

REGULAR TOWN BOARD MEETING

Town of Ulysses

July 14, 2015

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.

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

PRESENT:

Supervisor- Liz Thomas
1st Deputy Supervisor- Nancy Zahler
Board members- John Hertzler, Rich Goldman, Dave Kerness
Town Clerk- Carissa Parlato
Highway Superintendent- Jim Meeker
Planner/Zoning Officer- Darby Kiley
Attorney for the Town- Mariette Geldenhuys

ABSENT:

2nd Deputy Supervisor- Michelle Wright

OTHERS PRESENT:

Diane Hillmann, Phil Antweiler

CALL TO ORDER:

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

GENERAL BUSINESS:

APPROVAL OF MEETING AGENDA

RESOLUTION 2015-108:

BE IT RESOLVED that the Ulysses Town Board approve the agenda for July 9, 2015 with the following changes- adding the Day of Giving, moving Approval of Vouchers, adding an Executive Session, and removing or abbreviating the discussion of town fees.

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: 7/14/15

APPROVAL OF CLAIMS

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RESOLUTION 2015-109:

BE IT RESOLVED that the Ulysses Town Board approve payment of claims 206-246 in the amount of \$52,329.25.

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: 7/14/15

PRIVILEGE OF THE FLOOR:

Ms. Hillmann inquired about the old church in Jacksonville. Ms. Thomas responded that they were not discussing that tonight but will let her know when it is on the agenda.

REPORTS FROM REPRESENTATIVES:

(none)

TOWN REPORTS: *(see appendix)*

RESOLUTION 2015-110:

Ms. Zahler moved that the Town Board authorize the EMC liaison, John Hertzler, and the Supervisor, Liz Thomas, to draft and sign a letter on behalf of the Town Board advocating for geothermal tax credit incentives for New York State.

Moved: Ms. Zahler Seconded: Mr. Goldman

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

Vote: 5-0

Date Adopted: 7/14/15

OLD BUSINESS

CHANGE IN WATER RATE FOR WD3

RESOLUTION 2015-111:

ADJUSTING WATER RATE FOR WATER DISTRICT 3

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WHEREAS the Town of Ithaca has increased the rate of the water it sells to the Town of Ulysses to supply Water District 3; and

WHEREAS since January 2015, the new rate is \$6.38/1000 gallons however due to an oversight, the Town of Ulysses was not notified of this rate change for the first two billing quarters; and

WHEREAS by law, Water Districts must be self-supporting,

THEREFORE, BE IT RESOLVED that to make up for the delay in increasing the water rate, the new water rate for Water District 3 customers will be \$6.76/1,000 gallons for the third and fourth quarter of 2015; and

RESOLVED the Town Clerk will contact the Town of Ithaca to request the 2016 water rates in time for the first billing in 2016.

Moved: Ms. Thomas Seconded: Mr. Kerness

Mr. Goldman inquired whether it is in the town's agreement with Ithaca that they have to inform the town of any changes in fee.

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

Vote: 5-0

Date Adopted: 7/14/15

HEALTH CARE CONSORTIUM 5-YEAR AGREEMENT

RESOLUTION 2015-112:

Approval of the 2015 Amendment to the Municipal Cooperative Agreement for the Greater Tompkins County Municipal Health Insurance Consortium

WHEREAS, the Town of Ulysses is a Participant in the Greater Tompkins County Municipal Health Insurance Consortium (the "Consortium"), a municipal cooperative organized under Article 47 of the New York Insurance Law, and

WHEREAS, the municipal participants in the Consortium, including this body, have approved and executed a certain Municipal Cooperation Agreement (the "Agreement"; effective date of October 1, 2010) and Amendment (2014) that provides for the operation and governance of the Consortium, and

WHEREAS, Article 47 of the New York Insurance Law (the "Insurance Law") and the rules and regulations of the New York State Department of Financial Services set forth certain

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requirements for governance of municipal cooperatives that offer self-insured municipal cooperative health insurance plans, and

WHEREAS, the Agreement sets forth in Section Q2 that continuation of the Consortium under the terms and conditions of the Agreement, or any amendments or restatements thereto, shall be subject to Board review on the fifth (5th) anniversary of the Effective Date and on each fifth (5th) anniversary date thereafter (each a “Review Date”), and

