

## TOWN BOARD MEETING

Town of Ulysses

January 13, 2015

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

Clerk- Carissa Parlato

2nd Deputy Supervisor- Michelle Wright

Planning/Zoning- Darby Kiley

Highway Superintendent- Jim Meeker

Attorney for the Town- Mariette Geldenhuys

### OTHERS:

Phil Antweiler, JCA (Jacksonville Community Association)

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 p.m.

### **GENERAL BUSINESS:**

### **APPROVAL OF MEETING AGENDA**

#### **RESOLUTION 2015-33:**

BE IT RESOLVED that the Ulysses Town Board approve the agenda for January 13, 2015 with the addition of the Stormwater Contract, and moving Claims and Budget Modifications to the end.

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: 1/13/15

### **APPROVAL OF MINUTES: 12/18**

(The board opted not to take up this agenda item).

### **PRIVILEGE OF THE FLOOR:**

Mr. Antweiler shared some JCA updates:

- A subcommittee of the JCA gathered to strategize on “issue” properties; some of which may go to tax sale in June.
- The group also discussed revitalization ideas for the hamlet.

**REPORTS FROM REPRESENTATIVES-** *(see appendix)*

**OLD BUSINESS:**

**GENERAL CODE- Update on new system for organizing and reconciling local laws**

Ms. Thomas discussed the tasks, some of which the board will need to undertake.

**NEW BUSINESS:**

**SENECA LAKE GAS STORAGE FACILITY**

**RESOLUTION 2015-34:**

**TO JOIN COALITION OF MUNICIPALITIES AGAINST STORAGE OF LPG GAS UNDER SENECA LAKE SEEKING REPRESENTATION BY THE NATURAL RESOURCES DEFENSE COUNCIL**

WHEREAS the storage of liquid petroleum and natural gas immediately adjacent to Seneca Lake in long abandoned solution mined salt caverns has been proposed and

WHEREAS the Town Board of the Town of Ulysses is keenly aware of the potential environmental consequences to Seneca Lake that could result from any accidental leakage, mishandling and pressurization of such fossil fuels, and

WHEREAS the Town Board deems it unacceptable to put at risk the water supply of over 100,000 Finger Lakes residents, and

WHEREAS the Town of Ulysses borders Cayuga Lake and is thus keenly aware of threats to drinking water and to recreational uses of the Finger Lakes, and

WHEREAS the Seneca County Board of Supervisors approved resolution #34-13, opposing this proposal in early 2013 and has since been joined in opposition by 12 neighboring municipalities in the Finger Lakes region, and

WHEREAS, Finger Lakes LPG Storage, LLC, a subsidiary of Crestwood Midstream Partners, LP, has proposed to construct and operate a new underground LPG storage facility for the storage and distribution of propane and butane on a portion of a 576-acre site located west of Seneca Lake in the Town of Reading, Schuyler County; and

WHEREAS, the Town Board of the Town of Ulysses (“the Town Board”) approved Resolution 2014-93 on April 8, 2014 opposing this proposal;

WHEREAS, the State Department of Environmental Conservation (DEC) will host an issues conference for the Finger Lakes LPG Storage, LLC's proposed liquid propane gas (LPG)

storage facility on February 12, 2015 for the purpose of determining if there are any significant and substantive issues that require an adjudicatory hearing; and

WHEREAS, the Natural Resources Defense Council (NRDC) has agreed to represent at no charge, a coalition of interested municipalities that stand against proposal, by filing a Petition for Party Status and represent the coalition of municipalities at the issues conference at no cost to Seneca County; now, therefore be it

RESOLVED, that the Town Board does hereby authorize NRDC to represent the Town of Ulysses, at no charge, as a member of a coalition of municipalities against the proposal for the storage and distribution of propane and butane in Seneca Lake, in a Petition for Party Status for the DEC Issues Conference in February 2015 and

RESOLVED, that the Town Board hereby authorizes the supervisor to sign a representation agreement with the NRDC.

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: 1/13/15

(Mr. Meeker was excused at this time. (8:42pm)).

#### **REVIEW OF 2014 WORK PLAN and BRAINSTORM 2015 WORK PLAN**

Ms. Zahler introduced her draft 2015 work plan. The board discussed and added to the plan. Ms. Wright will update and circulate for Town Board members to identify their priorities and interests.

