreement on behalf of the Town of Ulysses.

Moved: Ms. Thomas

Seconded: Mr. Kerness

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

Vote: 5-0

Date Adopted: 11/25/14

GENERAL CODE:

Ms. Thomas explained the General Code codification project and gave an update. They have reviewed our laws and identified inconsistencies. Tasks have been divided up between Darby, Michelle, Liz, Carissa. Once tasks are completed, the board will need to approve the changes by March 6.

APPOINTMENT OF WATER RESOURCE COUNCIL MEMBER**RESOLUTION 2014-204:**

WHEREAS William George has served as the Ulysses representative to the Water Resource Council for 3 years and has expressed interest in continuing his service to the town; and

WHEREAS it is important to have representation on the Water Resource Council given the many miles of waterways and lakeshore within the Town of Ulysses and the importance of clean water to our community.

THEREFORE BE IT RESOLVED that the Town Board of Ulysses appoints William George for another 3-year term on the Water Resources Council.

Moved: Ms. Thomas Seconded: Mr. Kerness

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

Vote: 5-0

Date Adopted: 11/25/14

RELEVY OF DELINQUENT WATER FEES**RESOLUTION 2014-205:**

WHEREAS, \$7,324.68 of delinquent water charges, inclusive of penalties and related surcharges, for the last 4 billing periods spanning from November 2013 to October 2014 remain unpaid and due to the Town as of November 12, 2014 need to be re-levied onto the 2015 Town and County Tax Bills; and

WHEREAS, Town Code Chapter 261 and Town Code Chapter 210 provides for all delinquent accounts for payment of water and sewer rents and related charges to be placed on the ensuing years tax roll as a re-levy;

NOW THEREFORE BE IT RESOLVED, that the Ulysses Town Board approves delinquent water charges of \$7,324.68, for re-levy to the 2015 Town and County Tax Roll; and be it further

RESOLVED, that a certified copy of this resolution along with a listing of those re-levied water charges will be delivered to Tompkins County Assessment Department by the Town

Receiver of Taxes for the purpose of adding these delinquent charges to the 2015 Town and County Tax Roll.

Moved: Ms. Thomas Seconded: Ms. Zahler

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

Vote: 5-0

Date Adopted: 11/25/14

DATE CHANGE FOR SECOND MEETING IN DECEMBER

RESOLUTION 2014-206:

WHEREAS the second meeting of the Ulysses Town Board was changed from its regularly scheduled date of December 23, and rescheduled on December 17; and

WHEREAS a meeting of the Board of Zoning Appeals is on that evening and would conflict with the Town Board meeting,

BE IT RESOLVED that the second meeting of the Ulysses Town Board be held on Thursday, Dec. 18.

Moved: Ms. Thomas Seconded: Ms. Zahler

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

Vote: 5-0

Date Adopted: 11/25/14

SET DATE FOR ORGANIZATIONAL MEETING OF THE TOWN BOARD

RESOLUTION 2014-207:

WHEREAS an Organizational Meeting is required by Town Law to be held before the first regularly scheduled meeting of the year.

THEREFORE BE IT RESOLVED that the Ulysses Town Board sets the Organizational Meeting for January 7, 2015 at 8 a.m.

Moved: Ms. Thomas Seconded: Mr. Kerness

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

Vote: 5-0

Date Adopted: 11/25/14

RESOLUTION PERTAINING TO THE DOMINION PIPELINE

RESOLUTION 2014-208:

WHEREAS, air pollution caused from compression stations is a concern for not just the town they exist within, but for the entire region surrounding compression stations and the climate as a whole; and,

WHEREAS, gas drilling and related infrastructure, like pipelines, are a safety concern with respect to all New York State residents; and,

WHEREAS, Dominion Transmission Inc. (DTI), which is headquartered in Richmond, Virginia, has proposed the New Market Project, which is comprised of approximately 200 miles of new and existing pipeline and other infrastructure including two new compression stations and also connects to existing compression stations including the Borger Compression Station in Dryden; and,

WHEREAS, the New Markets Project will use existing pipelines, some of which are 50 years old, to connect Dominion's main pipeline, which brings gas north from the fracking fields of Pennsylvania to the Finger Lakes, Syracuse, and points east to Albany; and,

WHEREAS, to handle the increased volume, Dominion intends to build two large new compressor stations in Chemung County (Horseheads) and Madison County (Georgetown), expand a compressor station in Montgomery County, and modify its existing compressor stations in Utica and Schenectady, as well as the Borger Compression Station in Tompkins County; and,

WHEREAS, due to the scope of the project described above it can be assumed that gas transported in this pipeline system will have an increased pressure in existing pipelines relative to the current status; and,

WHEREAS, the Town of Ulysses recognizes the possibility of similar projects to be proposed within the boundaries of Ulysses in the future; and,

