

## Table of Contents

INDEX OF 2004 RESOLUTIONS .....	4
PUBLIC HEARING // SPECIAL TOWN BOARD MEETING .....	5
Flo-Tech DD .....	5
REGULAR TOWN BOARD MEETING JANUARY 17, 2004.....	5
1. Reduce speed Limit of Searsburg Road.....	5
2. Authorize Supervisor to pay R. Myers Construction, Inc. for Water# 3.....	5
3. Monthly Town Board Meetings .....	5
4. Mileage Rate.....	5
5. Highway Incur expenses to \$3000 .....	6
6. Building / Maintenance Incur Expenses to \$1000 .....	6
7. Bond Undertakings .....	6
8. Annual Financial Report to State .....	6
9. Designated Town Publications .....	6
10. Designate Depository .....	6
11. Authorize Supervisor to Pay In Advance Contracts .....	6
Supervisor Austic Appointments:.....	7
Town Board appointments: .....	7
WAGES AND SALARIES FOR 2004 .....	8
12. Time Cards.....	8
13. Requesting To Be On Agenda .....	8
14. Special Needs.....	8
15. Department Audits.....	8
16. Senior Tax Exemptions .....	8
17. Appoint Delegate to Annual Association Meeting.....	9
18. Establish Deputy Supervisor Position.....	9
19. Appointing Deputy Supervisor to Run Meetings .....	10
20. SEQR Flo Tech PDD.....	10
SPECIAL TOWN BOARD JANUARY 26, 2004 .....	10
21. Adoption of DD#21 - Flo Tech.....	10

22. Budget Modifications 2003 .....	13
23. Lateral Water Line Restrictions for Ulysses Water Districts.....	16
REGULAR TOWN BOARD MEETING FEBRUARY 10, 2004.....	17
24. Approve Tabled Voucher for \$900 to Pay Cayuga Lake Watershed .....	17
25. Tire Collection Day .....	17
26. Blanding Electric Payment Request .....	17
REGULAR TOWN BOARD MEETING MARH 9, 2004 .....	18
27. Participate in the Vehicle & Traffic Law Credit Card Program.....	18
28. Schedule Public Hearing - Regulation of Watercraft In Certain Shoreline Areas of Cayuga Lake	18
29. Allocation of Sales Tax Money.....	18
30. Support Collateral Source Bill .....	18
TOWN BOARD / PLANNING BOARD MEETING APRIL 1, 2004.....	19
Discuss The Proposed A1 District For The New Zoning Ordinance/Law.....	19
REGULAR TOWN BOARD MEETING APRIL 13, 2004 .....	19
31. Water Craft Ordinance In Certain Shoreline Areas of Cayuga Lake.....	19
32. Renovation of Second Floor in the Town Hall .....	20
33. Sidewalk in Jacksonville.....	21
34.Planning Board Appointment – John Wertis .....	21
35. Executive Session .....	21
36. Notify Attorney Bruce Wilson of Retainer Provisions for his Approval.....	21
REGULAR TOWN BOARD MEETING MAY 11, 2004.....	21
37. MS4 Phase II, Testing of Septic Systems on residential properties along Cayuga Lake Approve applying for funds through the NYS Local Waterfront Revitalization Program’s Environmental Protection Fund 2004-2005 and.....	21
38. R. Myers Construction Payment Request.....	22
39. Blanding Electric Inc. Payment Request .....	22
40. Permissive Referendum to Withdraw Monies from Part-Town Capital Reserve .....	23
41. Permissive Referendum For Withdrawal Of Monies From The General Capital Reserve Fund ..	23
PUBLIC INFORMATIONAL MEETING MAY 27, 2004.....	23
Presentation of Stormwater Report .....	23
SPECIAL TOIWN BOARD MEETING MAY 27, 2004 .....	23
42. Planning Board Appointment – Margo Chiuten .....	23

43. Planning Board Chair Appointment – John Weris.....	23
44. Use 400’ Frontage in A1 District in New Zoning .....	23
REGULAR TOWN BOARD MEETING JUNE 8, 2004 .....	23
45. Approving appointment of Part Time Deputy Zoning Officer .....	23
46. Transferring Title of Pump Station to Town of Ithaca.....	23
47. Negotiations with Village of Trumansburg for Water District #5 .....	24
48. Change Meeting Date.....	24
SPECIAL TOWN BOARD MEETING JUNE 29, 2004 .....	24
49. Appoint Planning Board Member – David Means .....	24
50. Committee to Work on Local Laws for MS4 .....	24
REGULAR TOWN BOARD MEETING JULY 13, 2004 .....	24
51. Transfer Money for Improvements for Town Hall Upstairs .....	24
52. Representative to the Cayuga Lake Intermunicipal Organization – Liz Thomas .....	24
53. Hire Ithaca Millwork for Design Work of Court Bench.....	24
54. Myers Change Order and Payment Request .....	24
55. Increase Payment to Barton & Loguidice.....	25
SPECIAL TOWN BOARD MEETING JULY 20, 2004 .....	25
Draft Zoning Ordinance Review.....	25
SPECIAL TOWN BOARD MEETING AUGUST 3, 2003 .....	25
Draft Zoning Ordinance Review.....	25
REGULAR TOWN BOARD MEETING AUGUST 17, 2004.....	25
56. Directive to Towns Voting Member to the Recreation Partnership .....	25
SPECIAL TOWN BOARD MEETING AUGUST 24, 2004 .....	26
57. “Authorization to Proceed” with Barton and Loguidice.....	26
REGULAR TOWN BOARD MEETING SEPTEMBER 14, 2004 .....	26
58. Get Estimates ON Exterior Painting, Furnace AND Floor Stripping .....	26
SPECIAL TOWN BOARD MEETING SEPTEMBER 15, 2004.....	27
Review Draft Zoning Ordinance.....	27
SPECIAL TOWN BOARD MEETING SEPTEMBER 22, 2004.....	27
Review Draft Zoning Ordinance.....	27
SPECIAL TOWN BOARD MEETING OCTOBER 5, 2004 .....	27
2005 Budget Review .....	27

REGULAR TOWN BOARD MEETING OCTOBER 12, 2004 .....	27
59. Appointment to Water Resource Council – Roxanne Marino .....	27
60. Annual Agreement Barton and Loguidice For Engineering Services .....	27
61. Exterior Painting .....	27
63. Appoint to Zoning Board – Gerald VanOrden.....	27
PUBLIC HEARING NOVEMBER 4, 2004.....	28
2005 Budget .....	28
SPECIAL TOWN BOARD MEETING NOVEMBER 4, 2004 .....	28
Review of Draft Zoning .....	28
REGULAR TOWN BOARD MEETING NOVEMBER 9, 2004.....	28
64. Accept NYSDOT Offer for Land on Rt. 227 .....	28
65. Increase Contingency Fund .....	28
66. Adopted 2005 Budget .....	28
67. Re-Appointment to Zoning Board – Gerald VanOrden .....	28
68. Court Bench out for Bids .....	28
SPECIAL TOWN BOARD MEETING NOVEMBER 18, 2004 .....	28
Review of Zoning Ordinance .....	28
REGULAR TOWN BOARD MEETING DECEMBER 14, 2004.....	28
69. Endorses Tompkins County Comprehensive Plan.....	28
70. SEQR – Road at Trumansburg Apartments.....	28
71. Accepting of Roads – Meadowview Drive and Parkside Drive .....	29
72. Gift Certificates .....	30
BID OPENING DECEMBER 21, 2004 .....	30
Bid Opening FOR Town Hall Court Room Bench .....	30

## **INDEX OF 2004 RESOLUTIONS**

## **PUBLIC HEARING // SPECIAL TOWN BOARD MEETING**

**Flo-Tech DD**

### **REGULAR TOWN BOARD MEETING JANUARY 17, 2004**

#### **1. Reduce speed Limit of Searsburg Road**

**BE IT RESOLVED** that the Town Board of the Town of Ulysses authorize Superintendent Meeker to send a request to New York State to review the petition to reduce the speed limit on Searsburg Road between the intersections of Route 227 and Curry.

