

TOWN BOARD MEETING

Town of Ulysses

June 14, 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 & Bookkeeper – Michelle Wright

Board members- Rich Goldman, John Hertzler, Michael Boggs

Deputy Town Clerk- Sarah Koski

Planner- Darby Kiley

OTHERS PRESENT: Louise Gava (Municipal Electric and Gas Alliance), Danielle McMullen (Municipal Electric and Gas Alliance), Bill Chaisson, Roxanne Marino, Debbie Watkins, Diane Hillmann, Doug Duddleston

CALL TO ORDER:

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

PRESENTATION: COMMUNITY CHOICE AGGREGATION – Louise Gava

Ms. Louise Gava, Project Lead from Municipal Electric and Gas Alliance (MEGA) presented to the Town Board and community members about Community Choice Aggregation. Community Choice Aggregation will allow municipalities to negotiate the best energy supply rates. MEGA follows an opt-out model, which means all residents would be automatically enrolled with the chosen energy supplier unless they opt out. While CCA is new to New York State, Illinois, California, Massachusetts, New Jersey, Ohio and Rhode Island have implemented CCA's. Within New York, only Westchester County has implemented CCAs.

The board asked clarifying questions. Mr. Hertzler asked if MEGA was a public or private company. Ms. Gava responded that MEGA is a non-profit organization. Ms. Zahler asked if the Village and Town both chose to implement CCAs, would each municipality be able to choose their preferred supply source? Ms. Gava said yes. Ms. Zahler also asked how MEGA collects fees for their services. Ms. Gava explained that MEGA makes 0.001% of each kilowatt hour for each municipality, so the town does not need to pay anything up front for MEGA's services. Mr. Goldman asked about choosing a renewable energy source such as solar and noted that the Town Board would need to be sensitive to choosing affordable energy sources for all residents. Ms. Gava said that the opt-out can be structured to be based on "green" or "brown" energy sources based on the criteria that the board sets. Mr. Hertzler asked if CCEs will result in two separate energy bills (supply and delivery), and Ms. Gava responded that MEGA works with NYSEG to produce only one bill. Mr. Hertzler also asked what the motivation is behind MEGA. Ms. Gava responded that the motivation was to get customers the best rates and to keep customers from being taken advantage of. Mr. Boggs asked what the contract terms are for CCA's. Ms. Gava responded that they were market dependent but they generally ranged from eighteen months to three years.

GENERAL BUSINESS:**APPROVAL OF MEETING AGENDA****RESOLUTION 2016-108: Approval of Meeting Agenda**

BE IT RESOLVED that the Ulysses Town Board approve the agenda for June 14, 2016 with the following changes: adding an additional member to the Sustainability and Conservation Advisory Committee, removing the report from audit of town finances, moving the approval of claims to the beginning of the meeting, and adding an executive session for the purpose of discussing possible acquisition of real estate.

Moved: Ms. Thomas Seconded: Mr. Boggs

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

Vote: 5-0

Date Adopted: 6/14/16

PRIVILEGE OF THE FLOOR: Jacksonville resident Ms. Diane Hillmann reported that Jacksonville held its community picnic last Sunday, June 5th at the Jacksonville Community Park. There was an excellent turnout despite the rain. A tent and pavilion kept most people dry.

REPORTS FROM REPRESENTATIVES: Ms. Roxanne Marino from the Sustainability and Conservation Advisory Council reported that the Council held its first organizational meeting. Meetings are set for the third Thursdays of each month with some exceptions during the upcoming summer months. The council will create a Dropbox account to help share and access all relevant documents. Ms. Marino brought up possible action items for the council, including zoning law revision, input into upgrades to Town Hall's HVAC system, and looking at model solar laws in relation to the zoning law revisions.

TOWN REPORTS:

(see appendix)

APPROVAL OF CLAIMS**RESOLUTION 2016-109:**

BE IT RESOLVED that the Ulysses Town Board approves payment of claims #297-358 in the amount of \$194,560.50.

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: 6/14/16

OLD BUSINESS:

MEMBERSHIP TERMS FOR AGRICULTURAL COMMITTEE MEMBERS

RESOLUTION 2016-110: MEMBERSHIP TERMS FOR AGRICULTURAL COMMITTEE MEMBERS

WHEREAS the resolution forming the Town of Ulysses Agricultural Committee specifies staggered terms for its 5 members, and

WHEREAS committee members have been appointed, but no terms have been set, and

WHEREAS the resolution establishing the committee sets the terms at 3 years.

