

## REGULAR TOWN BOARD MEETING

Town of Ulysses

June 9, 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.

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

### **PRESENT:**

Supervisor- Liz Thomas  
1<sup>st</sup> Deputy Supervisor- Nancy Zahler  
2<sup>nd</sup> Deputy Supervisor- Michelle Wright  
Board members- John Hertzler, Rich Goldman  
Deputy Clerk- Patty Halloran  
Highway Superintendent- Jim Meeker  
Planner/Zoning Officer- Darby Kiley  
Attorney for the Town- Mariette Geldenhuys

### **ABSENT:**

Town Clerk- Carissa Parlato

### **OTHERS PRESENT:**

Diane Hillmann, Jim Dennis, Michael Boggs

### **CALL TO ORDER:**

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

### **GENERAL BUSINESS:**

### **APPROVAL OF MEETING AGENDA**

#### **RESOLUTION 2015-95:**

BE IT RESOLVED that the Ulysses Town Board approve the agenda for June 9, 2015 with the following additions: a budget modification and executive session.

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: 6/9/15

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

Ms. Hillmann asked about the next steps for the water advisory group now that one person has stepped down. She also inquired about progress toward preservation of the old church in Jacksonville.

### **REPORTS FROM REPRESENTATIVES:**

Ms. Thomas distributed the Fire/EMS report. Ms. Wright said that a check for \$9825.23 has been received from Medex for EMS billing.

Mr. Dennis reported the following highlights from the Tompkins County Legislature:

- The county's Government Efficiency Report was filed with the state.
- A committee has been formed to study local courts to seek greater efficiency.
- An Energy Task Force has been created. A wide variety of views will be represented on the committee to look at tax abatements and how to move forward with energy over the next 5-7 years.
- The legislature has worked on a budget for 2016 that includes a 1.3% tax levy increase.
- The Department of Justice is coming to investigate the Hornbrook Road incident.
- Cornell University is planning to increase its student numbers.

**TOWN REPORTS:** *(see appendix)*

### **OLD BUSINESS:**

#### **CLARIFYING TTHM OPTIONS**

##### **RESOLUTION 2015-96:**

WHEREAS the Town of Ulysses Town Board has been cited by the Tompkins County Department of Health due to exceedances over the federal threshold of Total Trihalomethanes (TTHMs) in municipal drinking water in the Ulysses Water District 3(WD3); and

WHEREAS the June 27, 2014 resolution from the Tompkins County Department of Health required that the town submit an engineering report and plans to reduce the TTHM levels to under the federal threshold, including evaluation of alternatives and recommendations by January 15, 2015; and

WHEREAS Hunt Engineer, Tim Steed, modeled the WD3 system and found that because the water district was originally overbuilt to provide the Village of Trumansburg with a second source of water, the water tank and aerator would be by-passed, and some water untreated altogether, during times of low water usage; and

WHEREAS Mr. Steed, recommended the installation of a tank treatment (i.e. aerator/mixer) to address the immediate Board of Health violation, and in the long term, an interconnection with the Village of Trumansburg water system which is closer to Ulysses WD3 and drawn from a well which tends to have much lower TTHMs; and

WHEREAS the Town Board passed a resolution on November 25, 2014 to move forward on bids to find the most appropriate aerator to install in the water tank on Van Dorn Rd; and

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WHEREAS since November 25, 2014 the following information has caused the Town of Ulysses to request an extension to the Tompkins County Board of Health resolution:

- in a letter dated December 24, 2014, the Tompkins County Department of Health expressed concern over the success of the Van Dorn Road aerator option as a solution to the high TTHM levels due to the by-passing potential and encouraged the town to further investigate an interconnection with the village of Trumansburg; and
- In their budget that passed in March 2015, the New York State Legislature added \$200 million in funding for infrastructure. For the first time in years, grant funding for water systems will be available from the state making an affordable connection with the Village of Trumansburg a possibility.
- The Town of Ithaca expressed willingness to share the cost of installing an aerator in their water tank that feeds into WD3. Often the water coming in to WD3 is quite high in TTHMs. Reducing the TTHM load before it passes into the WD3 system might be a partial solution, especially if combined with an aerator in the Ulysses water tank.

