

TOWN BOARD MEETING

Town of Ulysses

March 8, 2016

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.

ATTENDANCE:

PRESENT:

Supervisor- Liz Thomas

1st Deputy Supervisor- Nancy Zahler

2nd Deputy Supervisor- Michelle Wright

Board members- John Hertzler, Rich Goldman, Michael Boggs

Town Clerk- Carissa Parlato

Acting Highway Superintendent- Dave Reynolds

Attorney for the Town- Mariette Geldenhuys

OTHERS PRESENT:

Jim Dennis (Tompkins County legislator representing Ulysses), Todd Parlato, Roxanne Marino, Billy Conroy, Nancy and Edward Dean, Jim Meeker

CALL TO ORDER:

Ms. Thomas called the meeting to order at 7:49p.m.

GENERAL BUSINESS:

APPROVAL OF MEETING AGENDA

RESOLUTION 2016-67: Approval of Meeting Agenda

BE IT RESOLVED that the Ulysses Town Board approve the agenda for March 8, 2016 with the change of moving the discussion of local laws to the first item, and the addition of executive session at the end of the meeting to discuss acquisition of property.

Moved: Ms. Thomas

Seconded: Mr. Hertzler

Ms. Thomas aye

Ms. Zahler aye

Mr. Hertzler aye

Mr. Boggs aye

Mr. Goldman aye

Vote: 5-0

Date Adopted: 3/8/16

PRIVILEGE OF THE FLOOR:

Mr. Meeker inquired about an increase in his taxes.

OLD BUSINESS:

CONSIDERATION OF LOCAL LAW #1 of 2016 PROVIDING FOR THE ABOLITION OF THE ELECTED POSITION OF TOWN CLERK AND CREATION OF THE APPOINTED POSITION OF TOWN CLERK OF THE TOWN OF ULYSSES

Ms. Thomas noted the public hearing on this issue took place immediately prior to the meeting.

RESOLUTION 2016-68: ADOPTING LOCAL LAW #1 of 2016 TO PROVIDE FOR THE ABOLITION OF THE ELECTED POSITION OF TOWN CLERK AND CREATION OF THE APPOINTED POSITION OF TOWN CLERK 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 §§10, 22 and 23 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 for March 8, 2016 at 7:00 p.m. at the Ulysses Town Hall; 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 the Town Clerk’s duties are fundamentally apolitical, and

WHEREAS, in New York State, all cities and villages, and many towns have appointed offices of Clerk; and

WHEREAS there are no minimum job-related qualifications for a person to run for this elected position, and

WHEREAS, elected officials cannot be supervised by or held accountable to those with whom they work closely in the Town Hall; and

WHEREAS, if the elected Town Clerk does not perform his or her duties, the Town Board cannot discipline or remove him or her from office; and

WHEREAS the duties of Town Clerk require a great deal of skill and training to be performed effectively but training cannot be required of an elected officer, and

WHEREAS, changing the position from elected to appointed allows the town the option of drawing applicants from a wider geographic area in the event the position becomes vacant; and

WHEREAS, by changing the position from elected to appointed, the Town of Ulysses can assure its residents receive the highest quality services from a well-qualified employee who is held accountable for full performance of all required duties;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Ulysses adopts and enacts Local Law #1 of 2016 entitled “A LOCAL LAW PROVIDING FOR THE ABOLITION OF THE ELECTED POSITION OF TOWN CLERK AND CREATION OF THE APPOINTED

POSITION OF TOWN CLERK OF THE TOWN OF ULYSSES”, a copy of which is attached hereto and made a part of this resolution; and it is further, (SEE APPENDIX FOR LOCAL LAW??)

RESOLVED that the Local Law is adopted subject to a mandatory referendum pursuant to the provisions of §23 of the Municipal Home Rule Law.

Moved: Mr. Hertzler Seconded: Mr. Boggs

DISCUSSION:

The board continued to discuss whether to move the date of the referendum to November.

Motion withdrawn by Mr. Hertzler and Mr. Boggs.

Mr. Boggs asked members of the public in attendance how they heard about the public hearing. Responses included:

- Listserv
- Social media
- Legal notice
- Word of mouth

Mr. Meskill inquired as to how the board will move forward and suggested that board take action tonight so people know what to expect and are informed.

The board discussed Mr. Meskill’s suggestion. Ms. Geldenhuys offered suggestions.

MOTION:

Mr. Goldman made a motion to change the referendum date in the local law, seconded by Mr. Hertzler.

Motion withdrawn by Mr. Goldman and Mr. Hertzler.