#### **RECORD OF ACTIVITIES FOR NYS RETIREMENT**

Ms. Thomas gave an update of this mandatory task.

#### **FIREARMS**

Ms. Thomas noted that the Personnel Policy already prohibits firearms in the workplace, so it wasn't necessary to pass a resolution.

#### **AOT (Association of Towns) RESOLUTIONS**

In preparation for the upcoming AOT conference, Ms. Thomas asked the board to consider how the delegates (Ms. Thomas and Mr. Hertzler as alternate) should vote on the proposed AOT resolutions. The board chose to trust their judgment on voting since they both know the interests and positions of other Town Board members on most issues.

**STORMWATER****RESOLUTION 2015-35:**

RESOLVED that the Town Board of the Town of Ulysses authorizes the Town Supervisor to enter into the annual contract with the Tompkins County Soil and Water Conservation District for services related to stormwater management.

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: 1/13/15

**BUDGET MODIFICATIONS****RESOLUTION 2015-36:**

BE IT RESOLVED that the Ulysses Town Board approves budget modifications as indicated below, provided on 1/13/15:

**A FUND BUDGET MODIFICATIONS**

A1220.12	Deputy Supervisor PS	increase	1,965.00
<i>2014 original budget estimate calculation did not reflect the accurate weekly hours</i>			
A1220.11	Bookkeeper PS	decrease	601.75
A1460.4	Records Management	decrease	1,363.25
A1220.4	Supervisor CE	increase	206.80
<i>Credit card fees from Clerk's office</i>			
A1410.4	Clerk CE	decrease	206.80
A1410.11	Deputy Town Clerk PS	increase	1,586.67
<i>2014 costs exceeding estimates</i>			
A1410.1	Town Clerk PS	decrease	720.10
A1460.4	Records Management	decrease	866.57
A5132.4	Highway Barn CE	increase	27.20
A1460.4	Records Management	decrease	27.20
A9060.8	Medical/Dental Insurance	increase	5,319.61

<i>Exceeding 2014 estimates</i>			
A1460.4	Records Management	decrease	2246.17
A1620.2	Town Hall EQ	decrease	3073.44

**B FUND BUDGET MODIFICATIONS**

B3620.4	Safety Inspection CE	increase	241.18
Training for Alex and cell phone payment			
B3620.2	Safety Inspection EQ	decrease	241.18
<i>From the unpurchased truck</i>			

B9060.8	Medical Insurance	increase	1,480.45
<i>Exceeding 2014 estimates</i>			
B3620.2	Safety Inspection EQ	decrease	1,480.45
<i>From the unpurchased truck</i>			

**DA FUND BUDGET MODIFICATIONS**

DA5130.1	Machinery PS	increase	8,737.92
<i>Old equipment broke down</i>			
DA5140.1	Brush and Weeds PS	decrease	3240.91
DA5142.1	Snow Removal PS	decrease	535.78
DA5148.1	Snow Removal OG PS	decrease	535.76
DA5130.4	Machinery CE	decrease	4,425.47

DA9030.8	Social Security	increase	1180.41
<i>Due to increase in payroll salary budget line</i>			
DA5130.4	Machinery CE	decrease	1180.41

DB9060.8	Medical Insurance	increase	3,489.95
<i>Exceeding 2014 estimates</i>			
DA5130.4	Machinery CE	decrease	3,489.95

**DB FUND BUDGET MODIFICATIONS**

DB5110.1	Highway Maintenance PS	increase	1,859.52
<i>Old equipment broke down</i>			
DB5110.4	Highway Maintenance CE	decrease	1,859.52
DB9030	Social Security	increase	137.86
<i>Due to increase in payroll salary budget line</i>			
DB5110.4	Highway Maintenance CE	decrease	137.86

DB9060	Medical Insurance	increase	3,541.01
<i>Exceeding 2014 estimates</i>			
DB5110.4	Highway Maintenance CE	decrease	3,541.01

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 1/13/15

**RESOLUTION 2015-37:**

Mr. Kerness made a motion to bill back fifty percent of all the costs incurred to date for stormwater violations.

Moved: Mr. Kerness                      Seconded: Mr. Goldman

Discussion: Ms. Zahler commented that in the future, all those in violation of the stormwater regulations should be advised that they may be billed for costs incurred in assuring compliance.