#### **2. Authorize Supervisor to pay R. Myers Construction, Inc. for Water# 3**

**Whereas**, the Town of Ulysses has received the certified Fifth Submission for work completed through December 26, 2003 Contract No. 1A – General Construction DWSRF Project No. 16097 and

**Whereas**, the total amount of work done to date is \$2,174,748.56. No monies are being requested for stored materials under this payment and,

**Whereas**, a retainage of five percent (5%) of the value of work done to date and materials stored on-site, totaling \$108,737.43, has been withheld from the payment per the Contract Specifications and

**Whereas**, the total amount due the contractor for the fifth payment is \$123,458.20 and,

**Whereas**, Barton & Loguidice, after review, authorize the Town Board of the Town of Ulysses to make the fifth payment to R. Myers Construction, Inc. in the amount of \$123,458.20 for work completed for the period ending December 26, 2003,

**Now Therefore BE IT RESOLVED**, the Town Board of the Town of Ulysses authorizes Supervisor Austic to issue a check to R. Myers Construction, Inc. in the amount of \$123,458.20 for the fifth payment for Town of Ulysses Water District No. # 3 Water System Improvements.

#### **3. Monthly Town Board Meetings**

**BE IT RESOLVED**, the Regular Monthly Board meetings of the Ulysses Town Board will be held on the second Tuesday of each month at 7:30 PM in the Ulysses Town Hall at 10 Elm Street, Trumansburg, NY. Board review of monthly claims will begin at 7:00 PM prior to each scheduled Regular Board Meeting.

**BE IT FURTHER RESOLVED** the designated news media is advised of the foregoing schedule and those meeting notices are posted, in accordance with the open meeting law, on the clerk's bulletin board.

#### **4. Mileage Rate**

**BE IT RESOLVED** mileage at a rate of 37.5 cents per mile shall be paid to Town Officials and employees conducting official business and driving their personal vehicles and that such mileage shall be reported on the appropriate forms provided.

### 5. Highway Incur expenses to \$3000

**BE IT RESOLVED** the Highway Superintendent is authorized to incur expenses not to exceed \$3000.00 for repairs and maintenance of highway equipment without prior Board approval.

### 6. Building / Maintenance Incur Expenses to \$1000

**BE IT RESOLVED** the Building and Maintenance Chairman be authorized to incur expenses not to exceed \$1000.00 for emergency repairs and maintenance following established procurement policy procedures.

### 7. Bond Undertakings

**BE IT RESOLVED** the following bond undertakings for Town Officials is hereby approved as follows:

A. Town Clerk/Tax Collector	\$250,000
B. Justices (2)	\$4,000 each
C. Court Clerical	\$4,000
D. Code Enforcement Officer	\$1,000
E. Highway Superintendent	\$1,000
F. Town Supervisor	\$500,000
G. Deputy Supervisor	\$15,000
H. Deputy Town Clerk	\$15,000

### 8. Annual Financial Report to State

**BE IT RESOLVED** in lieu of the report required by Town Law Section. 29(10), the Supervisor be and hereby is authorized to submit to the Town Clerk a copy of his annual report to the State Comptroller and that the Town Clerk shall cause a summary thereof to be published in accordance with the law.

### 9. Designated Town Publications

**BE IT RESOLVED** the Ithaca Journal and/or The Trumansburg Free Press shall be and are hereby designated as the official Town publications.

### 10. Designate Depository

**BE IT RESOLVED** the Tompkins County Trust Company is designated as depository in which the Supervisor, Town Clerk, Justices, and other employees by virtue of their offices, shall deposit all monies coming into their hands and,

**FURTHER RESOLVED** the Town investments can be made at other banks as outlined in the Towns investment policy.

### 11. Authorize Supervisor to Pay In Advance Contracts

**BE IT RESOLVED** the Town Board authorizes the Supervisor to pay in advance of audit of claims for utilities, postage and contractual agreements which if delayed may result in loss of discounts or the accrual of service charges.

After clarifications of Resolution (7) on publications in the Ithaca Journal and Trumansburg Free Press and Resolution (8) on filing annual report, Mr. Ellis moved, seconded by Ms. Marino the foregoing resolutions:

### Supervisor Austic Appointments:

A. Town Historian	Esther Northrup
B. Deputy Supervisor	Lee Scott
C. Liaison to Highway Dept.	Bob Weatherby
D. Building Maintenance	Doug Austic
E. Liaison Planning/Zoning	Roxanne Marino
F. Liaison to Village Bd.	Doug Austic
G. Liaison to Justice Ct.	Don Ellis

### Town Board appointments:

A. Code Enforcement Officer	Alex Rachun
B. Deputy Zoning Officer	vacant
C. Deputy Code Enforcement	Village Contracté
D. Planning Board Chair	Richard Coogan
E. Planning Board Member	Rodney Porter
F. Bookkeeper	Doug Austic
G. Zoning Chair	George Tselekis
H. Rep. Human Services Coal	Vacant
I. Board of Assessment Review (2)	C. Stover / C. Duddleston
I. Election Custodians (2)	R. Bennett / K. Northrup
J. Cleaning Contract	Laurie MacCheyne
K. County Youth Bureau Rep.	Ben Curtis
L. Joint Youth Comm. Liaison	Roxanne Marino
M. Cayuga Lake Watershed Rep.	George Kennedy
N. Town Attorney	Bruce D. Wilson
O. Environ. Mngt. Council (EMC)	Vacant
P. Econ. Opportunity (EMC)	Vacant
Q. TCMOA Planning Rep.	R. Coogan / D. Austic
R. Fire Department Liaison	Don Ellis
S. Reps. To Joint Youth Comm.	Deb Austic/M.Vonderweidt
T. Ithaca/Tompkins County Transportation Council Planning Committee	Sue Poelvoorde
U. Ithaca/Tompkins County Transportation Council Policy Committee	Richard Coogan
V. TC Emergency / Disaster Comm.	Fire Dept (Jack Fulton)
W. TCAD Representative	Peter Penniman / D. Ellis
X. Fair Board Liaison	Bob Weatherby
Y. Storm Water Mngt. Rep.	Doug Austic
Z. Disaster Mitigation Rep	Doug Austic
Aa. T.Co. Leg. Budget Rep.	Doug Austic
Bb. Water Resources Council	Vacant
Cc. BZA member	Joel Warren

## WAGES AND SALARIES FOR 2004

### ELECTED OFFICIALS:

Town Supervisor	\$10,300/yr.
Town Council (4)	\$3,316/ yr Ea.
Town Clerk/Collector	\$39,089/ yr
Highway Superintendent	\$46,138/ yr
Town Justice (2)	\$12,722/yr Ea.

### APPOINTED OFFICIALS AND EMPLOYEES

Deputy Town Clerk	\$12.85/hr
Deputy Supervisor	\$ 15.00/hr an needed
Bookkeeper	\$16,354/yr
Building Inspector	\$15,411/yr
Zoning Officer	\$14,626/yr
Deputy Zoning Officer	\$12.58/hr vacant
Justice Clerical	\$25,959/yr
Planning/Zoning Clerk	\$12.85/ hr
Deputy Highway Superintendent	\$16.90/ hr
Highway Employees	\$16.40/ hr

### 12. Time Cards

**BE IT RESOLVED** all employees shall turn in a time card by the end of the last day of the pay period, salaried employees shall do the same stating time used for vacation, sick time, holiday or other time off to maintain accurate records of benefit time used. No pay will be issued without the presence of a time card.

