

REGULAR TOWN BOARD MEETING

Town of Ulysses

August 11, 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

2nd Deputy Supervisor- Michelle Wright

Board members- John Hertzler, Rich Goldman, Dave Kerness

Town Clerk- Carissa Parlato

Highway Superintendent- Jim Meeker

Attorney for the Town- Mariette Geldenhuis

Planner/Zoning Officer- Darby Kiley

OTHERS PRESENT:

Diane Hillmann, Phil Antweiler, Dave Schurman, Glynnis Hart

CALL TO ORDER:

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

GENERAL BUSINESS:

APPROVAL OF MEETING AGENDA

RESOLUTION 2015-118:

BE IT RESOLVED that the Ulysses Town Board approve the agenda for August 11, 2015 with the following additions- a resolution to increase hours of the Bookkeeper/Deputy Supervisor; to increase the water rate of Water District 4 and bulk purchasers of water.

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: 8/11/15

PRIVILEGE OF THE FLOOR:

Ms. Hillmann offered to share some historical information regarding the old church and efforts to get have it achieve historic designation.

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REPORTS FROM REPRESENTATIVES:

(none)

TOWN REPORTS: *(see appendix)*

OLD BUSINESS:

GENERAL CODE – review of final content

The board went through the suggested changes to the General Code final draft.

RESOLUTION 2015-119:

RESOLVED that the General Code manuscript with the title "7/23 with edits" be forwarded by the Town Clerk to General Code with additional edits approved at the Town Board meeting on 8/11/2015.

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: 8/11/15

Mr. Meeker was excused at this time.

REVIEW OF TOWN FEES

The board discussed the current list of fees and suggestions for updating them.

RESOLUTION 2015-120:

Ms. Thomas moved to cancel the 8/25 meeting of the Ulysses Town Board.

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: 8/11/15

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UPDATE ON EXXON MOBIL PROPERTIES

Ms. Zahler presented the history of working with Exxon Mobil since 2013 to preserve the old Jacksonville church and shared the most recent updates. Exxon Mobil has expressed interest in donating at least some of the properties to the town.

The board and Ms. Geldenhuys discussed several issues with regards to this:

- Resale options
- Contamination remediation
- Historic preservation
- Community feedback

Ms. Hillmann shared that Exxon Mobil tried to sell the properties in the past but did not receive any interest. She inquired whether the parcels are big enough for anything other than a 1 family house; about the condition of the septic seems underneath; and if there is enough space for parking. She further noted that getting National Historic Registry designation would make it eligible for grants.

Mr. Antweiler reiterated the importance of enough parking area.

AUTHORIZING DUE DILIGENCE RE: POSSIBLE ACCEPTANCE OF DONATED LAND

RESOLUTION 2015-121:

WHEREAS, ExxonMobil owns seven parcels of land in the hamlet of Jacksonville which they acquired in partial fulfillment of an agreement to remediate a gasoline leak from the gas station previously owned by Mobil Oil and

WHEREAS, the Town of Ulysses contacted Exxon Mobil in 2013 to inquire about their plans for an historic church located on Tax Parcel 25.-4-26 at 5020 Jacksonville Road which was rapidly deteriorating, and

WHEREAS, representatives from ExxonMobil responded to the Town and expressed possible interest in donating surplus properties to the Town of Ulysses, and

WHEREAS, the Town has a public interest in assuring that the old church is stabilized and preserved and that the other vacant parcels be made available for allowable uses that would help to revitalize Jacksonville in ways consistent with the Town's Comprehensive Plan, and

WHEREAS, the Town is committed to exercising due diligence in considering whether to accept any donated land and/or structures, now therefore be it

RESOLVED, that the Town of Ulysses authorizes the Supervisor to enter into agreements with consultants to:

- 1) conduct a Phase I Assessment using guidelines from US Environmental Protection Agency to assure that the parcels are safe for re-development and
- 2) estimate the cost of stabilizing the old church and

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RESOLVED, that an amount of no more than \$4,500 be allocated for the purchase of services to exercise the due diligence described above.

Moved: Ms. Zahler Seconded: Mr. Kerness

Friendly amendment:

Ms. Zahler suggested a friendly amendment to change “razed” to “vacant” in the fourth Whereas paragraph; to delete number 3 under the second Resolved; and to delete the line item reference in the final Resolved paragraph.