WHEREAS, by motion 005-2015, adopted on May 28, 2015, the Consortium's Board of Directors recommends approval of the 2015 amended agreement based on review of the document by the Municipal Cooperative Agreement Review Committee, the New York State Department of Financial Services, and the Consortium’s legal counsel, and

WHEREAS, the Municipal Cooperative Agreement requires that amendments to the agreement be presented to each participant for review and adopted by its municipal board,

WHEREAS, the Town of Ulysses) is in receipt of the proposed amended Agreement and has determined that it is in the best interest of its constituents who are served by the Consortium to amend the Agreement as set forth in the attached 2015 Amended Municipal Cooperative Agreement, now therefore be it

RESOLVED, that the Town of Ulysses approves and authorizes the Town Supervisor to sign the 2015 Amendment to the Municipal Cooperative Agreement of the Greater Tompkins County Municipal Health Insurance Consortium, and

RESOLVED, further, that the Clerk of the Town of Ulysses is hereby authorized to execute this Resolution to indicate its approval, transmit a copy thereof to the Board of Directors of the Greater Tompkins County Municipal Health Insurance Consortium, and take any other such actions as may be required by law.

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: 7/14/15

NEW BUSINESS:

APPOINTING A COMMITTEE TO SELECT A PLANNING FIRM TO ASSIST WITH GRANT TO UPDATE ZONING

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RESOLUTION 2015-113:

Forming a committee to select a consultant and authorize the Town Supervisor to sign an agreement with the selected consultant.

WHEREAS:

1. The Town of Ulysses has an executed contract with NYSERDA for a project to update the Zoning regulations and funding for a consultant to complete a majority of the work; and
2. A Request for Qualifications has been released in order to find a qualified consultant; and
3. A Consultant Selection Committee should include the Town Supervisor, the First Deputy Supervisor, the Environmental Planner, and a current or former Planning Board, Zoning Board of Appeals, and Comprehensive Plan Committee member;

NOW THEREFORE BE IT

RESOLVED that the Town of Ulysses Town Board appoints a Consultant Selection Committee of Supervisor Elizabeth Thomas, Deputy Supervisor Nancy Zahler, Environmental Planner Darby Kiley, Zoning Board of Appeals member David Means, former Comprehensive Plan Committee member Sue Poelvoorde, and Planning Board member David Blake; and

FURTHER RESOLVED that based on the Consultant Selection Committee’s decision, the Town Board authorizes the Town Supervisor to sign an agreement with the selected consultant, subject to approval from NYSERDA, for the scope of services outlined in the Request for Qualifications and the executed contract with NYSERDA.

Moved: Ms. Thomas Seconded: Mr. Goldman

Mr. Goldman inquired whether the selected consultant is truly subject to approval from NYSERDA.

Ms. Kiley replied in the affirmative but noted that it is a quick process.

Mr. Goldman moved a Friendly Amendment to change the wording in #1 of the first Whereas to clarify that NYSERDA is funding “a project” to enable the Town to update its zoning; seconded by Mr. Kerness.

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

Vote: 5-0

Date Adopted: 7/14/15

APPROVAL OF ADDITIONAL SAVINGS ACCOUNT

RESOLUTION 2015-114:

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WHEREAS the Town of Ulysses Supervisor and Bookkeeper recommend opening a separate new savings account to keep assigned funds (reserves) and unclaimed exonerated bail in a separate account would increase clarity and accounting transparency.

THEREFORE BE IT RESOLVED that the Town Board approves opening new savings account with Tompkins Trust Company; and

RESOLVED signatories for this account will be the Town Supervisor, Elizabeth Thomas and the Town Clerk, Carissa Parlato; and

RESOLVED that the Town Clerk will provide a certified copy of this resolution to the Bookkeeper to submit with the paperwork needed to open the savings account.

Moved: Ms. Thomas Seconded: Ms. Zahler

Mr. Goldman moved a friendly amendment to change the word “feel” to “recommend” in the first paragraph; seconded by Mr. Kerness.

