

TOWN BOARD MEETING

Town of Ulysses

October 27, 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.

PRESENT:

Supervisor- Liz Thomas
1st Deputy Supervisor- Nancy Zahler
Board members- Dave Kerness, Rich Goldman. John Hertzler
Clerk- Carissa Parlato
Environmental Planner- Darby Kiley

OTHERS PRESENT:

Phil Antweiler, Greg Reynolds, Dave Schurman, Michael Boggs

ABSENT:

2nd Deputy Supervisor- Michelle Wright

MEETING NOTICE:

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

CALL TO ORDER:

Ms.Thomas called the meeting to order at 7:28 p.m.

APPROVAL OF MEETING AGENDA:

RESOLUTION 2015-156:
APPROVAL OF MEETING AGENDA

BE IT RESOLVED that the Ulysses Town Board approve the agenda for October 27, 2015.

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: 10/27/15

PRIVILEGE OF THE FLOOR:

Mr. Antweiler gave an update on the last Jacksonville Community Association (JCA) meeting. The group discussed the possibility of a “park ‘n’ ride” and found unanimous support. They are also working on a strategic plan and celebration for the park, noting that 2016 is the park’s 50th anniversary. Mr. Antweiler distributed a list of resolutions passed by the JCA in response to the recent heroine bust.

GENERAL ANNOUNCEMENTS:

Ms. Zahler announced that she has received a response from Exxon Mobil regarding the confidentiality agreement for the properties. She will follow up with Attorney for the Town to see if the town can move ahead with securing the properties.

OLD BUSINESS:

SEQR (State Environmental Quality Review) for LL 2 of 2015:

Ms. Kiley explained the SEQR process.

RESOLUTION 2015-157:

TOWN BOARD MEETING

October 27, 2015

**MAKING SEQR DETERMINATION FOR LOCAL LAW NO. 2 OF 2015:
A LOCAL LAW TO PROVIDE FOR THE CODIFICATION OF THE LOCAL LAWS,
ORDINANCES AND CERTAIN RESOLUTIONS OF THE TOWN OF ULYSSES INTO
A MUNICIPAL CODE TO BE DESIGNATED THE “CODE OF THE TOWN OF
ULYSSES”.**

WHEREAS, this action is the adoption of a Local Law to provide for the codification of local laws, ordinances and certain resolutions of the Town of Ulysses, which includes revisions to the Zoning chapter; and

WHEREAS, this as a Type I action for which the Town of Ulysses Town Board is Lead Agency in an environmental review with respect to the enactment of the proposed local law; and

WHEREAS, the Town Board, at a public meeting held on October 27, 2015, has reviewed and accepted as adequate the Full Environmental Assessment Form (FEAF), Parts 1, 2 and 3 for this action;

NOW, THEREFORE, IT IS HEREBY

RESOLVED that the Town of Ulysses Town Board hereby makes a negative determination of environmental significance in accordance with New York State Environmental Quality Review Act for the above referenced action as proposed, based on the information in the FEAF Part 1 and for the reasons set forth in the FEAF Parts 2 and 3, and, therefore, an Environmental Impact Statement will not be required.

Moved: Mr. Kerness Seconded: Ms. Zahler

(The clerk called a roll-call vote):

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

Vote: 5-0

Date Adopted: 10/27/15

CONSIDERATION OF ADOPTION OF LL 2 OF 2015:

RESOLUTION 2015-158:

**A RESOLUTION ADOPTING LOCAL LAW 2 of 2015: TO PROVIDE FOR THE
CODIFICATION OF THE LOCAL LAWS, ORDINANCES AND CERTAIN
RESOLUTIONS OF THE TOWN OF ULYSSES INTO A MUNICIPAL CODE TO BE
DESIGNATED THE “CODE OF THE TOWN OF ULYSSES”**

WHEREAS, the Town has the authority to adopt the local law referred to above (hereafter “the Local Law”) pursuant to Article 9, §1 of the New York State Constitution and §10 of the New York State Municipal Home Rule Law; and

WHEREAS, notice of a public hearing on the Local Law was advertised as required by law in the Ithaca Journal on October 9, 2015 at the Ulysses Town Hall at 6:30 p.m.; and