THEREFORE BE IT RESOLVED that the Ulysses Town Board assigns the following terms to members of the Agricultural Committee:

Chaw Chang – 2 year term ending December 31, 2017

Greg Reynolds - 3 year term ending December 31, 2018

Krys Cail - 3 year term ending December 31, 2018

John Gates - 1 year term ending December 31, 2016

John Wertis – 2 year term ending December 31, 2017

Moved: Ms. Thomas

Seconded: Ms. Zahler

Ms. Thomas aye

Ms. Zahler aye

Mr. Hertzler aye

Mr. Boggs aye

Mr. Goldman aye

Vote: 5-0

Date Adopted: 6/14/16

RESOLUTION INTRODUCING THE PROPOSED LOCAL LAW TO AMEND CHAPTER 80 OF THE CODE OF THE TOWN OF ULYSSES

RESOLUTION 2016-111: INTRODUCING THE PROPOSED LOCAL LAW TO AMEND CHAPTER 80 OF THE CODE OF THE TOWN OF ULYSSES

WHEREAS, the Town Board wishes to consider a proposed Local Law to amend Chapter 80 of the Code of the Town of Ulysses (“the Code”), which provides for the administration and enforcement of the New York State Uniform Fire Prevention and Building Code, the New York State Energy Conservation Construction Code and the Property Maintenance Code of New York;

WHEREAS, Municipal Home Rule Law §20(4) requires that a proposed local law be introduced by a Town Board member at a Town Board meeting; and

WHEREAS, this resolution was adopted at a Town Board meeting on June 14, 2016;

NOW, THEREFORE, BE IT RESOLVED that, upon motion of Mr. Michael Boggs, seconded by Ms. Elizabeth Thomas, the proposed Local Law to amend Chapter 80 of the Code of the Town of Ulysses was introduced to the Town Board for its review and consideration.

Discussion: Ms. Zahler said that Mr. Phil Antweiler had some concerns over the language in the proposed changes to the Code of the Town of Ulysses. He wants to make sure that the language in the Code is consistent with the wording in the zoning code in regards to properties that are out of compliance and grandfathered in to the Zoning Code. Ms. Thomas feels confident that the town attorney has reviewed the language and there is not a conflict.

Moved: Mr. Boggs Seconded: Ms. Thomas

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

Vote: 5-0

Date Adopted: 6/14/16

RESOLUTION SCHEDULING A PUBLIC HEARING ON THE PROPOSED AMENDMENT OF CHAPTER 80 OF THE CODE OF THE TOWN OF ULYSSES

RESOLUTION 2016-112: SCHEDULING A PUBLIC HEARING ON THE PROPOSED AMENDMENT OF CHAPTER 80 OF THE CODE OF THE TOWN OF ULYSSES

WHEREAS, a proposed Local Law to amend Chapter 80 of the Code of the Town of Ulysses (“the Code”), which provides for the administration and enforcement of the New York State Uniform Fire Prevention and Building Code, the New York State Energy Conservation Construction Code and the Property Maintenance Code of New York was introduced at a Town Board meeting held on June 14, 2016 by a member of the Town Board; and

WHEREAS, Municipal Home Rule Law §20(5) requires a public hearing before a local law is adopted by the Town Board, to be held upon at least five days' notice;

NOW, THEREFORE, BE IT RESOLVED that the Town Board shall hold a public hearing on June 28th, 2016 at 6:30pm at the Town Hall, 10 Elm Street, Trumansburg, NY 14886 on the proposed local law to amend Chapter 80 of the Code of the Town of Ulysses; and be it further RESOLVED that notice of such public hearing shall be published and posted at least five days before the date thereof.

Moved: Ms. Boggs Seconded: Ms. Zahler

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

Vote: 5-0
Date Adopted: 6/14/16

RESOLUTION TO ADD A NEW MEMBER TO THE SUSTAINABILITY AND CONSERVATION ADVISORY COUNCIL

RESOLUTION 2016-113: ADD A NEW MEMBER TO THE SUSTAINABILITY AND CONSERVATION ADVISORY COUNCIL

RESOLVED to approve Andrew Hillman as a member of the Sustainability and Conservation Advisory Council for the Town of Ulysses.