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

Vote: 5-0

Date Adopted: 7/14/15

COMMENT ON TIME WARNER AND CHARTER COMMUNICATION MERGER

RESOLUTION 2015-115:

RESOLVED that the Town Board of Ulysses authorizes the Town Supervisor to sign the attached letter regarding the Time Warner and Charter Communications merger.

Moved: Ms. Thomas Seconded: Mr. Hertzler

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

Vote: 5-0

Date Adopted: 7/14/15

**AUTHORIZING A LETTER IN SUPPORT OF A GRANT APPLICATION FOR
STORMWATER CONVEYANCE SYSTEM MAPPING**

RESOLUTION 2015-116:

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WHEREAS:

1. New York State Department of Environmental Conservation Water Quality Improvement Project Program has funding available for Municipal Separate Storm Sewer Systems (MS4) comprehensive system mapping; and
2. On behalf of the Stormwater Coalition of Tompkins County, of which the Town of Ulysses is a member, the Tompkins County Soil and Water Conservation District is submitting an application titled "Stormwater Conveyance System Mapping, and Sewershed Delineation;"
3. The benefit to the Town of Ulysses will be a complete stormwater conveyance system map, including sewershed delineation, access to the information through an online mapping application, and
4. The cost to the Town will be staff time to work with the Stormwater Coalition program coordinator regarding the data collection and project implementation;

BE IT RESOLVED, that the Town of Ulysses Town Board authorizes the Town Supervisor to sign a letter of intent in support of the application and that the Town of Ulysses will participate in this project if funding is awarded.

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: 7/14/15

DAY OF GIVING:

The board discussed this issue but did not resolve it due to concerns about endorsing specific non-profits.

PRIVILEGE OF THE FLOOR (10 MIN).

(none)

MONTHLY BUSINESS

APPROVAL OF MINUTES: 6/23

RESOLUTION 2015-117:

BE IT RESOLVED that the Ulysses Town Board approve the minutes of 6/23 as edited by Ms. Zahler.

Moved: Ms. Thomas

Seconded: Ms. Zahler

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

Vote: 5-0

Date Adopted: 7/14/15

EXECUTIVE SESSION:

Ms. Thomas moved to enter into Executive Session at 8:25pm 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 Mr. Goldman and passed unanimously.

Mr. Goldman moved to end executive session at 9:44pm, seconded by Ms. Zahler and passed unanimously.

ADJOURN:

Ms. Zahler moved to adjourn the meeting at 9:45pm; seconded by Mr. Goldman and passed unanimously.

APPENDIX:

TOWN REPORTS:

TOWN ENGINEER- (none)
PLANNING BOARD / ZONING OFFICER
HIGHWAY SUPERINTENDENT
TOWN CLERK
CODE ENFORCEMENT OFFICER
SUPERVISOR
DEPUTY SUPERVISOR / BOOKKEEPER
TOWN BOARD MEMBERS AND COMMITTEES
ATTORNEY FOR THE TOWN

TOWN ENGINEER: *(no report)*

PLANNING BOARD/ZONING OFFICER- Darby Kiley

Planning Board

At the June 21st meeting, the PB concluded discussion on the open development area proposal for five properties along the lakeshore that do not have access to an official road. On July 7th the PB reviewed and approved the Site Plan for the Kearl's vacant property in the ODA.

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On June 21st, the Planning Board continued Sketch Plat review for a five-lot subdivision in Jacksonville (the property fronts on Cold Springs Rd and Trumansburg Rd). On July 7th, the PB reviewed the Preliminary Plat and scheduled a public hearing for August 4th.

On July 7th, the PB approved the freestanding sign for Renovus. The Site Plan was approved in February, but the sign design was not complete at that time.

The Planning Board continues to review solar regulations. Pace Law Center held a webinar on July 9th on Zoning for Solar Energy.

Board of Zoning Appeals

At the June 17th meeting, the Board of Zoning Appeals granted an area variance for the lot width of a parcel in the R2 District on Van Dorn Corners Rd.

Enforcement actions

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

Grants

Residential Energy Score Project Grant – Public outreach will begin soon.

Zoning Amendments Grant – We received the executed contract from NYSERDA. An RFQ was released on June 30th. The applications are due by July 20th.

