

## TOWN BOARD MEETING

Town of Ulysses

November 14, 2017

Audio of the minutes are available on the website at [ulysses.ny.us](http://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:**

#### TOWN OFFICIALS PRESENT:

Supervisor- Liz Thomas

Board members- Michael Boggs, Rich Goldman, Nancy Zahler

Town Clerk- Carissa Parlato

Bookkeeper- Nina Thompson

Highway superintendent- Dave Reynolds

#### OTHERS PRESENT:

Don Smith, Richard Krizek

Members of CLEAN (Cayuga Lake Environmental Action Now): Cait Darfler, John Dennis and George Patte

#### ABSENT:

Board member- John Hertzler

### **CALL TO ORDER:**

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

### **APPROVAL OF MEETING AGENDA**

#### **RESOLUTION 2017-202: APPROVAL OF MEETING AGENDA**

BE IT RESOLVED that the Ulysses Town Board approve the agenda for Nov. 14, 2017 with the addition of a Water District 3 THM discussion and an executive session to discuss collective bargaining and the sale of real property.

Moved: Ms. Thomas

Seconded: Mr. Boggs

Ms. Thomas            aye

Ms. Zahler            aye

Mr. Hertzler          absent

Mr. Boggs            aye

Mr. Goldman          aye

Vote: 4-0

Date Adopted: 11/14/17

### **PRIVILEGE OF THE FLOOR:**

(none)

**NEW BUSINESS:**

**DISCUSSION OF POTENTIAL WATER DISTRICT ALONG ROUTE 89**

Ms. Thomas shared that this year's HABs (Harmful Algal Blooms) affected many residents along the lake who draw their drinking water from the lake. Several residents are requesting information on setting up a water district to go down Route 89 and Glenwood Roads. Ms. Thomas met with them and MRB engineering consultants (via phone) to discuss the steps in setting up a district.

She noted that the geography is challenging in that area due to steep slopes and lack of soil.

Other board members asked clarifying questions, particularly regarding the engineering costs to create an estimated cost to set up the district.

Mr. Smith and Mr. Krizek, of the West Shore Homeowners Association, said that 200 homes along lake were affected by the 2 cyanobacterial blooms this year. Residents were not able to use or swim in the water at those times. They further stated that if this becomes an on-going problem, the tax base could be affected as the properties represent 25% of the town's tax revenue. If they can get a rough estimate from MRB of how much setting up the district will cost, they can easily mobilize other residents via the association to make decisions on whether to take the next steps.

Board members continued to discuss.

**REPORTS FROM REPRESENTATIVES:**

(none)

**TOWN REPORTS:**

(see appendix)

**NEW BUSINESS:**

**OBJECTION TO THE RENEWAL DEC SALT MINE PERMIT WITHOUT THOROUGH ENVIRONMENTAL REVIEW**

Ms. Darfler, Mr. Dennis and Mr. Patte gave some background on the issue. Cargill is trying to renew their salt mining permit for an entirely different area and Cayuga Lake Environmental Action Now (CLEAN) is advocating that the NYS DEC (Department of Environmental Conservation) force the project to go through an environmental review prior to renewal. Mr. Dennis and Ms. Darfler presented maps showing Cargill's current and proposed projects and CLEAN's areas of concern.

**RESOLUTION 2017-203: OBJECTING TO THE DEC AUTOMATICALLY RENEWING WITHOUT RIGOROUS ENVIRONMENTAL REVIEW THE CARGILL PERMIT TO OPERATE THE CAYUGA SALT MINE UNDER CAYUGA LAKE**

**WHEREAS** it is known that Cargill's 5-year permit to mine under Cayuga Lake expires on 1 November 2017, and

**WHEREAS**, the Town of Ulysses borders extend into Cayuga Lake over the Cayuga Salt Mine, and

**WHEREAS** Town of Ulysses draws some drinking water from an aquifer at Taughannock Falls State Park that is hydraulically-connected to the lake, and

**WHEREAS** Water Districts in this municipality also obtain drinking water from Cayuga Lake via the Southern Cayuga Lake Intermunicipal Water Commission, and

**WHEREAS**, The Town Board of Ulysses recognizes the economic, social, recreational, and ecological importance of Cayuga Lake and its watershed to the State and to the local community; and

**WHEREAS** New York State has established the State Environmental Quality Review (SEQR) process to systematically consider environmental factors early in the planning stages of actions, and to prepare any draft environmental impact statements that may or should be required, for any projects that are directly undertaken, funded or approved by DEC or other relevant local, regional and state agencies; and