### 13. Requesting To Be On Agenda

**BE IT RESOLVED** any individual wishing to be on the agenda, advise the Supervisor of that intent at least one week prior to the scheduled meeting.

### 14. Special Needs

**BE IT RESOLVED** any individual having any special needs and wishing to attend a meeting please advise the Town Clerk of the special requirements at least one week prior to the meeting. (ADA)

### 15. Department Audits

**BE IT RESOLVED** that the Town Board of the Town of Ulysses will do the Annual Audit of the books for each department on January 17th, 2004 at 8:30 AM.

### 16. Senior Tax Exemptions

**BE IT RESOLVED** that the Town Board of the Town of Ulysses supports the proposed standard property tax abatement proposed by the Board of Directors of TCIDA with a 90% Abatement the first year ending at 13% in seven years.

### SENIOR CITIZENS AND THE DISABLED PERSONS

EXEMPTION REAL PROPERTY

**WHEREAS**, the Town Board of the Town of Ulysses has established a maximum income real property tax exemption eligibility level, pursuant to Section 467 and Section 459 of the Real Property Tax Law, and

**WHEREAS**, the Town Board extended eligibility by establishing a sliding scale of exemption percentages for those with income between \$24,000 and \$32,400 pursuant to the Real Property Tax Law,

**NOW THEREFORE BE IT RESOLVED**, that the resolution establishing a maximum income exemption level for persons 65 years of age or older and disabled persons adopted pursuant to Real Property Tax Law Section 467 & Section 459, are amended to read as follows:

ANNUAL INCOME	PERCENTAGE ASSESSED
<u>VALUATION EXEMPT FROM TAXATION</u>	
<b>SENIOR &amp; DISABILITY</b>	
\$0 ->\$24,000	50%
24,001 to 24,999	45%
25,000 to 25,999	40%
26,000 to 26,999	35%
27,000 to 27,899	30%
27,900 to 28,799	25%
28,800 to 29,699	20%
29,700 to 30,599	15%
30,600 to 31,499	10%
31,500 to 32,399	5%

**FURTHER RESOLVE**, that the Town Board of the Town of Ulysses enacts sub section RPTL 467 (6b) allowing the automatic renewal of the senior citizen real tax exemption.

**17. Appoint Delegate to Annual Association Meeting**

**BE IT RESOLVED** that the Town Board of the Town of Ulysses appoints Richard Coogan as the Delegate for the Town of Ulysses to attend the Annual Meeting of the Associations of Town and vote as indicated above.

**18. Establish Deputy Supervisor Position**

**BE IT RESOLVED** that the Town Board of the Town of Ulysses establishes the position of Deputy Supervisor, as described by the Tompkins County Personal titled “Deputy Town Supervisor – Duties Statement”.

**FURTHER RESOLVED** that the Town Board of the Town of Ulysses revisits the position in one year and in six months after filling the position having Board discussion of how the position is going.

**FURTHER RESOLVED** that the Town Board of the Town of Ulysses increases the Supervisor Budget A1220.1 (Personal Services) by \$19,500 and A1220.4 (Contractual) by \$3000.

### **19. Appointing Deputy Supervisor to Run Meetings**

**WHEREAS** Lee Scott was appointed as Deputy Supervisor (1) to officiate at Town Board Meetings in the absence of the Supervisor Austic and,

**BE IT RESOLVED** that the Town Board of the Town of Ulysses will advertise the position of Deputy Supervisor (2) under the definitions previously adopted at the Regular Town Board Meeting held January 13, 2004 for a period of two (2) weeks in the Ithaca Journal and Trumansburg Free Press and,

**FURTHER RESOLVE** the appointed Deputy Supervisor (2) attends Town Board Meetings in the absence of the Supervisor but does not run the Town Board Meetings in the absence of the Supervisor and,

**FURTHER RESOLVED** that the Town Board has full access to the Deputy Supervisor (2) as an information resource.

### **20. SEQR Flo Tech PDD**

**WHEREAS** upon review of the information on the Full Environmental Assessment Review Parts I and II, and any other supporting information, and

**WHEREAS** considering both the magnitude and importance of each impact, it is reasonably determined by the Town of Ulysses being the lead agency, and

**THEREFORE BE IT RESOLVED** that the Town Board of the Town of Ulysses has determined the project for the Flo-Tech PDD will not result in any large and important impact(s) and, therefore, is one which will not have a significant impact on the environment, therefore declare a negative declaration and will prepared the form.

### **SPECIAL TOWN BOARD JANUARY 26, 2004**

#### **21. Adoption of DD#21 - Flo Tech**

**RESOLUTION** of the Town Board of the Town of Ulysses establishing and authorizing Development District No.21 pursuant to Article IV Section 5 of the Town of Ulysses Zoning Ordinance dated April 8, 1978.

**WHEREAS**, application has been made to the Town Board by Robert N. Brown; Sr., for a Planned Development District pursuant to Ulysses Zoning Ordinance, Article IV Section 5 for premises owned by him at the intersection of New York State Route 96 and Halseyville Road, in Ulysses Township being a portion of tax parcel No. 12-4-15.22; and,

**WHEREAS**, establishing a Development District is a zoning amendment, the provisions of Article X, Section 2, are applicable and have been complied with; and

**WHEREAS**, the application was referred to the Town Planning Board pursuant to Section 5(b) of Article N, and said Planning Board has unanimously approved the application pursuant to Section 5(c) at a meeting on December 3, 2003 and,

**WHEREAS**, the Town Board, after due publication and notice, has held a public hearing on January 6, 2004, hearing applicants presentation and public comment thereon, and receiving a full environmental assessment form for a Type I action under the State Environmental Quality Review Act; and

**WHEREAS**, the Town Board has made its findings and issued a negative declaration of significance, under SEQR as to the re-zoning issue; and

**WHEREAS**, the Town Board has received by letter dated December 12, 2003, being a review by the Tompkins County Planning Department under General Municipal Law §239- I & m, wherein they have determined that the proposed action has no negative inter-community, or county-wide impacts; and

**WHEREAS**, the New York State Office of Parks, Recreation and Historic Preservation's regional office has made a finding by letter of January 5, 2004, that as submitted the Planning Development District will not have a significant impact on the natural or cultural resources or operation and management of the State Park nearby; and

**WHEREAS**, an engineer's report dated September 16, 2003 and amended November 30, 2003 along with survey map dated September 16, 2003, provides tile basis of the application, as prepared by Gary L Wood, Professional Engineer, license No. 44504; and

**WHEREAS**, the application before the Board proposes as sole activity, the manufacture of prosthetic devices, which will by its nature involve up to 10 full time or full time equivalent employees, delivery of raw materials by tractor-trailer weekly with no heavy machinery, no noxious chemicals used, no odors generated per the application and no waste products of any type discharged into the surface ground water; and

**WHEREAS**, the proposed district has been determined to be in compliance with the Town of Ulysses Comprehensive Plan dated 1999 in that it encouraged small scale, non-polluting, and non-obtrusive types of businesses and light industry such as proposed by the applicant and owner, Robert Brown, for his business Flo-Tech as a manufacture of prosthetic devices, and in fact, which business previously existed across the highway (when it was rented) but now is forced to move; and

**WHEREAS**, the Board is only considering 3 acres of the 120 acres owned by Mr. Brown for this district; and

**WHEREAS**, the particular site is ideally suited for such purpose and will utilize existing historic barn and visually be protected from view; and

**NOW THEREFORE BE IT RESOLVED** that the Town Board of the Town of Ulysses hereby establishes,  
Development District No. 21