THEREFORE BE IT RESOLVED that based on this new information, the Town of Ulysses is now investigating the following options for reducing TTHMs in WD3.

1. An aerator in the Ulysses water tank on Van Dorn Road
2. An aerator in the Ithaca water tank on West Hill
3. Aerators in both the Ulysses and Ithaca water tanks
4. A connection to the Village of Trumansburg water system.

RESOLVED that the Town of Ulysses will compare the costs, benefits and shortfalls of each option and hold a public information meeting before making a final decision on which option it will finally pursue.

Moved: Ms. Thomas

Seconded: Mr. Hertzler

Discussion-

Ms. Zahler amended the resolution to add that there will be input from Water District residents before a final decision is made.

Mr. Boggs voiced concerns over the amount of energy being put forth to investigate a connection with Trumansburg.

Mr. Goldman noted that he has no preference for connecting to Trumansburg.

Ms. Hillmann responded that comments at a former meeting have contributed to her opinions.

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

Vote: 5-0

Date Adopted: 6/9/15

**PLANNING BOARD MEMBER APPOINTMENT**

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**RESOLUTION 2015-97:**

BE IT RESOLVED that the Ulysses Town Board appoints Craig Salino to the position left vacant by the resignation of Andrew Rice beginning immediately and with a term ending of 12/31/2018.

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: 6/9/15

**NEW BUSINESS:**

**OPEN DEVELOPMENT DISTRICT**

**RESOLUTION 2015-98:** REQUEST FOR PLANNING BOARD REPORT ON PROPOSED OPEN DEVELOPMENT AREA (Town Law section 280(a)):

WHEREAS, at the April 14, 2015 meeting, the Town Board referred a proposed Open Development Area (for tax parcel numbers 18.-1-19.4, 18.-1-19.5, 18.-1-19.62, 18.-1-19.7 and 18.-1-19.8) to the Planning Board for its advice; and

WHEREAS, the Planning Board has discussed the topic at meetings held on April 21, May 5, May 19, and June 2, 2015; and

WHEREAS, pursuant to Town law section 280-a(4) the Town Board shall allow the Planning Board a reasonable time to report on its advice;

NOW THEREFORE BE IT RESOLVED that the Town Board requests that the Planning Board provide its advice on the Open Development Area by the Town Board meeting on June 23, 2015.

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: 6/9/15

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**TAX CAP OVERRIDE – set public hearing**

**RESOLUTION 2015-99:**

BE IT RESOLVED that the Town Board of the Town of Ulysses will hold a Public Hearing on the proposed Local Law # 1 of 2015 to override the NYS tax levy limit as allowed by General Municipal Law. The Public Hearing will be on 6/23/2015 at 6:30pm at the Ulysses Town Hall at 10 Elm St. Trumansburg, NY.

Moved: Ms. Thomas

Seconded: Ms. Zahler

Discussion- Mr. Kerness inquired as to why they are doing this. Ms. Thomas responded that there are costs over which the board has no control so she would like to have this law in place in case they need it at budget time.

Ms. Zahler hopes they don't need to use it but wants to have it in place. She added that EMS billing revenue is coming in but had not been budgeted for.

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

Vote: 3-1

Date Adopted: 6/9/15

**PRIVILEGE OF THE FLOOR:**

Mr. Boggs inquired as to whether the Water District 3 levy goes into the tax cap calculation. Ms. Thomas responded in the affirmative.

**MONTHLY BUSINESS:**

**APPROVAL OF MINUTES: 5/26**

**RESOLUTION 2015-100:**

BE IT RESOLVED that the Ulysses Town Board approve the minutes of 5/26.

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: 6/9/15

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**BUDGET MODIFICATIONS:**

**RESOLUTION 2015-101:**

BE IT RESOLVED that the Ulysses Town Board move \$500 from contingency in the A fund to the Sidewalk CE line. The balance in contingency will be \$8500.

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: 6/9/15

**APPROVAL OF CLAIMS**

**RESOLUTION 2015-102:**

BE IT RESOLVED that the Ulysses Town Board approve payment of claims 171-205 in the amount of \$45,436.23.