**WHEREAS** environmental review early in any permit issuance, renewal or modification allows a project to be vetted, and modified as needed, to avoid adverse impacts on the environment; and

**WHEREAS** the ongoing salt mining has both on-going and potential adverse impacts that have not been properly reviewed and vetted under SEQR, including unreviewed adverse impacts involving local water resources, groundwater and the waters of Cayuga Lake; and

**WHEREAS** these and other potential adverse impacts on the environment should be subject to review under SEQR before any further permit is issued or renewed or modified for the Cargill salt mining operation;

**BE IT THEREFORE RESOLVED** that the Town of Ulysses hereby joins in a second Article 78 (78-2) to be brought in New York State Supreme Court to ask that any issuance, renewal (including automatic renewal) or modification of operating permits that may be issued by DEC for the operation of Cargill salt mine that does not or did not require full compliance with SEQR (including preparation of a draft environmental impact statement) be nullified and set aside as contrary to law, rules or regulations governing such salt mine and any permits associated with such salt mine.

**FURTHER RESOLVED** that certified copies of this resolution be sent to Joseph M. Dlugolenski, Deputy Regional Permit Administrator; Matthew Marko, Regional Director, Region 7; Basil Seggos, Commissioner; Andrew Cuomo, Governor, State of New York; Roann M. Destito, Commissioner, NYS Office of General Services; Eric Schneiderman, Attorney General, NYS Office of the Attorney General; Patricia W. Silvey, Dep. Asst. Sec. for Operations, Mine Safety and Health Administration, US Dept of Labor; Wayne Palmer, Dep Assistant Secretary for Policy, MSHA; Peter Montali, District Manager, MSHA, Warrendale, PA; Pamela Helming, Senator, 54th NYS Senate District; Senator Thomas O'Mara, 58th NYS Senate District; Barbara Lifton, Assemblywoman, NYS Assembly District 125; Article 78 2017-1 municipal petitioners:

Village of Aurora; Mayor Bonnie Bennett  
Town of Caroline: Supervisor Mark Witmer  
Town of Danby: Supervisor Ric Dietrich  
City of Ithaca: Mayor Svante Myrick  
Village of Trumansburg: Mayor A. Martin Petrovic  
Town of Ulysses: Supervisor Elizabeth Thomas  
Attorney Richard Lippes, Lippes & Associates, Buffalo, NY

Moved: Ms. Thomas

Seconded: Mr. Boggs

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

Vote: 3-1  
Date Adopted: 11/14/17

At this time, the board resumed Town Reports.

**OLD BUSINESS:**  
**SETTING A PUBLIC HEARING FOR THE FIRE CONTRACT**

**RESOLUTION 2017-204: SETTING A PUBLIC HEARING FOR THE FIRE CONTRACT**

RESOLVED that the Ulysses Town Board hold a Public Hearing on the 2018 Fire Contract at 6:45 p.m. on 11/28/2017 at the Ulysses Town Hall.

Moved: Ms. Thomas            Seconded: Mr. Boggs

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

Vote: 4-0  
Date Adopted: 11/14/17

**ADOPTION OF THE 2018 BUDGET**

**RESOLUTION 2017-205: ADOPTION OF THE 2018 BUDGET**

**WHEREAS** the Town Board of Ulysses adopted the Preliminary Budget for 2018 on October 10, 2017, and

**WHEREAS** the Town Board held a Public Hearing on October 24, 2017 where all members of the public were able to comment on the Preliminary Budget.

**NOW THEREFORE BE IT**

**RESOLVED** that the Town Board accepts the 2018 Preliminary Budget (as amended) to become the Final Budget for 2018 for the Town of Ulysses with a resulting 2.93% increase in the tax levy and a 0.28% increase in the final tax rate of \$2.59009/\$1,000 taxable assessed value.

Moved: Ms. Thomas            Seconded: Mr. Boggs

Ms. Thomas            aye  
Ms. Zahler            aye  
Mr. Hertzler          absent

Mr. Boggs            aye  
Mr. Goldman        aye

Vote: 4-0  
Date Adopted: 11/14/17

**PRIVILEGE OF THE FLOOR:**

*(none)*

**MONTHLY BUSINESS**

**APPROVAL OF MINUTES**

**RESOLUTION 2017-207: APPROVAL OF MINUTES: 10/24**

BE IT RESOLVED that the Ulysses Town Board approve the minutes of 10/24/17 for the public hearing and regular meeting as amended.