WHEREAS, Tompkins county fire-fighters and emergency responders are often volunteers and currently not trained or equipped to respond to catastrophic events such as uncontrolled gas fires, explosion, and widespread exposure of the public to gas and airborne toxic chemicals that could be released during an incident that are more likely to occur in high pressure lines; and,

WHEREAS, the Federal Energy Regulatory Commission (FERC) is the agency responsible for reviewing and authorizing interstate transmission projects; and,

WHEREAS, FERC issued a Notice of Intent on September 18, 2014 to conduct a less rigorous Environmental Assessment (EA) on the Dominion New Market Pipeline project, which set only one hearing date and which established only a 30-day comment period; and,

WHEREAS, it is not evident that there was proper notification to either property owners or affected Tompkins County officials regarding this project; Tompkins County would also fall under the category of those who are "potential right-of-way grantors," as they either own roads or road rights-of way along the route; and,

WHEREAS, hearings have been held in the past when significant changes were contemplated to the Borger Compressor Station in Dryden, so it is a reasonable request for one to be held in this instance, either in combination with or following an informational meeting by Dominion about the project; and,

WHEREAS, it has been projected that energy prices are increased if gas is to be exported and priced on the international market; and,

WHEREAS, the Tompkins County Comprehensive Plan contains an element specifically calling for a 20 percent reduction of greenhouse gas emissions by 2020 and 80 percent by 2050. NYS has drafted similar goals, but rough estimates show the Dominion New Markets Project will increase greenhouse gas emissions;

THEREFORE BE IT RESOLVED

That the Town of Ulysses requests that full information be distributed to all Tompkins County municipalities within the path of the Dominion New Markets Project; and,

RESOLVED that the clock for a 90 day comment period be re-set upon such distribution of information; and,

RESOLVED that a full Environmental Impact Statement (EIS) be prepared opposed to an Environmental Assessment (EA); and,

RESOLVED that a scoping hearing be held in Tompkins County; and, **RESOLVED** that FERC should attain an independent analysis, which includes:

- Detailed information for each of the compressor stations, including emissions of direct carbon, methane, and other gasses; and,
- Independently verified information for current gas leakage along the length of the existing pipeline, along with an independent projection of leakage expected from the increased pressure along the length of the pipeline and in each of the affected counties; and,
- The potential impact regarding use of aging pipe to carry the increased volume and pressure of an additional 112,000 Dekatherms of gas per day; and,
- A thorough analysis of all direct, indirect, and cumulative impacts within each of the counties and for the project as a whole; and,

- Safety analysis regarding increased risk of pipeline failure along segments of pipe or at joints due to corrosion, degradation or other stresses that may have occurred over time or due to older welding methodology; and,
- Analysis of risk regarding fire or explosion at the proposed volume and pressure; and,
- The response capability and the need for additional training of first responders; and,
- Maximum allowable operating pressure, as well as how it will be verified and how it will be disclosed; and,
- Examine, consider, and disclose prior safety and compliance records of Dominion; and,
- Conduct a noise impact analysis on local residents and businesses based on the current plan and projected expansion;

RESOLVED that a comprehensive health impact assessment be conducted to evaluate potential effects in short and long terms to residents adjacent to and at expanding distances from each of the compressor stations. This should include effects of potential exposure to volatile organic compounds, nitrogen oxides, ground-level ozone and any other potential hazardous air pollutants. Design alternatives should be explored to protect the public from potential exposure.

RESOLVED that a copy of this resolution be forwarded to FERC, NYS Public Service Commission, Governor Cuomo, The Town of Dryden (Supervisor Sumner), Michael Lane (Chair of the Tompkins County Legislature), NYS Senator Thomas O'Mara, NYS Assemblywoman Barbara Lifton, NYS Senator James Seward, NYS Senator Mike Nozzolio, U.S. Senator Kristen Gillibrand, U.S. Senator Charles Schumer, U.S. Department of Environmental Conservation, U.S. Department of Energy, U.S. Environmental Protection Agency.

Moved: Ms. Thomas

Seconded: Mr. Kerness

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

Vote: 5-0

Date Adopted: 11/25/14

PRIVILEGE OF THE FLOOR:

Mr. Schurman shared that he is no longer an officer for the Jacksonville Community Association, so was representing only himself at this meeting.

RESOLUTION ON NYSEG BILLS AND LOCATION OF STREETLIGHTS

RESOLUTION 2014-209

Mr. Kerness moved to suspend payment of streetlights where locations are unknown until NYSEG provides us with the location and justification for billing.

Moved: Mr. Kerness

Seconded: Ms. Zahler

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

Vote: 5-0

Date Adopted: 11/25/14

ADJOURN:

Mr. Goldman made a motion to adjourn the meeting at 9 p.m., seconded by Ms. Zahler and passed unanimously.

Respectfully submitted by Carissa Parlato on 12/5/14