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

Vote: 5-0  
 Date Adopted: 1/13/15

**APPROVAL OF CLAIMS**

**RESOLUTION 2015-38:**

BE IT RESOLVED that the Ulysses Town Board approves payments of claims for 2014 vouchers 1-35 in the amount of \$52,288.50, and for 2015, claims # 1-7 in the amount of \$24,850.54.

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: 1/13/15

### **PRIVILEGE OF THE FLOOR**

Mr. Antweiler added to the 2015 Work Plan discussion with regards to sustainability; by suggesting that the board add a component called “resilient infrastructure”.

### **ADJOURN:**

Mr. Goldman made a motion to adjourn the meeting at 10 p.m., seconded by Ms. Zahler and passed unanimously.

### **APPENDIX:**

#### **REPORTS FROM REPRESENTATIVES**

TOWN REPORTS (none)

#### **PLANNING BOARD / ZONING OFFICER- Darby Kiley:**

Planning Board-

On December 16<sup>th</sup>, the Planning Board approved a three-lot subdivision of 1607 Trumansburg Rd, where the Ithaca Antiques Mall and Howl Studios will be on separate lots.

At the January 6<sup>th</sup> meeting, the Planning Board set the meeting schedule for the year, appointed Sarah Adams as the vice chair, discussed the Rules and Procedures and training and attendance policy. At the December 16<sup>th</sup> and January 6<sup>th</sup> meetings, the Planning Board continued to discuss changes to the Zoning Law. The following resolution was adopted for Town Board consideration of an addition to the Zoning Law: “The Planning Board shall review and comment on all applications for variances submitted to the Board of Zoning Appeals, which if granted would subsequently require Planning Board consideration.”

BZA-

At the December 17<sup>th</sup> meeting, the Board of Zoning Appeals granted area variances for a 2-lot subdivision on Iradell Rd, where one of the proposed lots would not have sufficient width at the front lot line. The BZA granted area variances for the construction of a garage on an existing nonconforming lot with a single-family residence in the Lakeshore District. The proposed garage required several variances: side yard setback; rear yard setback; stream setback in a Unique Natural Area; stream setback variance not in a UNA; and lot coverage. The BZA re-heard the sheep variance for a property on Agard Rd, and granted the area variance.

Enforcement actions-

- Stormwater violation: The engineer for the Pennsylvania Ave project redesigned the Stormwater Plan. Tompkins County Soil and Water reviewed and approved the plan.
- Zoning violation: 1942 Trumansburg Rd – On December 23<sup>rd</sup>, Judge Dresser sentenced the defendant but stayed the sentence until January 27, and again ordered him to bring the property into compliance, but so far no progress has been made by the property owner.

Grants-

Residential Energy Score Project Grant – The Project Team is collecting background housing data for the project, and organizing a Technical Advisory Committee.

Zoning Amendments Grant – NYSERDA sent the draft contract documents for the Town’s review.

Other Meetings/Issues-

Water Resources Council: At the December 15<sup>th</sup> meeting, the committees reported on their 2014 accomplishments. 2

ITCTC: The 2035 Long Range Transportation Plan Update was adopted in December. The Council adopted revised priority projects for the Coordinated Public Transit – Human Service Transportation Plan.

Annual Code Enforcement/Valuation Staff Meeting: Assessment Department Staff shared recent projects; the Assessment Department reviews subdivision maps before they are filed with the County Clerk; the group discussed airbnb properties and issues related to room taxes and building code; discussed solar projects (no municipalities are using the unified solar permit because existing permits are sufficient and faster); discussed database and electronic options for sharing building permit information.

**HIGHWAY SUPERINTENDENT- Jim Meeker**

Mr. Meeker reported a busy month spent working on equipment and keeping up with plowing and salting roads.