Moved: Ms. Thomas            Seconded: Ms. Zahler

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

Vote: 4-0  
Date Adopted: 11/14/17

**BUDGET MODIFICATIONS**

**RESOLUTION 2017-208: BUDGET MODIFICATIONS**

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

**DA FUND BUDGET MODIFICATIONS**

DA5140.1	Brush & Weeds PS	INCREASE	\$2,112.00
<i>To increase budget for projected excess needed</i>			
DA5130.4	Machinery CE	DECREASE	\$2,112.00
<i>To transfer excess budget available to the PS account</i>			

**DB FUND BUDGET MODIFICATIONS**

DB5110.1	Highway Maintenance PS	INCREASE	\$7,000.00
<i>To increase budget for projected excess needed</i>			
DB9030.8	Social Security	INCREASE	\$1,000.00
<i>To increase budget for projected excess needed based on increase to PS line</i>			
DB5112.2	Highway-Capital Improvements	DECREASE	\$8,000.00
<i>To transfer excess budget available to the PS and payroll tax lines</i>			

Moved: Ms. Thomas            Seconded: Mr. Boggs

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

Vote: 4-0  
Date Adopted: 11/14/17

**APPROVAL OF CLAIMS**

**RESOLUTION 2017-209: APPROVAL OF CLAIMS**

BE IT RESOLVED that the Ulysses Town Board approve payment of claims #515-572 in the amount of \$134,650.72.

Moved: Ms. Thomas            Seconded: Mr. Goldman

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

Vote: 4-0  
Date Adopted: 11/14/17

**EXECUTIVE SESSION:**

Mr. Goldman moved to go into Executive Session at 9:35pm to discuss the sale of real property as well as union negotiations. This was seconded by Ms. Zahler and passed unanimously.

Ms. Zahler moved to end Executive Session at 10:20pm. This was seconded by Mr. Boggs and passed unanimously.

**ADJOURN:**

Mr. Goldman moved to adjourn the meeting at 10:20pm; seconded by Mr. Boggs.

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**APPENDIX:**

**TOWN REPORTS:**

**PLANNING/ZONING- Submitted by Ms. Kiley**

**Planning Board**

On October 17, the PB continued discussions on the Moore's development district. Concerns were raised regarding the potential for spilled oil or lubricants getting into the adjacent stream. The 11/7 meeting was cancelled.

**Board of Zoning Appeals**

On October 18, the BZA worked with the applicant and granted a variance for a garage that would not meet the setback to Lyke Rd, but was less than what the applicants requested.

## **Grants**

**Zoning Updates Grant** – Submitted quarterly report. The steering committee met on October 19 and discussed the Office/Technology Mixed Use, and continued the discussion on 11/9.

**Clean Energy Communities** – Submitted grant application on 10/25. Ian Shapiro of Taitem Engineering did a walk-through of the building and provided input. He will be helpful as an RFP is developed for the grant funding.

**Electric vehicle charging station** – Installed on 10/27.

**Salo Dr** – Submitted quarterly progress report.

## **Other Meetings/Issues**

**Cayuga Lake Watershed Intermunicipal Organization (IO)** – 10/25: the IO discussed the DOS grant contract, which is close to being finalized, and discussed working with Cornell to access Engaged Cornell funding for a water summit. (I attended the Town/Gown event at BOCES on 10/27 to talk with Cornell folks on moving forward with the water summit.)

**Planning Advisory Board (PAB)** – 10/25: Tom Knipe presented on short-term rentals, and the board discussed housing topics.

**Stormwater Coalition of Tompkins County (SWC)** – 10/18: The SWC reviewed the online culvert database and discussed how edits could be made, and also discussed advertising and training needs.

**Water Resources Council (WRC)** – 10/16: The WRC heard an update on hydrilla treatments, and discussed drafting a letter to the Governor asking that science be the guide in developing a TMDL for Cayuga Lake. On 11/1, I represented the WRC at a flood study meeting hosted by the City.

## **HIGHWAY: Shared by Mr. Reynolds**

- Hauled stone to replenish stock piles for 2018
- Refurbed trucks
- Started to replace road signs that are broken or faded
- Worked to bring snow plow equipment up to snuff

Ms. Zahler congratulated Mr. Reynolds on his re-election and thanked him for help with the old church open house in Jacksonville and inquired about ditch work on a Town of Covert Road that Mr. Reynolds was helping with. They discussed the circumstances under which the highway department works on ditching for residents.