RESOLUTION 2016-68:

Based on public comment and board discussion, any referendum to abolish the elected positions of highway superintendent and town clerk to create appointed positions, take place on Nov. 8.

Moved: Ms. Zahler Seconded: Mr. Goldman

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

Vote: 5-0

Date Adopted: 3/8/16

REPORTS FROM REPRESENTATIVES:

Mr. Dennis gave the following updates from Tompkins County:

- The county is preparing to send in a proposal to get grant funding to study consolidation of police departments.
- They have been notified that other funding is available to study unification of towns, villages and cities. If municipalities were unified, many administrative tasks would be contracted out to the county.
- Discussions are beginning with TC3 for next year's budget. The college is suffering from some financial distress. The county is trying to figure out how to fund them, as obligated by state law.
- The county is working to see how they can stay under the tax cap.

NEW BUSINESS:

AUTHORIZING USE OF FUNDS FROM THE TOWN OF ULYSSES CAPITAL EQUIPMENT RESERVE FUND DA878 TO PURCHASE HIGHWAY MAINTENANCE AND CONSTRUCTION EQUIPMENT IN 2016

RESOLUTION 2016-69: AUTHORIZING USE OF FUNDS FROM THE TOWN OF ULYSSES CAPITAL EQUIPMENT RESERVE FUND DA878 TO PURCHASE HIGHWAY MAINTENANCE AND CONSTRUCTION EQUIPMENT IN 2016

WHEREAS, the Town Board of the Town of Ulysses by resolution adopted on November 7, 1984 established a capital reserve fund for the purpose of funding acquisition and replacement of highway maintenance and construction equipment and snow removal equipment (“the Capital Equipment Reserve Fund”); and

WHEREAS, the Town Board adopted the 2016 budget for the Town on November 10, 2015 and the budget calls for the appropriation of \$270,000 from the Capital Equipment Reserve Fund for the purpose of purchasing highway equipment in 2016; and

WHEREAS, pursuant to General Municipal Law §6-c, an expenditure from the Capital Equipment Reserve Fund requires authorization by the Town Board, and such authorization is subject to a permissive referendum; and

WHEREAS, the Town needs to purchase the following highway equipment: (1) A 2003 Volvo model VHD64B for \$105,000 and (2) a 2016 Chevrolet Silverado, which vehicle will have a split function between the Highway Department and the Town's water districts, on the basis of which \$18,215.73 of the purchase price will be allocated to the Equipment Capital Reserve Fund and \$9,107.87 to the SW3 fund; and

WHEREAS, the purchase of the above-referenced equipment falls within the purposes for which the Capital Equipment Reserve Fund was established;

NOW, THEREFORE, BE IT

RESOLVED that the Town Board authorizes the following expenditures from the Town of Ulysses Capital Equipment Reserve Fund DA878 for the purchase of the following highway equipment: \$105,000 for a 2003 Volvo model VHD64B and \$18,215.73 towards the purchase of a 2016 Chevrolet Silverado in a total sum not to exceed \$123,216; and be it further

RESOLVED that, pursuant to General Municipal Law §6-c, this resolution is subject to a permissive referendum.

Moved: Mr. Boggs Seconded: Ms. Zahler

DISCUSSION: The board asked clarifying questions on the permissive referendum. Ms. Geldenhuys responded.

Mr. Hertzler inquired about which trucks have been received and paid for and about the tax increase that Mr. Meeker inquired about.

Ms. Thomas	aye
Ms. Zahler	aye
Mr. Hertzler	abstain
Mr. Boggs	aye
Mr. Goldman	aye

Vote: 4-0

Date Adopted: 3/8/16

TOWN REPORTS:

(see Appendix A)

PRIVILEGE OF THE FLOOR:

Ms. Marino thanked the board for finally getting to some of the projects that have been in the works for years such as code enforcement and the sidewalk project. She would like to see the solar information that Mr. Brice offered incorporated into the zoning discussion. She offered encouragement to the board on the elected/appointed issue but noted that it is a good idea to postpone the referendum and get a broader base of understanding.

MONTHLY BUSINESS

APPROVAL OF MINUTES

RESOLUTION 2016-70: Approval Of Minutes

BE IT RESOLVED that the Ulysses Town Board approve the minutes of 2/9 and 2/23.

Moved: Ms. Zahler Seconded: Ms. Goldman

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

Vote: 5-0

Date Adopted: 3/8/16

APPROVAL OF CLAIMS

RESOLUTION 2016-71: Approval of Claims

BE IT RESOLVED that the Ulysses Town Board approve payment of claims # 111-182 in the amount of \$626,668.30.