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: 6/9/15

**EXECUTIVE SESSION:**

Ms. Thomas moved to enter into Executive Session at 8:40pm for the purposes of acquisition or sale of real property and for matters leading the appointment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person. This was seconded by Ms. Zahler and passed unanimously.

Ms. Zahler moved to end executive session at 9:54pm, seconded by Mr. Hertzler and passed unanimously.

**ADJOURN:**

Ms. Zahler moved to adjourn the meeting at 9:55pm; seconded by Mr. Goldman and passed unanimously.

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### **APPENDIX:**

#### **TOWN REPORTS:**

**TOWN ENGINEER:** *(no report)*

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

##### **Planning Board**

At the May 19<sup>th</sup> and June 7<sup>th</sup> meetings, the PB continued to discuss an open development area proposal for five properties along the lakeshore that do not have access to an official road. The PB is concerned about the access road condition and potential impacts to the Unique Natural Area.

On June 7<sup>th</sup>, the Planning Board reapproved a previously expired two-lot subdivision and began Sketch Plat review for a five-lot subdivision in Jacksonville. The property fronts on Cold Springs Rd and Trumansburg Rd. Sketch Plat review is continued until the next meeting. The Planning Board continues to review solar regulations.

##### **Board of Zoning Appeals**

At the May 20<sup>th</sup> meeting, the BZA reviewed and granted variances for the following appeals: a proposed lakeshore accessory building that will be eight inches from the shoreline where 40 feet is required; a ground-mounted solar array that will be 21 feet from the rear property line where 60 feet is required in the A1 District; and lot area and width variances for a future two-lot subdivision in the R1 District on Cold Springs Rd.

Enforcement actions

Zoning violation: 1942 Trumansburg Rd – Keith Dodge appealed the zoning violation, which is under review by the County Court.

##### **Grants**

Residential Energy Score Project Grant – A Technical Advisory Committee met on Friday, May 8 and provided input on the project. The project consultant and team are finalizing a report summarizing existing building ratings programs and regulations.

Zoning Amendments Grant – The contract has been signed by the town and we are waiting for the executed contract from NYSERDA. Nancy Zahler and I will soon meet to discuss a request for qualifications for a consultant on the project.

##### **Other Meetings/Issues**

Stormwater – The Stormwater Coalition is pursuing grant funding for a mapping project that will meet the goals of each of the regulated MS4s in the county.

The Town of Ulysses received a letter from EPA that our stormwater program will be audited. Materials need to be submitted by the end of June and EPA staff will be here on July 14-16.

Water Resources Council (WRC) – The WRC heard a presentation on the Stewart Park Revitalization, an update on hydrilla, and committee reports. I attended the County Legislature's Planning Committee and presented the 2014 Annual Report.

Cayuga Lake Watershed Intermunicipal Organization (IO) – The IO did not meet this month, but a newly formed Watershed Advisory Committee met last week.

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**HIGHWAY SUPERINTENDENT- Jim Meeker**

Mr. Meeker reported that the highway department performed the following tasks:

- Replaced gravel along road edges that was lost from winter plowing
- Cleaned ditches
- Read water meters
- Mowed road sides
- Cleaned and mowed cemeteries
- Patched roads
- Checked culverts and ditches

He added:

- the ground is getting saturated and some trees are uprooting
- they are still trying to determine where the Village’s water main will be on Falls Road
- the county may award a bid for the Waterburg bridge project but work will probably not begin until spring

**TOWN CLERK- Carissa Parlato**

**FINANCIAL REPORT for May:**

\$1534.00	Collected in fees for licenses (dog, marriage, sporting)
\$845.26	Stays in the town

**LICENSES issued in May:**

Sporting licenses	9
Disabled parking permits	13
Dog licenses and renewals	68
Marriage licenses	5
Plumbing permits	0

**CLERK TASKS:**

- Updated webpages
- Sent a listserv mssg. to keep residents updated. After newsletter was sent, received several requests to add people to listserv.
- Created brochure for Historian event/dedication and attended ceremony.
- Worked on getting landscaper
- Assigned 6 new addresses
- Worked on FOIL request
- Got new refrigerator
- Completed personnel binders for staff and board members with new personnel policy information, health care, and more.
- Routine tasks:
  - retrieving, sorting, vouchering mail
  - Answering inquiries on various topics
  - Cross –reconciliation of town bank accounts with Michelle