Mr. Boggs noted that he and Mr. Reynolds met with the safety person from NYMIR (insurance company) who came to tour the town buildings.

Ms. Thomas shared that she received an inquiry from a school bus driver regarding a road corner with low visibility. Mr. Reynolds said that he will get back to him.

## **TOWN CLERK- submitted by Ms. Parlato**

<b>LICENSES/PERMITS issued:</b>	<b>#</b>
Sporting licenses	27
Disabled parking permits	12
Dog licenses and renewals	53
Marriage licenses	2
Plumbing permits	0
Address assignments	3
Notarizations	4
FOIL requests-completed	2

<b>FINANCIAL REPORT:</b>	
\$1684.00	TOTAL Collected for fees & licenses
\$784.18	stays in the town
\$899.82	goes to the state

**CLERK's OFFICE TASKS:**

- Training on Cyber Security
- tasks:
  - Notarizations
  - Ordered supplies
  - Retrieved, sorted, vouchered mail
  - Answered inquiries on various topics
  - Took and wrote up meeting minutes
  - Kept website current
  - Sent listserv messages to residents (~2/month)
  - Mailed and posted dog licenses; issued tickets as needed
  - Assist other departments when possible
  - Respond & fulfill FOIL requests- coordinate with other departments as necessary
- Met with Trumansburg Community Recreation re: community calendar. They were looking for some tips as they have just started their own.
- Assisted with Old Church open house
- Copy sample ballots and voter info for website and to hand out to constituents

**WATER DISTRICT TASKS:**

- Posted incoming bills
- Updated testing spreadsheets

**RECORDS MANAGEMENT TASKS:**

- Inventory boxes of records in Nina's office
  - determine retention period and re-file or dispose of as necessary

**COMMITTEES/ASSOCIATIONS:**

- Health Consortium- was not able to attend the October meeting
- Tompkins County Town Clerk's Association- set up quarterly meeting for Nov.16

**SUPERVISOR REPORT – Submitted by Ms. Thomas**

**Paid Family Leave- coming soon**

**Budget**

- Write public hearing script and budget narrative
- Update assessment numbers for taxable assessed value
- Correct Fire and EMS contracts and round up final numbers in budget.

- Review September financial report

### **Energy**

- LED streetlight replacements – assist with organization of county-wide shared service.
- EV Charging Station – assist Darby in moving installation forward.
- CEC – assist Ulysses Planner on grant application.
- Chair TCCOG Energy Task Force for October

### **Sidewalks**

- Safe Routes to School sidewalk work continues, involving construction meetings,
- Town Hall sidewalk – meet with landscape architect to develop planting plan, gas company moving gas line.
- Speed reduction requests

### **Town Property**

- Jacksonville church –assist to develop marketing criteria

### **Water Districts**

- WD – Rt 89: residents request consideration of developing a water district
- WD3: track more TTHM readings, prep for TTHM/TB meeting to make decision about funding, Progress Report for Health Department

The board discussed the funding updates for WD3.

- WD1-CARS: work on water district inclusion of 2 properties.

### **Water Quality**

- Follow up on cyanobacteria bloom. Track blooms across state waters. Read through WRC letter regarding TMDL development.

### **Zoning update**

- Chair Zoning Update Steering Committee
  - Jacksonville design standards
  - Standards for signs, parking, lighting, etc.
  - Subdivision section

### **Other**

- Insurance renewal
- Salt mine concerns over expansion
- Reserves – clarification of uses
- Work to replace BZA member
- Computer security training
- Natural Disaster Preparedness training
- Feed into development of a training tracking document for all town employees
- EMS debrief with director of EMS Dept.

### **Meetings and Training**

- 10/10 – Town Board meeting
- 10/12 – Clean Energy Community grant meeting
- 10/12 – Town Board budget meeting
- 10/17 – Computer safety meeting with Jeff and staff
- 10/18 – sidewalk coordination meeting
- 10/19 – zoning update steering committee
- 10/20 – TRAINING on Natural Disaster Awareness Training
- 10/24 – interviews of BZA candidates
- 10/25 – Meet with residents on Route 89 regarding water district creation

10/26 – TCCOG

10/26 – TCCOG Energy Task Force

10/31 – TRAINING on new winter warning system from NOAA  
0/31 – TRAINING from NYS OSC on fund balance.  
11/2 – panel member for History Center presentation  
11/8 – Clerk/Supervisor offices monthly meeting  
11/8 – Trumansburg Recreation meeting – input on designs  
11/9 – USDA Rural Development Grant Manager meeting  
11/14 – Fire Chief meeting with Trumansburg  
11/14 – Bike/Walk Tompkins Advisory Council

### **Questions from Residents**

- Dangerous intersection on Frontenac and Cayuga St Ext.
- Drainage (2)
- Land owned by Habitat for Humanity – when will town own (2)
- Smith Woods fencing
- Question about neighbor building
- Budget questions
- Hamilton Square
- Boy Scout merit badge interview
- Jacksonville church (many!)