1. This district shall be known as Development District No. 21 and be appendices to the Ulysses Town Zoning Ordinance pursuant to Article IV Section 5 thereof.
2. That the purposes of which the district may be used are as follows:
  - a. The manufacture of prosthetic devices, and all necessary activities connected therewith.
  - b. In connection with said use, up to 10 fulltime or full time equivalent employees.
  - c. The facility on site must comply with all given application criteria and receive Ulysses Planning Board Site Plan approval, to insure compliance with all applicants's proposals before a Building Permit be issued.
  - d. That any road entrance complies with State and County Highway Rules and Regulations.
  - e. That any water and septic infrastructure comply with Tompkins County Health Department codes and receive its approval.
3. The area of the district shall be 3 acres (minimum under Article IV Section 5 (a)), as set forth in the survey dated September 16, 2003 of Gary L Wood, P .E., being part of Tax Parcel No. 12-4-15.22 and have the following legal boundaries:

BEGINNING at a point where New York State Route 96 intersects Tompkins County Highway known as Halseyville Road, being the northeastern corner of said rights of way of each road as shown on said survey;

Thence north 16 degrees 33 minutes 40 seconds west along the eastern boundary of NYS Route 96, a distance of 214.56 feet to a point;

Thence north 79 degrees 26 minutes 15 seconds west, a distance of 303.62 feet to a point;

Thence south 16 degrees 33 minutes 40 seconds east, a distance of 396.66 feet to a point;

Thence south 10 degrees 18 minutes 35 seconds west, a distance of 136.28 feet to a point;

Thence south 79 degrees 26 minutes 15 seconds east, a distance of 221.32 feet to a point on the easterly boundary of said Halseyville Road;

Thence north 10 degrees 18 minutes 35 seconds east, along said easterly right of way of Halseyville Road, a distance of 298.34 feet to the point or place of beginning.

The above premises being 3 acres of land.

This Development District No. 21 shall be effective upon legal notice and filing of this resolution.

The Building Permit shall only be issued after Site Plan Review to comport with the details of the application as to structure and layout, and proper building code compliance, county highway, state highway: and County Health Department approvals.

## **22. Budget Modifications 2003**

**BE IT RESOLVED** that the Town Board of the Town of Ulysses authorize Supervisor Austic to make the following budget modifications to the 2003 Budget:

### **General Fund A 2003 Budget Modifications**

#### Appropriation Increases

1010.4 Town Board CE	1492.84
1110.4 Justice CE	440.47
1420.4 Attorney	3120.00
1620.2 Building Eqt.	399.99
1620.4 Building CE	3534.28
1670.4 Print & Mailing	8336.74
1910.4 Unallocated Ins.	2356.00
5010.1 HW Superintendent	376.68
5132.4 Town Garage	2090.85
7310.4 Youth CE	3412.50
9010.8 NYS Retirement	1242.64
9030.8 Social Security	1096.77
9040.8 Workers Comp.	959.49

Total Budget increases 28859.25

#### Appropriation Decreases

1110.1 Justice PS	103.83
1220.4 Supervisor CE	309.11
1410.1 Clerk PS	1394.66
1410.4 Clerk CE	1673.84
1450.4 Elections CE	1875.00
1460.4 Records Mngt. CE	1021.10
1920.4 Municipal Dues	595.00
3510.4 Dog Control	245.00
7310.1 Youth Employment	1426.47
7550.4 Celebrations	71.86
5182.4 Street Lighting	39.42

9055.8 Disability Ins.	49.20
9060.8 Health Ins.	3143.89
1990.4 Contingency	5000.00

Total Budget Decreases	16948.33
------------------------	----------

Increased Revenue Accts.	
1090 Int&Pen RP Tax	709.45
1255 Clerk Fees	618.10
2544 Dog Licenses	1346.52
2610 Fines & Forfeitures	2028.00
2665 Sale of Surplus Eqpt	250.00
2701 Refunds from Prior Yrs.	2185.20
3005 Mortgage Tax	82687.68

Total Revenue Increases	89824.95
Total Net App. Increases	16948.73
Anticipated Fund Bal. Inc	72876.22

### **General Fund B Budget Modifications**

Appropriation Increases	
1440.4 Engineering/Consultants	2188.50
8010.1 Zoning Officer PS	24.36
8020.1 Planning PS	2591.04
8020.4 Planning CE	4590.00
9010.8 NYS Retirement	150.44
9040.8 Workers Comp.	132.28
9060.8 Health Ins.	9.13

Total Budget Increases	9685.00
------------------------	---------

Appropriation Decreases	
1990.4 Contingency	2000.00
3620.4 Bldg. Insp. CE	530.28
8010.4 Zoning CE	312.61
9030.8 Social Security	341.61
9055.8 Disability Ins.	5.00

Total Budget Decreases	3189.52
------------------------	---------

Revenue Increases	
1120 Sales Taxes	29278.32
2110 Zoning Fees	450.00
2555 Bldg. Pmt. Fees	17048.50
2701 Prior Year Refunds	402.65

3001 Per-capita Aid	92.00
3089 State Aid Bldg. Dept.	2893.53
<b>Total Revenue Increases</b>	<b>50165.00</b>

**Highway Town-wide DA Fund**

Appropriation Increases	
5130.1 Eqpt. Repair PS	7789.35
5130.4 Eqpt. Repair CE	930.07
5142.1 Town Snow PS	5261.46
5142.4 Town Snow CE	3215.03
5148.1 Snow OG PS	5261.46
5148.4 Snow OG CE	5142.50
9010.8 NYS Retirement	566.46
9030.8 Health Ins.	291.28
9040.8 Workers Comp.	3251.50
<b>Total Budget Increases</b>	<b>31709.11</b>

Appropriation Decreases	
5120.1 Bridges PS	1000.00
5120.4 Bridges CE	1000.00
5130.2 Eqpt. Purchases	4386.47
5140.1 Brush & Weeds PS	608.64
5140.4 Brush & Weeds CE	1018.75
9055.8 Disability Ins.	13.57
9060.8 Health Ins.	2433.03
<b>Total Budget Decreases</b>	<b>10460.46</b>

Revenue Increases	
2302 Services OG	5047.39
2665 Sale of Surplus Eqpt.	4500.00
2701 Prior Year Refunds	1249.17
<b>Total Revenue Increases</b>	<b>11696.56</b>

**Highway Part-town DB Budget Modifications**

Appropriation Increases	
5112.2 Highway Cap. Improvements	6988.72
9010.8 NYS Retirement	566.46
9040.8 Workers Comp.	3476.73
9055.8 Disability Ins.	8.75

Total Budget Increases	11040.66
Appropriation Decreases	
5110.1 Highway Repair PS	3011.89
5110.4 Highway Repair CE	8526.57
9030.8 Social Security	1028.14
9060.8 Health Ins.	2442.94
Total Budget Decreases	15009.54
Revenue Increases	
2701 Prior Year Refunds	4555.35
3501 Chips	52.00
Total Revenue Increases	4607.35

### 23. Lateral Water Line Restrictions for Ulysses Water Districts

**WHEREAS**, The Town of Ulysses is desirous of preserving the viability of agriculture in the Town of Ulysses; and

**WHEREAS**, The Town of Ulysses is concerned that the formation of water districts and the construction of new water lines throughout portions of the Town that are currently within a Tompkins County Agricultural District may increase development pressures making it more difficult to preserve agricultural lands; and

**WHEREAS**, the Town of Ulysses Zoning regulations have been developed to encourage development in areas of the Town deemed to be of lesser agricultural value in an effort to ensure the viability of our areas of greater agricultural value; and

**WHEREAS**, at the time of formation of Water District No. 3, the local Agriculture Land Protection Board's survey of local farmers found overwhelming support for the district formation and little concern for the detrimental effects upon their agricultural operations; and

**WHEREAS**, in a report to New York State Department of Agriculture and Markets, the Tompkins County Agriculture Land Protection Board recommended to the Department that no lateral extension restrictions be placed on Ulysses Water District No. 3; and