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- Meeting minutes

### **WATER TASKS:**

- Created web page dedicated to TTHM issues
- Worked with MRB to provide them with information for their modeling report
- Water billing
- Coordinated with Bolton Point and Health Dept. to put out AWQR (annual water quality report)

### **COMMITTEES:**

- Health Consortium- attended the June 4 meeting:
  - Looked at draft Silver and Gold plans
  - discussed upcoming retreat on Benefit Plans
  - discussed wellness plans
  - there will be no July meeting

### **TRAINING:**

- Completed TCCOG Leadership/Supervisory Training Program.

### **CODE ENFORCEMENT OFFICER- Alex Rachun**

*(no report)*

### **SUPERVISOR- Liz Thomas:**

#### Shared Services

- Assist Michelle in filing Government Efficiency Plan by June 1 deadline (huge thanks to Michelle).

#### Sidewalks

- Review and rate the 7 proposals from engineering and design firms interested in bidding on sidewalk project.
- Meet with review committee and discuss merits of each firm.
- Work with Michelle –letters of rejection and invitations to interview (mostly done by Michelle).

#### Water Quality

- Representative on the Cayuga Lake Watershed Intermunicipal Organization's update of the Cayuga Lake Restoration and Protection Plan (RPP). Read through materials on how to get public input into plan. Attend meeting in Aurora.

#### Water District 3

- Submit all documents required for the quarterly progress report and to adhere to Dept. of Health resolution.
- Reporting – create document outlining all reporting requirements and who is responsible for each. Meet with Fred and Carissa.
- Work with Jim to discuss water district management in general in the wake of Fred Dean stepping down.

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- Rate – work on a side by side comparison of water rates for the current time to see difference now.
- Track all TTHM test results – report to Dept of Health and TTHM Working Group.
- Host Environmental Finance Center representative to speak to town about funding options.
- TTHM Working Group – respond to letter from TTHM Working Group, compile a summary and history of actions over the past year on how to resolve the TTHM problem
- Discuss concerns over water with a number of Jacksonville residents.
- Respond to call from DoH on management of the water system after Water Operator resignation.

### Trails

- Finalize draft RFP for computer programmer and web design specialist to work on trails grant. Meet with management group to review draft RFP and gather input.
- Finalize contract, sign and send.

### Other

- Admin: file or toss tons of papers in office
- FOIL – respond to FOIL request (7 hrs)
- Meetings: Sidewalks (5/13), Trails (5/15), Dog Control (5/18), Funding opportunities (5/27), TCCOG (5/28), Cayuga Lake RPP (6/4)
- History: attend Dorsey Hill commemoration.
- Jacksonville – movement on vacant Exxon properties.
- Constituent communications – Field and respond to complaints about roads and take tour with Jim.
  - o Noise complaint.
  - o Triathlon
  - o Concerts in the park
  - o Manure/loose animal complaint
- PB Training – Work with village, county and Planner on plan for better training for Planning Boards and Boards of Zoning Appeals.
- Planning – brainstorm potential solutions to Open Development Area requirements.
- Procurement policy – clarify town policy and assure it adheres to town law.
- Credit card fees – Consult with Carissa and Michelle on which is the best credit card fee collection service.
- Town hall – Move out of office to repaint and make room for ergonomic desk. Discuss type of refrigerator is needed.
- Respond to constant flow of questions from residents, volunteers and staff.
- Weekly review of topics with attorney for the town.
- Daily check-in with Town Hall staff.
- Periodic discussions with Zoning Officer over a variety of topics.
- Prepare agendas, resolutions, background documents, review topics with TB members, conduct meetings, and review minutes.
- Review claims and budget, make suggested budget modifications to be approved by TB, review payroll, sign checks,
- Periodic check in with Town Clerk and Deputy Supervisor re work load and coordination.