### **Repeating daily/weekly/monthly tasks:**

- Work with each department on current topics.
- 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.
- Communications – assist with listserv news
- 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.
- Provide oversight and follow-through on decisions and requests made at Town Board meetings.
- Review claims and budget, make suggested budget modifications to be approved by TB, review payroll, sign checks,
- Review financial reports.
- Periodic check in with Town Clerk and Deputy Supervisor re work load and coordination.
- Respond to surveys when requested.

### **BOOKKEEPER- Submitted by Ms. Thompson**

#### Regular Duties:

- Personnel
  - Payroll
    - Processed & reconciled payrolls 21 & 22
    - Updated employee changes and made corrections as needed
    - Prepared and submitted quarterly GA-4 report
  - NYSLRS
    - Monthly Reporting
  - Quarterly retiree invoicing
- Banking
  - Completed regular bank deposits – in person for cash with remote deposit system for checks

- Completed regular bank account transfers to cover payments
- Payments
  - Produced vouchers for monthly pre-pays, insurance invoices and other miscellaneous payments.
  - Reviewed monthly vouchers & abstract
  - Printed checks for pre-pays and scheduled voucher payments
- Month End Close Out – September
  - Entered all cash receipts (general receipts, WD accounting, etc.)
  - Entered all Payroll entries (cash receipts, cash disbursements & general journal entries)
  - Entered all cash disbursements
  - Entered all general journal entries (bank transfers, interest, WD3 billings & other general journal entries)
  - Close out steps (Load abstracts, close CR & CD journals & print reports)
  - Reviewed month end financial reports and distributed them to Town Board and department heads
- 2018 Budget
  - Continued to make adjustments to budget as needed
  - Formatted budget for public hearing
- Trainings
  - NYSLRS *Retirement Online* Workshop in Buffalo – Oct 11
  - NYS OSC Accounting School – Oct 17-19
  - NYS OSC Webinar – Property Tax Cap for Local Governments – Oct 12
  - NYS OSC Webinar – Appropriated Fund Balance – Oct 31

Meetings:

- 10/05/2017 – Town Board Budget Meeting
- 10/12/2017 – Town Board Meeting
- 10/24/2017 – Town Board Meeting

Non-Regular Duties:

- Trumansburg/Ulysses Sidewalk Project
  - Continued to monitor construction phase of this project
- Budget Modifications
  - Researched and drafted budget modifications for 10/10/17 & 10/24/2017 Town Board Meetings
  - Entered approved budget modifications into accounting system
  - Distributed adjusted 2016 Financial Reports to the Town Board
- 2017 Financial Files
  - Continued to work on adjustments for outstanding accounting issues
- 2018 Fiscal year
  - Continued to work on re-bid, renewal, and new quotes for various insurance products
- Personnel
  - Youth Employee Program
    - Researched outstanding un-cleared payroll check
- Procedures
  - Continued to update and refine written accounting procedures
- Other Accounting
  - Continued to investigate, research and work on resolutions to outstanding accounting issues

Up Coming:

- Trainings & Meetings
  - Review TAP Sidewalk project accounting status with Village Treasurer– Nov 7

- Clerk-Supervisor Dept Meeting – Nov 8
- Sidewalk Project Progress meeting – Nov 15
- 2018 Budget
  - Convert budget from preliminary to final once approved
- Other Accounting
  - Research, review and resolve outstanding 2017 accounting corrections/adjustments
- File Review
  - Continue file review

**MR. BOGGS shared the following:**

- Attended fire meeting
- Watched a webinar
- Went on safety walk through Town Barn
- Received EMS data

**MS. ZAHLER shared the following:**

- There has been some interest and many showings of the old church.
- She contacted Senator Gillibrand's office regarding the possible closing of the post office.
- The Jacksonville Community Association has new leadership.

*Respectfully submitted by Carissa Parlato on 11/21/17.*