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

Vote: 5-0

Date Adopted: 8/11/15

UPDATE ON CHLORINATION BY-PRODUCTS IN WATER DISTRICT 3

AUTHORIZING THE TOWN SUPERVISOR TO SUBMIT AN APPLICATION TO THE ENVIRONMENTAL FACILITIES CORPORATION (EFC):

RESOLUTION 2015-122:

WHEREAS the Town of Ulysses Water District 3 water system has been identified with chlorination by-products known as Total Trihalomethanes (TTHM’s) which have been exceeding the Maximum Contaminant Level (MCL) for TTHM’s and is a violation of the Subpart 5-1.52 of the NYS Sanitary Code (NYSSC), and

WHEREAS the Tompkins County Health Department (TCHD) has resolved to order the Town of Ulysses to resolve the TTHM issue in accordance with their latest Resolution Order and is interested in seeing the TTHM levels in Water District 3 to be maintained below the MCL level for the sake of the public health of Water District 3 and that the TCHD has provided their latest Order that requires the submission of an Engineering Report by September 15, 2015; and

WHEREAS the Town of Ulysses is exploring the cost of connecting Water District 3 to the Village of Trumansburg municipal water supply in order to reduce or eliminate the level of TTHM’s and in order to achieve compliance with the MCL violation of the NYSSC and with the understanding that connecting to a well water source may resolve the TTHM violation issue; if other less costly options to eliminate the TTHM issue are determined to be a less favorable or a lesser feasible solution, and

WHEREAS in order to determine the more precise cost of the municipal connection, the Town may submit a non-binding application to the NYS Environmental Facilities Corporation which

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may provide information relative to finances that may impact the overall cost to each user in Water District #3; and

WHEREAS once the application package is processed and the funding approved, the Town has no obligation to proceed with the connection, but will use this information to help make a decision about the municipal water connection to Trumansburg; and

WHEREAS the deadline for the application submission is September 4, 2015.

THEREFORE, BE IT RESOLVED that the Ulysses Town Board authorizes the Town Supervisor to execute those required documents and any associated documents to allow the submission of an application to the Environmental Facilities Corporation to ascertain potential funding for a municipal water connection to the Village of Trumansburg.

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: 8/11/15

APPOINTING A NEW PLANNING BOARD MEMBER

RESOLUTION 2015-123:

RESOLVED that the Ulysses Town Board appoints Rebecca Schneider to the position left vacant by the resignation of Craig Salino, formerly held by Andy Rice, beginning immediately and with a term ending 12/31/2018.

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: 8/11/15

ADJUSTING WATER RATE FOR WATER DISTRICT 4 and BULK BUYERS OF WATER

RESOLUTION 2015-124:

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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 4; 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 4 and any bulk water purchase 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

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

Vote: 5-0

Date Adopted: 8/11/15

TO ADJUST THE HOURS OF THE BOOKKEEPER/DEPUTY SUPERVISOR

RESOLUTION 2015-125:

BE IT RESOLVED that the Town Board of the Town of Ulysses increases the hours of the Bookkeeper/Deputy Supervisor position from 31 hours/week to 35 hours/week.

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: 8/11/15

PRIVILEGE OF THE FLOOR

(no comments spoken nor submitted)

MONTHLY BUSINESS

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APPROVAL OF MINUTES: 7/14

RESOLUTION 2015-126:

BE IT RESOLVED that the Ulysses Town Board approve the minutes of 7/14 as edited by Ms. Zahler.

Moved: Mr. Hertzler

Seconded: Mr. Goldman

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

Vote: 5-0

Date Adopted: 8/11/15

APPROVAL OF CLAIMS

RESOLUTION 2015-127:

BE IT RESOLVED that the Ulysses Town Board approve payment of claims 247-290 in the amount of \$38,922.57.

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: 8/11/15

ADJOURN:

Ms. Thomas moved to adjourn the meeting at 10:30pm; seconded by Mr. Kerness and passed unanimously.

APPENDIX:

TOWN REPORTS:

TOWN ENGINEER

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**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

On July 21st, the Planning Board discussed the five-lot subdivision in Jacksonville (the property fronts on Cold Springs Rd and Trumansburg Rd).
The Planning Board continues to review solar regulations.

Board of Zoning Appeals

At the July 15th meeting, the Board of Zoning Appeals reviewed area variances for two accessory buildings along the lakeshore, and the discussion was tabled until August in order to gather more information.

Enforcement actions

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

Grants

Zoning Amendments Grant – Interviews will be held soon to select a consultant for the project.

Other Meetings/Issues

Stormwater – EPA staff audited the Town's stormwater program on July 14-15 and a follow-up phone call on July 30th. I am following with a few requests for materials. The EPA's report will be sent out in 2-3 months.