**WHEREAS**, the Town of Ulysses wishes to make every effort abide by the policies of the New York State Department of Agriculture and Markets, while at the same time following its well thought out zoning plan designed to preserve the Town's higher class agricultural resources;

**NOW THEREFORE BE IT RESOLVED** by the Town Board of the Town of Ulysses as follows:

- a. The only land or structures which will be allowed to connect to Water District No. 3 lying wholly within the Tompkins County Agricultural District and wholly within the Town of Ulysses Agricultural/Residential District, will be existing structures, future agricultural structures, and land and structures that have already been approved for development by the local governing body prior to the construction of the Water District #3. Land and structures that have been approved for development refer to those properties/structures that have been brought before a local governing body where approval is needed to move forward with the project plans.
- b. Future lots resulting from a minor subdivision located wholly within the Tompkins County Agricultural District and wholly within the Town of Ulysses Agricultural/Residential District will not be subject to lateral restrictions. Future lots, in the areas described above, resulting from a rural or major subdivisions are subject to lateral restrictions. If, however, the owner of the proposed rural or major subdivision can demonstrate to the satisfaction of the Town Board that lateral extensions to the subdivision will not have a detrimental effect upon present or future agricultural uses of neighboring properties and that granting of water extension to the subdivision will not conflict with the Ulysses Zoning Ordinance, lateral extensions may be granted by the Board upon approval from the Department of Agriculture and Markets.
- c. If an existing commercial landowner located wholly within both the town and county agricultural districts can show a significant hardship, the Town Board upon approval by the Department of Agriculture and Markets may remove lateral restrictions.
- d. The resolution shall take effect immediately upon approval.

## **REGULAR TOWN BOARD MEETING FEBRUARY 10, 2004**

### **24. Approve Tabled Voucher for \$900 to Pay Cayuga Lake Watershed**

**BE IT RESOLVED** that the Town Board of the Town of Ulysses approves the voucher tabled at January's meeting and included it in this payment as voucher #78 in the amount of \$900 for dues to Cayuga Lake Watershed.

### **25. Tire Collection Day**

**BE IT RESOLVED** that the Town Board of the Town of Ulysses approves that Highway Superintendent James Meeker work with Soil & Conversation to set up a day for a "tire collection day".

### **26. Blanding Electric Payment Request**

**WHEREAS**, the Town of Ulysses has received the certified Second Submission for work completed through January 20, 2004 Contract No. 1B – Electrical Construction DWSRF Project No. 16097 and

**WHEREAS**, the total amount of work done to date is \$17,440.00. No monies are being requested for stored materials under this payment and,

**WHEREAS**, a retainage of five percent (5%) of the value of work done to date, totaling \$872.00, has been withheld from the payment per the Contract Specifications and

**WHEREAS**, the total amount due the contractor for the second payment is \$15,228.00 and,

**WHEREAS**, Barton & Loguidice, after review, authorize the Town Board of the Town of Ulysses to make the second payment to Blanding Electric, Inc. in the amount of \$15,228.00 for work completed for the period ending January 20, 2004.

**NOW THEREFORE BE IT RESOLVED**, the Town Board of the Town of Ulysses authorizes Supervisor Austic to issue a check to Blanding Electric, Inc. in the amount of \$15,228.00 for the second payment for Town of Ulysses Water District No. # 3 Water System Improvements.

## **REGULAR TOWN BOARD MEETING MARH 9, 2004**

### **27. Participate in the Vehicle & Traffic Law Credit Card Program**

**BE IT RESOLVED** that the Town Board of the Town of Ulysses authorizes Supervisor Austic to enter into an agreement with the New York State Unified Court System for a period of six to nine months to participate in the Vehicle & Traffic Law Credit Card Program.

### **28. Schedule Public Hearing - Regulation of Watercraft In Certain Shoreline Areas of Cayuga Lake**

**BE IT RESOLVED** that the Town Board of the Town of Ulysses use the copy provided by the Town of Ithaca of the Ordinance passed by them for the draft ordinance to be presented at the Public Hearing scheduled on March 30, 2004.

### **29. Allocation of Sales Tax Money**

**BE IT RESOLVED** that the Town Board of the Town of Ulysses allocate the Sales Tax Surplus received in February in the amount of \$54,975.93 to the following accounts; \$15,000 to be deposited into the Bridge/Highway Repair Reserve account; \$20,000 Water Development Reserve account and the remaining \$19,975.93 to the DB Fund Savings account.

### **30. Support Collateral Source Bill**

**WHEREAS**, there has been introduced before the New York State Senate And the New York State Assembly, a bill known as A.622/ A3483 entitled: ' An act to amend the civil practice law and rules, relation to equalizing the treatment of collateral sources in tort actions, to repeal subdivisions (a) and (b) of Section 4545 of such law and rules relating to collateral sources in certain tort actions and to repea1 subdivisions (d) and (e) of rule 4111 of such law and rules relating to itemized verdicts in certain tort actions"' and

**WHEREAS**, this bill will equalize the treatment of collateral sources in tort actions against public defendants by applying the same standard used in cases against private defendants, the bill would allow collateral sources to offset damage awards for future costs or expenses in actions against public employers (to present double recoveries),

**NOW THEREFORE BE IT RESOLVED** that the Town Board of the Town of Ulysses does hereby support the enactment of New York State Senate Bill S.622/New York State Assembly Bill A3483; and be it further

**RESOLVED**, that certified copies of this resolution be delivered to Honorable Joseph Bruno, Majority Leader, New York State Senate, Honorable Sheldon Silver, Speaker New York State Assembly, Honorable Richard Plarkin, Counsel to the Governor, Honorable Barbara Lifton, Assemblyperson for the 125th District; and Honorable John Kuhl, Senator for the 53rd District, by the Town Clerk.

## **TOWN BOARD / PLANNING BOARD MEETING APRIL 1, 2004**

### **Discuss The Proposed A1 District For The New Zoning Ordinance/Law**

## **REGULAR TOWN BOARD MEETING APRIL 13, 2004**

### **31. Water Craft Ordinance In Certain Shoreline Areas of Cayuga Lake**

#### **ORDINANCE PROVIDING FOR THE REGULATION**

#### **OF WATERCRAFT IN CERTAIN SHORELINE AREAS OF CAYUGA LAKE**

Pursuant to Subdivision 17 of Section 130 of the Town Law of the State of New York, the Town Board of the Town of Ulysses, Tompkins County, New York, does ordain and enact as follows:

#### **SECTION 1. Definitions.**

A. "Vessel" shall mean "vessel" as defined in Subdivision 6 of Section 2 of the New York State Navigation Law or any successor or amendment to such subdivision

an section.

B. "Watercraft" shall mean any vessel, vehicle, or contrivance intended, designed, or utilized for travel over or under water, and that is propelled by a motor or engine of any type, whether fueled by gasoline or otherwise.

C. "Personal watercraft" or "PWC" shall mean a Vessel which uses an inboard motor powering a water jet pump as its primary source of motive power and which is designed to be operated by a person sitting, standing, or kneeling on, or being towed behind the vessel, rather than in the conventional manner of sitting or standing inside the vessel.

D. "Specialty prop-craft" shall mean a Vessel which is powered by an outboard motor or propeller driven motor and which is designed to be operated by a person sitting, standing, or kneeling on, or being towed behind the Vessel, rather than in the conventional manner of sitting or standing inside the Vessel.

E. "Non-motor Powered Vessel" shall mean a Vessel powered by a force other than a motor, specifically wind or human muscle power, such as canoe, kayak, paddleboat, crew boat, row boat, sailboat or sailboard.