Moved: Ms. Thomas Seconded: Mr. Goldman

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

Vote: 5-0

Date Adopted: 3/8/16

EXECUTIVE SESSION:

Ms. Zahler made a motion to move into Executive Session at 9:10pm for the purpose of discussing possible acquisition of real estate where a public discussion may affect the price or terms. This was seconded by Mr. Hertzler and passed unanimously.

Mr. Goldman moved to end Executive Session at 9:32pm, seconded by Mr. Hertzler and passed unanimously.

ADJOURN:

Mr. Goldman moved to adjourn the meeting at 9:33pm; seconded by Ms. Zahler and passed unanimously.

APPENDIX A:

TOWN REPORTS:

PLANNING BOARD/ZONING OFFICER- submitted by Ms. Kiley

Planning Board

On 2/16, the Planning Board continued a public hearing and approved the 360kW solar project for the Sciencenter on Agard and Jacksonville Rds. The PB also approved a modification to Brownie's Produce Market, where a greenhouse will be constructed on the south side of the market building. On 3/1, the Planning Board heard two sketch plans – a single family residence on Taughannock Blvd in the Conservation District, and a new ranger house and an addition to Bailiwick Lodge at the Girl Scout Camp. The PB also heard from Brice Smith who presented on the current potential build-out for solar in the Town. Dr. Smith concluded that in the near term the town could see at most four proposals no more than 500-600 kW and three to four proposals of no more than 50 -100 kW.

Board of Zoning Appeals

The BZA did not meet in February.

Grants

Residential Energy Score Project – The project team is finalizing the draft project plan and implementation strategy. A public meeting is scheduled for March 14th at the TC public library. The timeline has been delayed so expect a presentation in April.

Zoning Updates Grant – We held a successful public meeting on 2/27 with over 40 participants. Next steps include drafting section of the zoning revisions.

Other Meetings/Issues

ITCTC – Met on 2/16 and recommended the approval of the draft 2016-2017 Unified Planning Work Program and operating budget. Discussed and approved a draft list of 2017-2021 Transportation Improvement Program list of projects

Cayuga Lake Watershed Intermunicipal Organization (IO) – The IO met on February 24th and discussed the Restoration and Protection Plan vision and goals.

Water Resources Council (WRC) – At the WRC meeting on February 22nd, the council heard two presentations: one on the Cayuga Lake Modeling Project and one on the wetlands mapping project.

Stormwater – In January, we received a request for information as a follow-up to the EPA stormwater audit conducted in July 2015. We have 60 days to provide a response and information, and as of Friday, 3/4, the response is almost complete. I have spent over 30 hours on the response documents, including creating new and updating procedures, conducting an outfall inventory, providing training to the highway department, and attending an all-day green infrastructure training.

CODE OFFICER:

Ms. Thomas reported that Mr. Myers is busy and has 26 open building permits. He has a list of enforcement properties and has been working with town board members and attorneys to decide how to move forward.

The board discussed items in the town’s current code enforcement law that may be too restrictive and need amending.

ACTING HIGHWAY SUPERINTENDENT- reported by Mr. Reynolds

- Minor truck repairs
- A little snowplowing/salting
- Patched the worst potholes
- Water issues from rains
- Got rid of surplus equipment
- Still helping county haul stone
- Stormwater training with Darby
- Finishing touches on new trucks

TOWN CLERK- submitted by Ms. Parlato

<u>LICENSES issued:</u>	
Sporting licenses	3
Disabled parking permits	9
Dog licenses and renewals	64
Marriage licenses	2
Plumbing permits	0

<u>FINANCIAL REPORT:</u>	
\$1040.	TOTAL Collected for fees & licenses
\$854.14	stays in the town
\$185.86	goes to the state

CLERK’s OFFICE TASKS:

- Researched history of town reserve funds
- Put out press releases/legal notices for public hearing
- Assisted Highway Dept. with sale of old equip

- Updated the Index of Resolutions
- Scheduled Board of Assessment Review hearing and training
- Met w/supervisor's office to assess work load and future/on-going projects
- Created list of upcoming elections for website and listserv
- Updated fee chart
- Attended Zoning Update meeting
- Came in to issue a marriage license on day off (Sarah)
- Routine tasks:
 - Retrieved, sorted, vouchered mail using the new system linked to the bookkeeper
 - Answered inquiries on various topics
 - Took and wrote up meeting minutes
 - Kept website current
 - Sent listserv mssgs. to keep residents updated. (And received more requests to be added to list- currently 455 subscribers)