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.

Materials were submitted on time for the EPA audit of our stormwater program, and the EPA staff will be in Ulysses starting on July 14 (today).

Water Resources Council (WRC) – The items on the WRC agenda included the following: Stormwater (SPDES) Annual Report; Coal Ash Landfill discussion; and Status of the Cayuga Inlet Dredging Project.

Cayuga Lake Watershed Intermunicipal Organization (IO) – At the June 24th meeting, the IO discussed the members of a proposed Technical Advisory Committee that will be reviewing and providing inputs on the Restoration and Protection Plan.

HIGHWAY SUPERINTENDENT- Jim Meeker

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

- The crew helped Newfield with flood damage; open up ditches, cleaned culverts and debris
- Checked own culverts
- Ditch cleaning
- Installed driveways for residents
- Mowed road signs
- Put up signs for the Grassroots festival

TOWN CLERK- Carissa Parlato

FINANCIAL REPORT for June:

\$1668.00	Collected in fees for licenses (dog, marriage, sporting)
\$976.56	Of that amount stays in the town

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LICENSES issued in June:

Sporting licenses	13
Disabled parking permits	9
Dog licenses and renewals	64
Marriage licenses	8
Plumbing permits	0

CLERK TASKS:

- Facilitated landscaping at TH
- Updated contractor liability insurance
- Had to issue dog license tickets
- Compiled fee list with help from other staff and towns
- Routine tasks:
 - retrieving, sorting, vouchering mail
 - Answering inquiries on various topics
 - Cross –reconciliation of town bank accounts with Michelle
 - Meeting minutes
 - Records Mgmt.
 - Coordinating meetings
 - Updated webpages
 - Sent a listserv mssg. to keep residents updated.
 - Assigned new addresses

WATER TASKS:

- Posted water bills
- Coordinated meeting to hear engineer modeling findings

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:

- Invited the County Clerk and Deputy to come out and share their digitization project (Laserfiche). Hoping to help move Ulysses forward on this.

CODE ENFORCEMENT OFFICER- Alex Rachun

Date:	Name	Project	Cost	fee
6/2/15	Scibilia-Carver	Photovoltaic solar	\$8,000	\$79

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6/3/15	Lupo/Nolte	New duplex	\$225,000	\$425
6/3/15	Przgocki	Renovation/addition	\$110,000	\$385
6/5/15	Wertis	Photovoltaic solar	\$24,000	\$130
6/5/15	Sliker	House addition	\$50,000	\$205
6/11/15	Sheerer	Pool & deck	\$4,000	\$55
6/17/15	Robertson	New single family	\$250,000	\$325
6/18/15	Sopchak	Photovoltaic	\$24,000	\$127
6/23/15	Romer	Photovoltaic	\$18,000	\$112
6/24/15	Srnka	New single family	\$360,000	\$425
6/24/15	Fritz	House renovation	\$50,000	\$305
6/25/15	Sawester	House addition	\$6,000	\$72

DEPUTY SUPERVISOR- Michelle Wright:

- Developed response to media for emergency prep plan inquiries
- TAP Sidewalk project
 - Final interviews with engineer firms
 - Follow up with NYSDOT
 - Continued work on MOU with Village and reimbursement process
- Utilities
 - Coordinated and hosted site visit with Solar Liberty
- Coordinated Workplace Violence and Sexual Harassment required workshop for employees through PERMA
- Laser fiche training
- Communications with PERMA
- Coordination obtaining proof of insurance for NYSERDA grant
- Documentation of County Roads that are in bad shape
 - 2016 budget request report developed for the County
- Attended health consortium meeting with Nancy and Carissa

BOOKKEEPER

- New software
 - Sent out RFQ for CPA/accounting help with conversion to Williamson
- Reserve calculations
- Preliminary planning with Liz regarding 2016 budget timeline needs
- EMS billing
 - Worked with Eric Dodge on developing system for quarterly reconciliation of billing
- Work with NYSLRS regarding historically incorrectly reported ROA from as far back as 1996-2013
- Work with NYSLRS on days reported issues from the past year
- Attended webinar from NYSOSC re: common problems with the AUD
- Payroll changes
 - Continued work with youth payroll paperwork
 - Help with onboarding new Youth Employment Program Coordinator Neil DeRaiche