Moved: Ms. Thomas Seconded: Ms. Zahler

Discussion: Ms. Zahler feels that Mr. Hillman will be a valuable member of the council and thanked him for his willingness to serve.

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

Vote: 5-0
Date Adopted: 6/14/16

NEW BUSINESS:

none

PRIVILEGE OF THE FLOOR:

Former Town Supervisor Roxanne Marino stated that she supported the Town Board in their exploration of alternative suppliers for energy.

MONTHLY BUSINESS

APPROVAL OF MINUTES

RESOLUTION 2016-114: APPROVAL OF MINUTES

BE IT RESOLVED that the Ulysses Town Board approve the minutes of 5/24.

Moved: Ms. Thomas Seconded: Ms. Zahler

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

Vote: 5-0
Date Adopted: 6/14/16

BUDGET MODIFICATIONS

RESOLUTION 2016-115: BUDGET MODIFICATIONS

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

A FUND BUDGET MODIFICATIONS

A1010.4	Town Board CE	Increase	\$3000
<i>One-time expense for study conducted at the will of the Town Board</i>			

A1990.4	Contingency Account	Decrease	\$3000
<i>One-time expense for study conducted at the will of the Town Board</i>			

Moved: Ms. Thomas Seconded: Ms. Zahler

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

Vote: 5-0
Date Adopted: 6/14/16

EXECUTIVE SESSION:

Ms. Thomas made a motion to move into Executive Session at 9:26pm 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. Goldman and passed unanimously.

Ms. Thomas moved to end Executive Session at 10:17pm, seconded by Ms. Zahler and was passed unanimously and the regular Town Board meeting resumed.

AUTHORIZATION TO NEGOTIATE WITH EXXON MOBIL OIL CORPORATION

RESOLUTION 2016-116: AUTHORIZATION TO NEGOTIATE WITH THE EXXON MOBIL OIL CORPORATION

WHEREAS, the Town of Ulysses Comprehensive Plan of 2009 outlines the Town’s commitment to preserving the historic character of our community and

WHEREAS, the Exxon Mobil Oil Corporation (EMOC) has initiated a process to divest itself of the properties they own in the hamlet of Jacksonville and

WHEREAS, the structure on EMOC tax parcel # 25.-4.26 is an example of unique architecture from the 1860’s and has been documented in the Town’s 2014 inventory of Historic Buildings and

WHEREAS, the Town has a public interest in assuring that the 1860’s structure is preserved as an historic building, now therefore be it

RESOLVED, that the Ulysses Town Council authorize Council members Nancy Zahler and Richard Goldman to enter into negotiations with EMOC for the purpose of acquiring tax parcel

#25.-4.26;" the adjacent tax parcel # 25.-4.27 for use with parcel #25.-4.26; and tax parcel # 25.-4.21 for public use; and be it

FURTHER RESOLVED, that any agreement reached through negotiation shall be contingent on approval by the Town Board.

Moved: Ms. Zahler

Seconded: Mr. Hertzler

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

Vote: 5-0

Date Adopted: 6/14/16

SALO DRIVE LAND ACQUISITION

RESOLUTION 2016-117: SALO DRIVE LAND ACQUISITION

WHEREAS the Town of Ulysses is considering the purchase of 3 parcels of land owned by Habitat for Humanity along Trumansburg Creek, and

WHEREAS this land would provide an outdoor recreation area for residents of the Village of Trumansburg and the Town of Ulysses, and

WHEREAS the Town of Ulysses Comprehensive Plan indicates 90% of respondents felt open and green space were important or very important, and 82% felt opportunities for outdoor recreation were important or very important, and

WHEREAS this land would provide an unimproved recreation area, and

WHEREAS this land is adjacent to affordable housing units that could benefit from a recreational area nearby, and

WHEREAS this land also contains wetlands, vernal pools and is a buffer to Trumansburg Creek, making it unsuitable for development for housing, and

WHEREAS buffering Trumansburg Creek from development will help to preserve water quality from contaminants and sedimentation not only in Trumansburg Creek, but to Cayuga Lake, a water body of importance on the Erie Canalway, and

WHEREAS this land is within walking distance from the urbanized core of the Village of Trumansburg, and

WHEREAS municipal parking is available at the nearby Farmer's Market, and

WHEREAS the Town of Ulysses feels there is community support for this project, and

WHEREAS a recreation reserve exists earmarked for outdoor recreational activities.