TAX COLLECTION:

- Got through the bulk of tax collecting. We finish collecting on March 31 and shift collections to the county.
- Have collected \$4.3 million to date
- Responded to inquiries and sorted out payment errors

RECORDS MANAGEMENT:

- Continued reorganization of electronic files
- (Planning more movement on this front in April)

WATER DISTRICT TASKS:

- Coordinated meter read with Water Dist. Operator on 2/8; created and sent out new bills
- Posted incoming bills
- Worked with Water District Operator on resident concerns re: high bills
- Updated reports for TTHM running averages and water usage

COMMITTEES: *(None this month)*

CITIZEN COMMENTS/INQUIRIES:

<u>Comment/inquiry</u>	<u>Answer/referral</u>
Resident would like new house number	Working with TC GIS and Emergency Resp. to determine
Status of state refund check	Contacted state to assist resident
STAR exemption questions	Sent info in listserv mssg and referred people to TC Assessment office

SUPERVISOR- submitted by Ms. Thomas:

Stormwater Audit followup

- Read EPA audit, findings and recommendations
- Review follow-up action items with Darby

Zoning update

- Debrief from public outreach meeting, arrange for Ag and Farmland Protection Plans to be at meeting and review strategies for land conservation at meeting.

Grant - Trails

- More compilation of trail info: photos, logos, trail criteria,
- Coordinate with team to fill in remaining gaps in information.
- Send reminders to partners, follow up on questions.

Court

- Attend meetings to hear input Court Clerks (2 sessions) – magistrates,

Water Districts

- Prepare quarterly report on Water District for Department of Health. Includes update on TTHM action, chlorination by-product tests and tabulations, letter to residents, chlorine test results, bacterial test results.
- Prepare and submit chlorination by-product testing to Bolton Point.

Elected or Appointed

- Many details ironed out to usher this issue along – scheduling, rational, preparing for public meetings, differences between civil service vs unclassified appointments, discussions with stakeholders, organize deadlines, consult with Mariette on legal and technical aspects of change.

Ag Committee

- Reach out to those still interested in the ag committee, compile questions and background material for interviews.
- Begin interviews

Town Hall beautification

- Work with landscape architect on plan for sidewalk in front of town hall.
- Explore grant opportunities for beautification
- Check in with neighbors to see if others are interested.

Tompkins County Council of Governments

- Coordinate with clerk and co-chair on agenda topics
- Chair meeting

Water Quality/Cayuga Lake

- Review Cayuga Lake Restoration and Protection Plan vision and goals.
- Participate in conference call to revise vision and goals

Highway Dept

- Follow through on surplus equipment sales

- Organize details of truck purchase (letter of intent, resolution authorizing signature of letter of intent, bid opening, use of reserves, increases in insurance, update capital plan, etc)
- Review Town Highway laws on purchasing equipment, using reserves, etc.

Other

- **Meetings:**
 - Community Center (2/10)
 - Court Shared Service task force (2/10)
 - Staff meeting (2/11)
 - Plan for Comprehensive Planning training (2/11, 2/18)
 - Municipal Restructuring webinar (2/11)
 - Falls Road water meeting (2/17)
 - Community Center (2/18)
 - Community Center (2/19)
 - Taughannock Farms Inn (2/19)
 - Tompkins County Animal Control (2/22)
 - Cayuga Lake IO conference call (2/24)
 - Court Shared Service (2/24)
 - Meet with Chamber of Commerce on economic development (2/25)
 - TCCOG (2/25)
 - Zoning outreach meeting (2/27)
 - Tompkins County Personnel (3/1)
 - Town Hall beautification project (3/2)
 - Zoning update Steering Committee (3/3)
- **Falls Road water** – Meet with Village, engineers, Highway Dept, DPW over right of way construction.
- **Time off** – Holiday 2/13,
- **Court Shared Services** – begin to draft final findings.
- **Files** – work with Clerks office to reorganize shared files.
- **Code Enforcement** – Meet with Tom and NYS Department of State on code enforcement actions
- **Community Center** – meet with 2 separate groups interested in finding a location for a community center.
- **Staff meeting** – between Clerk’s office and Supervisor’s office – coordinate work and work balance.
- **Jacksonville** – work on properties
- **Town hall** – review audit and recommendations from Snug Planet for Town hall.
- **Taughannock Farms Inn** – meet with new owner.
- **Emergency planning** – quick review of plan to date.