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- Pay check deductions for employee
- Regular duties
 - Banking
 - Bank reconciliation
 - Payroll
 - NYSLRS (retirement system) monthly reporting
 - Payments: regular appropriations & vouchers
 - Vouchered expenses
 - Health Insurance
 - Regular payments

SUPERVISOR- Liz Thomas:

Shared Services

- **Court Shared Service Task Force** – (6/10, 6/24) as a member, read materials to be prepared for meetings and contribute to discussions as representative of town courts.

Sidewalks (6/9, 6/16, 6/24, 6/25)

- Part of committee interviewing 4 engineering and design firms for the sidewalk project. Each interview was approximately 5 hours long including a presentation, Q&A, site visit at 2 locations, lunch and debriefing with committee.
- Take input from many residents on which side of the road sidewalks are preferred.
- Solidify reimbursement process via MOU with Village. Many passes back and forth.
- With Trumansburg Mayor, check references of top firms

Water Quality

- 6/26 - Attend Finger Lakes Watershed Alliance meeting in Geneva to point out to state and federal lawmakers the need for increased funding for NYS DEC water quality oversight.

Water District 3

- Finish collecting documents for FOIL request. My time alone on this = 8 hrs. Carissa put in many more hours as did others.
- Meet with Tim Steed to discuss modeling results.
- Organize and attend meeting (s) with DOH, engineers, Town of Ithaca, Village of Trumansburg, Bolton Point, Ulysses Water District Operators to discuss best options for TTHM reduction.
- Water rate – how to be notified earlier for rate changes in 2016. Calculate new rate. Talk to Bolton and Trumansburg about how rates are set.
- Field call from resident about chlorination question.

Trails

- RFP – large edit based on feedback from management team.

Planning

- Open development districts – much discussion with many people.
- Help set up committee to select planning firm to help with zoning update.

Other

- **Admin:** work on time card template

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- **Meetings:**
 - Sidewalks (6/9, 6/16, 6/24, 6/25),
 - Town Board (6/9 and 6/23),
 - TCCOG (6/25),
 - Harassment and violence training (6/25),
 - Court task force (6/24),
 - Finger Lakes Regional watershed alliance (6/26),
 - Tim Steed to go over engineering of water system (6/26),
 - Laserfiche training (7/1),
 - Solar Liberty (7/7),
- **Website:** check out new community calendar and give feedback
- **Policies and procedures** – (6/30) – webinar from NYS Office of the State Comptroller on proper procedures and importance of following updated policies.
- **Jacksonville** – continued movement on vacant Exxon properties.
- **Constituent communications** – Field and respond to questions and complaints about
 - Ag/neighbor complaint (2 totaling 3 hrs together)
 - Ditches
 - Chlorine in water
 - Stormwater
 - Poor road conditions on county roads
 - Grassroots – posting of Rabbit Run
- **Town hall** –
 - Move back into office after repainting and change of desk
 - Interface with landscape company to trim shrubs and trees.
 - With Michelle taking the lead, meet with Solar Liberty to be trained on solar panels monitoring.
- **Tax cap override** – prepare and check override documents to insure adherence with state law.
- **Budget** – with Michelle, begin preparations to migrate financial data to new software.
- 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.

TOWN BOARD MEMBERS AND COMMITTEES-

Ms. Zahler:

- Was not able to attend the village meeting this month.
- Would like to revisit the idea of a public information session for Falls Road residents to share information about the village's new water line on that road.

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- Distributed the Police Chief's report.
- Has continued her research on Jacksonville properties.

Mr. Goldman inquired about the Waterburg bridge project. He understands that the replacement will probably not start until next year but wondered about safety. Mr. Meeker offered to contact the county to discuss it.

Mr. Hertzler reported:

- The EMC chairman has asked towns to write letters to encourage Gov. Cuomo to adapt regulations for geothermal energy in an effort to incentivize program.
- The EMC will also be designating more UNAs

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

Respectfully submitted by Carissa Parlato on 7/20/15.