Water Resources Council (WRC) – The WRC is working on the County's Water Quality Strategy.

HIGHWAY SUPERINTENDENT- Jim Meeker

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

- Trimmed brush & limbs around signs and intersections to increase visibility
- Trimmed around fire hydrants
- Mowed road sides
- Helped Town of Ithaca with a paving project
- Cleaned up fallen tree limbs- the heavy foliage seems to be breaking limbs
- Ordered the 1-ton truck, will get a price in Sept. for the new water truck

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TOWN CLERK- Carissa Parlato

LICENSES issued in July:	<u>2014:</u>	<u>2015:</u>
Sporting licenses	12	10
Disabled parking permits	10	15
Dog licenses and renewals	70	76
Marriage licenses	4	1
Plumbing permits	1	1

FINANCIAL REPORT for July:

\$1941.50	TOTAL Collected for fees & licenses
\$1346.09	stays in the town
\$595.41	goes to the state

Tasks:

- Continued to work on compiling the town’s fee list, comparing info from other towns and getting input from staff
- Patty has been assisting in the court office and tracking those hours
- Talked with Alex on assisting with office tasks
- Routine tasks:
 - retrieved, sorted, vouchered mail
 - Answered inquiries on various topics
 - Cross –reconciliation of town bank accounts with Michelle
 - Took and wrote up meeting minutes
 - Updated the website
 - Sent listserv mssgs. to keep residents updated.

Water District Tasks:

- Posted water bills
- Coordinated TTHM meeting
- Updated reports for TTHM running averages
- Sent press releases to newspapers, Jacksonville listserv and town listserv regarding water rate increase

COMMITTEES:

- Health Consortium- (no July meeting)

TRAINING:

- Attended Cornell Municipal Clerk’s conference July 13-16. Attended classes on the following topics:
 - Emotional intelligence- Understanding yourself and coworkers for an effective work environment
 - Cooperative Extension’s Disaster Education Network program
 - Note: A great resource as we move ahead with updating our emergency plan

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- Fiscal Stress monitoring (State Comptroller)
- Electronic records management
 - Note: A great resource for digitizing and managing electronic records
- Creating effective reports and presentations
 - Note: great information that I used immediately to format the minutes
- Community foundations and local governments
 - Note: the Town is eligible to apply for grants from the Comm. Foundation
- Public relations, public issues and public policy
 - Note: this topic gave insight into working through sticky situations with groups
- Municipal Opportunities and Threats from the 2015 Legislative Session
- Your role as clerk to the board
 - Note: great info on strategic plans, performance evals, annual reports
- Creating a learning action plan

CODE ENFORCEMENT OFFICER- Alex Rachun

(no report)

SUPERVISOR- Liz Thomas:

Shared Services

- Court Shared Service Task Force – (8/5) as a member, read materials to be prepared for meetings and contribute to discussions as representative of town courts.
 - Give feedback on letter and questions going out to stakeholders.

Sidewalks

- Make decision on engineering and design firm for sidewalks- Fisher & Assoc. from Rochester.
- Ensure all documentation on MOU is properly recorded and stored at Town Hall.

Stormwater

- Participate in EPA audit of Stormwater Program: Read through all materials; attend half day at beginning and several hours during wrap-up.

Water Quality

- Assist with press release on Cayuga Lake Restoration and Protection Plan.
- Meet with Soil and Water Conservation Service lack of use of best management practices on several farms.

Planning

- Help Planner to develop a selection system to find a planning firm for the zoning update.
- Read through all qualifications submitted by firms to update zoning and rate.
- Attend Planning Board meeting to explain goals of planning grant and answer questions.

Budget

- Begin budgeting process. Review latest operating statements to judge accuracy of budget projections.
- Work with Michelle to develop a budgeting plan, forms for gathering information from departments and contractors.

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- Review 6-year report of revenues and appropriations.
- Check in on most current figures for mortgage tax, sales tax.

Jacksonville

- Meet with Exxon over properties in Jacksonville. Read and respond to Councilwoman Zahler's research and preparation on this topic.
- Assist Hunt Engineers to collect all details necessary for modeling of aerators.
- Prepare, and send out materials for TTHM Working Group meeting. Facilitate meeting.
- Organize water testing schedule for rest of the summer and also including filtered samples.
- Confirm chlorine level requirements with Dept of Health. Share information with WD Operator.
- Write update for water district 3.
- Review modeling conclusions and talk to Department of Health about findings.