WHEREAS, said public hearing was duly held on said date, time and place and all parties in attendance were permitted an opportunity to speak in favor of or in opposition to the Local Law, or any part thereof; and

WHEREAS, pursuant to the New York State Environmental Quality Review Act (“SEQRA”) and its implementing regulations at 6 NYCRR Part 617, adoption of said local law is an Unlisted action for which the Town Board of the Town of Ulysses, acting as lead agency in an environmental review with respect to adoption of this local law, has on October 27, 2015 made

TOWN BOARD MEETING

October 27, 2015

a negative determination of environmental significance, after having reviewed and accepted as adequate the Environmental Assessment Form prepared by the Town's Environmental Planner; and

NOW, THEREFORE, IT IS RESOLVED that the Town Board of the Town of Ulysses hereby adopts and enacts Local Law No. 2 of 2015 entitled "A LOCAL LAW TO PROVIDE FOR THE CODIFICATION OF THE LOCAL LAWS, ORDINANCES AND CERTAIN RESOLUTIONS OF THE TOWN OF ULYSSES INTO A MUNICIPAL CODE TO BE DESIGNATED THE "CODE OF THE TOWN OF ULYSSES", a copy of which is attached hereto and made a part of this resolution; and it is further

RESOLVED that the Town Clerk is hereby authorized and directed to file said local law with the Secretary of State as required by law, and

RESOLVED that Section 46-6b be removed.

Moved: Mr. Kerness Seconded: Ms. Zahler

(The clerk called a roll-call vote):

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

Vote: 5-0

Date Adopted: 10/27/15

FEE SCHEDULE:

RESOLUTION 2015-159:
ADOPTION OF FEE SCHEDULE

BE IT RESOLVED that the Ulysses Town Board adopts the following fees for services effective upon the adoption of Local Law No. 2 of 2015: TO PROVIDE FOR THE CODIFICATION OF THE LOCAL LAWS, ORDINANCES AND CERTAIN RESOLUTIONS OF THE TOWN OF ULYSSES INTO A MUNICIPAL CODE TO BE DESIGNATED THE "CODE OF THE TOWN OF ULYSSES," and

RESOLVED that the Town Clerk will prepare and distribute the updated fees to each department.

Moved: Mr. Goldman Seconded: Ms. Thomas

Discussion: The resolution will be effective upon passage of LL2 of 2015.

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

Vote: 5-0

Date Adopted: 10/27/15

CONSIDERATION OF ADOPTION OF 2016 PRELIMINARY BUDGET

WHEREAS the Town Board of the Town of Ulysses has reviewed and modified the 2016 Tentative Budget to remain within the state imposed tax cap of 1.8%.

TOWN BOARD MEETING

October 27, 2015

THEREFORE, BE IT RESOLVED that the Town Board of the Town of Ulysses adopts the Preliminary Budget as the Final Budget for 2016 with a resulting 1.7% increase in town levy and a 2.44% decrease in tax rate.

Moved: Ms. Thomas Seconded: Mr. Kerness

Discussion- Mr. Hertzler asked if there was an advantage to staying within the state's tax cap. Various board members responded.

Motion tabled.

CORRECTING THE RESOLUTION OF AUTHORIZATION TO PURCHASE HIGHWAY EQUIPMENT:

RESOLUTION 2015-160:
CORRECTING THE RESOLUTION OF AUTHORIZATION TO PURCHASE HIGHWAY EQUIPMENT:

RESOLVED that the Town Board of the Town of Ulysses authorizes Town Supervisor Thomas to sign a letter of intent to purchase a 2015 Case 721F Wheel Loader T4F for the price quoted on 6/25/15 of \$147,154.66, with extra negotiated options added for a total not to exceed \$170,000 as recommended by Ulysses Highway Superintendent James Meeker based on New York State contract price quoted by Monroe Tractor.

Also resolved that the town Board rescinds the resolution passed on 10/13 on the same subject.