Resident communications

- Community choice aggregation concerns
- 2 complaints about buffalo farm

Repeating daily/weekly/monthly tasks:

- Respond to constant flow of questions from residents, volunteers and staff.
- Weekly review of topics with attorney for the town.
- Monthly review of county actions.
- Daily check-in with Town Hall staff.
- 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.
- Review county actions.

2nd DEPUTY SUPERVISOR & BOOKKEEPER- submitted by Ms. Wright:

Deputy Supervisor

- Emergency Prep Plan Update
 - Continuation of plan development
 - Meeting with Patrick LaBuff to identify specific plan item development
- AOT conference
 - Report on sessions attended previously submitted
- Code/zoning vehicle purchase research through NYS centralized purchasing
 - Submitted request for bids through NYSOGS (Office of General Services) centralized bid system
- Cemetery RFP development
- Participated in online workshop related to round 2 of the state’s water funding
 - Report back to Liz regarding updates
- Letter sent to DOT re: safety analysis along the Route 96 corridor specific to the Perry City intersection
 - Prompted by several accidents in the past month as well as the DOT plan to install a brake check area in that location

Bookkeeper

- New software transition
 - Ongoing work related to transition: this is the vast majority of my work during this period
- AUD: Annual Update Document/Year-end activities
 - Accounting related to closing out the end of year
 - Very close to finishing this required report to the NYSOSC (the Comptroller’s office)
- Work with the Highway
 - Assistance with online auction: equipment sales
 - Payroll and voucher work
- Research on parameters for permissive referendum

- Work with Sarah (Deputy Clerk) regarding historical documentation of reserve establishment
 - Sarah has been researching historic meeting minutes to obtain documentation for the establishment of all of our current reserves.
- Payroll
 - Work with the county on payroll certification
- Regular duties
 - Payroll
 - Processing and accounting
 - Banking
 - Water district accounting
 - NYSLRS (retirement system)
 - Annual payment calculation
 - Monthly reporting
 - Payments: regular appropriations & vouchers
 - Vouchered expenses
 - Health Insurance
 - Other regular payments
 - Payments: regular appropriations & vouchers
 - Vouchered expenses
 - Health Insurance
 - Other regular payments

TOWN BOARD MEMBERS AND COMMITTEES-

1ST DEPUTY SUPERVISOR- submitted by Ms. Zahler:

Exxon Mobil

- Site Access Agreement approved Feb. 23, 2016 was signed, sent, and returned. Access to properties and building can now be arranged.
- Discussions RE: status of properties continued on March 1 in conference call that included Supervisor Thomas and N. Zahler and Stacy Holland, EMOC representative.

Jacksonville Community Association Meeting- Will plan to attend on Wed. April 6th @7pm.

Elected or Appointed Official Research

- Called a number of other towns with appointed officials to verify continuity of appointed officials and apolitical service despite change in elected officials.

Youth Commission

- Super Summer Sign up fair for parents to being organized for 6:30PM on May 4th at Elementary School Cafeteria. Local and Ithaca summer programs will be represented to help parents learn about choices for their children for the summer.
- The Youth Development Program will be re- launching a casual labor program to match teens interested in clean up, yard work, babysitting etc with residents who would hire them directly. The program helps youth and employers to connect. Contact Ethan at 387-4910.
- Gearing up to identify job sites for subsidized summer jobs for which teens will be recruited and interviewed. Those hired will be on Town payroll and will be supervised by

program and the matched will be frequently monitored to assure success for first time workers. Contacted Town & Village Historians re: potential summer projects.

Health Consortium- Newsletter developed by Consortium has been shared with TB members. Village- Next Village meeting will be March 14th and Village elections will be March 15th.

Zoning Update Steering Committee

- Zoning Kickoff Meeting held Feb 27th at the Fire Hall was very successful. 40+ people attended and were actively engaged in the presentation and activities organized by Randall and West Consultants.
- The Steering Committee met on March 3rd to review feedback and discuss next steps. An analysis of major plans identified a number of issues that could be addressed and the steering committee will review those April 7th to help provide focus for consultants who will use adopted plans, feedback from kickoff and guidance from the committee to begin to generate proposed zoning changes over the next several months. Additional outreach will be conducted with landowners/farmers and those in Jacksonville.

Sustainability Committee

- Discussed charge and potential members with Roxanne Marino. Resolution likely to be proposed and discussed at 2nd March meeting.

MR. HERTZLER's report:

Update on plastic bag ban – seeking more support

MR. GOLDMAN's report:

The Planning Board is currently meeting only once/month

Respectfully submitted by Carissa Parlato on 3/24/16.