Other

- Vacation/Comp time: 7/22, 7/23
- Meetings:
 - Planning Board (7/21),
 - EPA Stormwater audit (7/14, 7/15)
 - Court task force (6/24),
 - TTHM Working Group (7/29)
 - Meet with State Assembly delegation (7/29)
 - Planning firm selection committee (8/4)
- Records:
 - Review old edits and ensure they are incorporated in latest draft of General Code manuscript.
- Transportation: communications with TCCOG committee on TCAT on how municipalities can have more input on routes.
- Cable: letter in opposition to agreeing to cable contract prior to Time Warner proposed merger.
- Admin – Create shared calendar of annual or semi-annual events.
- Highway – look at vehicle replacement schedule as a precursor to budgeting season.
- Fee reviews – assist with fee recommendations for water and building code.
- Constituent communications – Field and respond to questions and complaints about
 - Road obscured by vegetation
 - Complaint about village drainage system (storm drain backups)
 - Complaint about ditch maintenance
 - request for guardrail and culvert
 - Two complaints about poor farming practices.
 - Eagle scout project request – facilitate.
- Geothermal Permitting: Read through zoning from other municipality and forward to Planning Department.
- 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.

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- Periodic discussions with Zoning Officer over a variety of topics.
- Prepare agendas, resolutions, and 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.

Average hours/week over the year to date = 35.11

DEPUTY SUPERVISOR- Michelle Wright:

- TAP Sidewalk project
 - Final selection of engineer firm
 - Communications with NYSDOT
 - Meeting with Region Project Manager regarding reimbursement process
 - Continued work with Village and reimbursement process
- Staying in the loop with WD3 TTHM issues
 - Attended working group meeting
 - Researching funding options from various governmental funding agencies
 - Communications with Bill Davis re: debt repayment schedule and funding prospects
- Emergency prep plan
 - Exploring more resources
 - Made commitment per Liz to commit November to focus on continued development of plan
- Inventory/capital planning with highway department

BOOKKEEPER

- New software
 - Secured CPA for transition
 - Meeting with Duane (from Ciaschi, Dietershagen, Little, Mickelson & Company, LLP) to review timeline and process of transition from Quickbooks to Williamson
- Summer Youth Employment Program
 - Due to the staffing transition and the increased number of students participating in this program, payroll related activities have been time consuming
 - Communications with Neil DeRaiche, Interim Youth Program Coordinator
 - Communications with the County
 - Payroll paperwork
 - NYSLRS enrollment (very time consuming)
- Reporting/data computations
 - Historic sales tax data
 - PT to FT transition
- Work with NYSLRS regarding historically incorrectly reported ROA from as far back as 1996-2013
- Payroll changes
 - Pay check deductions for employee

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- Regular duties
 - Banking
 - Open new bank account for assigned funds and other trust and agency type funds
 - Bank reconciliation
 - NYSLRS (retirement system) monthly reporting
 - Payments: regular appropriations & vouchers
 - Vouchered expenses
 - Health Insurance
 - Other regular payments

TOWN BOARD MEMBERS AND COMMITTEES-

Deputy Supervisor- Ms. Zahler:

Health consortium updates:

- a 5% increase is estimated for 2016 health costs
- there is an opportunity to change benefit plans but deadline is by end of August

Received feedback from TCCOG (Tompkins County Council of Governments) regarding the county Day of Giving. Other towns were also wary of supporting it due to the ethics of a municipality supporting a particular organization

The Youth Commission is interviewing for one full-time Program Manager

Village Board updates:

- Deb Watkins was re-appointed to fill the vacancy created by Tim Lynch's resignation.
- Mr. Davis (the engineer for Village) has offered to share templates of intermunicipal agreements for the Town and Village for the Village's new water main that will come up Falls Road.
- He will also create quotes for what the Village would charge the Town if the Town connects to the new water source.
- A mid-September public hearing was suggested by Mr. Davis to inform Falls Road about the project.
- The Fire/EMS report was received.
 - The joint meeting for all the municipalities who share this service is targeted for September.

Willow Grove is having its annual picnic next week.

Mr. Goldman wished to clarify for the record that the loan opportunities for a Water District 3 connection to Trumansburg are low-interest loans not low-income.

Mr. Hertzler shared information regarding the September 24-25 conference on energy regulation reform.

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ATTORNEY FOR THE TOWN- *(no report beyond items that are currently on the agenda)*

Respectfully submitted by Carissa Parlato on 8/25/15.