THEREFORE, BE IT RESOLVED that the Town Board of the Town of Ulysses authorizes the Town Supervisor and Town Staff to proceed with a an application for a matching grant submittal to New York State to acquire the recreation grant to support the purchase of this land,

RESOLVED the Town of Ulysses is not committing to purchasing this land should they be unsuccessful at acquiring grant funding. Final decision shall be contingent upon approval of the Town Board. The Purchase offer price shall not exceed \$50,000.

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: 6/14/16

ADJOURN:

Mr. Goldman moved to adjourn the meeting at 10:23pm; seconded by Ms. Zahler and passed unanimously.

APPENDIX:

TOWN REPORTS:

PLANNING BOARD / ZONING OFFICER
HIGHWAY SUPERINTENDENT
TOWN CLERK
CODE ENFORCEMENT OFFICER
SUPERVISOR
DEPUTY SUPERVISOR / BOOKKEEPER
TOWN BOARD MEMBERS AND COMMITTEES

PLANNING BOARD/ZONING OFFICER- submitted by Ms. Kiley

Planning Board

May 17 - The PB held a public hearing and approved a 3-lot subdivision on Trumansburg Rd (#1631 and 1635).

June 7 – The PB reviewed a sketch plan for a 484 kW photovoltaic system on Jacksonville Rd, south of the solar project currently under construction.

Board of Zoning Appeals

No May meeting

Grants

Residential Energy Score Project – Working on revisions to the second draft. At the July 12th meeting, the Town Board will be asked to consider a resolution accepting the final project report.

Zoning Updates Grant – The steering committee met on 6/2 and discussed the 6/6 Jacksonville meeting and the project timeline. We will request a modification to the schedule. About 40 members of the public and board members attended the public meeting in Jacksonville on 6/6.

Other Meetings/Issues

Stormwater Coalition (SWC) – 5/11: the SWC discussed the following: a group that will be working on revisions to the MS4 permit; training for municipal employees; stormwater ads for the spring; the stormwater mapping project.

Cayuga Lake Watershed Intermunicipal Organization (IO) – 5/25: Members discussed grant proposals.

Water Resources Council (WRC) – 5/16: the WRC heard a presentation on the Cayuga Lake blueways trail.

Planning Advisory Board (PAB) – 5/25: the PAB heard about a proposed green infrastructure program, made a recommendation to a revision to agricultural district #2, and heard about the energy and economic development task force report.

Solar leasing – attended a session on 5/18 where presenters discussed solar leasing for farmers and rural land owners.

Smart growth – attended a session on 5/20 where planners and realtors discussed smart growth issues regarding housing. Also attended a meeting on 6/3 on the County’s housing needs study.

HIGHWAY SUPERINTENDENT:

Ms. Thomas summarized the activities of the highway department, as reported to her by Acting Highway Superintendent, Dave Reynolds.

TOWN CLERK- submitted by Ms. Parlato

<u>LICENSES issued in May:</u>	<u>#</u>
Sporting licenses	12
Disabled parking permits	10
Dog licenses and renewals	67
Marriage licenses	4
Plumbing permits	1
Address assignments	3

<u>FINANCIAL REPORT for May:</u>	
\$1762.00	TOTAL Collected for fees & licenses
\$1213.67	stays in the town
\$548.33	goes to the state

CLERK’S OFFICE TASKS:

- Created a “Welcome” brochure for new residents
- Continued research on creation of reserve funds
- Routine tasks:
 - Retrieved, sorted, vouchered mail
 - 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)

RECORDS MANAGEMENT:

- Continued reorganization of electronic files
- Worked on update of 2002 Rec Mgmt Policy & Procedures
- Worked on inventory of town records
- Got quotes to scan the 1200 building plans we have in the storage room to help free up some space.
- Attended NY Assoc. of Local Gov. Records Officers (NYALGRO)