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: 10/27/15

REQUEST TO COUNTY FOR SPEED LIMIT REDUCTIONS ON SEARSBURG AND HALSEYVILLE RDS:

RESOLUTION 2015-161:
REQUEST TO COUNTY FOR SPEED LIMIT REDUCTIONS ON SEARSBURG AND HALSEYVILLE RDS:

WHEREAS residents have requested a speed limit reduction, THEREFORE, BE IT RESOLVED that the Ulysses Town Board requests a speed limit reduction on Halseyville Road (County Route 170) between Perry City (County Route 142) Swamp College Road (County Road 147); and on Searsburg Road between Curry Road and Mount Road (County Line Road).

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: 10/27/15

TOWN BOARD MEETING

October 27, 2015

NEW BUSINESS:

RESOLUTION 2015-162:

AUTHORIZATION TO SIGN CONTRACT WITH WILLIAMSON LAW

RESOLVED that the Town Board of the Town of Ulysses authorizes the Town Supervisor to sign the contract with Williamson Law Book for Tax Glance for an annual amount of \$120 used by the Town Clerk for the year 2016.

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: 10/27/15

RESOLUTION 2015-163:

AUTHORIZING DEPUTY CLERK PAY RATE

BE IT RESOLVED that the Ulysses Town Board approves the pay rate for the new Deputy Clerk to be \$16/hour and the number of hours worked to be 20 hours.

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: 10/27/15

RESOLUTION 2015-164:

RECOGNIZING PATTY HALLORAN'S SERVICE

RESOLVED that the Town Board of the Town of Ulysses recognize Patty Halloran's 10 years of service and wish her well in her retirement.

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: 10/27/15

RESOLUTION 2015-165:

SETTING A JOINT PUBLIC HEARING ON THE FIRE/EMS BUDGET

BE IT RESOLVED that the Ulysses Town Board hold a Joint Public Hearing on the Fire/EMS contracts at 7pm on Monday, Dec. 14, 2015 at the Town of Covert town hall.

Moved: Ms. Thomas Seconded: Ms. Zahler

TOWN BOARD MEETING

October 27, 2015

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

Vote: 5-0
Date Adopted: 10/27/15

MONTHLY BUSINESS:

RESOLUTION 2015-166:
BUDGET MODIFICATIONS

BE IT RESOLVED that the Ulysses Town Board approve the following budget modifications:

Fund/Reserve	2015 Budgeted	Modified Addition
A fund Unemployment Reserve	\$5000	\$0
A fund Audit Reserve	\$3000	\$0
A fund Legal Reserve	\$10,000	\$0
A fund Building Repair Reserve	\$10,000	\$0
A fund Retirement Reserve	\$10,000	\$0
B fund Unemployment Reserve	\$2000	\$0
B fund Legal Reserve	\$8000	\$0
DA fund Snow and Ice Repair	\$5000	\$0

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: 10/27/15

RESOLUTION 2015-167:
APPROVAL OF MINUTES

BE IT RESOLVED that the Ulysses Town Board approve the minutes of the 10/8, 10/13, 10/15, and 10/19 meetings.

Moved: Mr. Kerness Seconded: Mr. Goldman

Discussion: Ms. Zahler would like the minutes of 10/13 to reflect that the Health Dept. representatives agreed that either option of water remediation as suggested by MRB would be acceptable.

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

Vote: 5-0
Date Adopted: 10/27/15

Ms. Zahler made a motion to add a privilege of the floor at this time, seconded by Ms. Thomas and passed unanimously.

PRIVILEGE OF THE FLOOR:

Mr. Reynolds inquired about the status of the Ag Committee and other committees.

TOWN BOARD MEETING

October 27, 2015

The board responded.

BUDGET DISCUSSION:

RESOLUTION 2015-168:

BE IT RESOLVED that the Town Board of the Town of Ulysses adopts the 2016 Preliminary Budget updated on 10/27/15 to be reviewed at the 11/10/15 meeting with 4.1% tax levy increase and 0.03% tax rate increase.

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: 10/27/15

EXECUTIVE SESSION:

Mr. Kerness moved to go into Executive Session at 9:11pm to discuss 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. Hertzler moved to end Executive Session at 9:27pm, seconded by Mr. Goldman and passed unanimously.

ADJOURN:

Mr. Goldman made a motion to adjourn the meeting at 9:27pm, seconded by Mr. Kerness and passed unanimously.

Respectfully submitted by Carissa Parlato on 11/4/15.