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### **DEPUTY SUPERVISOR- Michelle Wright:**

- Emergency prep plan:
  - Attended workshop in Seneca Falls in order to continue to develop resources
- TAP Sidewalk project
  - Review of engineer firm applications/RFQs
  - Organized committee meeting to review applicants
  - Organized dates for interviews with firms
    - Selection letters edited and mailed out
  - Work on MOU with Village
  - Overhead cost calculations for MOU
  - Uniform response to questions with engineers
- Attended Village meeting
- Miscellaneous items (not time consuming but worth note)
- Utilities
  - Request for a quote for utility billing accuracy review (still waiting on that)
  - Set up a time to meet with Solar Liberty: Tuesday July 7<sup>th</sup> at 9am
    - **Would any Board members like to come to this?**
- Assistance with Water district solution funding
- NYMIR training compliance logistics
- Assistance with tax cap and government efficiency online form completion

### **BOOKKEEPER- Michelle Wright:**

- Attended 2.5 day training in Watertown: NYSOSC Governmental Accounting
- Research of accounting software that is a more appropriate fit with our accounting needs
  - Continued work with this project
- 2015 major Highway expense report developed with Jim
- Regular duties
  - Banking
  - Payroll
    - Change in payroll specialist
    - Summer youth employment paperwork
      - Went to school during lunch to help with completion of paperwork
  - NYSLRS (retirement system) monthly reporting
  - Payments: regular appropriations & vouchers
    - Vouchered expenses
    - Health Insurance
    - Regular payments

### **TOWN BOARD MEMBERS AND COMMITTEES-**

#### **Ms. Zahler:**

##### Jacksonville

- Jacksonville Picnic at the Community Association's Park will be held Sunday, June 14<sup>th</sup> from 11:30-2:30. If you'd like to attend, the entrance to the park is off of Swamp College.

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- Supervisor Thomas and I have been back in touch with Exxon Mobil to check on status of discussions re: parcels they own in Jacksonville.

### Village of Trumansburg

- The Village reports on Fire and EMS service and revenues from EMS billing received June 8<sup>th</sup> are in the mailboxes of Town Board members.
- I will be following up with John Hertzler and EMS to schedule a meeting to review the first 6 months of billing to determine types of calls and any requests for financial assistance and review any implementation issues.
- On June 8<sup>th</sup>, the Village created a Housing Comp Plan Committee to update just the housing portion of the Village's comprehensive plan for the purpose of identifying housing needs in anticipation of having the development moratorium lifted by the Health Department after full implementation of the second water source. The needs will then allow a separate committee to develop an action plan to target new development and guide zoning updates. 3 village residents are being recruited to serve with 2 members of the Village Board, along with 2 each from the Planning Board and BZA.
- The Village is also working on developing water rates for their residents to reflect the new second source costs of operations and water use and rates for water use by current and potential future external customers, including the Town of Ulysses water districts.

### Youth Commission

- Anthony Ouckama will be finishing up at the end of June.
- Mike Perry the high school staff person left his position at the end of May.
- A part-time temporary summer employee will be hired to oversee the summer teen employment program while a search for a new, full-time staff person is conducted.
- The Village's summer program is gearing up.
- The commission has updated its program brochure which was distributed to students through the school and additional copies are available at the Town and Village and Library.

### Health Consortium

- 2 new small municipalities from Cortland have joined and the City of Elmira is considering joining to cover its 300+ employees.
- Every five years, the municipalities participating sign a Municipal Cooperation Agreement. The current agreement is being updated and when complete, the Town will need to vote to approve the agreement to continue our participation.
- The proposed Bronze plan was approved as an option if municipalities want to offer a high deductible option for part time employees working between 30 hrs. (the ACA definition of full time and the standard work weeks of 35-40).
- Recent and projected savings from the Health Consortium have been documented by the County Administrator to develop a countywide efficiency savings plan required by NYS to satisfy tax cap provisions.

### Planning Board

- Attended June 2<sup>nd</sup> Planning Board meeting focused on Open Development Area and a new proposed sub-division between Swamp College and Cold Spring Roads behind homes that front along Rt. 96.

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**Mr. Hertzler:**

The Environmental Management Council (EMC) will hold its June meeting on Thursday at Bolton Point. They will be taking up a pesticide reduction local law.

**ATTORNEY FOR THE TOWN-** *(no report beyond the agenda items)*

*Respectfully submitted by Carissa Parlato on 6/11/15.*