**CODE ENFORCEMENT OFFICER- Alex Rachun**

(no report)

**SUPERVISOR- Liz Thomas**

(no report)

**DEPUTY SUPERVISOR- Michelle Wright**

Bookkeeper misc.-

- Posting water bills in Quickbooks
- Continued development of annual bookkeeper tasks as a google calendar and bookkeeper duties as Word document.
- Workman’s comp re-bid
- Calculations for employee health insurance deductions, time off accruals based on new personnel policy, etc.
- Communications with Paychex re: 2015 updates with health insurance deduction and time off accrual
- Payroll (subsequent FICA calculations)
- Systems work for payroll: communications with Paychex on how to simplify FICA fund accounting
- Fine tuning bill processing. Example: annual bill from DEC that was paid yearly but didn’t have to be (from back when water district 3 was installed)
- Monthly reporting to the NYS Local Retirement System
- Implementation of new voucher processing
- Deposits (water deposits, code enforcement deposits, etc.)

Systems Updating-

- Finalized timesheets that track comp time for salaried employees (full and part time)

- Creation of master document of all retirees that receive benefits
- Creation of annual agreements for retirees who receive benefits
- Update of system to track annual employee time off benefits

Utilities-

- Continued communication with NYSEG regarding past bills and our street light account (i.e. how much will it cost to remove the Shur Save light from our account)
- Continued communications with Melissa Kemp regarding her offer to analyze the bills; delivery of all data needed for analysis to Melissa, awaiting update on her timeline for submitting the report to us.

Emergency Plan-

- A clear pathway has been identified as to how to move forward with this massive project. Instead of reinventing the wheel I plan to spend time retrofitting the national standard created by the Office of Emergency services into our local emergency plan. This is an excellent starting point and prevents any “reinventing of the wheel.” If the board would like to set a deadline for the first draft I would suggest the end of April.

Sidewalks-

- Request for qualifications to engineer firms written with Marty Petrovic
- Letter to the editor drafted with Liz and Marty

**TOWN CLERK- Carissa Parlato**

FINANCIAL REPORT FOR DEC. 2014:

Collected \$1469.50 in fees for licenses (dog, marriage, sporting)

The town keeps \$1241.00 of that.

LICENSES ISSUED:

Sporting licenses- 1

Disabled parking permits- 8

Dog licenses and renewals- 81

Marriage licenses- 2

TASKS:

- Taxes, taxes, taxes: posting bills, responding to many requests for bills, collecting money from people who come in to pay or by mail
- Processing bills and depositing payments
- Reconciling water usage for the year in advance of a meeting with the Town of Ithaca mtg.
- Secured a cheaper fixed rate for electric and gas through a municipal consortium (MEP)
- Ordering supplies
- Updating and organizing filing systems
- Collecting and processing water payments, answering general inquiries, issuing licenses, keeping the books balanced, sorting mail, etc.

COMMITTEES:

- Health Consortium- Attended mtgs. on Dec. 4 and Jan. 8. They are still developing a Bronze plan. Two new municipalities in Cortland County have joined. The consortium is looking for ways to make our committee more engaging. I almost done with dependent audit- to verify eligibility of everyone who is listed as a dependent on the insurance policy. Due 1/31.

## **TOWN BOARD MEMBERS AND COMMITTEES**

### Ms. Zahler:

#### Updates from the Village meeting-

- The lower portion of King Street will be changed to Dorsey Hill, in recognition of the first African American voter in Ulysses, based on the work of our Historians.
- They are had chronic problems with their current water pump- it is outputting less.
- The fire department did a training burn in the Town.
- Fire and EMS are outgrowing their space in the current building and will form a committee to brainstorm options that will include representation from the Town and other contracting municipalities that may be asked to share future costs.
- The Deer Management plan was discussed.

#### EMS-

- The cover letter to be sent with bills is ready.
- MedEx handling costs for the Village went up slightly for 2015.

#### Exxon/Mobil (Jacksonville properties)

- Ms. Zahler has been following up with Exxon.
- Soil tests were taken but results are not yet known.
- They indicated that they had a bid from a contractor for winterizing but have not moved ahead.

### Mr. Hertzler:

#### EMC (Environmental Management Council)-

- Mr. Hertzler learned of a potential grant for TTHM (trihalomethane) reduction
- Atrazine, an insecticide contaminant, was discussed.
- An energy committee was created. Micro-turbines and geothermal plants were discussed.

#### Board of Education meeting-

- Mr. Hertzler attended the recent meeting.
- They are interested in discussing shared services with the town.

## **ATTORNEY FOR THE TOWN- Ms. Geldenhuys**

(items will be discussed in other areas of agenda)

*Respectfully submitted by Carissa Parlato on 1/27/15*