F. "Cayuga Lake" shall mean the whole of Cayuga Lake to its high water mark, all subsurface lands, and all streams, creeks, rivers, canals, inlets, and other waterways connected thereto, whether navigable or not, located in the Town of Ulysses.

G. "Shoreline" shall mean any location where the surface of Cayuga Lake meets land, including emergent islands and structures of all sorts; but not including wharves, docks, and similar structures made, placed or installed by any person or entity.

H. "Daytime" shall mean one-half hour after sunrise to one-half hour before sunset and "nighttime" shall mean one-half hour before sunset to one-half hour after sunrise.

SECTION 2. Vessel Regulation Zone. A vessel regulation zone is established so that no watercraft shall exceed a speed of (a) 5 miles per hour within 100 feet of any shoreline, dock, pier, marked swimming area, or anchored, moored; floating or non-motorized vessel, or (b) 10 miles per hour when between 100 feet and 500 feet of any shoreline, or marked swimming area, with exception made for vessels operated for the purpose of enabling a person engaged in water skiing to take off or land, or c) 45 mph during the daytime and 25 mph during the nighttime when between 500 and 1500 feet of any shoreline or marked swimming area.

SECTION 3. Limits on operations of PWCs and Specialty Prop-Craft No person shall operate a PWC or a Specialty Prop-Craft at any time before 9 a.m. or after the earlier of 8:00 pm or one-half hour before sunset.

SECTION 4. Limits on operators under sixteen years of age No person under the age of 16 years may operate a PWC or Specialty Prop-Craft unless he or she is:

Accompanied by a parent or guardian, an adult over the age of 18 years or possesses a current and valid boating certificate issued by the State of New York, the United States Coast Guard, or an appropriate Power Squadron.

SECTION 5. Limitations on noise levels. In no case shall the noise level of any watercraft, or any activities conducted from such watercraft, exceed 65dBA during daytime and 55dBA during nighttime as measured from the shore.

SECTION 6. Applicability. This Ordinance shall apply only to those portions of Cayuga Lake falling under the jurisdiction of the Town of Ulysses.

SECTION 7. Violations. A violation of this Ordinance shall be punishable as set forth in Section 73-c of the New York State Navigation Law or any successor or amendment to such section.

SECTION 8. Effective dates: This Ordinance shall become effective April 13, 2004, or 10 days after publication of a copy of this Ordinance or a summary or abstract of same in the official newspaper of the Town as required by Town Law Section 133, whichever is later.

SECTION 9. Partial Invalidity. If any provision of this Ordinance is found invalid by any court of competent jurisdiction, such invalidity shall not affect any other provisions of this Ordinance, which shall remain in full force and effect.

### **32. Renovation of Second Floor in the Town Hall**

**BE IT RESOLVED** that the Town Board of the Town of Ulysses accepts the bid of Peter Cooke in the amount of \$13,800 for the renovation of the second floor of the Town Hall.

### **33. Sidewalk in Jacksonville**

**BE IT RESOLVED** that the Town Board of the Town of Ulysses wishes to continue with the sidewalk project in the Hamlet of Jacksonville.

### **34.Planning Board Appointment – John Wertis**

**BE IT RESOLVED** that the Town Board of the Town of Ulysses appoints Mr. John Wertis to the Planning Board to fill the unexpired term created by the resignation of Mark Ochs

### **35. Executive Session**

**BE IT RESOLVED** that the Town Board of the Town of Ulysses adjourn to executive session to discuss a personnel matter related to the Town Attorney.

### **36. Notify Attorney Bruce Wilson of Retainer Provisions for his Approval**

**BE IT RESOLVED** that the Town Board of the Town of Ulysses authorize Supervisor Austic to notify Attorney Bruce Wilson of the foregoing after he has emailed a draft to the Town Board Members for their approval.

- The Retainer would be in the amount of \$16000.00 annually.
- Shared office space would be provided in the Town Hall for the transaction of town business.
- A requirement of office hours within the Town Hall of at a minimum of three (3) hours per week at an established time to better enable town officials to communicate their needs and get opinions on matters before them.
- A requirement to attend a minimum twelve (12) town sponsored meetings per year. (These meetings may be broken up among the Town Board, Planning Board, BZA or others as needed or recommended by the Town Board.)
- Legal Opinions on matters for the Highway Superintendent, Town Clerk, Code Enforcement Officer, Justices, Town Board, Supervisor, Planning Board and BZA would be rendered under the retainer in addition to the 3 hours per week of office hours if needed.
- Requests for legal opinions for BZA or Planning Board should be cleared by the Chair of the perspective board or in the case of other employees by the Town Board, or in the case that matter needs immediate attention, the Town Supervisor
- Any meeting attendance above and beyond those stated above and/ or any legal work performed above and beyond that specified and approved by the Town Board will billed to the Town at your established rate.
- A review of the successes or failures of the retainer agreement will take place by the Town Board prior to a reappointment each January.

## **REGULAR TOWN BOARD MEETING MAY 11, 2004**

### **37. MS4 Phase II, Testing of Septic Systems on residential properties along Cayuga Lake Approve applying for funds through the NYS Local Waterfront Revitalization Program's Environmental Protection Fund 2004-2005 and**

**Whereas** the Town of Ulysses has set forth as a requirement in the MS4 Phase II, testing of Septic Systems on residential properties along Cayuga Lake,

**Whereas** the Town of Ulysses has set forth as a requirement in the Hazard Mitigation Plan the protection of public drinking water,

**Whereas** the Town of Ulysses requires financial assistance for funding these initiatives, and

**Therefore Be It Resolved** that the Town Board of the Town of Ulysses does hereby Approve applying for funds through the NYS Local Waterfront Revitalization Program's Environmental Protection Fund 2004-2005 and

**Further Resolve** the Town Board of the Town of Ulysses commits no funds at this time to support the project.

### **38. R. Myers Construction Payment Request**

**Whereas**, the Town of Ulysses has received the certified Sixth Submission for work completed through April 16, 2004 Contract No. 1A – General Construction DWSRF Project No. 16097 and

**Whereas**, the total amount of work done to date is \$2,453,422.47 and no monies are being requested for stored materials under this payment and,

**Whereas**, a retainage of five percent (5%) of the value of work done to date and materials stored on-site, totaling \$122,671.13, has been withheld from the payment per the Contract Specifications and

**Whereas**, the total amount due the contractor for the sixth payment is \$264,740.21 and,

**Whereas**, Barton & Loguidice, after review, authorize the Town Board of the Town of Ulysses to make the sixth payment to R. Myers Construction, Inc. in the amount of \$64,740.21 for work completed for the period ending April 16,2004,

**Now Therefore BE IT RESOLVED**, the Town Board of the Town of Ulysses authorizes Supervisor Austic to issue a check to R. Myers Construction, Inc. in the amount of \$264,740.21 for the sixth payment for Town of Ulysses Water District No. # 3 Water System Improvements.

### **39. Blanding Electric Inc. Payment Request**

**WHEREAS**, the Town of Ulysses has received the certified Final Payment Submission for work completed through April 30, 2004 Contract No. 1B – Electrical Construction DWSRF Project No. 16097 and

**WHEREAS**, the total amount of work done to date is \$872.00 and no monies are being requested for stored materials under this payment and,

**WHEREAS**, the total amount due the contractor for the Final Payment is \$870.00 and,

**WHEREAS**, Barton & Loguidice, after review, authorize the Town Board of the Town of Ulysses to make the Final Payment to Blanding Electric, Inc. in the amount of \$870.00 for work completed for the period ending April 30, 2004,

**NOW THEREFORE BE IT RESOLVED**, the Town Board of the Town of Ulysses authorizes Supervisor Austic to issue a check to Blanding Electric, Inc. in the amount of \$870.00 for the Final Payment for Town of Ulysses Water District No. # 3 Water System Improvements.