WATER DISTRICT TASKS:

- Coordinated water meter read on 5/16
- Posted water bills
- Worked with Water District Operator on new plumbing permits
- Updated reports for TTHM running averages and water usage
- Submitted Annual Water Quality Report verification

CONFERENCES:

Carissa attended NYALGRO June 6-7. (See separate report)

CITIZEN COMMENTS/INQUIRIES:

<u>Comment/inquiry</u>	<u>Answer/referral</u>
Assessment grievance questions & property tax searches	Accessed property info and referred to TC Assessment as needed
Regulations of spreading slurry	Referred to Darby Kiley, Planner
Disabled Hunting permit	Printed application and instructions from DEC website
Where to get a headstone	Glenwood Monuments in Ithaca + Sibley funeral Home
Will town pick up an old toilet	Tompkins County solid Waste

CODE OFFICER- Submitted Mr. Myers

In May, 7 Building Permits were issued for projects totaling \$413,000. Permit fees for these Permits totaled \$1,792. 3 of the projects are new houses.

Mr. Myers completed a structure for keeping track of what properties need fire inspections and when. No progress in hiring a new Fire Inspector.

SUPERVISOR REPORT-

Ms. Thomas summarized her activities for the month.

1ST DEPUTY SUPERVISOR- submitted by Ms. Zahler

Ms. Zahler has been fielding complaints from residents about extreme liquid manure application – both the strong odor and health issues such as eye and throat irritation. There were five different complaints on Trumansburg Road. Ms. Zahler contacted the farmer of the neighboring area who is willing to send a representative to meet with residents. There will be a meeting next week, June 22nd, at 8am at Town Hall. Monica Roth from Cornell Cooperative Extension will also be attending the meeting. The goal is to create a dialogue between residents and farmers. Ms. Wright will also attend the meeting and take minutes.

2nd DEPUTY SUPERVISOR- submitted by Ms. Wright

Deputy Supervisor

- Code/zoning vehicle purchase research through NYS centralized purchasing
 - Complete!
- TAP Sidewalk Grant Project:
 - Work regarding reimbursement paperwork
 - Recalculation of overhead costs/hourly rate for employees
- Water District 3

- Continued work with Liz on a variety of aspects of this project
- Assistance with income survey mailing process
- Ag committee: attending meetings, assistance with low-level administratively oriented work, minute taking and drafting, web page up-keep
- Summer intern through EFC
 - Internal and external communications regarding position development
- Emergency prep plan: communications with Clerk's office and Tompkins Count
- Webinar: Community Choice Aggregate

BOOKKEEPER REPORT- submitted by Ms. Wright

- 2.5 day NYS Office of the State Comptroller training
- Audit
 - Continued work with follow up questions
- Personnel
 - Gearing up and planning for on-boarding of youth employees for the summer
 - Continued work with County Personnel Office
 - DOL Ruling research
 - Liability calculation for vacation and sick day vacation reimbursement and credit
- Financial data
 - Retirement expenses, 5-year trends in expense lines, sales tax revenue
- New software transition
- Work with the Highway
- 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

MR. BOGGS:

Mr. Boggs has been doing some work in regards to water quality in Water District 3. Roger Linder from Suez gave a quote for a new aerator at \$119,500. Life Science Laboratories will do some tests on

water in Jacksonville looking for organics in water. Ms. Thomas asked Mr. Boggs to inform MRB Engineers of these investigations as the Town needs to move forward with a plan soon.

MR. GOLDMAN:

Mr. Goldman, Liaison to Planning Board.

Renovus presented their proposal for a second solar installation, next to the first one they have already built on Agard Road. The first project was initially intended to provide the Sciencenter with solar electricity but Renovus said that the project had changed to be a community solar farm project. Mr. Goldman expressed his concern that Renovus did not share the change in the scope of the project with the Town Board, and is disappointed that there was not more communication from Renovus. Ms. Thomas suggested that Mr. Goldman make a list of his concerns and have the Town attorney, Mariette Goldenhuys, review them to see if there are any legal implications.

MR. HERTLER:

Mr. Hertzler attended a presentation on Ithaca Ride Share. There was also a discussion on the New York State Energy Bill that helps to slow down climate change.

Respectfully submitted by Sarah Koski on 6/28/16.