#### **40. Permissive Referendum to Withdraw Monies from Part-Town Capital Reserve**

**NOTICE OF ADOPTION** of a Resolution subject to a Permissive Referendum for withdrawal of monies from the Part Town Capital Reserve Fund for the purpose of matching the grant from Tompkins County for the Jacksonville Sidewalk Project in an amount not to exceed \$3500.

#### **41. Permissive Referendum For Withdrawal Of Monies From The General Capital Reserve Fund**

**NOTICE OF ADOPTION** of a Resolution subject to a Permissive Referendum for withdrawal of monies from the General Capital Reserve Fund for the purpose of renovations of the second floor of the Town Hall an amount not to \$13,800.

### **PUBLIC INFORMATIONAL MEETING MAY 27, 2004**

#### **Presentation of Stormwater Report**

#### **SPECIAL TOWN BOARD MEETING MAY 27, 2004**

#### **42. Planning Board Appointment – Margo Chiuten**

Ms. Marino moved for the nomination of Margo Chiuten to fill the unexpired term of Richard Coogan expiring on December 31, 2009.

#### **43. Planning Board Chair Appointment – John Weris**

Mr. Austic moved, seconded by Mr. Scott to nominate John Wertis as the Chairman to the Planning Board.

#### **44. Use 400' Frontage in A1 District in New Zoning**

**BE IT RESOLVED** that the Town Board of the Town of Ulysses agrees to use a minimum 400' frontage requirement in the A1 District with no minimum acreage.

**FURTHER RESOLVED** that the Town Board of the Town of Ulysses will return to the discussions of the apportioned lots at the Regular Town Board Meeting in October 2004.

### **REGULAR TOWN BOARD MEETING JUNE 8, 2004**

#### **45. Approving appointment of Part Time Deputy Zoning Officer**

Mr. Ellis moved, seconded by Mr. Scott to approve that Mr. Rachun can appoint a person to work with him in zoning for up to four hours per week.

#### **46. Transferring Title of Pump Station to Town of Ithaca**

**BE IT RESOLVED** that the Town Board of the Town of Ulysses authorizes Supervisor Austic to transfer title of the Pump Station on Woolf Lane to the Town of Ithaca as agreed in the original contract.

#### **47. Negotiations with Village of Trumansburg for Water District #5**

**BE IT RESOLVED** that the Town Board of the Town of Ulysses authorizes that the Town Supervisor Douglas Austic and Town Attorney Bruce Wilson start the negotiations with the Village of Trumansburg to form District #5.

#### **48. Change Meeting Date**

Mr. Ellis moved, seconded by Ms. Marino to change the date of the August Regular Town Board Meeting to August 17th, 2004.

### **SPECIAL TOWN BOARD MEETING JUNE 29, 2004**

#### **49. Appoint Planning Board Member – David Means**

Mr. Ellis moved, seconded by Mr. Austic to appoint David Means to the Planning Board to fill the unexpired term of George Kennedy until December 2008.

#### **50. Committee to Work on Local Laws for MS4**

**BE IT RESOLVED** that the Town Board of the Town of Ulysses appoints Richard Coogan, Deputy Supervisor, John Wertis Planning Board Chairman, and Rebecca Schneider and Elizabeth Thomas Ulysses residents to be on the committee to work with the Genesee/Finger Lakes Regional Council on local laws for MS4.

### **REGULAR TOWN BOARD MEETING JULY 13, 2004**

#### **51. Transfer Money for Improvements for Town Hall Upstairs**

**BE IT RESOLVED** the Town Board of the Town of Ulysses increase A1620.2 in the amount of \$13,800 and decrease the General Fund Capital Reserve the same for the improvements of the Town Hall upstairs for the Youth Department.

#### **52. Representative to the Cayuga Lake Intermunicipal Organization – Liz Thomas**

**BE IT RESOLVED** the Town Board of the Town of Ulysses appoints Elizabeth Thomas as the representative to the Cayuga Lake Intermunicipal Organization for the Town of Ulysses.

#### **53. Hire Ithaca Millwork for Design Work of Court Bench**

**BE IT RESOLVED** the Town Board of the Town of Ulysses hire Ithaca Millwork Company to provide the drawing/design work at the quoted price of \$3000 and provide a detailed estimate including the cost of removal and installation of the unit.

**FURTHER RESOLVED** the drawing/design will belong to the Town with the right to secure other quotes.

#### **54. Myers Change Order and Payment Request**

Whereas, the Town of Ulysses has received Change Order No.1 for Contract No. 1A – General Construction DWSRF Project No. 16097 and

Whereas this Change Order is for various items of additional work completed by R. Myers Contractors during the course of the project and

Whereas Change Order No. 1 also includes a final adjustment in the Contract amount based on the actual quantities of the various Bid Items installed in the project versus the estimated quantities in the bid documents, on which the original Contract \$2,636,769.00 was based and

Whereas, Barton & Loguidice, after review, recommends the Town Board of the Town of Ulysses to review and authorize Change Order No. 1 for a Contract cost decrease of \$28,173.46, revising Contract 1A to \$2,608,595.54 and

Whereas in the Notice of Substantial Completion for Contract No. 1A it includes a listing of minor work items which remain to be completed totaling \$17,220.00 and

Now Therefore BE IT RESOLVED, the Town Board of the Town of Ulysses authorizes Supervisor Austic to issue a check to R. Myers Construction, Inc. in the amount of \$260,624.20 for the full value of the Contract less the minor work remaining for Town of Ulysses Water District No. # 3 Water System Improvements.

#### **55. Increase Payment to Barton & Loguidice**

BE IT RESOLVED the Town Board of the Town of Ulysses authorizes Supervisor Austic to increase the total authorization per July 2001 proposal from \$405,500 to \$430,000 which is an increase of \$24,500.

### **SPECIAL TOWN BOARD MEETING JULY 20, 2004**

#### **Draft Zoning Ordinance Review**

### **SPECIAL TOWN BOARD MEETING AUGUST 3, 2003**

#### **Draft Zoning Ordinance Review**

### **REGULAR TOWN BOARD MEETING AUGUST 17, 2004**

#### **56. Directive to Towns Voting Member to the Recreation Partnership**

**Whereas** municipal entities in Tompkins County recognize the benefit of cooperation and coordination for the delivery of recreational activities for youth of their communities, and to efficiently provide such services the Recreation Partnership agreement was entered into and the Recreation Partnership Board formed:

**Whereas** many rural youth are unable to participate in Recreation Partnership programs due to lack of transportation and;

**Whereas** many rural municipalities have recreation programs that run independent of the Recreation Partnership:

**Whereas** continued dependence on the property tax as the major funding source for the Recreation Partnership will result in loss of programming as municipalities struggle to set priorities from this over used revenue stream:

**Now therefore be it resolved** that the Town of Ulysses hereby finds that the following become the directive of our voting representatives to the Recreation Partnership Board:

- 1) Explore the formation of a 501(c)(3) not for profit agency, to facilitate the acquisition of additional funding sources other than tax dollars, such as tax-deductible donations from individuals and corporations;
- 2) Institute the Request for Proposal process for each specific program as planned in the Recreation Partnership agreement;
- 3) Explore and facilitate the coordination of partnering- municipalities recreation programs and administration as a means to expand program opportunities.
- 4) Explore transportation opportunities to get rural youth to city programs and city youth to rural programs;
- 5) To facilitate blending of rural and city programs explore the concept of creating "in kind" contributions of staff time and programs toward a municipalities financial contribution to the Recreation Partnership.

**Further resolved**, this resolution shall be forwarded to the Recreation Partnership Board, and

**Further resolved** that the Ulysses Town Board hereby directs its representatives to work to accomplish these goals before the end of 2005.

## **SPECIAL TOWN BOARD MEETING AUGUST 24, 2004**

### **57. "Authorization to Proceed" with Barton and Loguidice**

**BE IT RESOLVED** that the Town Board of the Town of Ulysses authorizes Supervisor Austic to sign the "Authorization to Proceed" with Barton and Loguidice as described herein in accordance with the Terms and Conditions proposed herein and in accordance with the Annual Engineering Services Agreement in effect at the time the service is rendered.

## **REGULAR TOWN BOARD MEETING SEPTEMBER 14, 2004**

### **58. Get Estimates ON Exterior Painting, Furnace AND Floor Stripping**

Authorize Mr. Austic to ask for estimates for the furnace, exterior painting, and the floor stripping.

## **SPECIAL TOWN BOARD MEETING SEPTEMBER 15, 2004**

**Review Draft Zoning Ordinance**

## **SPECIAL TOWN BOARD MEETING SEPTEMBER 22, 2004**

**Review Draft Zoning Ordinance**

## **SPECIAL TOWN BOARD MEETING OCTOBER 5, 2004**

**2005 Budget Review**

## **REGULAR TOWN BOARD MEETING OCTOBER 12, 2004**

### **59. Appointment to Water Resource Council – Roxanne Marino**

**Be It Resolved** that the Town Board of the Town of Ulysses recommends Roxanne Marino to be appointed to the Water Resources Council.

### **60. Annual Agreement Barton and Loguidice For Engineering Services**

Authorize Supervisor Austic to sign the annual agreement for engineering services with Barton & Loguidice.

### **61. Exterior Painting**

Authorize Denmark Painting to paint the exterior of the Town Hall at a price not to exceed \$2940.

### **63. Appoint to Zoning Board – Gerald VanOrden**

**Be It Resolved** that the Town Board of the Town of Ulysses nominates Gerald VanOrden to serve on the Zoning Board of Appeals for the remaining term of Mr. Christensen expiring December 31<sup>st</sup>, 2004.

## **PUBLIC HEARING NOVEMBER 4, 2004**

### **2005 Budget**

## **SPECIAL TOWN BOARD MEETING NOVEMBER 4, 2004**

### **Review of Draft Zoning**

## **REGULAR TOWN BOARD MEETING NOVEMBER 9, 2004**

### **64. Accept NYSDOT Offer for Land on Rt. 227**

**Be It Resolved** that the Town Board of the Town of Ulysses nominates Gerald VanOrden to serve on the Zoning Board of Appeals for the remaining term of Mr. Christensen expiring December 31<sup>st</sup>, 2004.

### **65. Increase Contingency Fund**

**BE IT RESOLVED** that the Town Board of the Town of Ulysses increase line A1990.4 the Contingency Account by \$2000.

### **66. Adopted 2005 Budget**

**BE IT RESOLVED** that the Town Board of the Town of Ulysses adopts the 2005 Preliminary Budget with the above adopted additions.

### **67. Re-Appointment to Zoning Board – Gerald VanOrden**

The Town Board offer Mr. VanOrden the opportunity to continue as a member to the Zoning Board of Appeals.

### **68. Court Bench out for Bids**

Put the "Court Bench" out for bid including a price for the platform, bids to be returned by 30 days.

## **SPECIAL TOWN BOARD MEETING NOVEMBER 18, 2004**

### **Review of Zoning Ordinance**

## **REGULAR TOWN BOARD MEETING DECEMBER 14, 2004**

### **69. Endorses Tompkins County Comprehensive Plan**

**WHEREAS Tompkins County has done a lot of work on their Comprehensive Plan and,**

**WHEREAS the Tompkins County Comprehensive Plan is in line with the Town of Ulysses Comprehensive Plan so,**

**THEREFORE BE IT RESOLVED that the Town Board of the Town of Ulysses endorses the Tompkins County Comprehensive Plan.**

### **70. SEQR – Road at Trumansburg Apartments**

WHEREAS, William J. Auble, an owner of certain improved property in the Town, has asked to formally dedicate a roadway for public use and ownership; and

WHEREAS, said proposed public roadway is within the Town of Ulysses, services apartment buildings located in the Village of Trumansburg, and is proposed to be called "Meadowview Drive" and "Parkside Drive"; and

WHEREAS, the roadways in question was built to Town specifications, and the Town Engineer and Town Highway Supervisor have reviewed and examined such roadways, and deem the same fit for public dedication; and

WHEREAS, the documents necessary to approve such roadways dedication have been reviewed and approved by the Town Attorney, or will be so approved prior to the filing of the same; and

WHEREAS, a road dedication triggers review under, and is subject to, the New York State Environmental Quality Review "SEQR"), Article 8 of the New York State Environmental Conservation Law and Part 617 of the New York Codes, Rules and Regulations, ("NYCRR"), and is a Type I action pursuant to NYCRR 617.5; and

WHEREAS, as there are no other involved or interested agencies and the proposed action is wholly within the Town of Ulysses, the Town Board of the Town of Ulysses was duly designated as the lead agency for conducting an environmental review of the proposed project; and

WHEREAS, the Town Board, having conducted a State Environmental Quality Review, having reviewed and completed an Environmental Assessment Form, and having reviewed the proposal in light of the Town's zoning and building policies and the Town's Comprehensive Plan, and after due deliberation thereupon, the Town Board having made a negative declaration of environmental impact; and

WHEREAS, upon due deliberation upon all relevant matters, it is hereby

RESOLVED AND DETERMINED, that the project complies with the requirements of SEQR, and the Regulations promulgated there under, and the Town Board, as lead agency, hereby makes a negative declaration of environmental impact.

#### **71. Accepting of Roads – Meadowview Drive and Parkside Drive**

WHEREAS, the Ulysses Town Board has previously agreed with the Village of Trumansburg that a Town public road from NYS Route 96 (Main Street) to a new housing development in the Village of would be mutually beneficial; and

WHEREAS, the construction of said road is now complete, being at present along a private right of way across premises owned by William Auble who has offered to deed same to the Town allowing public access to the Village housing development as more particularly shown on the attached legal description and map incorporated into the resolution by reference hereto; and

WHEREAS, the Town Highway superintendent has by letter of December 9, 2004 notified and certified the purposed public roads meets all highway standards set by the State and Town Laws as to construction; and

WHEREAS, the Town attorney for the Town of Ulysses has represented to this Board that the real estate title is satisfactory and that the property can be transferred to the Town by road dedication from William Auble to the Town; and

WHEREAS, the attorney for the Town has reviewed the legal documents needed to transfer said title inclusive of map and description for the proposed dedication and is satisfied as to their accuracy; and

WHEREAS, the Board issued a negative declaration is it's SEQR review of the proposed dedication of the existing improved roads; and

WHEREAS, the Town Board has reviewed the proposed road dedication and finds same in public interest;

NOW THEREFORE IT IS HEREBY RESOLVED, the Ulysses Town Board hereby accepts said road as referenced and authorizes the Town Supervisor to sign all documents connected therewith to transfer title to the town; and

FURTHER RESOLVES, to authorize the Town Highway Superintendent to take all action to place same on the Town highway map and notify all parties as required by law and to maintain and repair as needed said road as a public way of the TOWN OF ULYSSES; and

FURTHER RESOLVED, that the attorney for the Town is directed to file all title documents, when in his possession, inclusive of deed with the Tompkins County Clerk and inform the Highway Superintendent and Town Supervisor upon filing thereof and transfer of title.

FURTHER RESOLVED, that the northeasterly road portion is hereby named Meadowview Drive and the southeasterly portion is hereby named Parkside Drive.

## **72. Gift Certificates**

**BE IT RESOLVED that the Town Board of the Town of Ulysses approves the gift certificates at the same amount as last years.**

## **BID OPENING DECEMBER 21, 2004**

### **Bid Opening FOR Town Hall Court Room Bench**